



Office of the City Manager

ACTION CALENDAR
March 11, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Peter Radu, Assistant to the City Manager

Subject: Contract: Edgeworth Integration LLC to Purchase and Provide Installation of New Security System Server at Berkeley Animal Care Services

RECOMMENDATION

Following a positive recommendation from the Police Accountability Board at their February 5, 2025 regular meeting, adopt a Resolution authorizing the City Manager to execute a contract and any necessary amendments with Edgeworth Integration LLC for the purchase and installation of a new security camera system server (cameras already exist) to replace an obsolete server at Berkeley Animal Care Services (BACS) for March 12, 2025, to March 11, 2026, which establishes a contract in an amount not to exceed \$57,908.08.

FISCAL IMPACTS OF RECOMMENDATION

This security camera system is a critical need for Berkeley Animal Care Services. The total contract cost will be covered with existing budget funds for BACS.

CURRENT SITUATION AND ITS EFFECTS

BACS has been without a working security camera system for over 2 years due to an unsupported/unavailable browser. This contract will enable BACS to install new software so the existing security camera system can be utilized again. The system is vital as it allows us to identify people who abandon animals at the shelter. It is also essential for safeguarding our facility, staff, volunteers, and animals when the shelter is open and after hours.

BACKGROUND

The City's Animal Shelter has had an existing interior and exterior security camera system for years, but the footage from this system has become inaccessible due to an unsupported server. The City has established previous contracts with Edgeworth Integrations for security camera systems at the Police Jail, Transfer Station, and Marina facilities. Staff recommend a sole source waiver for this contract because Edgeworth Integration is the only retailer authorized by the Avigilon brand for sale and installation of its Fixed Camera Video Surveillance System equipment. Avigilon Fixed Camera Video Surveillance Systems are already in use at several locations throughout the City:

- In the Jail

- In San Pablo Park
- At the Transfer Station
- At the intersection of 6th & University
- At the Marina Waterfront

Other manufacturer brands of surveillance equipment were initially considered in 2018 when the City Council authorized purchase and installation of a Fixed Camera Video Surveillance System for San Pablo Park, but none provided the same functionality and reliability as the Avigilon line of Video Surveillance equipment. Therefore the City contracted with Edgeworth Integration for purchase and installation of an Avigilon Fixed Camera Video Surveillance System in San Pablo Park, and then for each subsequent installation location to date.

Pursuant to Berkeley Municipal Code 2.99.030, Neighborhood Services sent copies of the proposed Use Policy and Acquisition report for the server to the Director of Police Accountability requesting that the Police Accountability Board (PAB) review and consider these reports within 30 days. The PAB agendaized these reports at their February 5, 2025 regular meeting and voted to approve them as follows:

Motion to recommend approval of the surveillance technology acquisition report and use policy.

Moved/Second (Wilson/Cayetano) Motion carried.

Ayes: Calavita, Cayetano, Leftwich, Mozes, and Wilson

Noes: None.

Abstain: None.

Absent: Moore, Williams

RATIONALE FOR RECOMMENDATION

Entering a contract with Edgeworth Integration LLC would allow BACS to better provide safety to our staff, volunteers, and animals. BACS already has an existing system of internal and external security cameras, but the security camera footage has become inaccessible due to obsolete software. In the time since that footage has become inaccessible to staff, the animal shelter has seen numerous concerning incidents, including a physical assault on a staff member, routine illegal dumping of live animals at the shelter front door during overnight hours, theft of animals from the shelter kennels, and more. Allowing the shelter to once again use the existing and previously operable security camera system provides an additional way to document and rectify inappropriate or dangerous behavior from animal owners or members of the public. If the action is not approved, BACS cannot identify and cite those who abandon animals at our facility, continuing to add to the shelter's highest intake numbers since 2017. If not approved, BACS will continue to be unable to ensure the safety of our animals overnight, and assaults against staff members may be difficult to prosecute. In the past, it has been necessary to have a restraining order issued against individuals, and the lack of cameras to document the behavior of owners or other members of the public at our facility reduces our ability to safeguard our staff and volunteers and weakens our case if needed to pursue legal actions.

