



Sheriff's Office

COUNTY OF TULARE

AGENDA ITEM

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: November 6, 2018

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
County Counsel Sign-Off	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Carina Lemus, Paralegal PHONE: (559) 802-9466

SUBJECT: Approve an agreement with Axon Enterprise, Inc.

REQUEST(S):

That the Board of Supervisors:

1. Approve a five-year Master Services and Purchasing Agreement between the Sheriff's Office and Axon Enterprise, Inc., in the amount not to exceed \$3,937,818 over a five year period, to purchase body worn and fleet cameras, taser weapons, signal devices and additional licensing effective December 15, 2018 through December 15, 2023. This agreement shall replace and supersede Agreement Nos. 27468, 27469, and 27470 between the Sheriff's Office and Axon Enterprise, Inc.
2. Authorize the Purchasing Agent to waive the formal bidding process and make the sole-source purchase with Axon. The Sheriff's Office currently utilizes the Axon platform for our body worn cameras. Purchasing from Axon allows the Sheriff's Office to have one platform from one reliable vendor rather than multiple platforms from different vendors.
3. Authorize the Chairman to sign three (3) copies of the agreement.

SUMMARY:

Over the past several years, law enforcement agencies across the country have been deploying body and in-car (fleet) camera systems to increase public trust and add a layer of transparency to their operations. Body worn and fleet cameras have been a highly useful tool in the investigation and prosecution of crime and have allowed officers to capture digital evidence, record victim/witness statements,

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document crime scenes, and reduce agency liability along with other advantages in the workplace.

On September 11, 2018, the Board of Supervisors approved the purchase of body worn and fleet camera systems in the amount of \$817,206 for year one of a five year agreement between the Sheriff's Office and Axon Enterprise Inc. (Axon); Reso. No. 2018-0768. The Master Services and Purchasing Agreement will be effective December 15, 2018 through December 15, 2023 and is now ready for signature from the Chairman of the Board. The agreement includes the purchase of Axon's newest, most cutting-edge products. Correspondingly, the agreement includes key back end components such as storage, filing, retrieval of digital evidence, and equipment and maintenance costs for the camera systems.

Standard County policy requires that the Purchasing Agent conduct a competitive bid process for individual items or groups of items valued at \$50,000 or more, but the Sheriff's Office is requesting a sole-source purchase of the body worn and fleet camera systems, taser weapons, signal devices, and additional licensing from Axon for the following reasons: The Sheriff's Office is growing and there is a need for more body cameras. The purchase of new taser weapons and new fleet camera system is inevitable as the current Axon taser devices need to be replaced because they are at the end of their lifespan, and the Sheriff's Office currently utilizes ICOP digital video recorder for all fleet cameras but ICOP will no longer be manufacturing or supporting the product. Additionally, the Sheriff's Office already has three existing agreements with Axon and has determined it would be profitable to enter into a new agreement with Axon.

On December 15, 2015, your Board approved three 5-year agreements with Taser International Inc. (now Axon) to purchase body worn cameras for Patrol deputies (Agreement Nos. 27468, 27469, and 27470; Reso. No. 2015-1063). The effective date of those agreements is January 15, 2016 through January 15, 2021. These agreements will be terminated on December 15, 2018 within contract year 3 resulting in a \$37,789 credit that has been applied to the new agreement. The remaining contract term, Year 4 (January 2019 to January 2020) and Year 5 (January 2020 to January 2021) have not been paid; therefore, no additional credit is owed. The contract savings estimated \$500,000 will be applied towards the new agreement which shall replace and supersede the three agreements referenced above.

