

City of Brisbane

Agenda Report

TO: Honorable Mayor and City Council

FROM: Robert Meisner, Police Commander

SUBJECT: City Facility Video Security Systems

DATE: February 2, 2017

City Council Goals:

- To provide for effective and efficient delivery of City services.
- To design infrastructure and public facilities to be efficient, cost effective and to contribute to the cohesion and character of the community.
- To provide public service that assures the safety of property and citizens residing, working or visiting in Brisbane.

Purpose:

The purpose of maintaining a video security system is to limit city liability by documenting activity that occurs at city facilities. In addition, to meet the public's expectation that government facilities are monitored and protected by video surveillance in addition to other means of security.

Recommendation:

Staff recommends that the Council approve a supplemental appropriation of \$39,803.00 to the FY 16/17 budget to upgrade the video security systems at City Hall, Marina, Corporation Yard and Community Pool.

Background:

In 2009, the Police Department purchased our current video security system for Brisbane City Hall/Police Department for a total cost of \$15,403.00.

Other city facilities have installed video security systems over the years that include the Marina, Community Pool and Corporation yard. With the exception of the Corporation Yard, these systems use outdated technology, deliver fair to poor resolution, and offer limited storage space.

We recently became aware of the requirements of Government Code Section 34090.6, which became effective January 1, 2010. This Section requires that routine video footage for city governments be retained for no less than 1 year.

A review of our current systems revealed that we could only reach a retention period of approx. 1 to 3 months of video footage.

Efforts to find a means of simply adding storage capacity proved non-cost effective as the current technology was outdated and provided inferior quality and operability compared to today's standards.

Rather than addressing the issue one facility at a time, we searched for a solution that would allow for the management and interoperability of the system city wide.

The Corporation Yard recently upgraded their system to modern components; however storage capability currently falls short of the 1 year requirement.

Plans are already in place and \$8000 has been budgeted in the FY 16/17 budget for upgrading the system at the Brisbane Marina.

We contacted the company that installed the system at the Corp Yard who was also scheduled to install the new system at the Marina and requested a city wide solution to our video security requirements.

The results are systems that operate using the same platform which will allow for future scalability and future migration to a centralized storage solution. These systems are designed to meet or exceed the 1 year storage requirement and provide superior quality and coverage to the city facilities mentioned above.

Discussion:

The city is currently out of compliance with Government Code Section 34090.6. Government Code Section 34090.6 requires that "routine video monitoring" be stored for no less than 1 year. "Routine Video Monitoring" is defined by the code as "video recording by a video or electronic imaging system designed to record the regular and ongoing operations of the departments described in subdivision (a), including mobile in-car video systems, jail observation and monitoring systems, and building security recording systems."

One option is to turn off the existing video systems and not replace them. The potential negative outcome of this approach is the exposure to liability by not being able to document incidents that occur at city facilities. In the past, being able to capture incidents on video has proven useful in defending claims against the city. Footage has also been used in criminal investigations, both inside and outside of City Hall, the Marina, Pool and Corp Yard. I also believe that the public has an expectation that government facilities are monitored and protected by video surveillance in addition to other means of security.

The other solution is to upgrade all video systems at city facilities with current technology that meets or exceeds the statutory requirements. By taking this global approach to the problem we can save staff time and money by installing similar systems that can be managed and maintained by one person or small group of people as assigned within the city.

Fiscal Impact:

The total cost of this proposal is \$47,803.00.

The current FY 16/17 budget has \$8000.00 assigned to the purchase and installation of a new video surveillance system at the Marina.

A supplemental appropriation from the General Fund of \$39,803.00 is needed to fully fund this proposal.

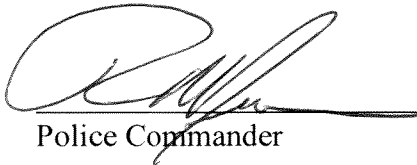
Measure of Success:

Success will be achieved when all the video security systems maintained by the city provide usable images and meet the storage requirements outlined in Government Code Section 34090.6.

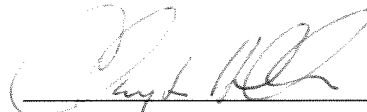
Attachments:

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Government Code Section 34090



Police Commander



City Manager

A copy of supporting materials provided to the City Manager and City Council for this agenda item is available for public inspection and copying at 50 Park Place, City of Brisbane Community Development Department, Brisbane, CA, 94005, Telephone: (415) 508-2120.

