



City of Rialto

Legislation Text

File #: 21-0876, Version: 1

For City Council Meeting [December 14, 2021]

TO: Honorable Mayor and City Council

APPROVAL: Marcus Fuller, City Manager

FROM: Mark P. Kling, Chief of Police

Request City Council to: (1) Approve a Master Services and Purchasing Agreement with Axon Enterprise, Inc., a Delaware corporation, for a Five Year Term; (2) Approve the Purchase of the Axon Fleet 3, an In-Car Cameras System, in the Amount of \$387,315.78; (3) Approve the Purchase of the AB3 Package, an Upgrade of the Police Body-Worn Video Cameras, in the Amount of \$848,799.90; (4) Authorize Financing and Payment of the Total Cost of \$1,236,115.68 Over the Five Year Term; and (5) Authorize the City Manager to Execute All Documents.

(ACTION)

BACKGROUND

In 2012, the Rialto Police Department became one of the first law enforcement agencies to deploy officers with body-worn cameras, manufactured by Axon Enterprise, Inc. (formerly Taser International), in the field. A one-year beta-study showed a 59 percent reduction in incidents of the use of force and an 87.5 percent reduction in complaints against Police Officers. Currently, all sworn and non-sworn personnel assigned to field operations are equipped with body-worn cameras.

Since the initial deployment of the body worn cameras, camera technology has improved, as well as the systems in which to store the data collected by those cameras. The Rialto Police Department is working toward remaining at the forefront of this technology, and continue a leadership position in our industry, all while providing the highest level of law enforcement for our community. By upgrading to the latest body-worn cameras Axon Enterprise, Inc. will provide the department with a service credit of \$91,573.63 to apply toward the first year of the contract.

While pioneering the body camera movement was a huge step in the right direction, the department has fallen behind in installing cameras elsewhere. In an effort to be more transparent and increase accountability, the department recommends integration of system into the patrol vehicles with video and audio capabilities.

ANALYSIS/DISCUSSION

The department's implementation of body-worn cameras in 2012, illustrated to the nation how beneficial and effective these tools can be to building trust, legitimacy and transparency within our community. Currently, field personnel of the Rialto Police Department utilize body-worn camera technology from 2016. The department's current body-worn cameras have lower audio capabilities and outdated video quality and now need replacement with newer and improved equipment.

Replacing and upgrading the existing equipment will avoid the increasing maintenance costs incurred with the existing equipment. The newer equipment also ensures that it can be appropriately fitted to all uniform configurations.

The Axon Body 3 is the next generation of high definition (HD) audio-video recording device that allows officers to capture vital information prior to, during, and after incidents. By upgrading and purchasing the newest body-worn cameras, the Rialto Police Department will have the ability to utilize Axon's newest technologies, such as Global Positioning System (GPS), longer battery life and high-quality camera resolution-specifically during low-light situations. The new Axon Body 3 cameras come with an array of enhancements to include: enhanced audio quality, wide-angle lens (which allows for greater video quality), a compact rugged design, and various mounting options which can be utilized with any uniform configuration.

Currently, the Rialto Police Department's vehicles are not equipped with audio or video capabilities. The recommendation is to integrate the system into the patrol vehicles with two cameras, a mobile router, a battery, and a signal activation unit. One camera will capture audio and video of the forward-facing view of the vehicle and the second camera will capture audio and video of the rear-facing view of the vehicle.

The installation of Axon Fleet 3 cameras will ensure increased professionalism by officers and the public, increased community trust, organizational transparency, and an overall increase in policing legitimacy. Footage from the cameras can be used as training aids for officers. These cameras will also provide officers with additional investigative tools which could be used for evidentiary purposes.

The new Axon Fleet 3 cameras have several features that can immediately enhance the quality of service Rialto police officers provide to the community. Some of these ground-breaking attributes include: a dual view exterior camera that covers up to three traffic lanes and has license plate reading capabilities, wireless microphones that capture audio up to 1,000 feet away from the vehicle, and an interior camera that captures knee to head occupant view. The interior and exterior cameras are equipped with wireless activation, which initiates recording upon light-bar activation or the desired speed threshold. Additionally, these cameras can be paired with the Axon body camera, which allow single events to be captured from multiple camera views. The Axon Fleet 3 camera system also consists of a fleet hub that provides one central location for secure audio and video storage, video recall that can be retrieved remotely, and live streaming and live maps of vehicle location.

