



## Agenda Report

22-103

Agenda Date: 3/22/2022

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### REPORT TO COUNCIL AND THE STADIUM BOARD

#### SUBJECT

Action on Agreements with Axon Enterprise, Inc. for the Purchase of Body Worn Cameras, Conducted Energy Weapons, and Evidence.com

#### COUNCIL PILLAR

Enhance Community Engagement and Transparency

#### BACKGROUND

##### *Body Worn Cameras for the Santa Clara Police Department (SCPD)*

Body Worn Cameras (BWCs) are an invaluable tool for law enforcement organizations, providing benefits such as:

- Educational resource in the evaluation of training and policy thus increasing officer safety and situational awareness
- Investigative tool which allows officers to review and present evidence and creates indisputable and court-admissible evidence. Typical uses include documenting encounters in domestic violence cases, evidence collection at accident scenes, and documenting witness, suspect and/or victim interviews and arrests
- Strengthens police accountability by providing an accurate record of the sequence of events, improves agency transparency, and strengthens officer performance which is important when building community trust
- Reduces Department, City and police officer liability
- Reduces confrontational situations, manages citizen complaints, and reduces the time required to resolve such situations
- Collects information to assist with officer performance evaluations by helping to identify positive or negative patterns of behavior

In 2015, after a year of field testing, approving a vendor, establishing a usage policy and implementing training, SCPD implemented its BWC program initially deploying approximately 150 BWCs manufactured by VieVu. Santa Clara Police Department Policy 98.2 was issued in October 2015 to serve as a foundation for their use.

In 2017, the City terminated its contract with VieVu and entered into a new five-year agreement with Axon Enterprise, Inc. for the purchase of 169 BWCs through a cooperative agreement. This transition to Axon enabled SCPD to utilize one solution for cameras, video storage and management as opposed to two separate systems under the VieVu contract.

The agreement with Axon expires in September 2022.

#### Conducted Energy Weapons for SCPD

SCPD began researching and field testing Conducted Energy Weapons (CEWs) in 2015. CEWs, commonly referred to as "tasers", are non-lethal weapons that can provide temporary painful stimuli and neuromuscular incapacitation in an effort to gain compliance.

In 2015, SCPD purchased 170 X26P CEWs from TASER International utilizing grant funds from the Citizen's Option for Public Safety. Prior to deployment, Policy 1.4 was revised to include information on the use of CEWs and extensive training was conducted among staff.

In 2017, TASER International changed its name to Axon to reflect the company's product diversification. The X26P CEWs reached their end of life in December 2020. While still functional, the units are beyond Axon's recommended service life, and the possibility of failures increase after the useful life has expired.

#### Body Worn Cameras for the Santa Clara Stadium Authority

In 2020, the Stadium Authority purchased 100 BWCs from Axon, under a separate contract, for use during major events at Levi's Stadium. In 2021, after delays due to COVID-19 restrictions on in-person events held at Levi's Stadium, SCPD introduced BWCs for use by the City's Special Event Officers who are bound by the same policy as full-time SCPD Officers pursuant to SCPD Policy 423, Portable Audio/Video Recorders.

SCPD's Evidence.com licenses for the Stadium Authority were combined with SCPD's account in order for SCPD to retain all evidence captured from Stadium events. Therefore, a new agreement for SCPD requires that the Stadium Authority also renews its agreement with Axon.

### **DISCUSSION**

This recommendation is pursuant to City Code Section 2.105.290(b)(3) which states that without observing formal bidding requirements, the City may contract with vendors directly on terms obtained pursuant to formal bidding processes that name the City either specifically or categorically as a third-party beneficiary of the bidding process. Staff is recommending the purchase of body worn cameras, conducted energy weapons, and data management through the League of Oregon Cities (LOC) cooperative purchase agreement with Axon.

The LOC cooperative agreement is part of the National Purchasing Partners nationwide cooperative procurement program. The LOC, consisting of representation from 25 cities in the state of Oregon, served as the lead agency in the Request for Proposal process conducted in 2020 for contracts for law enforcement equipment including body worn cameras and conducted energy weapons. Public agencies that have purchased BWCs and/or CEWs under the LOC cooperative agreement include

City of Carlsbad Police Department (with a contract value of \$1,137,180), Louisville Metro Police Department (\$18,874,537), Philadelphia Police Department (\$13,313,362), and Athens-Clarke County Police Department (\$1,848,879).

Additionally, staff reviewed the marketplace and concluded that Axon is the leader in BWC and CEW technology. Local agencies on OSP7+ (Axon's bundle package for body worn cameras, conducted energy weapons, and data storage/management) include Bay Area Rapid Transit (BART), and the cities of Walnut Creek, San Leandro, Vallejo, Richmond and Campbell, and Counties of Marin, Napa, San Joaquin, and Solano.

### Summary of Proposed Agreement for the City of Santa Clara Police Department

The proposed agreement with Axon for the OSP7+ bundle includes 187 third generation BWCs including two additional technology refreshes during the term of the agreement, 181 Taser 7 CEWs, and Evidence.com which is Axon's secure cloud-based video/audio storage system that is fully compliant with Criminal Justice Information Services (CJIS) security standards.

