

# Agenda Report

May 13, 2019

**TO:** Honorable Mayor and City Council

**FROM:** Police Department

**SUBJECT: AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH AXON ENTERPRISES, INC. TO PURCHASE THE TASER 7 (CONDUCTIVE ENERGY WEAPONS) CERTIFICATION PRODUCT PACKAGE**

**RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15601 (b) (3), the general rule that CEQA only applies to projects that may have an effect on the environment; and
2. Amend the Fiscal Year (FY)2019 Operating Budget by appropriating \$77,503 from unappropriated fund balance in the Supplemental Law Enforcement Fund 201; and
3. Authorize the issuance of a purchase order contract to Axon Enterprises, Inc. to provide the Taser 7 Certification Product Package for a total of 210 Taser 7 conductive energy weapons in an amount not to exceed \$647,000 over a period of 5 years. Competitive bidding is not required pursuant to City Charter Section 1002(C), contracts for labor, materials, supplies or services available from only one vendor; and
4. It is further recommended that the City Council grant the proposed contract an exemption from the Competitive Selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

## **BACKGROUND:**

The Police Department currently equips its police officers with body worn cameras and conductive energy weapons (X26P model) which are both manufactured by Axon Enterprises, Inc. Body worn cameras are devices that, through the use of video and audio recordings, capture the interactions between officers and citizens. Conductive energy weapons (tasers) are less lethal weapons that officers utilize to control violent or potentially violent individuals while reducing the risk of causing serious bodily harm to both officers and the combative suspects during these encounters.

The Pasadena Police Department has deployed conductive energy weapons since 2003. The C.E.W. has repeatedly proven itself to be a valuable tool that has significantly changed the way law enforcement deals with violent and resistive suspects. It has been credited by multiple studies with reducing injuries to both suspects and officers. The Police Department has only deployed conductive energy weapons manufactured by Axon Enterprises, Inc. (formerly known as Taser International) because it is the only manufacturer that provides a product of this type in the market that has been studied and litigated.

Axon Enterprises recently introduced the Taser 7 conductive energy weapon, which offers significant technological advancements over the Department's existing conductive energy weapons (X26P model). These technological features are patented and proprietary in nature; therefore, none of these features can be acquired from any other C.E.W. manufacturer. Examples of these features include the following: the activated C.E.W. can be configured to automatically activate all Axon body worn camera systems within a radius of approximately 20 feet; it is capable of firing multiple shots; it can fire both the newly developed Taser 7 close quarter cartridges and standoff cartridges; it is equipped with a green laser and dual red lasers that adjust for the type of cartridge being deployed; it delivers a similar electrical charge as previous models but at a more rapid pulse rate, causing quicker incapacitation; the Taser 7 darts have been improved to fly straighter and faster with nearly twice the kinetic energy for better connection to the target; and it can be wirelessly connected to the department's existing Axon network to enable easier inventory management, firmware updates, and uploading of device logs.

The Taser 7 Certification Product Package for the Department would include 210 Taser 7 C.E.W. devices as well as the holsters, docks, rechargeable batteries, hardware replacement warranty, and Axon Evidence.com licensing. The package would also include all of the required annual certification training cartridges, unlimited duty cartridges, online user training content access, 2 HALT training suits, 2 training targets, a training oculus headset plus access to Axon's de-escalation training content, and an annual master instructor training course certification class. In addition, participation in the Taser 7 Certification Product Package will allow the Department to pay for the cost of this program over a 5 year period of time, which is unique to only this particular product package. The other benefit of this product package is that it would allow the

Department to immediately equip all of its officers with the Taser 7 device while amortizing the cost associated with this benefit over a period of 5 years.

Axon Enterprises, Inc. is the manufacturer of the Taser 7 and it is the sole source for the Taser 7 Certification Product Package. As it is in the City's best interests to have its police officers equipped with the Taser 7 devices, the City Council is asked to grant this purchase an exemption from the competitive selection process pursuant to Pasadena Municipal Code Section 4.08.049(B), contracts for which the City's best interests are served.

**COUNCIL POLICY CONSIDERATION:**

The proposed action is consistent with the City Council's Strategic Plan Goals of ensuring public safety while maintaining fiscal responsibility and stability.

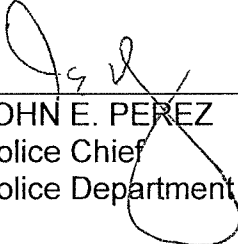
**ENVIRONMENTAL ANALYSIS:**

The proposed contract has been determined to be exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15601 (b) (3), the general rule that CEQA only applies to projects that may have an effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Such is the case with the proposed purchase order contract authorization to purchase the Taser 7 Certification Product Package.

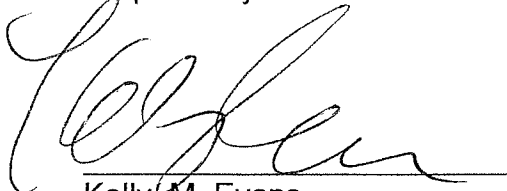
**FISCAL IMPACT:**

Staff recommends amending the FY 2019 Operating budget by appropriating \$77,503 from the unappropriated fund balance in the Supplemental Law Enforcement Fund 201 (20132004-810900). There is sufficient fund balance in the fund to support the proposed increase. The cost for the remaining four years will be programmed into the Police Department's annual operating budget.


Respectfully submitted,

  
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