



Office of the City Manager

CONSENT CALENDAR
July 11, 2017

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Phillip L. Harrington, Director, Department of Public Works
 Subject: Contract No. 9977 Amendment: Portable Computer Systems dba PCS Mobile to Purchase 15 Automated License Plate Recognition (ALPR) Units

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 9977 with Portable Computer Systems dba PCS Mobile to purchase fifteen additional Automated License Plate Recognition units to increase parking enforcement operations capacity and effectiveness, and increasing the total \$1,200,000 for a new amount not to exceed \$1,650,000, and extending the term from May 30, 2020 to June 30, 2022.

FISCAL IMPACTS OF RECOMMENDATION

Funding of \$1,200,000 for fifteen new Automated License Plate Recognition units (ALPR: see pricing detailed below) is subject to appropriation in the FY 2018 and FY 2019 Budget, and will be allocated from the goBerkeley/Federal Highway Administration restricted portion of the Parking Meter Fund 840-4940-431.30-38 14TD01, and 840-4940-431.70-41 14TD01.

Original Pilot Program Contract Amount (5 ALPR units)	\$ 450,000
Amended Contract Amount (15 ALPR units)	\$1,200,000
Total NTE	\$1,650,000

This contract has been assigned CMS No. MPS8L.

PCS Mobile Proposal Costs	Unit Cost	Total Cost
<i>One-Time Costs</i>		
Mobile LPR Equipment and Professional Services	\$38,227	\$ 573,407
Mobile Computing - Complete Kit with Wireless Modem	\$ 6,945	\$ 104,168
Spare Parts	\$ 1,425	\$ 21,375
<i>Costs Through FY 2022 (Duration of Contract)</i>		
SMA and Warranty Costs	\$14,840	\$ 222,600
Mobile Assurance Support and Training	\$ 9,417	\$ 141,250
Cellular Connection Costs	\$ 4,710	\$ 70,650
AutoVu Managed Services Hosting	\$ 2,800	\$ 42,000
Subtotal	\$78,363	\$1,175,450
Contingency – for additional services to be determined (~2%)		\$ 24,550

Total		\$1,200,000
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CURRENT SITUATION AND ITS EFFECTS

As part of the goBerkeley Pilot parking program, five ALPR units were installed on five of twenty-five vehicles used for parking enforcement. The City uses this technology to collect anonymized parking data for recommending parking adjustments in goBerkeley parking program areas; and to conduct parking enforcement in time-limited areas, such as Residential Preferential Parking (RPP) zones.¹ ALPR is also used to identify stolen vehicles and parking scofflaws.² The City’s ALPR use and data privacy policies are summarized in Berkeley Police Department (BPD) Administrative Order #001-2016, provided as Attachment 2.

Currently, parking enforcement staff and resource capacity are constrained as twenty Parking Enforcement Officers (PEOs) are responsible for enforcing lawful parking activity within the City’s 14 RPP zones (comprising approximately four square miles) and at more than 4,000 metered parking spaces. If Council chooses to expand the RPP Program citywide, then demand for parking enforcement is expected to increase.

The partial deployment of ALPR in the goBerkeley Pilot served as a means of verifying the technology’s utility, but it has posed operational challenges. Firstly, due to the nature of existing parking enforcement beats, collecting sufficient parking data for goBerkeley parking program analysis (a primary reason for the City’s investment in the technology) remains a challenge. Secondly, the availability of ALPR technology highlights the limitations of the traditional “tire chalking” method of parking enforcement. ALPR helps to provide a safer working environment for PEOs by eliminating traditional tire chalking, which requires staff drive at slow speeds and use repetitive arm motions to apply chalk. By contrast, ALPR is faster to operate and it therefore allows PEOs to cover larger geographic areas during their shifts. Buying fifteen additional ALPR units will allow all twenty PEOs to utilize this technology, which should improve the delivery of current and future parking enforcement services in the face of increasing parking demand.

BACKGROUND

Effective management of Berkeley’s public parking resources improves access to local businesses, and reduces traffic congestion and safety hazards caused by drivers as they search for parking. The long-term vision of parking management in Berkeley is to employ evidence-based, or data-driven decision making to tailor policies and/or operational practices to the activities or behavior they are intended to manage. The first step towards this vision is the goBerkeley parking program, under which staff analyze parking data to set meter rates for optimum parking availability in Downtown Berkeley, Southside/Telegraph, and Elmwood.

¹May 19, 2016 Off-Agenda Memorandum to City Council: *goBerkeley Program - Automated Data Collection and Enforcement System: Implementation Update* <http://bit.ly/2jtC7n4>

²Vehicles with five or more outstanding citations at least 30 days old

ALPR technology is integral to expanding the use of such evidence-based management. In 2013, Council authorized a contract with Xerox State and Local Solutions to help the City test ALPR vendors for a cost-effective means of collecting parking data and improving the effectiveness of parking enforcement.³ Then, in 2014, after a lengthy evaluation of available ALPR technology, the City selected PCS Mobile's Genetec AutoVu system. On January 27, 2015, Council authorized Contract No. 9977 with PCS Mobile to install and maintain five Genetec ALPR units as one of the final steps of the goBerkeley Pilot.⁴

ENVIRONMENTAL SUSTAINABILITY

Effective parking enforcement increases compliance with parking rates and time limits, which are used to improve parking availability. In particular, the goBerkeley parking program seeks to reduce traffic congestion and air pollution caused by drivers circling to find on-street parking. Reducing greenhouse gas emissions produced by vehicular traffic is one of the City's 2009 Climate Action Plan goals.