Utilizing the same high-quality Avigilon equipment at the animal shelter ensures compatibility with the camera systems already in use across the City to support smooth data recall, storage, and maintenance across all locations, and allows the Animal Shelter staff and the Police Department to review the captured data and follow up on criminal activity more quickly and efficiently.

ALTERNATIVE ACTIONS CONSIDERED

None

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

CONTACT PERSON

Mike St. Pierre, Animal Services Manager, (510) 981-6603

Attachments:

1. Resolution
2. Berkeley Animal Care Services Surveillance Use Policy
3. Berkeley Animal Care Services Surveillance Acquisition Repo

ATTACHMENT 1

RESOLUTION NO. ##,###-N.S.

CONTRACT: EDGEWORTH INTEGRATION LLC TO PURCHASE AND PROVIDE INSTALLATION OF A SECURITY SYSTEM AT BERKELEY ANIMAL CARE SERVICES

WHEREAS, security camera system is a critical need for Berkeley Animal Care Services (BACS), essential for safeguarding the facility, staff, volunteers, and animals; and

WHEREAS, BACS must ensure that our animals are safe overnight while no staff are present; and

WHEREAS, a security camera system assists staff in documenting issues arising from upset owners or members of the public; and

WHEREAS, it is necessary to address and hopefully prevent members of the public from abandoning animals at the shelter; and

WHEREAS, Edgeworth Integrations LLC has contracted with the City to provide security camera system equipment at other existing City facilities; and

WHEREAS, Edgeworth Integrations LLC submitted a reasonable quote to purchase and provide installation of a security camera system at the Dona Spring Animal Shelter; and

WHEREAS, the Police Accountability Board, at their February 5, 2025 regular meeting, reviewed and voted to approve copies of the surveillance technology acquisition report and use policy governing use of this technology, in accordance with Berkeley Municipal Code 2.99.030; and

WHEREAS, the City Council finds that the benefits to community and animal safety and welfare of installing this technology, used according to its Surveillance Use Policy, outweigh the costs; that the proposal will appropriately safeguard civil liberties and civil rights to the maximum extent possible while serving its intended purposes; and that, in the City Council's judgment, no feasible alternative with similar utility and a lesser impact on civil rights or civil liberties could be implemented.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to establish a contract and any necessary amendments, including incremental additions at or below \$50,000 each to the not-to-exceed amount below, with Edgeworth Integrations LLC, for the purchase and installations of a security

camera systems at Berkeley Animal Care Services (BACS). The contract shall begin on March 12, 2025, and end on March 11, 2026, with a total amount not to exceed \$57,908.08.

Surveillance Use Policy - Fixed Video Surveillance Cameras at 1 Bolivar Drive

1. PURPOSE

- a. This policy provides guidance for the use of City of Berkeley external fixed video surveillance cameras by Berkeley Animal Care Services (BACS).
- b. This policy only applies to fixed, overt, marked external and internal video surveillance systems utilized by BACS. Department personnel shall adhere to the requirements for Fixed Video Surveillance Cameras covered in this policy.
- c. This Surveillance Use Policy is legally enforceable pursuant to BMC 2.99.

2. AUTHORIZED USE

- a. Only BACS members who receive training on this policy, who are then granted access by an administrator (“authorized BACS personnel”) may access the data from the video surveillance cameras. This data may only be accessed to further a legitimate use purpose, as listed in this Policy.
- b. The cameras shall only record video images and not sound. Recorded images may be accessed, reviewed, and used for specific law enforcement or BACS administrative investigations, and video surveillance may be accessed and reviewed by authorized BACS personnel for the following purposes:
 - i. To support specific and active law enforcement investigations.
 - ii. To support the enforcement of City policies and State and local laws.
 - iii. To prevent, deter, and identify individuals who intentionally abandon animals.
 - iv. To protect and safeguard the animals in our care from theft or harm.
- c. Unauthorized recording, viewing, reproduction, dissemination, or retention of video footage is prohibited.
- d. The following are prohibited uses of the video surveillance system:
 - i. Unauthorized recording, viewing, reproduction, dissemination, or retention of video footage is prohibited.
 - ii. Video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.
 - iii. Video surveillance systems shall not be used in an unequal or discriminatory manner and shall not target protected individual characteristics including, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
 - iv. Video surveillance equipment shall not be used to harass, intimidate or discriminate against any individual or group.
 - v. Video surveillance systems and recordings shall not be shared with federal immigration enforcement officials.

