



Legislation Details (With Text)

File #: 21-0268 **Version:** 1 **Name:** Resolution: Accepting a Gift/Donation - Axion (Evidence.com) 2021 Axon Body Cam and Dash Cam

Type: Resolution **Status:** Adopted

File created: 2/25/2021 **In control:** Public Safety

On agenda: 3/3/2021 **Final action:** 3/3/2021

Title: Dept/ Agency: Public Safety/Division of Police
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Receipt of a Gift
Gift(s): Access to Axon Evidence (Evidence.com)
Purpose: To accept a gift to provide access to Axon Evidence (Evidence.com) cloud base storage of Police Body Worn and In-Car Camera Videos for one (1) year.
Gift Donor: Axon Enterprise, Inc.
Donor Address: 17800 North 85th Street, Scottsdale, Arizona 85255
Gift Value: Indeterminable; value depends on services utilized and number of users
City Contribution: \$0.00
Other Funding Source/Amount: \$0.00
Additional Information
No municipal funding required.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
3/3/2021	1	Municipal Council	Adopt	Pass

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WHEREAS, the City of Newark, Department of Public Safety, Police Division is subject to a Consent Decree with the United States filed in the United States District Court, District of New Jersey, Docket No. 2:16-cv-01731-MCA-LDW, which included the agreed upon appointment of an Independent Monitor (“Independent Monitoring Team”); and

WHEREAS, one of the responsibilities of the Independent Monitoring Team is to review and

audit footage of Police Body Worn and In-Car Camera Videos; and

WHEREAS, due to the ongoing COVID-19 Pandemic, site visits by the Independent Monitoring Team have been halted and mostly impossible; and

WHEREAS, the Independent Monitoring Team made contact with Axon Enterprise, Inc., 17800 North 85th Street, Scottsdale, Arizona 85255 (“Axon”) to request assistance with storing/accessing Body Worn and In-Car Camera videos remotely for review and auditing purposes. Axon has agreed to allow the Newark Police Division to use its cloud-based storage solution for the purposes of facilitating remote access to Body Worn and In-Car Camera videos for auditing purposes at no cost to the City; and

WHEREAS, the Technology Unit of the Police Division has been consulted and finds the Axon cloud solution to be a safe option to facilitate remote audits/reviews of Body Worn and In-Car Camera videos; and

WHEREAS, Axon desires to provide to the City of Newark’s Department of Public Safety, Police Division the gift of the right to use the Axon Trial Kit(s) on loan and free of charge, specifically, Axon Evidence (Evidence.com) for twelve (12) months, unless extended by Axon (“the gift”); and

WHEREAS, Axon fully understands and agrees that it is not entitled to receive any direct benefit from the City of Newark in exchange for the gift as stated in the Field Trial Agreement and the City of Newark’s Department of Public Safety desires to accept the gift; and

WHEREAS, pursuant to Local Public Contracts Law, N.J.S.A. 40A:5-29, a local unit is authorized and empowered to accept bequests, legacies and gifts made to it and is empowered to utilize such bequests, legacies and gifts in the manner set forth in the conditions of the bequest, legacy or gift provided, however, that such bequest, legacy or gift shall not be put to any use which is inconsistent with the laws of the State of New Jersey and the United States of America.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor and/or his designee, the Director of the Department of Public Safety, are authorized to execute the Field Trial Agreement to accept a gift of the right to use the Axon Enterprise, Inc., 17800 North 85th Street, Scottsdale, Arizona 85255 Trial Kit(s) on loan and free of charge Axon Evidence (Evidence.com) for twelve (12) months, unless extended by Axon.

2. The estimated value of the gift is indeterminable because the City of Newark is being offered full access to the system to add users and use all of the systems functionality all provided at no cost. (a price book is provided for reference.)

3. No municipal funds will be expended in acceptance of this gift.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Director of the Department of Public Safety, to enter into and execute the Field Trial Agreement to accept a gift of the right to use

the Axon Enterprise, Inc., Trial Kit(s) to the City of Newark's Department of Public Safety, Police Division free of charge Axon Evidence (Evidence.com) for twelve (12) months, unless extended by Axon. No municipal funds are required for the acceptance of this gift.