



Agenda Report

24-661

Agenda Date: 12/3/2024

REPORT TO CITY COUNCIL

SUBJECT

Action on Purchase Order with Insight Public Sector for FLOCK Automated License Plate Reader Systems

COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

BACKGROUND

Automatic license plate readers (ALPRs) use a combination of cameras and computer software to scan the license plates of every vehicle passing by. ALPRs can be mounted on stationary poles, such as road signs and traffic lights, as well as on handheld devices and mobile patrol vehicles. ALPR technology logs the time, date, and GPS coordinates of each scan and captures images of vehicles. Unlike red light cameras (which the City of Santa Clara does not have), ALPRs do not have illumination to aid in identifying the driver or occupants of the vehicle, nor are they integrated with facial recognition solutions to identify registered owners or passengers.

ALPR technology shall only be used for legitimate law enforcement or public safety purposes with a need and right to know the information provided by an ALPR to:

- Locate stolen or wanted vehicles and vehicles that are the subject of a law enforcement investigation (e.g., identifying a crime, gathering evidence, working together with prosecutors to achieve a conviction in court, etc.);
- Locate and apprehend suspects that are sought by law enforcement;
- Locate witnesses and victims of violent crime;
- Locate at-risk missing persons (including responding to Amber and Silver Alerts);
- Protect participants at special events; and,
- Protect critical infrastructure sites.

No other uses shall be allowed.

ALPRs process each license plate against a designated “hot list.” These queries happen automatically in real-time, although officers can also query license plates manually via their mobile data computer in their patrol vehicle. When law enforcement receives a “hot hit,” they verify the data provided by ALPR technology using other law enforcement information sources to confirm the vehicle and justification before making contact. To the fullest extent possible, law enforcement personnel visually confirm that the plate characters generated by the ALPR technology correspond with the digital image of the license in question.

Pursuant to Senate Bill 31, on September 27, 2021, the Police Department conducted a virtual Town

Hall Meeting on ALPR; the recording was made available to the public on the Police Department's website and social media platforms. Subsequently, the Department's ALPR Policy was approved by City Council on October 26, 2021 (Attachment 1 - Report to Council 21-1122; Attachment 2 - Lexipol Policy 428). The requirements of the state law applicable to use, access, maintenance, disclosure, etc., of ALPR hardware, software, and resulting data, are incorporated into the Police Department's Policy 428. The Police Department's Policy Manual is available online at www.scpd.org <<http://www.scpd.org>>.

In 2021, the Police Department initiated an ALPR Pilot Program with Flock Safety Solutions (FLOCK), and integrated this pole-mounted technology at strategically selected locations in the City to capture large volumes of traffic at major ingress and egress locations along the City's borders; the City does not advertise the exact locations. Since that time, the number of cameras has grown to 17 and \$127,723 has been spent to install, lease and/or move this equipment. The ALPR Pilot Program demonstrated the power of additional investigative evidence positively impacting clearance rates and resulting in a higher success rate in solving crimes. These costs have been paid utilizing California Board of State and Community Corrections (BSCC) funds; however, there are limited remaining BSCC funds available for these types of purchases.

In 2023, the Police Department received 17,527 "hot hit" alerts collectively among the 17 cameras. Of those, 765 were for stolen vehicles, 101 were for vehicles associated with felony crimes (e.g., domestic violence, armed and dangerous, evading law enforcement, etc.), 16,354 were for stolen license plates, and 307 were for custom alerts. Custom alerts include vehicles associated with active Santa Clara Police Department investigations, wanted subjects, or suspect vehicles identified from neighboring jurisdiction bulletins. In addition, Police Department personnel conducted 20,889 searches over the same timeframe, searching for vehicle license plates associated with crimes in the City. In turn, the Police Department made 64 arrests for various violations, including stolen vehicles, domestic violence, robbery, and homicide.

DISCUSSION

The recommendation in this report to use a cooperative purchasing agreement is made pursuant to City Code Section 2.105.270(c), which states that the City may, without observing formal bidding requirements, "contract with a vendor under a contract awarded using preestablished cooperative purchasing agreements, when such agreement resulted from a competitive bid process that meets or exceeds the City's competitive bid process, as determined by the Purchasing Division Manager."

In May 2023, Insight Public Sector (IPS) was awarded an agreement through a Request for Proposals (RFP) process conducted by Omnia Partners, with Cobb County as the lead public agency. The Purchasing Division Manager determined that the RFP met or exceeded the City's competitive requirements. In June 2024, staff issued a purchase order to IPS for the lease of an additional 15 pole-mounted cameras (bringing the total to 32 cameras, including 17 from the ALPR Pilot Program) at a cost of \$93,250. These additional 15 cameras were purchased using available funds in the Police Department's operating budget.