RATIONALE FOR RECOMMENDATION

The initial installation of five units as part of the goBerkeley pilot has enabled staff to more efficiently collect parking occupancy data for analytical purposes. In addition, PEOs find the technology easy to use and effective at increasing enforcement capacity. This in turn increases compliance with existing parking management regulations, and reinforces Council-supported programs. Increasing the number of ALPR units should improve existing staff capacity and equipment resources even as demand for parking enforcement increases.

ALTERNATIVE ACTIONS CONSIDERED

If Council were not to authorize this contract amendment, the City would not be able to purchase fifteen additional ALPR units at this time. Alternatively, the City could solicit bids for a new contract for up to twenty ALPR units, including a new back-end operating system; integration into existing City enforcement operations and data management systems; and training on the new system for City staff. Because the current system has already been identified as the best solution for Berkeley, and since the City has already invested time and funds into the current system, seeking a new contract would be inefficient, time consuming, and a waste of past investment in the system.

CONTACT PERSON

Farid Javandel, Manager, Transportation Division (510) 981-7061
Danette Perry, Manager, Parking Services (510) 981-7057

³December 3, 2013 *Contract: Xerox for Automated Data Collection and Enforcement System (goBerkeley)* <http://bit.ly/2niKUdo>

⁴January 27, 2015 *Contract: PCS Mobile for Equipment Vendor in Automated Data Collection and Enforcement System (goBerkeley)* <http://bit.ly/2ncJhdP>

Gordon Hansen, Senior Planner (510) 981-7064

Attachments:

- 1: Resolution
- 2: Berkeley Police Department (BPD) Administrative Order #001-2016: Automated License Plate Reader (ALPR)

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

CONTRACT NO. 9977 AMENDMENT: PCS MOBILE TO PURCHASE 15 AUTOMATED
LICENSE PLATE RECOGNITION (ALPR) UNITS

WHEREAS, the City of Berkeley currently uses five Automated License Plate Recognition (ALPR) units to collect anonymized parking data supporting the goBerkeley parking program, and to improve the effectiveness of parking enforcement operations; and

WHEREAS, data security and confidentiality guidelines to protect citizen privacy are summarized in Berkeley Police Department Administrative Order No. 001-2016; and

WHEREAS, ALPR technology presents a safer and more effective alternative to “tire chalking” as a means of parking enforcement, and increases the capacity of existing parking enforcement staff and resources; and

WHEREAS, fully equipping the parking enforcement fleet with ALPR technology should help the City continue to deliver effective parking enforcement services at current and future levels of demand; and

WHEREAS, subject to appropriation in the FY 2018 and FY 2019 Budget, funding of \$1,200,000 for this contract amendment will be allocated from the goBerkeley/Federal Highway Administration restricted portion of the Parking Meter Fund 840, and the contract term will be extended from May 30, 2020 to June 30, 2022.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 9977 with PCS Mobile, increasing the contract amount by \$1,200,000 for a new not to exceed amount of \$1,650,000 and extending the contract term from May 30, 2020 to June 30, 2022 (CMS No. MPS8L).

DEPARTMENT ORDER

ADMINISTRATIVE ORDER #001-2016

DATE ISSUED: 02/18/16

SUBJECT: AUTOMATED LICENSE PLATE READER (ALPR)

PURPOSE

- 1 - This order establishes guidelines for the use of the Berkeley Police Department's Automated License Plate Reader (ALPR) technology and data. ALPR technology functions by automatically capturing an image of a vehicle's license plate, transforming that image into alphanumeric characters using optical character recognition software, and storing that information, along with relevant metadata (e.g. geo-location and temporal information, as well as data about the ALPR). ALPRs may be used by the Berkeley Police Department Parking Enforcement and Traffic Units for official law enforcement purposes.

POLICY

Administration of ALPR Data

- 2- Any installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Investigations Division Captain through the Traffic Bureau. The Investigations Division Captain will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

ALPR Operation

- 3- Department personnel shall not use, or allow others to use, the ALPR equipment or database records for any unauthorized purpose.
 - a. An ALPR shall only be used for official and legitimate law enforcement business.
 - b. Reasonable suspicion or probable cause is not required before using an ALPR.
 - c. No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
 - d. No ALPR operator may access California Law Enforcement Telecommunications System (CLETS) data unless otherwise authorized to do so.

