

RESOLUTION 2025-###

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROPRIATING \$29,749 FROM THE SUPPLEMENTAL LAW ENFORCEMENT SERVICES GRANT FUND (SLESF 210) FOR THE PURCHASE AND PROCUREMENT OF A BRINC EXTERIOR DRONE SYSTEM

WHEREAS, *Community Policing and Strengthen Technological Infrastructure to Enhance Law Enforcement* under the Public Safety Policy Area is an adopted policy item under the FY 2023-25 City of San Pablo Council Priority Workplan, effective May 1, 2023;

WHEREAS, the Supplemental Law Enforcement Services Grant is a mandated grant as defined by California Government Code Section 30061(b)(3)(i) wherein the County is required to remit a minimum of \$100,000 annually to the City to be spent on frontline law enforcement. These grant revenues have accumulated and are available for appropriation by the City Council;

WHEREAS, following appropriation of funds by the City Council for eligible frontline law enforcement purposes, any expenditures must comply with the City's purchasing policy;

WHEREAS, the Police Department has collaborated with Nightingale Security to research, develop, and implement an Unmanned Aircraft System (UAS-Drone) program aimed at enhancing public safety and improving response capabilities. As the infrastructure for this autonomous drone program continues to develop, the Police Department seeks an exterior drone that can be rapidly deployed by officers during critical incidents or tactical operations;

WHEREAS, BRINC is a company specializing in drones, software, and hardware designed specifically for public safety agencies to enhance emergency response capabilities. The BRINC exterior drone system is built for rapid deployment in the field and can be operated by a police officer to provide aerial surveillance during both daytime and nighttime operations. The drone features a safety parachute, a spotlight, a public announcement system, and the ability to drop objects when needed. Manufactured in the United States, the BRINC drone system operates independently of Da-Jiang Innovations (DJI) technology. The total cost of the exterior drone is \$29,749;

WHEREAS, staff recommends that the procurement of services from BRINC be exempted from City bidding requirements because: (1) the purchase involves specialized services combined with equipment and products, in which the City acquires and installs equipment but must also retain specialized services for consulting on use, training, installing, maintaining, and servicing the products (San Pablo Municipal Code Section 3.16.110(B)); and (2) the unique software attributes discussed above support the use of sole source agreements (San Pablo Municipal Code Section 3.16.110(C));

WHEREAS, further competitive bidding requirements may be dispensed with if the public interest is better served by doing so, as where competitive bidding would not produce

an advantage (*Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App.3d 631; *Los Angeles Dredging Co. v. Long Beach* (1930) 210 cal.348.). The exception may be invoked where the product or service contracted for is of unique value and may not be obtained elsewhere (*Hodgeman v. City of San Diego* (1942) 53 Cal.App.2d 610, 618);

WHEREAS, acquisition pursuant to the specialized services and equipment exception and sole source justification are met because the goods and services required to satisfy the agency’s specific operational needs in rapid deployment of an exterior drone with certain specifications is only developed and available for purchase from BRINC, which is the sole developer and vendor of the proprietary BRINC drone system;

WHEREAS, Supplemental Law Enforcement Services Grant Fund (210) has an available fund balance of \$580,366 for appropriation;

WHEREAS, staff requests an appropriation of \$29,749 from SLESF 210 Fund; and

WHEREAS, on December 4, 2024, staff presented the BRINC drone purchase to the Public Safety Standing Committee (Councilmembers Pabon-Alvarado & Xavier). The funding sources for this procurement was identified from the JAG Program and the Supplemental Law Enforcement Services Grant (SLESF). The committee recommended this procurement request be forwarded to the City Council for formal approval. The JAG Program funds are not available for drone purchase, so this procurement will be made using SLESF funds.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Pablo hereby appropriates \$29,749 from the Supplemental Law Enforcement Services Grant Fund (SLESF 210) for the purchase and procurement of a BRINC exterior drone system; and

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

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ADOPTED this 3RD day of February 2025 by the following votes:

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

ATTEST:

APPROVED:

Dorothy Gantt, City Clerk

Arturo Cruz, Mayor