



Council Communication

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SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE 2023 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO, BY TRANSFERRING \$298,800 FROM THE UNENCUMBERED FUND BALANCE OF THE GENERAL FUND TO THE INFORMATION TECHNOLOGY FUND FOR COSTS ASSOCIATED WITH THE FLOCK CAMERA SYSTEM AND AUTHORIZING THE EXPENDITURE THEREOF

Summary and Background Information

On 09/18/23 CCPD gave a presentation introducing Flock Safety products and their potential to impact criminal activity and criminal investigations in a small section of the City (14% of the City geographically), that accounts for 40% of all the shots fired and gunshot wound calls received by CCPD.

Council posed a number of questions during the presentation, answers to which have been researched and included below.

I. 4th Amendment Concerns: The equipment will all be installed on public property. 4th Amendment violation risks are minimal, so long as these devices are not targeted to conduct extended surveillance on a protected area like curtilage. The Police Department will take reasonable steps to ensure that the video camera angle is directed at a public roadway/area where the expectation of privacy to the public is diminished under the 4th Amendment.

II. Potential for Abuse or Misuse: We have examined this, and we have not been able to identify any areas where abuse could occur, as the cameras are constantly recording generating their own audit trail with regard to anything photographed, meaning any focused use of the camera, panning, tilting, or zooming in any fashion would generate for users the ability to learn who took such action. In addition, since the footage is retained for at least 30 days, there exists no way for any such user to delete the footage captured or the record of the individual who captured the footage. Supervisors or others with access could regularly review any footage to ensure misuse or abuse is not occurring.

III. Partnering with School Districts: Flock Safety advised that as long as any resident, business, or school district has a video system that meets their system's minimum video requirements, they encourage them to sign up to put their system onto the broader Flock network of cameras.

IV. Funding - The Finance Department has prepared an ordinance for your consideration and approval tonight transferring the \$298,000/ needed for this project. The initial one-year contract is \$248,000; however, we are asking for an additional reserve of \$50,000 as some details regarding the storage of the passive video is worked out with the City and with Flock. If that ordinance is approved the funding will be in place for CCPD to move forward with the procurement of the Flock Safety system.

V. Public Perception: If the Flock Safety system is funded, CCPD will use its PIO to help educate the public on the system, the benefits it offers, and how the police department will use it to solve and reduce crime, positively impact quality of life issues facing the community, and commit to timely addressing any concerns with transparency and open communications.

Since the initial presentation to City Council, City staff has identified another substantial benefit to the City should the Flock Safety products be acquired and installed.

Since October of 2022 CCPD has impounded 38 trailers, boats, and RV's that have been abandoned. Of these, 21 were towed and 17 had to be destroyed. The approximate cost to the City for towing and destruction has been \$167,000. While not all of these have been abandoned in the area of the City where we propose Flock Safety products be installed, many of them would have had to have traveled through this part of the City on their way to being abandoned. The Flock Safety cameras proposed would provide CCPD a valuable tool to utilize in order to identify any vehicles associated with abandoning trailers, boats, or RVs in the City and by extension, the ability identify and contact the individual responsible for the property. Of the aforementioned 38, 20 were located in the proposed area and costs associated with those 20 were approximately \$47,000. Some of the Flock Safety products and related footage will allow CCPD to search for individuals or vehicles associated with the abandoned item in an effort to identify them and advise them of their options regarding disposition of the property.

Flock was selected for several reasons. First, they are one of the only companies which allows video footage from various businesses, school districts, and other sources to feed into their system. Secondly, the three products CCPD has chosen, (cameras, license plate readers, and gunshot detection), have been proven to aid in both identifying criminals and areas for officers to patrol. Additionally, the Flock Safety system is fully scalable, meaning cameras and other products can be continually added and expanded upon, including a Real Time Crime Center (RTCC), as well as partnering with other police agencies.

CCPD is asking City Council to authorize funding for the Flock Safety project, so that CCPD can be working with the company to rollout their products in December 2023.

These three proposed Flock Safety products in the designated area will help CCPD

work towards several of City Council's goals including:

1. Protect resident health, safety, and education by promoting public safety, environmental health, and sustainability.
2. Develop and maintain public infrastructure, facilities, and transportation to improve community appearance and encourage continued development.
3. Address the full spectrum of housing needs, encourage sustainable development, and protect residents through enhanced oversight and balanced residential growth.
4. Lead in managerial best practices through strong stewardship of public funds, being an employer of choice, and providing technologically innovative and transparent public service.

This proposed budget amendment ordinance would facilitate the initial implementation of the Flock Camera System before the end of 2024, and includes:

- \$248,800 for hardware and installation
- \$50,000 for project contingency to cover additional costs for data retention, right-of-way and permitting needs, and additional light poles (if needed)

The total recommended budget amendment is \$298,800. This does not include ongoing costs for 2024, which would be covered in a future 2024 budget amendment. Ongoing costs beyond 2024 would be included in the Annual Budget for 2025 and future years. Estimated ongoing cost for 2024 is \$229,000.

Staff Responsible (Department Head): Chief of Police, Darrel Guadnola

Staff Member Presenting: Chief of Police, Darrel Guadnola , if needed

Financial Impact: \$298,800

Funding Source: General Fund Unassigned Fund Balance

Staff Recommendation: Approve this ordinance.

Suggested Motion: Approve this ordinance on first reading.