

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

December 16, 2025

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator

SUBJECT

Contract with Axon Enterprise, Inc. for Axon Devices and Services

RECOMMENDATION(S)

1. Authorize Sheriff/Coroner/Public Administrator to terminate Contract No. 24-987 with Axon Enterprise, Inc., for the provision of the Taser 10 Certification Program with Virtual Reality.
2. Approve Master Services and Purchasing **Agreement No. 25-1062** with Axon Enterprise, Inc., including non-standard terms, for hardware, software, Cloud Services with data storage, installation and maintenance services, including body worn camera system, taser devices, fleet vehicle camera system, Fusus system, and AI Era Plan, in an aggregate amount not to exceed \$74,483,396.98, for the period of January 1, 2026 through December 31, 2035.
3. Authorize the Chief Executive Officer, Assistant Executive Officer, Sheriff/Coroner/Public Administrator or Undersheriff, to approve change orders, and execute amendments to the contract, subject to review by County Counsel, as long as the total aggregate amount of such amendments does not exceed \$500,000, and the amendment or change order does not extend the contract term or require a budget adjustment in a fiscal year.
4. Direct the Sheriff/Coroner/Public Administrator or Undersheriff to transmit all change orders and amendments to the Clerk of the Board of Supervisors within 30 days of execution.
5. Authorize the Auditor-Controller/Treasurer/Tax Collector to post adjustments to the Sheriff/Coroner/Public Administrator's 2025-26 budget, as detailed in the Financial Impact Section (Four votes required).

(Presenter: Carolina Mendoza, Chief Deputy Director, 387-0640)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The cost of contract will be allocated proportionally between Law Enforcement Contracts and Sheriff/Coroner/Public Administrator's (Department) stations/divisions based on the number of users.

The Department will partially fund \$64.5 million of the \$74.5 million contract with Axon Enterprise, Inc. (Axon) through a combination of ongoing and one-time resources. The

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department will apply its existing ongoing annual allocation of \$3.1 million funded by Proposition 172 (\$1.6 million) and General Fund (\$1.5 million), and \$1.0 million one-time of Body Camera Implementation Reserve as approved in the 2025-26 Budget for a total of \$31.5 million over the life of the contract. In addition, the Department will utilize Law Enforcement Contract revenue (estimated at \$23.6 million) and prior year Proposition 172 reserves (estimated at \$9.4 million).

To fund the remaining \$10.0 million, the Department is requesting one-time use of Asset Replacement Reserve (\$7.0 million) and Community Concerns Reserve (\$3.0 million). The Department will utilize \$1.0 million in FY 2025-26 and the remaining \$9.0 million will be allocated to establish the new Sheriff System Projects Reserve, which will set aside funding to support the upgrading and modernization of critical public safety technology systems for the future years.

Funding Source	Year 1 Allocation	Years 2-10 Allocation	Full Contract Allocation
Proposition 172 (Existing Ongoing)	\$1.58 million	\$1.58 million	\$15.8 million
General Fund (Existing Ongoing)	\$1.47 million	\$1.47 million	\$14.7 million
Law Enforcement Contract Revenue (Estimated)	\$1.36 million	\$2.47 million	\$23.6 million
Body Camera Implementation Reserve (One-Time)	\$1.03 million	—	\$1.03 million
Proposition 172 Reserve (Estimated One-Time)	\$1.01 million	\$0.93 million	\$9.4 million
Asset Replacement Reserve (One-Time)	\$0.70 million	\$0.70 million	\$7.0 million
Community Concerns Reserve (One-Time)	\$0.30 million	\$0.30 million	\$3.0 million

The Department requests the Auditor-Controller/Treasurer/Tax Collector post the following adjustments to the 2025-26 budget:

Fund Center	GL Account	Description	Action	Amount
1164431038	56006000	Appropriation Contingencies	Decrease	\$1,011,381
1164431038	40008296	1/2% Sales Tax – Public Safety	Decrease	\$1,011,381
4430001000	40008296	1/2% Sales Tax – Public Safety	Increase	\$1,011,381
4430001000	52002445	Other Professional & Specialized Services	Increase	\$2,011,381
1000	37008200	Fund Balance-Committed - Asset Replacement	Decrease	\$7,000,000
4410001000	52002445	Other Professional & Specialized Services	Increase	\$2,300,000
4410001000	40709565	Law Enforcement Services	Increase	\$2,300,000
1000	37008312	Fund Balance-Committed – Community Concerns Reserve	Decrease	\$3,000,000

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Fund Center	GL Account	Description	Action	Amount
1000	N/A	Sheriff System Projects Reserve	Increase	\$9,000,000

The department will include sufficient appropriation in future recommended budgets.

