

DATE: June 30, 2020

TO: 911 Emergency Response Advisory Committee

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SUBJECT: RECOMMENDATION TO APPROVE REIMBURSEMENT for funding associated with the fiscal year two costs associated with the Joinder Contract authorizing the purchase of sixty (60) Axon Fleet 2 in-car video cameras, related supplies, and installation through the established Joinder Contract with State of Nevada “3273 – Contract for Services of Independent Contractor” awarded to Axon Enterprise, Inc., per the existing contract pricing, effective upon Board approval through April 1, 2023. If approved, authorize the Purchasing and Contracts Manager to execute all relevant contract documents and agreements for reimbursement. FOR POSSIBLE ACTION. (All Commission Districts.)

SUMMARY:

The 79th Nevada Legislature passed Senate Bill 176 (SB 176), which requires uniformed peace officers employed by a law enforcement agency and who were in routine contact with the public to wear a body worn camera (hereinafter BWC) device effective July 1, 2018. In compliance with the “Washoe County Board of County Commissioners’ Policy” adopted January 16, 2018, the City of Reno, City of Sparks and Washoe County have mutually agreed upon equipment from Axon Enterprise, Inc., to provide BWC’s for the region. The initial term of the Joinder Contract shall be from April 2, 2018 through April 1, 2023.

In order to integrate the technological advances of cloud storage and video evidence the purchase of (60) Axon Fleet II in car video kits, associated equipment, and installation is necessary. This technology will have the ability to pair BWC video with In-Car video simultaneously thereby giving prosecution, defense, and jury a well-rounded view of the facts and circumstances known to the officer at the time of contact. These cameras will provide accountability to the public we serve and hold our officers accountable for their actions in the field. This investment protects the county and the public by providing an independent account of events. Due to the infrastructure purchased in Phase I of this plan, the Wi-Fi access points, servers, are already up and configured to off-load data upon installation at Sheriff’s Office locations in North/South Reno, Incline Village, and Gerlach. This purchase is Phase II of the BWC / In-Fleet video integration effectively streamlining video evidence and distribution to our partners with the Washoe County Public Defender’s Office and the Washoe County District Attorney’s Office. Cases can now be built electronically and sent via digital links and access point eliminating the need for consumable rewritable DVD’s and storage.

Washoe County Strategic Objective supported by this item: Safe, Secure and healthy Communities.

APPLICABLE NRS:

NRS 244A.7643(2) A board of county commissioners may not impose a surcharge pursuant to this section unless the board first adopts a 5-year master plan for the enhancement of the telephone system for reporting emergencies in the county or for the purpose of purchasing and maintaining portable event recording devices and vehicular event recording devices, as applicable. The master plan must include an estimate of the cost of the enhancement of the telephone system or of the cost of purchasing and maintaining portable event recording devices and vehicular event recording devices, as applicable, and all proposed sources of money for funding those costs. For the duration of the imposition of the surcharge, the board shall, at least annually, review and, if necessary, update the master plan.

NRS 244A.7645 (3). If a surcharge is imposed in a county pursuant to [NRS 244A.7643](#), the board of county commissioners of that county shall create a special revenue fund of the county for the deposit of the money collected pursuant to [NRS 244A.7643](#). The money in the fund must be used only:

(a) To pay the costs of adopting and reviewing the 5-year master plan for the enhancement of the telephone system for reporting emergencies in the county that is required pursuant to [NRS 244A.7643](#).

(b) With respect to the telephone system for reporting an emergency:

(1) In a county whose population is 45,000 or more, to enhance the telephone system for reporting an emergency, including only:

(I) Paying recurring and nonrecurring charges for telecommunication services necessary for the operation of the enhanced telephone system;

(II) Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system;

(III) Purchasing, leasing or renting the equipment and software necessary to operate the enhanced telephone system, including, without limitation, equipment and software that identify the number or location from which a call is made; and

(IV) Paying costs associated with any maintenance, upgrade and replacement of equipment and software necessary for the operation of the enhanced telephone system.