3. DATA COLLECTION

- a. The cameras will film and store video on City of Berkeley encrypted servers. License plate and facial recognition data hardware is not installed on the cameras and may not be installed or used unless approved by the City Council. Audio is a standard feature of the camera, but is deactivated by the system administrator and may not be activated or used unless approved by the City Council. The cameras and storage devices shall be wholly owned and operated/maintained by the City of Berkeley.

4. DATA ACCESS

- a. Access to video surveillance cameras data shall be limited to authorized BACS personnel utilizing the camera database for uses described above, with necessary technical assistance from Public Works Department and Department of Information Technology personnel. Information may be shared in accordance with #9 below. BACS members seeking access to the video surveillance system shall obtain the approval of the Animal Services Manager, or their designee.
 - b. The Animal Services Manager should monitor camera access and usage to ensure BACS members are complying with this policy, other applicable City policy, and applicable laws, and to ensure such use and access is appropriately documented.
5. DATA PROTECTION
 - a. All data transferred from the cameras and the servers shall be encrypted. Only authorized BACS personnel shall have access to data for the Authorized Uses identified in this policy.
 - b. For instances of specific and active criminal investigations in which camera data is implicated as evidence (see Authorized Use 2(b)(i) above), authorized BACS personnel will alert the Berkeley Police Department, who will access and handle data pursuant to BPD Use Policy 1304. For all other Authorized Uses of data, access to the data must be obtained by authorized BACS personnel through the Public Works Department according to this policy and published regulations that limit access and use of data by Public Works and other City Departments and personnel. All system access including system log-in, access duration, and data access points is accessible and reportable and shall be documented by the Public Works Department's authorized administrator. All relevant recordings that are utilized will be preserved pursuant to applicable record retentions policies.
6. CIVIL LIBERTIES AND RIGHTS PROTECTION
 - a. BACS recognizes the need to protect its ownership and control over shared information and to protect the privacy and civil liberties of the public, in accordance with federal and state law. Provisions of this policy, including # 4 Data Access, #5 Data Protection, #7 Data Retention, #8 Public Access and #9 Third Party Data Sharing serve to protect against any unauthorized use of video surveillance camera data. License plate and facial recognition data hardware is not installed on the cameras. Audio is a standard feature of the camera, but is deactivated by the system administrator. These procedures ensure the data is not used in a way that would violate or infringe upon anyone's civil rights and/or liberties, including but not limited to potentially disparate or adverse impacts on any communities or groups.
7. DATA RETENTION
 - a. Video surveillance recordings are not government records pursuant to California Government Code 34090 in and of themselves. Except as otherwise permitted in this section, video surveillance recordings shall be purged within one hundred and eighty (180) days of recording. Recordings of incidents involving use of force by a police officer or involving detentions, arrests, or recordings relevant to a formal or informal complaint against a police officer shall be retained for a minimum of two years and one month. Recordings relating to court cases and complaints against BACS staff that are being adjudicated will be manually deleted at the same time other evidence associated with

the case is purged. Any recordings related to BACS administrative proceedings pursuant to this section shall be maintained until such matter is fully adjudicated, at which time it shall be deleted. All data will automatically delete after the aforementioned retention period by the System Administrator from Public Works.

- b. Any recordings needed as evidence in a criminal proceeding shall be copied to a suitable medium and booked into evidence in accordance with current BPD evidence procedures.

8. PUBLIC ACCESS

- a. Requests for recorded video images from the public or the media shall be processed in the same manner as requests for public records pursuant to the California Public Records Act and any applicable Berkeley Police Department Records Release policies.
- b. Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established BPD subpoena process.

