

## **RESOLUTION NO. 2016-23**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK APPROVING THE COUNCIL POLICY ON VIDEO SURVEILLANCE AT CITY FACILITIES AND INTERSECTIONS**

**WHEREAS**, the City has used video surveillance for over twenty years to prevent and deter crime, protect City assets, and record criminal activity; and

**WHEREAS**, during the past two years City staff from several departments collaborated to evaluate the expansion of the City's video surveillance program in order to enhance the City's investigatory, security and law enforcement purposes; and

**WHEREAS**, on February 9, 2016 the Council approved the replacement of security cameras at the Public Safety Main station; and

**WHEREAS**, on March 8, 2016 the Council gave direction to proceed with an expanded video surveillance program at various city facilities and intersections in order to improve law enforcement services by integrating technology into operations; and

**WHEREAS**, at a duly noticed regular meeting, the Council considered the adoption of a Council policy on video surveillance at City facilities and intersections ("Policy") which compliments the expanded video surveillance program by specifying installation and operation procedures for the cameras and by establishing retention, extraction and storage procedures for the video files.


**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Rohnert Park that the foregoing recitals are true and correct and material to the adoption of this Resolution.

**BE IT FURTHER RESOLVED** that the City Council does hereby authorize and approve the adoption of the Policy, which is attached hereto as Exhibit A and incorporated by this reference.

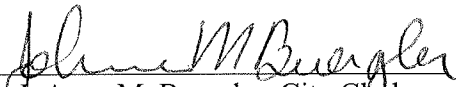
**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized and directed to take such actions as may be necessary to carry out the Policy for and on behalf of the City of Rohnert Park.

**DULY AND REGULARLY ADOPTED** this 22nd day of March 2016.

**CITY OF ROHNERT PARK**

  
Gina Belforte, Mayor

**ATTEST:**

  
JoAnne M. Buergler, City Clerk

Attachment: Exhibit A

AHANOTU: Aye CALLINAN: Aye STAFFORD: Aye MACKENZIE: Aye BELFORTE: Aye  
AYES: ( 5 ) NOES: ( 0 ) ABSENT: ( 0 ) ABSTAIN: ( 0 )



Exhibit A to Resolution

**CITY OF ROHNERT PARK**

**CITY COUNCIL POLICY**

SUBJECT/TITLE:	POLICY NO:	APPROVED BY:	APPROVAL DATE:
VIDEO SURVEILLANCE		<input type="checkbox"/> RESO NO: _____ <input type="checkbox"/> MINUTE ORDER	

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### 1. PURPOSE

The purpose of this policy is to govern the use of the City's video surveillance cameras and overt electronic recording. This policy applies to all use of the City's video surveillance monitoring and/or recording of City facilities, infrastructure, and intersections. This policy is established to set parameters restricting the non-court ordered use of video surveillance in public places and to enhance public safety and security in a manner consistent with accepted rights of privacy.

### 2. SCOPE / BACKGROUND

The City of Rohnert Park recognizes that improvements and changes in technology can greatly enhance public safety and law enforcement efforts. The City is implementing this method of crime deterrence by strategic placement of video surveillance cameras in the City of Rohnert Park.

This policy applies to systems that enable continuous or periodic routine video monitoring on a sustained basis. The videos obtained from this routine video monitoring are investigatory or security files compiled by the City and the Department of Public Safety for correctional or law enforcement purposes. Legitimate uses of this technology are covered by this policy and applicable state and federal law.

### 3. DEFINITIONS

- A. "Extracting" means copying images from the hard drive or Internet site to some other media (CD ROM, video tape, etc.).
- B. "Monitoring" means real-time viewing or viewing footage stored on a hard drive.



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- C. "Personnel" means authorized city staff.
- D. "Recording" means capturing images on a computer disk or drive or Internet storage site.