(2) In a county whose population is less than 45,000, to improve the telephone system for reporting an emergency in the county.

(c) With respect to purchasing and maintaining portable event recording devices and vehicular event recording devices, to pay:

(1) By an entity described in this subparagraph, costs associated with the acquisition, maintenance, storage of data, upgrade and replacement of equipment and software necessary for the operation of portable event recording devices and vehicular event recording devices or systems that consist of both portable event recording devices and vehicular event recording devices. Money may be expended pursuant to this subparagraph for the purchase and maintenance of portable event recording devices or vehicular event recording devices only by:

(I) The sheriff's office of a county;

(II) A metropolitan police department;

- (III) A police department of an incorporated city;
 - (IV) A department, division or municipal court of a city or town that employs marshals;
 - (V) A department of alternative sentencing; or
 - (VI) A county school district that employs school police officers.
- (2) Costs for personnel and training associated with maintaining, updating and operating the equipment, hardware and software necessary for portable event recording devices and vehicular event recording devices or systems that consist of both portable event recording devices and vehicular event recording devices.
- (3) Costs for personnel and training associated with the maintenance, retention and redaction of audio and video events recorded on portable event recording devices and vehicular event recording devices or systems that consist of both portable event recording devices and vehicular event recording devices.
- (d) To pay any costs associated with performing an analysis or audit pursuant to [NRS 244A.7648](#) of the surcharges collected by telecommunications providers.

BACKGROUND

In 2017, the 79th Nevada Legislature passed Senate Bill 176 (SB 176), which requires uniformed peace officers employed by a law enforcement agency and who are in routine contact with the public to wear a BWC device effective July 1, 2018. Since passage, representatives of the Reno Police Department, Sparks Police Department, and the Washoe County Sheriff's Office have discussed a mutually agreed upon vendor to provide body worn cameras. This will ensure equipment interoperability between all law enforcement agencies and smooth prosecution of criminal cases by the Reno City Attorney's Office, Sparks City Attorney's Office and the Washoe County District Attorney's Office.

The Washoe County Sheriff's Office successfully deployed a BWC program on Monday June 11, 2018, three weeks ahead of the State of Nevada statutory mandate in accordance with law. These BWC's have been a welcomed tool to the law enforcement professional documenting incidents in the field as they rapidly unfold. As with any new tool, there was a learning curve associated with the use and integration into the profession. I am happy to report BWC program has been widely successful overall. In an effort to continue that success and protect our officers, the county, and community that we serve, the need to transition into the Axon Fleet II in-car video cameras is paramount. The current aging fleet of WatchGuard video is antiquated and impractical. Hard drives, rocket routers, and cameras are failing on a daily basis. In order to continue the high level of service that the community wants, demands, and deserves it is necessary to proceed with Phase II of the Axon Fleet II in-car video integration.

The Administrative Bureau has been working in conjunction with the Equipment Services Division and Washoe County Tech Services in order to ensure the correct infrastructure is in place in new vehicle builds. This will ensure for a more seamless transition. The recommended configuration for the Axon Fleet II in-car video is to be run through the Panasonic CF-31 Toughbook Computer, with a CradlePoint IBR900 router. A T&E was successfully performed on Tuesday February 12, 2019 on an in-service vehicle. Running the camera through the computer system is a far safer

option for our officers as it keeps the front window clear of obstructions and distractions. This is the configuration we have outfitted all of our FY18/19 vehicle builds. In order to ensure the entire (60) vehicle marked patrol unit fleet is uniform there will be some replacement computers needed as Washoe County Tech Services advised the aging DataLux computers will not support the windows 10 platform upgrade, nor will they power the Axon Fleet II in-car video. Approximately (39) additional computers will need to be purchased along with (20) additional CradlePoint IBR900 routers. Replacement costs have been incurred for these items, and what hasn't been incurred will be reimbursed through E911 funding. The Sheriff's Office purchased the first (40) CradlePoint IBR-900 routers through forfeiture funding.