Item A

GOVERNMENT CODE SECTION 34090

34090. Unless otherwise provided by law, with the approval of the legislative body by resolution and the written consent of the city attorney the head of a city department may destroy any city record, document, instrument, book or paper, under his charge, without making a copy thereof, after the same is no longer required.

This section does not authorize the destruction of:

- (a) Records affecting the title to real property or liens thereon.
- (b) Court records.
- (c) Records required to be kept by statute.
- (d) Records less than two years old.
- (e) The minutes, ordinances, or resolutions of the legislative body or of a city board or commission.

This section shall not be construed as limiting or qualifying in any manner the authority provided in Section 34090.5 for the destruction of records, documents, instruments, books and papers in accordance with the procedure therein prescribed.

34090.5. Notwithstanding the provisions of Section 34090, the city officer having custody of public records, documents, instruments, books, and papers, may, without the approval of the legislative body or the written consent of the city attorney, cause to be destroyed any or all of the records, documents, instruments, books, and papers, if all of the following conditions are complied with:

(a) The record, paper, or document is photographed, microphotographed, reproduced by electronically recorded video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk, reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document, or reproduced on film, optical disk, or any other medium in compliance with Section 12168.7 for recording of permanent records or nonpermanent records.

(b) The device used to reproduce the record, paper, or document on film, optical disk, or any other medium is one which accurately and legibly reproduces the original thereof in all details and that does not permit additions, deletions, or changes to the original document images.

(c) The photographs, microphotographs, or other reproductions on film, optical disk, or any other medium are made as accessible for public reference as the original records were.

(d) A true copy of archival quality of the film, optical disk, or any other medium reproductions shall be kept in a safe and separate place for security purposes.

However, no page of any record, paper, or document shall be destroyed if any page cannot be reproduced on film with full legibility. Every unreproducible page shall be permanently preserved in a manner that will afford easy reference.

For the purposes of this section, every reproduction shall be deemed to be an original record and a transcript, exemplification, or certified copy of any reproduction shall be deemed to be a transcript, exemplification, or certified copy, as the case may be, of the original.

34090.6. (a) Notwithstanding the provisions of Section 34090, the head of a department of a city or city and county, after one year, may destroy recordings of routine video monitoring, and after 100 days may destroy recordings of telephone and radio communications maintained by the department. This destruction shall be approved by the legislative body and

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the written consent of the agency attorney shall be obtained. In the event that the recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved.

(b) For purposes of this section, "recordings of telephone and radio communications" means the routine daily recording of telephone communications to and from a city, city and county, or department, and all radio communications relating to the operations of the departments.

(c) For purposes of this section, "routine video monitoring" means video recording by a video or electronic imaging system designed to record the regular and ongoing operations of the departments described in subdivision (a), including mobile in-car video systems, jail observation and monitoring systems, and building security recording systems.

(d) For purposes of this section, "department" includes a public safety communications center operated by the city or city and county.

34090.7. Notwithstanding the provisions of Section 34090, the legislative body of a city may prescribe a procedure whereby duplicates of city records less than two years old may be destroyed if they are no longer required.

For purposes of this section, video recording media, including recordings of "routine video monitoring" pursuant to Section 34090.6, shall be considered duplicate records if the city keeps another record, such as written minutes or an audio recording, of the event that is recorded in the video medium. However, a video recording medium shall not be destroyed or erased pursuant to this section for a period of at least 90 days after occurrence of the event recorded thereon.

34090.8. (a) When installing new security systems, a transit agency operated by a city or city and county shall only purchase and install equipment capable of storing recorded images for at least one year, unless all of the following conditions apply:

(1) The transit agency has made a diligent effort to identify a security system that is capable of storing recorded data for one year.

(2) The transit agency determines that the technology to store recorded data in an economically and technologically feasible manner for one year is not available.

(3) The transit agency purchases and installs the best available technology with respect to storage capacity that is both economically and technologically feasible at that time.

(b) Notwithstanding any other provision of law, video recordings or other recordings made by security systems operated as part of a public transit system shall be retained for one year, unless one of the following conditions applies:

(1) The video recordings or other recordings are evidence in any claim filed or any pending litigation, in which case the video recordings or other recordings shall be preserved until the claim or the pending litigation is resolved.

(2) The video recordings or other recordings recorded an event that was or is the subject of an incident report, in which case the video recordings or other recordings shall be preserved until the incident is resolved.

(3) The transit agency utilizes a security system that was purchased or installed prior to January 1, 2004, or that meets the requirements of subdivision (a), in which case the video recordings or other recordings shall be preserved for as long as the installed technology allows.