Upgrading technology is pivotal to the success of progressive policing. The benefits in upgrading to the latest in-car and body worn cameras include reducing use-of-force incidents, complaints, reduction of court costs, an increase of case filings by the District Attorney's Office and enhanced documentation of evidence. Additionally, supervisors historically experience a reduction in time investigating use-of-force incidents and complaints, which directly translates to continuing to build trust within the community. Building public trust and legitimacy are priorities within the Rialto Police Department. Included with the purchase of the Axon Body 3 and Axon Fleet 3 are maintenance fees, equipment upgrades, warranties, data plans, and cloud storage fees.

The Police Department has utilized body-worn cameras and safety equipment from Axon for the last several years. To maintain equipment compatibility, continuity, and operability, staff is recommending to purchase one hundred fifty (150) complete Axon Body 3 systems, fifty (50) complete Axon Fleet 3 systems and related storage at a price of \$1,236,115.68 over a five (5) year payment plan. The

Agreement with Axon Enterprise, Inc. is a three (3) year agreement with an additional two (2) year extension. If the police department exercises the right to cancel the agreement after three (3) years, the department will be responsible for the balance due on the unpaid portion of the equipment purchased, fees, and services rendered.

The department recognizes there will be a financial impact with the implementation of the Axon Fleet 3 routers with the wireless service provider for a monthly subscription. The subscription with the wireless provided will be \$27,786 annually, which will be assessed on an annual basis. Based on this annual assessment of the wireless service charges staff will set budget accordingly.

Axon Enterprise, Inc. has been recognized by the City as a sole source manufacturer of the Axon Video System and is completely compatible with the Axon and Taser CEW Systems currently being utilized by the Police Department. Staff has worked with the City Purchasing Division and determined that this purchase is acceptable as specified under Rialto Municipal Code 2.48.280 -Sole Source Procurement by the City.

ENVIRONMENTAL IMPACT

The proposed action does not meet the definition of a project as defined by Section 15378 California Environmental Quality Act (CEQA). A "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and excludes the following:

- 1) Continuing administrative or maintenance activities, such as purchases for supplies, personnel -related actions, general policy and procedure making

- 2) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

GENERAL PLAN CONSISTENCY

The City of Rialto has outlined key goals and objects relating to public safety. The purchase of this technology is consistent with meeting these objectives.

Goal 5-8: Provide effective and comprehensive policing services that meet the safety needs of Rialto.

Policy 5-8.4: Initiate proactive crime suppression and prevention strategies throughout the community.

LEGAL REVIEW

The City Attorney has reviewed and recommends approval of this staff report and agreement.

FINANCIAL IMPACT

Operating Budget Impact

The five (5) year payment plan for the Axon Body 3 package for the body-worn cameras total cost is \$848,799.90, first year expense is \$87,714.05, and years 2 through 5 at a cost of \$190,271.48 per year. Funding in the amount of \$87,714.05 is budgeted in the approved fiscal year 2021/2022 budget in Account No. 010-500-6281-2011.

The Rialto Police Department applied for funding through the Fiscal Year 2022 Appropriations Community Project Funding with the Community Oriented Policing Services, with the assistance of Representative Pete Aguilar, for body-worn camera upgrade. It is the hope of the department that Congress passes the House project bill which includes \$700,000 for the City of Rialto Police Department's body-worn camera project. If passed, funds will be applied to the balance due of the Axon Body 3 body worn camera package.

Staff will budget the annual needed funding for each year for fiscal years 2022/2023 through 2025/2026 in Account No. 010-500-6281-2011 for the obligations due for the Axon Body 3 body-worn cameras and the Axon Fleet 3 systems per the agreement with Axon Enterprise, Inc.

Due to the uncertainty of when the fleet cameras will be received, installed, and the start of the wireless subscriptions for the routers of the Axon Fleet 3 system, staff will re-evaluate Account No. 010-500-6150-2001 for adequate funding for expenses needed for the remainder of Fiscal Year 2021/2022. If additional funding is needed, a budget allocation will be requested during the FY2021/2022 mid-year process.

Per Rialto Municipal Code Section: 2.48.450 a vendor disclosure form is attached.

Capital Improvement Budget Impact

The total cost of the Axon Fleet 3 system is \$387,315.78, a five (5) year payment plan of \$77,463.16 each year. Funding for year one of the Axon Fleet 3 System, \$77,463.16, is budgeted and available in the approved fiscal year 2021/2022 budget, in Account No. 300-500-6281-3030.

Licensing

This action does not trigger a requirement for a business license.

RECOMMENDATION

Staff recommends that the City Council:

- 1) Approve a Master Services and Purchasing Agreement with Axon Enterprise, Inc., a Delaware corporation, for a Five Year Term;
- 2) Approve the Purchase of the Axon Fleet 3, an In-Car Cameras System, in the Amount of \$387,315.78;
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