The new agreement also includes a bundling discount for the purchase of new Axon fleet cameras and will allow the Sheriff's Office to receive new forward and rear facing fleet cameras that include night vision and will upload wirelessly and automatically directly to a secured storage system from any patrol vehicle. This agreement will also allow the Sheriff's Office to purchase more body worn cameras for Patrol and Detentions deputies; when deputies share cameras, it creates a number of issues over a period of time. The Sheriff's Office will receive new body cameras upon entering into the agreement and will receive another new set at the 2.5 year mark of this agreement. At the 5 year mark, prior to the termination of this

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contract, the Sheriff's Office will receive a final refresh of body worn cameras. All body worn cameras will be updated to new Axon Body2 cameras which have a battery life of over 12 hours, record in high definition, have a wider field of view, and are protected from dust and water immersion depths between 15 cm and 1 meter.

Both Axon fleet and body cameras can sense specific events and automatically begin recording during critical situations because they are equipped with signal devices that activate all cameras to begin recording for things like speed, crashes, activation of light sirens, the use of tasers, and when guns are removed from their holster or gun rack inside a patrol car. All Axon cameras save up to two minutes of footage before a camera is activated and will ensure important events are recorded even if the camera is not activated by a deputy in the heat of the moment. Often times, deputies forget to manually activate their cameras during intense situations. The signal devices will allow deputies to keep their mind on the situation at hand and makes the technology work for the deputy as opposed to the deputy working for the technology.

The taser weapons currently utilized by the Sheriff's Office are at the end of their lifespan and need to be replaced. As it is now, the Sheriff's Office is paying on every repair. This has been extremely maintenance intensive and has increased calls for service within the Sheriff's Information Technology (IT) Unit. The purchase of new taser weapons through this new agreement will include warranty, replacement batteries, and cartridges for all taser devices for the next five years. Taser weapons have a 5-year lifespan so they are traditionally not replaced during the course of a five year contract. The taser weapons will be refreshed at the time of a new agreement, after this agreement expires.

Through this agreement, an Interview Room will be provided free of charge to the Sheriff's Office for the duration of the five-year term. The interview room camera system will be used by detectives at the Visalia Substation to interview suspects in active cases. The room will be set up to record critical interviews with high-quality video and audio technology. It will allow the Sheriff's Office to stream interviews from anywhere within the network and bookmark, annotate, and comment on footage in real time. It also maintains a complete "Chain of Custody" where every click is documented and saved into Axon's media storage support (Evidence.com) to protect attorney-client privileges and support defensible evidence.

All camera footage will be stored in Evidence.com, a military-grade security storage system accessed through a web based program. Because Axon manages the storage and security of the digital evidence, the Sheriff's IT unit will not be required to spend thousands of dollars in additional server storage, maintenance, and ongoing backup/security measures. This will make the auditing process of digital evidence much easier for all authorized users and reduce the workload for the Sheriff's IT Unit by several thousands of hours. Other vendors required the Sheriff's IT Unit to manage the aforementioned issues which would have caused a demand for additional IT personnel just to manage the workload. Utilizing Evidence.com will be beneficial to the Sheriff's Office because it will increase security, efficiency, and

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effectiveness and provide overall significant cost savings for the agency and County.

The Officer Safety Plan is also offered in this agreement; this subscription plan is available to agencies purchasing weapons and body worn cameras at the same time and saves the Sheriff's Office between 10%-12% on the total cost. A breakdown of the annual costs is listed below.

Year 1	496,345	Officer Safety Plan for Body Worn Cameras & Conducted Electrical Weapon & Accessories
Year 1	258,886	In Car Cameras, Evidence.Com Storage & Technology Assurance Plan
Year 1	18,228	Single Side Arm-Wireless Holster Sensor to Integrate with Body Worn Cameras
Year 1	43,747	Unlimited Cartridge Plan- Unlimited Cartridges
	817,206	TOTAL YEAR 1

Year 2	547,220	Officer Safety Plan for Body Worn Cameras & Conducted Electrical Weapon & Accessories
Year 2	170,958	In Car Cameras, Evidence.Com Storage & Technology Assurance Plan
Year 2	18,228	Single Side Arm-Wireless Holster Sensor to Integrate with Body Worn Cameras
Year 2	43,747	Unlimited Cartridge Plan- Unlimited Cartridges
	780,153	TOTAL YEAR 2

