



# City of Palo Alto

## City Council Staff Report

(ID # 11268)

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**Report Type: Informational Report**

**Meeting Date: 9/21/2020**

**Summary Title: Surveillance Policy Report**

**Title: Surveillance Technology Reports for Fiscal Years 2019 and 2020**

**From: City Manager**

**Lead Department: City Manager**

### **Recommendation**

This is an informational report and no City Council action is required. Staff recommends that Council receive an information report about the use of surveillance technology and acquisition in Palo Alto through Fiscal Year 2020.

### **Background**

In September 2018, Council adopted the [Surveillance and Privacy Protection Ordinance](#) (“the Ordinance”) outlining procedures and reporting requirements for protecting personal privacy and use of surveillance technologies ([CMR #8834](#)). The Ordinance is codified in the Municipal Code at Chapter 2.30, Part 6A. The Ordinance establishes a reporting and approval process intended to increase transparency without compromising public safety or operational effectiveness.

This report covers fiscal years 2019 and 2020.

### **Discussion**

Pursuant to the approved ordinance, the following departmental activities are reported out as part of the ordinance requirements:

- **Community Services Department**

Pets in Need (PIN), the animal shelter operator, installed “doorbell” and home security cameras inside and outside of the animal shelter in FY20. The cameras were paid for by PIN (not the City) and are maintained by PIN. These types of “doorbell” and home security cameras are not prohibited in lease agreements. Where City employees do not access or use gathered data, it is unclear whether acquisition and use of surveillance technology by a contracted service provider falls under the Ordinance. It is reported here in the interests of broad disclosure. No complaints have been received.

- **Office of Emergency Services**

During FY20, OES decommissioned an existing camera on one of our command vehicles that was previously used for wildfire detection and, with the permission of the City Manager, obtained a replacement camera (the old model was obsolete and not ideally suited to the function) that we placed on the top of the Civic Center as a start to a "test bed" for novel technologies for early fire detection. To simplify the recording and data retention aspects, this camera was connected to the existing Intrusion Detection System (IDS) video management system (VMS) that has a nominal 30-day recording period. The IDS was already submitted to City Council with the provision for adding additional cameras and sensors - and this fire detection camera can also see smoke/fire along the Caltrain Right-of-Way in areas not currently covered by the pole-mounted IDS cameras. The camera is on the City's internal network and is only monitored by OES or other public safety staff (including sometimes shared with EOC via MS Teams, etc.) when conditions dictate and when staff are available.

The field of view of this fire detection camera is "far field," meaning, it overlooks our wildland urban interface in the foothills without resolution to practicably view any personally identifiable information (PII) - in other words, it looks for plumes of smoke or other such unsafe conditions. This camera and future fire detection cameras may later be made viewable by the public, for example, through this resource: <http://www.alertwildfire.org/>. No complaints have been received.

- **Office of Transportation**

The Office received a free pilot test, ending in February 2020, of StreetLight Data in FY20, during which City staff and other cities tested the system. The data gathering uses smartphones for mobility measurement, counting how many phones pass through an intersection, for example. No equipment remains from this pilot. Because no personally identifiable information is collected in this system, the Ordinance does not apply to its acquisition or use. It is reported here in the interests of broad disclosure. No complaints have been received.

- **Police**

In FY20, the Department had an emergency incident in which a drone (brought over and used by Sunnyvale Dept. of Public Safety) and a robot (brought over and operated by the Santa Clara County Sheriff's Office) were obtained and used through mutual aid. The drone recorded activities related to the incident; the recording was sent to the Palo Alto Police Department as evidence in the case and is not stored by the owning agency. The robot took still photographs of the incident; the photos were also sent to PD as evidence and are not stored by the owning agency.

No complaints have been received. Because this was an unusual situation, timeliness precluded Council approval; should any similar technologies be considered in the future

as a regular acquisition, these purchases would require Council approval, per the Ordinance.

#### Public Record Act (PRA) Requests

Since the Ordinance was approved by Council in September 2018, three PRA requests that include topics related to surveillance technologies have been received by the City, for fiscal years 2019 and 2020. Prior to approval of the Ordinance, one PRA was received. None were received for the specific uses noted above.

#### **Stakeholder Engagement**

Presenting this information to the public, parallel to its transmittal to the City Council, ensures that stakeholders throughout the community remain apprised of the City's ongoing acquisition and work in the area of surveillance technologies and privacy protections.

#### **Environmental Review**

This informational report is not a project under the California Environmental Quality Act (CEQA).