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ALPR Data Collection and Retention

- 4- All data and images gathered by an ALPR are for the official use of the Berkeley Police Department. Such data may contain confidential CLETS information and is not open to public review. ALPR information gathered and retained by this department may be used and shared with prosecutors or other law enforcement agencies only as permitted by law.
- 5- The Parking Enforcement Manager is responsible for ensuring proper collection and retention of ALPR data. Technical support and assistance shall be provided by City Department of Information Technology personnel and associated ALPR system providers/vendors as identified below. IT staff will not have the ability to access or view individual records or reports, as they may contain CLETS information they are not authorized to receive. IT's role will be limited to providing initial infrastructure set-up, unless particular IT staff members have been cleared by DOJ background checks and authorized by the Chief of Police to receive ALPR records.
- 6- All ALPR data shall be stored as described in this order and thereafter shall be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a lawful action to produce records. In those circumstances the applicable data shall be downloaded from the server onto portable media and booked into evidence. The records will then be subject to standard evidence retention policies and statutes.
 - a. Collected images and metadata of hits will not be stored for more than 365 days. Metadata of reads will not be stored for more than 30 days. Images of reads will not be transferred to the server.

Accountability and Safeguards

- 7- All saved data will be safeguarded and protected by both procedural and technological means. The Berkeley Police Department will observe the following safeguards regarding access to and use of stored data:
 - a. Non-law enforcement requests for access to stored ALPR data shall be processed according to General Order R-23 in accordance with applicable law.
 - b. Non-law enforcement requests for information regarding a specific vehicle's license plate may be honored when the requestor is the registered owner of the vehicle in question, and when providing such

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information will not invade the privacy of a third party. The requestor in such cases must provide acceptable proof of his or her identity and of ownership of the vehicle in question.

- c. ALPR data downloaded to any workstation or server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- d. Berkeley Police personnel approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relates to a specific criminal investigation or department-related civil or administrative action and parking enforcement.
- e. ALPR data may be released to other authorized and verified law enforcement officials and agencies for legitimate law enforcement purposes only in connection with specific criminal investigations.
- f. Aggregated ALPR data not related to specific criminal investigations shall not be released to any local, state, or federal agency or entity without the express written consent of the City Manager.
- g. Measures will be taken to ensure the accuracy of ALPR information. Errors discovered in ALPR data collected by ALPR units are marked, corrected, or deleted in accordance with the type and severity of the error in question.
- h. ALPR system audits will be conducted by personnel assigned to the Professional Standards Bureau on a regular basis, at least biennially.

Current ALPR Deployments

- 9- The Berkeley Police Department uses ALPR technology in the Parking Enforcement Unit for parking and scofflaw enforcement.
- 10- Effective 2/18/16, the Parking Enforcement Unit will utilize five (5) Parking Enforcement Go-4 vehicles equipped with ALPR units to conduct enforcement of posted time limits in commercial areas and Residential Preferential Parking (RPP) permit areas. These ALPR's will also access information in the DMV/SVS database (stolen and wanted vehicles). The

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current contracted vendor for this system is PCS Mobile using Genetec ALPR technology.

- 11- The Scofflaw Enforcement program (often referred to as the "booting" program) utilizes an ALPR to scan license plates, and checks scanned "reads" against a file of vehicles which have five or more outstanding parking citations exceeding 30-days old. Typically, upon a confirmed "hit," the vehicle is immobilized with a "boot", or towed, and the owner has to pay the outstanding citations and fees in order to release the boot and/or recover their car from storage. This allows the city to recover outstanding citation fees and penalties. ALPR equipment is installed in the Parking Enforcement Unit's Scofflaw Enforcement vehicle.
- 12- The contracted vendor for the City's Scofflaw Enforcement program is currently Paylock. Paylock stores data on a secure server, and provides access to authorized personnel via Paylock's "Bootview" secure website, as described below:
 - a. All data captured by the ALPR is stored on the laptop for 30 days, and is only accessible during that period via the ALPR proprietary software. This includes reads, hits, and photographs associated with each.
- 13- When a car is booted and/or towed, the read, hit, and photographic data relating to the booting and/or towing of scofflaw vehicles is uploaded to Paylock's secure server. No other data is uploaded to Paylock's secure server.
- 14- The City's Parking Enforcement ALPR vendor (currently Genetec) will periodically provide reports to the City of Berkeley Transportation Division's goBerkeley parking management program so that it can analyze data about parking demand. These reports will not contain any information about a vehicle's license plate number, the name of the registered owner, address of registered owner, or any other information gleaned from the license plate number associated with a particular vehicle. Rather, the reports will consist of 100 percent anonymized information using identification numbers that are not associated with a particular license plate or registered owner. The reports will provide only the date, time, location, approximate address, goBerkeley blockface ID, and RPP area in which a vehicle was observed. If a citation was not issued for an RPP or other time limit violation, the report may also provide the reason a parking enforcement

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officer concluded there was no parking violation, e.g., RPP visitor pass, disabled placard or license plate, etc.



Michael K. Meehan
Chief of Police

References: NCRIC ALPR Policy
SB 34
General Order R-23

Cc: All BPD Personnel