Year 3	547,220	Officer Safety Plan for Body Worn Cameras & Conducted Electrical Weapon & Accessories
Year 3	170,958	In Car Cameras, Evidence.Com Storage & Technology Assurance Plan
Year 3	18,228	Single Side Arm-Wireless Holster Sensor to Integrate with Body Worn Cameras
Year 3	43,747	Unlimited Cartridge Plan- Unlimited Cartridges
	780,153	TOTAL YEAR 3

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Year 4	547,220	Officer Safety Plan for Body Worn Cameras & Conducted Electrical Weapon & Accessories
Year 4	170,958	In Car Cameras, Evidence.Com Storage & Technology Assurance Plan
Year 4	18,228	Single Side Arm-Wireless Holster Sensor to Integrate with Body Worn Cameras
Year 4	43,747	Unlimited Cartridge Plan- Unlimited Cartridges
	780,153	TOTAL YEAR 4

Year 5	547,220	Officer Safety Plan for Body Worn Cameras & Conducted Electrical Weapon & Accessories
Year 5	170,958	In Car Cameras, Evidence.Com Storage & Technology Assurance Plan
Year 5	18,228	Single Side Arm-Wireless Holster Sensor to Integrate with Body Worn Cameras
Year 5	43,747	Unlimited Cartridge Plan- Unlimited Cartridges
	780,153	TOTAL YEAR 5

3,937,818	5 YEAR TOTAL
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County Counsel has approved this agreement as to form. The substantive deviations from the standard County boilerplate identified are as follows: 1) County must wait 30 days after delivering written notice to Axon to issue a declaration of default if Axon fails to perform under the agreement 2) in the event of a material breach, the defaulting party has additional time to remedy the breach 3) the County's general terms and conditions are not first in the order of precedence, and 4) the agreement is multi-year.

FISCAL IMPACT/FINANCING:

Total cost to implement the body worn and fleet camera program over the five-year period is \$3,937,818. The cost for year one of the agreement is \$817,206. During Fiscal Year (FY) 2018/19 Budget Hearings, \$600,000 one time funds was approved to be transferred in the Sheriff's Operating Budget for year one of the agreement. The remaining \$217,206 will be absorbed in the Sheriff's existing FY 2018/19 Operating Budget.

Funding for subsequent years of this agreement will be reviewed on an annual basis to determine the feasibility of available General Fund dollars or any other

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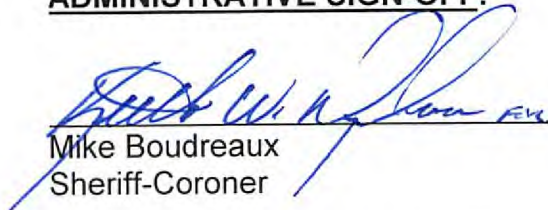
financing sources. The total cost for the remaining four years of the agreement is \$3,120,612. A breakdown of the cost is provided by fiscal year below:

- Year 2- FY 19/20 contract costs \$780,153;
- Year 3- FY 20/21 contract costs \$780,153;
- Year 4- FY 21/22 contract costs \$780,153; and
- Year 5- FY 22/23 contract costs \$780,153.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The purchase of the body worn and fleet cameras contributes to the County's strategic plan that includes the Safety and Security Initiative and the Organizational Performance Initiative. The cameras increase transparency to both officers and citizens during a law enforcement incidents and will be a highly useful tool for Sheriff's personnel in the investigation and prosecution of crime.

ADMINISTRATIVE SIGN-OFF:


Mike Boudreaux
Sheriff-Coroner

cc: County Administrative Office

Attachment A – Agreement

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVE AN)
AGREEMENT WITH AXON ENTERPRISE,) Resolution No. _____
INC.) Agreement No. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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