

From: Cydney Joyner <cjoyner@ashevillenc.gov>
Subject: Fwd: Axon Contract/DOJ Grant Funding
To: Allison Byers <abyers@ashevillenc.gov>
Sent: August 19, 2026 4:13 PM (UTC+00:00)
Attached: image001.png

Here is the email chain where Elise confirmed that we are opted-out with the Axon rep.

----- Forwarded message -----

From: **Elise Lewis** <elewis@ashevillenc.gov>
Date: Thu, Jul 16, 2026 at 12:47 PM
Subject: Fwd: Axon Contract/DOJ Grant Funding
To: Cydney Joyner <cjoyner@ashevillenc.gov>
Cc: Interim Chief Jackie Stepp <jstepp@ashevillenc.gov>, Capt. Janice Hawkins <jhawkins@ashevillenc.gov>

FYI from Andrea at Axon regarding the ACEIP opt out.

Elise Lewis
FinancialBusiness Manager
Asheville Police Department
P.O. Box 7148
Asheville, NC 28802

(828) 259-5599 office
[REDACTED] cell
elewis@ashevillenc.gov

----- Forwarded message -----

From: **Andrea Swann** <aswann@axon.com>
Date: Thu, Jul 16, 2026 at 12:10 PM
Subject: RE: Axon Contract/DOJ Grant Funding
To: Elise Lewis <elewis@ashevillenc.gov>

That is accurate. I remove the ACEIP language from all of your quotes, and have for the past several years.

You will be good my making this update, I've opted you out.

Let me get this routed for signature now!



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From: Elise Lewis <elewis@ashevillenc.gov>
Sent: Thursday, July 16, 2026 11:24 AM
To: Andrea Swann <aswann@axon.com>
Subject: Re: Axon Contract/DOJ Grant Funding

Legal has finished reviewing the combine contract and we are ready for your review and signature! I've attached it to this email. I used the same contract template your legal team approved for the 20 Fleet cameras and we added the FUSUS contingency language they provided, so I hope they won't have any additional redlines and we can get this signed quickly.

Also, just to let you know, after deliberation with the City Manager and Chief, our Legal representative confirmed that we will withdraw from the ACEIP. She found the information below, which suggests we don't need to add anything about it to this contract and can just request to opt out through you. Is that accurate?

"How can I withdraw from ACEIP?

If a Participant no longer wants to be part of the program, they can contact aceip@axon.com or their Axon Representative, and Axon will withdraw them from the program within 30 days of the request. Upon termination of their applicable Master Services Purchase Agreement or other similar written or electronic agreement with Axon, within 90 days, ACEIP Basic Participants will also be withdrawn from the ACEIP. ACEIP Custom Participants will be withdrawn in line with terms of their specific agreement."

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On Mon, Jul 13, 2026 at 12:32 PM Andrea Swann <aswann@axon.com> wrote:

Ok great! Thanks for working through these with me. What a crazy couple of months!



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From: Elise Lewis <elewis@ashevillenc.gov>
Sent: Monday, July 13, 2026 11:32 AM
To: Andrea Swann <aswann@axon.com>
Subject: Re: Axon Contract/DOJ Grant Funding

The Fleet one is in the final signature stage here so I should have that one completed and ready to send to you in the next day or so. The combine one is with Legal who I just found out received approval to add the FUSUS contingency language that you sent me to the contract document. I should have that final contract ready to send to you for review and signature in the next day or two as well. Thanks for checking in!

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elewis@ashevillenc.gov

On Mon, Jul 13, 2026 at 11:14 AM Andrea Swann <aswann@axon.com> wrote:

Hey Elise!

I hope you had a great weekend.

Are you waiting on anything from me for the 2 contracts (fleet and the big one)?

I'm in my office all week and making sure things are buttoned up.

Thanks!



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From: Elise Lewis <elewis@ashevillenc.gov>
Sent: Thursday, July 9, 2026 11:22 AM
To: Andrea Swann <aswann@axon.com>
Subject: Re: Axon Contract/DOJ Grant Funding

Thank you :)

Elise Lewis
Financial Business Manager

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On Thu, Jul 9, 2026 at 11:21 AM Andrea Swann <aswann@axon.com> wrote:

That is correct!