Staff is now seeking City Council authorization to issue additional purchase orders to IPS to renew the lease and software subscriptions for the existing 32 ALPR cameras, purchase an additional 15 cameras for the Levi's Stadium footprint (for a total of 47 cameras), and acquire additional as-needed services. The total aggregate amount is \$735,900 to cover all cameras and services through November 23, 2028. Table 1 provides a breakdown of the costs.

Table 1

| Description | Funding Source | Amount |
|---|---------------------------------|------------------|
| Additional 15 City Cameras (Currently in Implementation) | Police Dept Budget | \$93,250 |
| Software Renewal Costs for 32 City Cameras (February 24, 2025 - November 23, 2028) | Police Dept. Budget | \$281,250 |
| Additional 15 Cameras for Levi's Stadium (specific cost dependent on implementation date through November 23, 2028) | Stadium* | \$178,750 |
| Enhanced LPR Software Purchase (\$15,000 per year x 4 years) | Police Dept Budget and Stadium* | \$60,000 |
| PROJECTED SPEND TOTAL | | \$613,250 |
| Contingency (20%) | | \$122,650 |
| TOTAL AGGREGATE NOT-TO-EXCEED AMOUNT | | \$735,900 |

* Please note that funding sources designated as "Stadium" are paid from the City's Non-Departmental budget in the General Fund and reimbursed by Forty Niners SC Stadium Company (StadCo) and Santa Clara Stadium Authority (Stadium Authority).

There are plans for incorporating ALPR technology in the Levi's Stadium exterior footprint, which includes parking lots and the streets surrounding the stadium. The Police Department is seeking to purchase 15 cameras which would bring the total camera count to 47 cameras. These additional 15 cameras will be reimbursed by StadCo and Stadium Authority for their respective NFL and Non-NFL events at Levi's Stadium. The billing for the Levi's Stadium cameras would be calculated similarly to that of the city-wide cameras (installation plus \$3,000 annual expense per camera) estimated at \$45,000 annually. For the cameras used in the Levi's Stadium footprint, installation and annual costs will be funded from the City's General Fund Non-Departmental Stadium appropriation, where public safety costs for Stadium events are budgeted, offset by reimbursement from the Stadium. It is anticipated that the Stadium appropriation can cover this expense; however, a budget amendment will be brought forward at a later date if necessary.

Additionally, the Police Department is planning to add the enhanced LPR software capabilities to detect suspect vehicles that frequently travel together ("Convoy Search"), conduct vehicle image search ("Visual Search"), and link suspect vehicles to multiple incidents ("Multi Geo Search"). This expense is the same regardless of the number of cameras, and costs can be split between the Police Department's operating budget and the City's General Fund Non-Departmental Stadium budget at a per camera rate (e.g., \$15,000/47 = \$320 per camera annually).

Data captured by the cameras is securely stored by the vendor (not by the City) until such time as the Police Department accesses or downloads an excerpt from the camera's feed for evidentiary purposes. The footage is held by the vendor for a period of 30 days, during which time it can be accessed only by authorized and trained Police Department personnel, in the course of legitimate law enforcement activity. The data can be accessed by other law enforcement agencies within the Flock system that the Police Department has agreed to share with. If it is not downloaded during this period

of time, it will be deleted. This downloaded data is then retained by the Police Department in association with their investigatory file materials, in accordance with the applicable record retention schedule.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

The aggregate maximum not-to-exceed amount of all future purchase orders is \$735,900, subject to the appropriation of funds.

It is anticipated that the Police Department operating budget will have sufficient funds to cover the ongoing expense of the ALPR cameras throughout the City. The cameras used in the Levi's Stadium footprint and related installation, annual costs and percentage of the enhanced software would be paid from the City's Non-Departmental Stadium budget in the General Fund and reimbursed by StadCo and Stadium Authority. Funding for future years will be incorporated into the standard operating budget process.

COORDINATION

This report was coordinated with the Finance and Information Technology Departments and City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Authorize the City Manager or designee to execute purchase orders with Insight Public Sector, through the Omnia Partners cooperative purchasing agreement, for the lease and/or purchase of FLOCK ALPR cameras, software enhancements, subscription services, and professional services, with a total aggregate amount not-to-exceed \$735,900 to cover all cameras and services through November 23, 2028, subject to the appropriation of funds and in a final form approved by the City Attorney.

Reviewed by: Pat Nikolai, Chief of Police

Approved by: Jovan D. Grogan, City Manager

ATTACHMENTS

1. RTC 21-1122
2. Lexipol Policy 428