

RESOLUTION 2026-###

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO (1) RATIFYING A SETTLEMENT AGREEMENT AND RELEASE BETWEEN NIGHTINGALE INTELLIGENT SYSTEMS, INC. AND THE CITY OF SAN PABLO; (2) AUTHORIZING ACCEPTANCE OF PAYMENT IN THE AMOUNT OF \$195,000 AS A TERM OF THE AGREEMENT; AND (3) AUTHORIZING APPROPRIATION OF THE ACCEPTED PAYMENT TO THE POLICE DEPARTMENT'S FY 2026-27 OPERATING BUDGET TO FUND THE CONTINUED IMPLEMENTATION OF THE DRONE AS FIRST RESPONDER (DFR) PROGRAM

WHEREAS, Improve Public Safety is an adopted policy item contained in the FY 2025-27 City Council Priority Workplan, effective April 7, 2025;

WHEREAS, since 2018, the San Pablo Police Department has researched, developed, and implemented an Unmanned Aircraft System (UAS – Drone) program to support, enhance, and increase public safety and response capabilities;

WHEREAS, pursuant to Resolutions 2020-118 and 2023-110, the City has contracted with Nightingale Intelligent Systems (“Nightingale”) since 2020 for the continued expansion and development of the Department’s Drone as a First Responder (DFR) Program;

WHEREAS, although the Police Department and Nightingale have collaboratively developed a strong DFR foundation and achieved significant progress over the past six years, the program has also encountered operational and technical challenges related to connectivity issues, complications with equipment acquisition or repair, FAA regulations and requirements, in addition to resource and staffing challenges;

WHEREAS, while the City maintains that certain services and equipment were not satisfactorily rendered in accordance with the 2023 agreement, the City and Nightingale mutually entered into a Settlement Agreement and Release on June 29, 2026, to resolve outstanding disputes between parties without further litigation;

WHEREAS, under the terms of this agreement, Nightingale agreed to pay the City a total sum of \$195,000 upon execution by all Parties;

WHEREAS, this payment was received on July 1, 2026, thereby fulfilling the Terms of the Agreement, and the funds were subsequently encumbered within existing Purchase Order #1688, pending rollover and City Council authorization for expenditure in FY 2026-27;

WHEREAS, Purchase Order (PO) #1688 encumbered funds from the Police Department's FY 2023-24 operating budget to support impending installation payments to Nightingale for the DFR program and Casia-G system expansion in FY 2024-25;

WHEREAS, currently, the remaining available encumbrance of this PO line item is \$68,806.50, in addition to a separate PO line item for the encumbered settlement payment in the amount of \$195,000;

WHEREAS, the total encumbrance of Purchase Order #1688 is \$263,806.50;

WHEREAS, the Police Department anticipates issuing a Request for Proposals (RFP) in August 2026 to solicit qualified vendors capable of providing a comprehensive DFR solution for the City of San Pablo, with the goal of entering into a contract to establish and operate the program;

WHEREAS, upon contract award in accordance with the City's Purchasing Policy, staff requests City Council authorization to utilize existing funds, currently encumbered within PO#1688, to support the Department's continued implementation of the Drone as a First Responder (DFR) program;

WHEREAS, the Police Department intends to utilize existing funds, currently encumbered within PO#1688 (Account 100-2110-43600), to support the continued implementation, expansion, and maintenance of the DFR program for three years, from FY 2026-27 through FY2028-29; and

WHEREAS, upon City Council authorization and contract award pending RFP, staff will initiate release of funds and closure of PO#1688, with released funds to be subsequently encumbered within a new Purchase Order for the selected DFR vendor under the same expense account (100-2110-43600).

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitations are true and correct, and are included herein by reference as findings.

BE IT FURTHER RESOLVED that the City Council of the City of San Pablo hereby authorizes the following:

1. Ratification of a Settlement Agreement and Release between Nightingale Intelligent Systems, Inc. and the City of San Pablo;
2. Acceptance of payment in the amount of \$195,000 as a term of the Agreement; and

3. Appropriation of the accepted payment to the Police Department's FY 2026-27 operating budget to fund the continued implementation of the Drone as First Responder program.

* * * * *

ADOPTED this 3rd day of August, 2026, by the following votes:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

ATTEST:

APPROVED:

Dorothy Gantt, City Clerk

Elizabeth Pabon-Alvarado, Mayor