BACKGROUND INFORMATION

On February 28, 2023 (Item No. 66), as a result of a competitive process, the Board of Supervisors (Board) approved Contract No. 23-145, with Axon including non-standard terms, for the provision of a Body Worn Camera System (BWCS), including hardware, software, and data storage, in an aggregate amount of \$1,312,267 per year, for a total amount not to exceed \$6,561,335, for the period of March 1, 2023 through February 29, 2028 with the option to extend the contract for one additional two-year period, or two additional one-year periods. Subsequently, the Board approved two amendments:

Amendment No. 1, on June 25, 2024 (Item No. 115), for 201 additional BWCS cameras and other equipment increasing total contract amount by \$1,246,251 from \$6,561,335 to an amount not to exceed \$7,807,586, without change to the original contract term of March 1, 2023 through February 29, 2028.

Amendment No. 2 on November 5, 2024 (Item No. 45), for 700 additional BWCS cameras and components increasing the contract amount by \$2,760,246, from \$7,807,586 to an amount not to exceed \$10,567,832, without change to the original contract term of March 1, 2023 through February 29, 2028. The Contract's terms and conditions, as approved by the Board (section B.13-County Representative) gives the Sheriff/Coroner/Public Administrator, or designee, the authority in all matters in reference to the contract, including termination and assignment. A letter was sent to Axon on November 25, 2025, to notify them of the County's request to terminate Contract No. 23-145 as of December 31, 2025, according to the terms of the contract that require a 30-day written notice to terminate.

On October 22, 2024, (Item No. 53), the Board approved Contract No. 24-987 for the provision of the Taser 10 Certification Program with Virtual Reality, for a total amount not to exceed \$10,328,980, for the period of December 31, 2024 through December 30, 2029.

Since 2006, Department safety personnel have been issued handheld Conducted Energy Weapons (CEWs), manufactured by Axon, to provide a less-lethal option to subdue combative subjects. On December 6, 2016 (Item No. 70), those CEWs were upgraded, as approved by the Board, to the Taser X2 model. On October 22, 2024 (Item No. 53), the Board approved Contract No. 24-987 with Axon for the provision of the Taser 10 Certification Program with Virtual Reality, to replace the Department's inventory of X2 tasers for a total amount not to exceed \$10,328,980, for the period of December 31, 2024, through December 30, 2029.

The Master Services and Purchasing Agreement (Agreement) with Axon, will replace contracts Nos. 23-145 (for BWCS) and 24-987 (for tasers) effective January 1, 2026, consolidating into one 10-year contract and add new Artificial Intelligence (AI) technology and camera systems to increase efficiency, strengthen operational performance and stability, minimize legal risks, and most importantly, enhance the safety and well-being of San Bernardino County employees, residents, and visitors. The new contract includes new technology such as AI Era Plan, software to assist with report writing, real-time translation capabilities, policy guidance, among other features; Fleet 3, an advanced in-car video system designed to boost safety and transparency

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for the protection of its personnel and the public; Fusus, a real-time data integration system that combines data, video and other information gathered in the field by the BWCS, Fleet 3 devices and other camera feeds connected to a single operational dashboard that allows command staff to facilitate management and decision making during critical incidents and investigations; and other software to assist with investigations, such as Axon Redaction Assistant, Axon Investigate, Axon Auto Tagging and Axon Community Request Portal.