The State of Nevada has significantly greater volume purchasing discounts than those that may be offered to Washoe County. Pursuant to *NRS 332.195 Joinder or mutual use of contracts by governmental entities*, Washoe County may join or use the contracts of local governments located within or outside this State with the authorization of the contracting vendor. Axon Enterprise, Inc., is a current vendor under the State of Nevada award; the vendor has been notified and agrees to provide Axon Fleet II in-car video cameras and related equipment to Washoe County in accordance with the pricing agreement of the State of Nevada. The estimated expenditures are \$678,190.30 not to exceed \$800,000 per the 5 year contract term.

PREVIOUS ACTION

On January 16, 2018, the Board of County Commissioners ("BCC") adopted the policy of the Use of 911 Surcharge Funds for the Body Camera Mandate set forth in Nevada Senate Bill 176.

On February 20, 2018, the BCC adopted the Washoe County Regional 911 Emergency Response Advisory Committee Five Year Master Plan Update, prepared by the Galena Group Incorporated, as recommended by the 911 Emergency Response Advisory Committee.

On March 13, 2018, the BCC authorized a Joinder Contract to purchase Body Worn cameras (BWC) and related supplies through the State of Nevada "3273 – Contract for Services of Independent Contractor" awarded to Axon Enterprise, Inc. (formerly Taser International), 17800 N. 85th Street Scottsdale, AZ, 85255. Expenditures are [\$730,579.25] per the contract term of April 2, 2018 through April 1, 2023. The fiscal year costs for the contract term are: FY18-\$49,999.25, FY19-\$170,145.00, FY20-\$170,145.00, FY21-\$170,145.00 and FY22-\$170,145.00.

FISCAL IMPACT

This Award was for Axon Fleet II in-car video, related supplies, and installation in the amount of \$678,190.30 not to exceed \$800,000 per the 5 year contract term. The fiscal year costs for the contract term will be FY19-\$292,270.30, FY20-\$96,480.00, FY21-\$96,480.00, FY22-\$96,480.00 and FY23-\$96,480.00.

Under Senate Bill 176 of the 79th Legislative Session of the State of Nevada these additional expenses are reimbursable, and the intent is to seek reimbursement for these expenses through the 911 Emergency Response Advisory Committee on March 21, 2019.

An internal order of [60594-WCSO E911 Billable] has been established through the comptroller's officer in order to track the expenditures, and reimbursements of this project over the 5-year contract term.

RECOMMENDATION

It is recommended that the 911 Emergency Response Advisory Committee reimburse fiscal year costs associated with the purchase of sixty (60) Axon Fleet 2 in-car video cameras, related supplies, and installation through the established Joinder Contract with State of Nevada "3273 – Contract for Services of Independent Contractor" awarded to Axon Enterprise, Inc. (formerly Taser International), 17800 N. 85th St, Scottsdale, AZ, 85255.

Estimated FY20/21 expenditures are [\$96,480.00] per year two of the existing contract pricing, effective upon Board approval through April 1, 2023. If approved, authorize the Purchasing and Contracts Manager to execute all relevant contract documents and agreements for reimbursement.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to reimburse fiscal year costs associated with the purchase of sixty (60) Axon Fleet 2 in-car video cameras, related supplies, and installation through the established Joinder Contract with State of Nevada "3273 – Contract for Services of Independent Contractor" awarded to Axon Enterprise, Inc. (formerly Taser International), 17800 N. 85th St, Scottsdale, AZ, 85255. Estimated FY20/21 expenditures are [\$96,480.00] per year two of the existing contract pricing, effective upon Board approval through April 1, 2023. If approved, authorize the Purchasing and Contracts Manager to execute all relevant contract documents and agreements for reimbursement.