9. THIRD-PARTY DATA-SHARING

- a. Requests for recorded video from other law enforcement agencies shall be referred to the Berkeley Police Department, and must be related to a specific active criminal investigation to be eligible for release.
- b. Data collected from the video surveillance system may be shared with the following:
 - i. The District Attorney's Office for use as evidence to aid in prosecution, in accordance with laws governing evidence;
 - ii. The City Attorney's Office for all other legal proceedings, as necessary;
 - iii. Berkeley Police Department and other law enforcement personnel as part of an active criminal investigation;
 - iv. Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established BPD subpoena process.

10. TRAINING

- a. All BACS members authorized to operate or access video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, associated software, and review of relevant policies and procedures, including this policy as well as review of relevant City of Berkeley laws and regulations.
- b. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

11. AUDITING AND OVERSIGHT

- a. The video surveillance software generates a site log each time the system is accessed. The site log is broken down by server, device, user or general access. The site log is kept on the server for two years and is exportable for reporting. Video surveillance system audits will be conducted by the Animal Services Manager on a regular basis, at least annually.
- b. The City Manager shall enforce against any prohibited use of the cameras by BACS staff and/or access to data by other City of Berkeley personnel pursuant to City employee disciplinary processes.
- c. The audit shall be documented in the form of an internal memorandum to the City Manager and/or her designee. The memorandum shall include any data errors found so that such errors can be corrected. After review by the City Manager and/or her

designee, the memorandum and any associated documentation shall be placed into the annual report filed with the City Council pursuant to BMC Section 2.99.020 2. d. and published on the City of Berkeley website in an appropriate location.

12. MAINTENANCE

- a. It shall be the responsibility of the Public Works Department to facilitate and coordinate any updates and required maintenance with access limited to that detailed in the City Manager's promulgated policies.

BERKELEY ANIMAL CARE SERVICES SURVEILLANCE ACQUISITION REPORT

SURVEILLANCE CAMERAS**A. DESCRIPTION**

The Avigilon camera system consists of three main components: The camera, the server, and a remote information management system referred to as the Avigilon Control Center Client application (ACC).

The first component, the Avigilon camera, is a device that incorporates a video recording from an image. Cameras already exist at the Animal Shelter and will not be acquired here.

The second component of the system is the server. Once the Avigilon camera captures the imagery, a local device called a server, functions as a repository for the data. Servers are physically secured on City property and video recordings are protected within the City's network. Servers are designed to store recorded events in real time for secure retrieval and analysis. Recorded videos are transferred from the server's storage into an information management system, Avigilon Control Center (ACC) application.¹



The third component is the Avigilon Control Center Client application (ACC) which streamlines data management and allows users to access videos on one secure platform. The ACC software provides various levels of analytics to sort stored videos faster and is a standard feature. These include pixel motion detection of vehicles and people. Vehicular characteristics are searchable by vehicle type and color. Personal characteristics are searchable by gender (gender is a binary search, female or male), hair color, age, and upper and lower body clothing color. Authorized users of the system can only access data stored on a server through the ACC application. The ACC application is located on the server and accessed solely through the City's secured intranet by protected login and password. The application does not allow the authorized administrator or system users to alter, manipulate, or edit any of the footage recorded by the server.

¹ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=200320040AB839

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B. PURPOSE

The cameras shall only record video images and not sound. Recorded images may be used and video surveillance may be monitored to support specific and active criminal or administrative investigations.

Surveillance cameras will be utilized for the following business purposes:

1. To support specific and active criminal investigations.
2. To support the enforcement of City policies and State and local laws.
3. To prevent, deter, and identify individuals who intentionally abandon animals.
4. To protect and safeguard the animals in our care from theft or harm.

C. LOCATION

Surveillance cameras impacted by this report are located at 1 Bolivar Dr, Berkeley CA (the Dona Spring Animal Shelter).