The Agreement is Axon's standard commercial contract, which includes terms that differ from the standard County contract and omits certain County standard contract terms. While the parties negotiated certain contract terms to County standards, Axon would not agree to all County standard terms. The non-standard and missing terms include the following:

1. Axon may assign this Agreement, its rights, or obligations without consent: (a) to an affiliate or subsidiary; or (b) for purposes of financing, merger, acquisition, corporate reorganization, or sale of all or substantially all its assets provided that advance notice is given to the Customer and, if required by applicable law, Customer may terminate this Agreement without penalty.
 - (c) The County standard contract requires that the County must approve any assignment of the contract.
 - (d) Potential Impact: Axon could assign the Agreement to a third party or business with which the County is legally prohibited from doing business due to issues of Federal debarment or suspension and conflict of interest, without the County's knowledge. Should this occur, the County could be out of compliance with the law until it becomes aware of the assignment and terminates the Agreement. non-California governing law.
2. Axon's maximum liability to the County is limited to the greater of the purchase price paid to Axon for the device that is the subject of the claim, or for services, 50% of the total contract value under which the claim arose, including all related statements of work and amendments, except for claim arising under Axon's indemnification obligations or from Axon's gross negligence, willful misconduct or violation of law.
 - (e) The County standard contract does not include a limitation of liability.
 - (f) Potential Impact: Claims could exceed the liability cap and the Agreement amount leaving the County financially liable for the excess.
3. There is no termination for convenience without penalty. If the County terminates the contract for convenience, and the County purchases Axon devices for less than the manufacturer's suggested retail price, the County is liable for the difference between the amounts paid for the devices and the Manufacturer's Suggested Retail Price (MSRP).
 - (g) The County standard contract gives the County the right to terminate the contract, for any reason, with a 30-day written notice of termination without any obligation other than to pay amounts for services rendered and expenses reasonably incurred prior to the effective date of termination.
 - (h) Potential Impact: Upon any termination by either party regardless of cause, the County is required to pay the difference between the MSRP and the actual price paid, which could result in payment liability where no funds are available due to lack of allocation or loss of funding.

While these are notable exceptions to the County's standard contract language, the Department recommends approval of the contracts with Axon, including the non-standard terms, to continue to provide for the safety, health and social service needs of county residents by providing a less-

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lethal option to subdue combative subjects. Per County Policy No. 11-05, contracts containing non-standard terms must be approved by the Board. County Counsel and Risk Management have reviewed and provided input on the contracts.

Approval of Recommendation No. 3 will authorize the Chief Executive Officer, Assistant Executive Officer, Sheriff/Coroner/Public Administrator or Undersheriff, to approve change orders, and execute substantive amendments to the contract as long as the total aggregate amount of such amendments does not exceed \$500,000, subject to review by County Counsel, to allow flexibility to acquire additional equipment to meet any service level changes requested by contract cities, or increased resources deployed to unincorporated county areas, in the way of additional deputy sheriffs and vehicles, that will require the purchase of additional BWCS, tasers and in-vehicle cameras.

PROCUREMENT

County Policy 11-04 requires departments to obtain Board of Supervisors approval for the competitive and non-competitive purchase of services exceeding \$200,000 annually. Axon is the manufacturer of the BWCS, Taser 10 CEW, Fleet 3, FUSUS, and the other systems, and all related equipment, software integration, and access, accessories, training, and maintenance support services provided, that are proprietary in nature and only available for purchase through Axon and precludes any other vendor from providing the required system integration, maintenance and support. The Purchasing Department supports this non-competitive procurement.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Bonnie Uphold, Supervising Deputy County Counsel, 387-5455) on November 21, 2025; Auditor-Controller/Treasurer/Tax Collector (Charlene Huang, Manager, 382-7022) on December 4, 2025; Purchasing (Alberto Cazares, Lead Buyer, 387-0321) on October 27, 2025; Risk Management (Stephanie Mead, Staff Analyst 396-9044) on October 27, 2025; and County Finance and Administration (Erika Rodarte, Administrative Analyst, 387-4919) on December 4, 2025.

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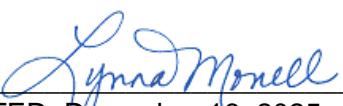
Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Curt Hagman Seconded: Jesse Armendarez
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Curt Hagman, Joe Baca, Jr.
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY



DATED: December 16, 2025



cc: Sheriff - Mendoza w/agree
Contractor - c/o Sheriff w/agree
File - w/agree

CCM 12/19/2025