



## Legislation Text

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**File #:** 19-0209, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Derrick Abell, Chief of Police

Gwen Eng, Purchasing Manager

Julie Dahlgren, Senior Management Analyst

**SUBJECT:**

Consider a Five-Year Agreement with Axon Enterprises, Inc. for Body Worn Cameras and Digital Evidence Management in an Amount Not-to-Exceed \$383,534 (Police Chief Abell).

**a) WAIVE FORMAL BIDDING**

**b) ADOPT RESOLUTION NO. 19-0053**

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**RECOMMENDATION:**

Staff recommends that the City Council:

- a) Waive formal bidding per Municipal Code Section 2.36.140 (waivers); and
- b) Adopt Resolution No. 19-0053 approving a five-year agreement with Axon Enterprises, Inc. to provide body worn cameras and digital evidence management in an amount not-to-exceed \$383,534; and
- c) Authorize the City Manager to extend the term of the agreement for up to two additional one-year periods if deemed in the City's best interest

**FISCAL IMPLICATIONS:**

The equipment purchase will be funded with Asset Forfeiture funds. The City receives Asset Forfeiture funds after law enforcement has seized monies/assets from suspects involved in the sale, purchase, or manufacture of illicit drugs. Based on cause, a civil court can forfeit these monies to local, state, and federal law enforcement.

Asset Forfeiture funds received by the Manhattan Beach Police Department are the result of Police Department investigations, joint investigations with other agencies, and our participation in task force operations. A permissible use of these funds is the purchase of law enforcement equipment.

Sufficient funds are budgeted in the Police Department's operating budget for ongoing maintenance and digital evidence storage, and will be included in future budgets. Estimated expenditures for the equipment purchase, maintenance, and evidence storage under this contract are estimated at \$383,534 over a five-year period.

## **BACKGROUND:**

The Police Department began using body worn cameras in January 2016. The use of body worn cameras serves as an effective tool for law enforcement agencies to demonstrate commitment to transparency, ensure the accountability of its members, increase the public's trust in officers, and protect department members from unjustified complaints of misconduct. The typical lifespan for a body worn camera is two and a half to three years. Replacement of body worn cameras is critical to officer safety, accountability, and transparency.

## **DISCUSSION:**

In February 2018, Police staff began extensively researching replacement body worn cameras and testing products from numerous vendors. This included a Department-wide trial of the Axon body worn camera and Axon digital evidence management system. The evaluation of Axon was very positive-most notably, the ease of use, long battery life, hardware reliability, ease of data transfer to a cloud-based evidence management solution, and data security. In addition, the Los Angeles District Attorney's Office also utilizes Axon's digital evidence management solution, so data can be easily shared through a secure web-based platform without the need to create and deliver data files on portable storage devices.

Under Municipal Code Section 2.36.140, City Council can waive purchasing procedures to fit a specific purchase when such waiver is not in violation of state law. The recommended purchase is not open to competitive bidding because of the unique nature of the goods and software services provided by Axon. Axon is the only provider of the Axon Body 2 Camera and Evidence.com Data Management solution, which include the following characteristics.

### **Axon Body 2 Video Camera & Dock**

- Video playback on mobile devices in the field
- Retina low light capability
- Audio tones and haptic (vibration) notification to alert user of usage
- Audio mute during event option
- Wi-Fi capability
- Up to 2-minute buffering period to record footage before pressing record button
- 12+ hours of battery operation per shift (even in recording mode)
- LED lights to show current battery level and operating mode
- 143-degree lens
- Docking station which charges the camera and uploads data simultaneously

### **Axon Evidence.com Data Management System**

- Software as a Service (SaaS) delivery model that allows agencies to manage and share digital evidence without the need for local storage infrastructure or IT staff involvement
- Securely share digital evidence with other agencies or prosecutors without creating copies or data leaving our agency's domain of control
- Controlled access to evidence
- Multi-factor password authentication
- Automated evidence retention policies assist with database management
- Ability to recover deleted evidence within seven days of deletion
- Stores and supports all major digital file types: .mpeg, .doc, .pdf, .jpeg, etc.
- Robust Transport Layer Security (TLS) implementation for data in transit and 256-bit AES

encryption for data in storage

- Independent security firms perform in-depth security and penetration testing
- Disaster-tolerant infrastructure with 4 redundant data centers in the United States
- Audit logs automatically track all system and user activity to show chain-of-custody. These logs cannot be edited or deleted, even by account administrators and IT staff
- Redact videos easily within the system, create tags, markers and clips, create cases for multiple evidence files
- Dedicated information security department that protects data with security monitoring, centralized event log analysis, threat and intrusion protection, and incident response capabilities

The agreement with Axon includes warranty coverage, two equipment refreshes, and on-site spare units. There are other vendors who provide some of these product features and services independently, but no other vendor provides the entire suite of hardware, software, and services.

Staff recommends that the City Council waive Code formal bidding and adopt Resolution No. 19-0053 approving a five-year contract with Axon Enterprises, Inc. for body worn cameras and digital evidence management with an estimated value of \$383,534, and authorize the City Manager to extend the term of the agreement for up to two additional one-year periods if deemed in the City's best interest. The City may cancel the contract at any time without cause.

#### **PUBLIC OUTREACH:**

After analysis, staff determined that public outreach was not required for this issue.

#### **ENVIRONMENTAL REVIEW:**

The City 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; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the activity is not subject to CEQA. Thus, no environmental review is necessary.

#### **LEGAL REVIEW:**

The City Attorney has reviewed the report and approved the agreement as to form.

#### **ATTACHMENT:**

1. Resolution No. 19-0053
2. Agreement - Axon Enterprises, Inc.