The OSP7+ bundle also includes the following enhancements/add-ons not previously available:

- Signal Sidearm - A smart sensor that attaches to an officer's holster to trigger Axon body-worn cameras within a 30' range to start recording automatically when an officer's weapon is drawn, even if an officer does not activate his/her BWC.
- Taser 7/Certification Bundle - Taser 7 improvements include an additional back-up shot, automatic activation of cameras and improved accuracy. Also included are duty and training cartridges, instructor and master instructor courses for certification, and hook and loop training suit.
- Respond+ - Provides critical notifications such as map-based location tracking via Evidence.com, ability to live-stream into the BWC for better situational awareness, and ability to upload critical incidents out in the field without needing to dock the camera.
- Axon Performance - Automates body-worn camera policy reviews and provides actionable, up-to-date compliance information, such as camera use during calls for service, with an intuitive metrics dashboard and shareable reporting capabilities.
- Axon Redaction Assistant - This is an add-on to the Evidence.com Redaction Studio that speeds up the redaction process by automating redactions for common objects like faces, license plates, and video screens.
- Axon Auto Transcription - Allows officers to dictate their reports in the field and identify key words in all BWC footage, producing transcripts in substantially less time than with current manual methods.
- Citizen for Communities - Allows the City to engage the community in efforts to investigate crimes and preserve public safety. Agencies can launch public portals from Evidence.com to collect digital evidence submissions from members of the public.

- Auto Tagging - Tags Axon body-worn camera videos with correlating metadata from the City's CAD or RMS system.
- Axon Standards - Provides report writing capabilities including customizable forms, workflows, alerts, and user groups. Integrates with Taser 7 CEW for automatically pulling firing logs.

Enhancing technology is one way to continue achieving SCPD's goal of building community and officer confidence. Bundling technology allows the seamless integration of the products to deliver unprecedented efficiency and impact and saves the City approximately \$1,191,343 versus purchasing each of the components separately.

The total cost is \$2,276,714 for a five-year agreement ending on March 31, 2027, which includes a credit of \$187,449 for undelivered services under the existing agreement. Under the proposed agreement, SCPD will receive new Taser 7s and cameras starting in April 2022. As previously mentioned, there are two additional upgrades to the cameras during the five-year term. Five years of warranty for service and replacement, docking stations, training, and other accessories are included in the price.

As previously discussed, the City is leveraging pricing from the League of Oregon Cities' agreement with Axon. To ensure the City's pricing is fair and reasonable, staff benchmarked the City's price of \$13,177 per set against contracts with the County of Solano (\$20,235), City of Richmond (\$15,357), and Louisville Metro Police Department (\$15,729).

#### Summary of Proposed Agreement for the Santa Clara Stadium Authority

The proposed agreement with Axon includes 75 body worn cameras and Evidence.com.

The total cost is \$439,294 for a five-year agreement through March 31, 2027. The Stadium Authority will receive a replacement of the existing cameras in September 2024 plus one additional upgrade to the latest cameras in March 2027. Five years of warranty for service and replacement, docking stations, and other accessories are included in the price.

Staff determined Stadium Authority's pricing is fair and reasonable, and consistent with SCPD's pricing for the body worn cameras.

#### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

#### **FISCAL IMPACT**

The Police Department has sufficient funding in their General Fund operating budget to cover the costs for the current fiscal year. For the out-years of the contract, an increase to the Police Department's contractual services budget will be included and recommended as part of the FY 2022/23 and FY 2023/24 Proposed Budget. Payments will be made annually over the five-year term

of the agreement.

*Santa Clara Police Department*

Date	Subtotal	Tax	Total
2022	\$337,305.03	\$14,412.67	\$351,717.70
2023	\$461,528.49	\$19,720.47	\$481,248.96
2024	\$461,528.49	\$19,720.47	\$481,248.96
2025	\$461,528.49	\$19,720.47	\$481,248.96
2026	\$461,528.49	\$19,720.47	\$481,248.96
<b>Total</b>	<b>\$2,183,418.99</b>	<b>\$93,294.55</b>	<b>\$2,276,713.54</b>

*Santa Clara Stadium Authority*

Date	Subtotal	Tax	Total
2022	\$82,447.20	\$5,411.62	\$87,858.82
2023	\$82,447.20	\$5,411.59	\$87,858.79
2024	\$82,447.20	\$5,411.59	\$87,858.79
2025	\$82,447.20	\$5,411.59	\$87,858.79
2026	\$82,447.20	\$5,411.59	\$87,858.79
<b>Total</b>	<b>\$412,236.00</b>	<b>\$27,057.98</b>	<b>\$439,293.98</b>

**COORDINATION**

This report has been coordinated with the City Attorney's Office and the Finance Department.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>>.

**RECOMMENDATION**

1. Authorize the City Manager's Office to execute an agreement with Axon Enterprise, Inc. for the bundled purchase of Body Worn Cameras, Conducted Energy Weapons and Evidence.com for the Santa Clara Police Department with a five-year term starting on April 1, 2022 and ending on March 31, 2027, with maximum compensation not-to-exceed \$2,276,714, and subject to the appropriation of funds;
2. Authorize the Executive Director's Office to execute an agreement with Axon Enterprise, Inc. for the purchase of Body Worn Cameras and Evidence.com for the Santa Clara Stadium Authority with a five-year term starting on April 1, 2022 and ending on March 31, 2027, with maximum compensation not-to-exceed \$439,294, and subject to the appropriation of funds;
3. Authorize staff to purchase additional body worn cameras, conducted energy weapons and software services as may be required, subject to the same terms and conditions and the appropriation of funds; and
4. Authorize the City Manager and the Executive Director Offices to extend the agreements for up to

five additional years, at the discretion of the SCPD and subject to the appropriation of funds.

Reviewed by: Pat Nikolai, Chief of Police

Approved by: City Manager/Executive Director's Office

**ATTACHMENTS**

1. Agreement with Axon Enterprise, Inc. for the Santa Clara Police Department
2. Agreement with Axon Enterprise, Inc. for the Santa Clara Stadium Authority
3. Axon Quote for the Santa Clara Police Department
4. Axon Quote for the Santa Clara Stadium Authority