### 4. GENERAL PRINCIPLES

The City is committed to enhancing the quality of life in Rohnert Park by integrating professional police practices with available technology. A critical component of security and safety through technology is video surveillance in public areas. The principle objectives of video surveillance monitoring and/or recording in public areas include:

- A. Promote a safe environment by preventing/deterring acts of theft, vandalism, harassment, assault and/or other criminal activity.
- B. Assist in identification of individuals involved in criminal activity on city streets and city owned or managed properties.
- C. Assist in the safe daily operation of City facilities.
- D. Assist Public Safety enforcement agencies in investigating criminal activity.

### 5. LOCATION AND DIRECTION OF VIDEO EQUIPMENT

The cameras will be installed in public places, such as intersections, public parks and open spaces, and the exterior of public buildings. Placement of cameras will take into consideration physical limitations such as availability of power, data reception and reasonable mounting facilities.

Video surveillance cameras shall be used to observe locations that are in public view and where there is no reasonable expectation of privacy. Any view provided by a video surveillance camera shall be no greater than what is available from the public vantage point. Traffic flow / intersection cameras may be placed at an elevated location to view a specific area if needed. Cameras may need to be placed in locations on buildings or poles with elevated observation points to cover a larger area.

Cameras located inside City facilities shall not be directed to look through windows to areas outside the building, unless necessary to achieve the principal objectives described above.

### 6. OPERATION PROCEDURES

The video surveillance cameras may be monitored by public safety department or other authorized City personnel. The Director of Public Safety will assign a designee to periodically review video systems to ensure they are functioning properly and recording correctly using the proper date/time stamp.



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The Director of Public Safety will ensure that appropriate permissions are in place on the network software protocols.

Department Heads have the authority to have a new video camera installed.

### 7. RETENTION, EXTRACTION AND STORAGE

The City shall comply with all local, federal and state case law applicable to the use of surveillance cameras in public spaces and all legal requirements for the storage and release of video recordings.

Pursuant to Government Code section 34090.6, all images of routine video monitoring must be retained for a minimum of one year. Any images that are known to have evidentiary value in a criminal investigation, civil lawsuit, or Government Claim investigation shall be stored in a separate fashion and shall be retained until the final resolution of the criminal or civil matter. Video surveillance recorded images shall be stored in a secure location with access by authorized personnel only.

Only trained personnel shall be authorized to extract video from City recordings.

Any video footage extracted for investigation purposes shall be stored in a manner that will exclude access by unauthorized personnel. Video footage kept as evidence will be stored in the evidence room with access by authorized personnel only.

Records will be securely and permanently disposed of in a manner appropriate to their storage media, in compliance with all federal and state laws related to the disposal of records and the City's Records Retention Policy.

### 8. PRIVACY

In general, staff members will not have access to video images except in response to an incident or as part of an investigation. If a staff member needs access to video images, they shall request authorization from their department manager via the chain of command.

Video surveillance monitoring and/or recording shall be conducted in a professional, ethical, and legal manner. Violations of this policy and procedures may result in disciplinary action and may subject those involved to criminal and/or civil liability under applicable state and federal law.



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### 9. PUBLIC ACCESS TO VIDEO IMAGES

The policy requires that video images be released consistent with the legal requirements of the Public Records Act. In response to a PRA request, the City may be required to release any video data that is not part of a Public Safety Department investigation. When there are no legal restrictions on disclosure, this policy delegates authority for decisions on releasing video to the public to the City Manager.

### 10. STAFF/ PUBLIC NOTIFICATION

Clearly written signs shall be prominently displayed at the perimeter of video monitoring areas, except for public intersections, advising the public that video monitoring is occurring. The City will post signage at appropriate locations. Signage will state:

#### AREA SUBJECT TO VIDEO MONITORING BY THE CITY OF ROHNERT PARK

Public intersections that are subject to routine video monitoring do not require any signage.

### 11. EXIGENT CIRCUMSTANCES

Nothing in this policy is intended to limit the reasonable and legal use of the video surveillance cameras during exigent circumstances involving matters of public and/or officer safety.

### 12. EXCLUSIONS

This policy does not apply to the use of surveillance, or to the conduct of surveillance monitoring or recording by a law enforcement agency engaged in a legitimate criminal investigation.

This policy does not apply to the use of hand-held video cameras or body-worn cameras.

### 13. APPENDIX

REVISION HISTORY: