



24-4392

DATE: February 27, 2024 (Item No. 15)

TO: Board of Supervisors

FROM: Doug Feliciano, Director of Facilities Security

SUBJECT: Replacement Video Security Cameras at the Charcot Campus

RECOMMENDED ACTION

Consider recommendations relating to the installation and activation of video security cameras at the Charcot Campus, 2310 North First Street, San José. (Office of the County Executive)

Possible action:

- a. Adopt finding that the benefits of the surveillance technology outweigh the costs pursuant to Section A40-4 of the Santa Clara County Ordinance Code.
- b. Approve the activation of the video security camera system at the Charcot Campus.

FISCAL IMPLICATIONS

There is no impact to the County General Fund associated with the recommended action. The one-time cost to acquire and install the video security camera system was \$200,000 and included in the tenant improvements budget for the space. The upkeep and maintenance costs for the video security cameras are warrantied for the first year, and any additional annual maintenance costs will be absorbed in the Facilities Security budget.

REASONS FOR RECOMMENDATION AND BACKGROUND

The purposes for the security cameras include public safety and the identification, assessment, investigation, and reporting of behavior or activity that reasonably appears to be unauthorized, in violation of Department or County policy, illegal, or in furtherance of illegal activity. Staff is recommending the installation of 35 new cameras in support of facility safety, as the Charcot Campus has an older low-definition security camera system whose technology is approaching the end of its useful life.

Video security cameras at the Charcot Campus will be used to monitor common area lobbies, elevator lobbies, exit doors, entrances, stairwells, heavy traffic hallways, critical technology areas, and in the exterior parking lots. They are not used to record audio or private workspaces. Data access, which will be managed by the Director of Facilities Security or their written designee, will comply with the restrictions set forth in the Countywide Surveillance Use Policy for Video Security Cameras (“Policy”) approved by the Board on

August 15, 2023 (Item No. 12). Individuals specifically authorized by this Policy to designate data access to others will only do so in writing and only for County business purposes and subject to the limitations set forth in the Policy. Any data access would be granted on a restricted basis, such as only allowing access to footage recorded on a particular date or only granting data access for a time-limited period.

Dedicated signage notifying the public, employees, and others of video monitoring and recording will be placed near the main entrances of the Charcot Campus before the camera system is activated.

Benefits of Surveillance Technology Outweigh Costs and Concerns

Pursuant to Section A40-4 of the County of Santa Clara Ordinance Code, "...the Board shall assess whether the benefits to the impacted County department(s) and the community of the surveillance technology outweigh the costs including both the financial costs and reasonable concerns about the impact on and safeguards for privacy, civil liberties, and civil rights."

Approval to implement and operationalize the video security camera system would enhance the safety of staff, clients, and parked vehicles at the campus.

The Office of the County Counsel and Privacy Office have determined that the video security cameras are eligible for coverage under the Policy. The Board-approved Countywide Surveillance Use Policy for Video Security Cameras and accompanying Countywide Video Security Cameras Anticipated Surveillance Impact Report are attached. The Office of Facilities Security will submit the required information regarding the campus' video security camera system for the Countywide Video Security Cameras Annual Surveillance Report.

Background of the Surveillance Technology

On December 14, 2021 (Item No. 18), the Board of Supervisors adopted the Countywide Surveillance Use Policy for Video Security Cameras. The Policy removed the need for departments to draft nearly identical Surveillance Use Policies and Anticipated Surveillance Impact Reports when requesting Board approval to acquire or implement new video security camera systems with standard capabilities. Instead, departments may request review and approval from the Privacy Office, with consultation from the Office of the County Counsel, to determine whether the department's video security cameras are eligible to be covered by the Policy. If it is determined the new video security cameras are covered by the Policy, the department is required to seek Board approval on the non-consent calendar to acquire and/or implement new video security cameras pursuant to Section A40-2 of the Surveillance Ordinance.

On August 15, 2023 (Item No. 12), the Board approved revisions to the Policy that enhanced privacy safeguards, specifying signage requirements, and limiting data access to the appropriate individuals and/or time periods.

CHILD IMPACT

The recommended action will have no/neutral impact on children and youth.

SENIOR IMPACT

The recommended action will have no/neutral impact on seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

CONSEQUENCES OF NEGATIVE ACTION

The Charcot Campus would not have a modern security camera system to support staff, visitor, and property safety.

STEPS FOLLOWING APPROVAL

The Clerk of the Board shall send notification to Doug Feliciano in the Office of the County Executive and Kim Forrester in the Office of the County Counsel.

ATTACHMENTS:

- Countywide Video Security Cameras Surveillance Use Policy
- Countywide Video Security Cameras Anticipated Surveillance Impact Report