



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 5/16/2023

ITEM NO: 7

DATE: May 8, 2023
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Ratify a First Amendment to the Axon Body Worn Camera Agreement for an Increase of \$15,095 and Authorize the Town Manager to Execute a Second Amendment for Additional Storage for an increase of \$10,000 for a Total Agreement Not-to-Exceed Amount of \$275,630

RECOMMENDATION:

Ratify a First Amendment to the Axon Body Worn Camera agreement for an increase of \$15,095 and authorize the Town Manager to execute a second amendment for additional storage for an increase of \$10,000 for a total agreement not-to-exceed amount of \$275,630.

BACKGROUND:

On February 18, 2020, the Town Council approved allocation of \$377,130 of total funding to authorize the Town Manager to execute two five-year agreements with Axon Enterprises Inc. for the purchase and maintenance of Body-Worn Cameras (BWC) and conducted energy weapons (Tasers). The Axon Enterprises Inc. BWC original agreement totaled \$250,534 of the \$377,130 authorized amount, which consisted of body-worn cameras and digital evidence storage and maintenance for the duration of the agreement term through FY 2023/24.

The Los Gatos-Monte Sereno Police Department was a pioneer in Santa Clara County in deploying Officers with body-worn cameras (BWC) beginning in 2008. In 2020, the Town's Information Technology Department and Police Department identified Axon Enterprises Inc. as a preferred sole source vendor with upgraded BWC technology and a digital evidence storage platform for a successful BWC program, in compliance with best practices in accordance with legislative mandates.

PREPARED BY: Heather St. John
Senior Administrative Analyst

Reviewed by: Town Manager, Police Chief, Town Attorney, and Finance Director

SUBJECT: Ratify a First Amendment and Approval of a Second Amendment to the Axon Body Worn Camera Agreement

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BACKGROUND (continued):

The current law enforcement practice is to collect and retain digital evidence on a single operating platform. This allows for seamless collection of BWC audio and video, patrol vehicle in-car camera audio and video as well as other digital evidence. The Axon Enterprise Inc. BWC equipment and data storage platform (Evidence.com) meets these critical needs and benefits the Town, Police Department, and the public through enhanced evidence collection, retention, increased Officer safety, accountability, and transparency.

DISCUSSION:

In 2021, the Town Manager approved a First Amendment with Axon (Attachment 1). The Town Attorney at the time determined that this was within the authority of the Town Manager because the increase in the total agreement was \$15,095 and there was an immediate need for the Police Department to implement the new BWC program. At the time, staff recognized that this increase would affect the total dollar amount of the original Axon maintenance agreement and would be required to be brought forward for Council in the future for approval. This item is now before the current Council to provide an opportunity for formal approval of the First Amendment

In 2021, the Department purchased an additional three BWC devices (for a total of 48 total BWC devices), a multi-device charging and digital upload dock, and six individual charging dock replacements. As best practice in accordance with state law and department policies, the additional cameras were purchased to outfit additional field personnel such as Community Service Officers and Reserve Police Officers with BWC technology. In addition, the Department also recognizes that maintaining several readily available replacement cameras allows for individual BWC replacement while faulty equipment is repaired and serviced.

Throughout the past several years, staff has monitored the Axon BWC digital evidence storage use and capacity, and ongoing annual payments for this service. Digital evidence storage capacity requires an increase to accommodate an increase in BWC video within the Axon Evidence.com system. Staff obtained a quote (Exhibit B to Attachment 2) and is requesting approval in a second amendment for a total of up to \$10,000 for ongoing payments related to additional storage capacity for the remainder of the original agreement term.

Staff is bringing forward the first amendment to Axon's Enterprises Inc. original BWC agreement to document the purchase of additional equipment, maintenance services, and a second amendment for additional digital storage capacity.

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CONCLUSION:

Ratify the first amendment and authorize the Town Manager to execute the second amendment to the Axon Body Worn Camera agreement for an increase of \$25,095 for a total agreement not-to-exceed amount of \$275,630.

FISCAL IMPACT:

There is sufficient funding in the FY 2022/23 and proposed FY 2023/24 Police Department operating budget to cover the increased cost of the added equipment, maintenance services, and additional digital storage capacity.

	Fiscal Yr.	Org. Agr.	1st Amendment	2nd Amendment	
Year 1	19/20	\$ 50,869.07			\$ 50,869.07
Year 2	20/21	\$ 49,916.46	\$ 8,044.36		\$ 57,960.82
Year 3	21/22	\$ 49,916.46	\$ 2,350.29		\$ 52,266.75
Year 4	22/23	\$ 49,916.46	\$ 2,350.29	\$ 5,000.00	\$ 57,266.75
Year 5	23/24	\$ 49,916.46	\$ 2,350.29	\$ 5,000.00	\$ 57,266.75
Total		\$ 250,534.91	\$ 15,095.23	\$ 10,000.00	\$ 275,630.14

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachment:

1. First Amendment with Original Agreement
2. Draft Second Amendment and Exhibit B