D. IMPACT

The primary intent of these cameras is described in Section B, above. Animal Care Services will work to ensure that the video recordings are secured and only accessible to authorized personnel (namely, authorized Animal Care Services personnel trained on the uses and data security components of the camera, and the Berkeley Police Department for the investigation of criminal cases, such as animal cruelty). The right to maintain someone's anonymity versus the need to collect information to maintain safety is of paramount concern. Animal Care Services recognizes that all people have a right to privacy and is committed to protecting and safeguarding civil rights by adhering to the strictest requirements concerning the release of video recordings. There should not be any impact on anyone's civil liberties or civil rights. The camera system lacks the hardware to conduct license plate reader or facial recognition technology. Audio is a standard feature of the cameras, but will remain deactivated by the authorized administrators of the system. Staff is explicitly prohibited from using any facial recognition technology as outlined in BMC 2.99.

Animal Care Services will ensure responsible data management, transparency, and accountability including the posting of video surveillance notices.

E. MITIGATION

In order to minimize violations of privacy, data shall be maintained in a secure, non-public accessible location, such locations require specialized system access including a dedicated password and log in. Data will be obtained or released in accordance with the use policy. Data will not be used to unlawfully discriminate against people based on race, ethnicity, political opinions, religious or philosophical beliefs, trade union membership, gender identity, disability status, sexual orientation or activity, or genetic and/or biometric data. Additionally, Animal Care Services will not use the camera surveillance system to scan footage and identify individuals based on any of the categories listed in the preceding sentence.

BERKELEY ANIMAL CARE SERVICES SURVEILLANCE ACQUISITION REPORT

Employees are prohibited from retaining, duplicating, or distributing video recordings except for business purposes in accordance with the use policy.

F. DATA TYPES AND SOURCES

The surveillance camera system's use is limited to capturing non-audio, video recordings affixed to City property at 1 Bolivar Drive. The Camera Surveillance system collects video recordings in high-resolution imagery that is stored securely on a local server and accessible by authorized users on the ACC application. As video images are recorded, the ACC application automatically stamps the video with the current date/time and the camera's identity.

G. DATA SECURITY

External users will not have access to the ACC application. The authorized administrator and designated staff will have access to video recordings. To gain system access, staff must obtain approval from the Animal Services Manager. Authorized users will access the ACC application via a single sign-on and password administered by Information Technology. All system access including system log-in, access duration, and data access points is accessible and reportable by the Public Works authorized administrator. The application prohibits the authorized administrator and users from altering, manipulating, tampering, or editing video recordings.

The Public Works Director or his/her designee shall appoint a member of the department as the authorized administrator to coordinate the use and maintenance of the Surveillance Camera system and the storage of recordings, including:

1. Establishing a system for downloading, storing, and securing of recordings.
2. Designating persons responsible for downloading recorded data.
3. Establishing a maintenance system to ensure the working order of surveillance cameras.
4. Monitoring the system to prevent tampering, deleting, and copying recordings.
5. Working in alignment with the State of California record retention policy, AB 839 to ensure an appropriate retention schedule is being applied to recordings and associated documentation.
6. Maintaining an audit trail record for all access to video recording files, wherein access information for each file is logged using a secure log-in system. The ACC application associates an audit trail record with each user access information, thereby logging the date, time, user name, and activity occurring during each video recording file access.

H. FISCAL COST

Costs (fixed and ongoing) for the purchase of the servers is below. All camera servers are purchased and wholly owned and operated by City of Berkeley.

Purchase Cost: \$57,908.08

I. THIRD PARTY DEPENDENCE AND ACCESS

All Camera Surveillance data is accessed by a secure network login and password and stored on servers maintained by the Department of Information Technology. There is no third-party dependence or

BERKELEY ANIMAL CARE SERVICES SURVEILLANCE ACQUISITION REPORT

external access to information other than the ACC is a proprietary technology which requires all the components to be Avigilon.

J. ALTERNATIVES

The City can decide to rely on traditional policing techniques as a method for addressing crime such as deploying sworn officers to patrol the Animal Shelter.

There is a broad consensus – among the community– that surveillance cameras can be an important tool for deterring criminal activities and maintaining staff and animal safety.

K. EXPERIENCE OF OTHER ENTITIES

Many municipal shelters use security camera systems for the enforcement of animal welfare codes and to maintain staff and animal safety.