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From: Elise Lewis <elewis@ashevillenc.gov>
Sent: Thursday, July 9, 2026 9:57 AM
To: Andrea Swann <aswann@axon.com>
Subject: Fwd: Axon Contract/DOJ Grant Funding

One last question regarding the FUSUS contingency for the combined quote.

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----- Forwarded message -----

From: **Tony McDowell** <tmcdowell@ashevillenc.gov>

Date: Thu, Jul 9, 2026 at 9:47 AM

Subject: Fwd: Axon Contract/DOJ Grant Funding

To: Elise Lewis <elewis@ashevillenc.gov>, Interim Chief Jackie Stepp <jstepp@ashevillenc.gov>,

Deputy Chief Sean Aardema <saardema@ashevillenc.gov>

See DK's question below...

Tony McDowell
Finance Director
City of Asheville
828-259-5635 (o)
828-575-4447 (c)

----- Forwarded message -----

From: **Dakisha Wesley** <dkwesley@ashevillenc.gov>

Date: Thu, Jul 9, 2026 at 8:29 AM

Subject: Re: Axon Contract/DOJ Grant Funding

To: Tony McDowell <tmcdowell@ashevillenc.gov>

Does this mean that the other pricing remains the same? In other words, the savings realized from Bundling is not impacted by FUSUS?

Best regards,

DK

On Wed, Jul 8, 2026 at 5:37 PM Tony McDowell <tmcdowell@ashevillenc.gov> wrote:

Hey DK - Legal is ok with this language in the Axon contract, and I am as well. Let me know if you have any concerns. Thanks.

Tony McDowell
Finance Director
City of Asheville
828-259-5635 (o)

828-575-4447 (c)

----- Forwarded message -----

From: **Elise Lewis** <elewis@ashevillenc.gov>
Date: Wed, Jul 8, 2026 at 4:02 PM
Subject: Re: Axon Contract/DOJ Grant Funding
To: Cydney Joyner <cjoyner@ashevillenc.gov>
Cc: Tony McDowell <tmcdowell@ashevillenc.gov>, Deputy Chief Sean Aardema <saardema@ashevillenc.gov>, Interim Chief Jackie Stepp <jstepp@ashevillenc.gov>

Here is the contingency language Axon provided for reference:

Agency may terminate the FUSUS portion of this Quote if sufficient funds are not appropriated or otherwise legally available to pay the fees, or if the

Agency doesn't receive the anticipated grant funding towards the FUSUS purchase. Agency will provide Axon with written notice of termination under

this clause as soon as reasonably practicable. Only if terminating for non-appropriation, Agency may return Axon Devices to Axon within 30 days of

termination, and if returned, Axon will not invoice Agency for the remaining MSRP value of the Axon Devices. Agency will remain responsible for the

cost of any Services received or Subscriptions utilized. For avoidance of doubt, in the event Agency exercises this termination right in accordance

with the above terms, only the FUSUS portion of the Quote will be terminated and removed from future invoicing, and all other products, services, and

amounts listed herein will remain active.

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On Wed, Jul 8, 2026 at 3:25 PM Cydney Joyner <cjoyner@ashevillenc.gov> wrote:

Good Afternoon, Tony,

I've been working with APD on the Axon contract and understand that Elise shared the contingency language that Axon proposed concerning the funds for the FUSUS portion of the contract. Brad Branham and I have also reviewed that language and are okay with it from a legal standpoint. The only issue we are concerned with is the pre-audit requirement. I'm sure you all have already thought through that issue, so I just wanted to touch base with you and see how you all are going to handle that given that the money isn't already available.

Also, Elise mentioned that you were going to discuss the contingency language/approach with DK to see if she was on board with it. Have you had that conversation, and if so, what were DK's feelings about it?

Thanks!

Cydney

--

Cydney P. Joyner

Senior Assistant City Attorney

City of Asheville

828-259-5616

Andrea Swann

Key Accounts – NC/SC

mobile: 410.913.7453

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