



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Julia H. Cooper
John Ristow
John Aitken
Margaret McCahan

SUBJECT: SEE BELOW

DATE: October 18, 2018

Approved

Date

10/19/18

**SUBJECT: ACCEPT THE REPORT ON THE REQUEST FOR PROPOSAL FOR
PARKING ACCESS AND REVENUE CONTROL SYSTEM AND ADOPT A
RESOLUTION APPROVING AN AUTOMATED LICENSE PLATE
RECOGNITION POLICY**

RECOMMENDATION

- A. Accept the report on the Request for Proposal for a Parking Access and Revenue Control System and adopt a resolution authorizing the City Manager to:
1. Execute an Agreement with Sentry Control Systems, LLC (Van Nuys, CA) for the purchase of a Parking Access and Revenue Control System on behalf of the Department of Transportation, including all hardware, equipment, software, implementation and configuration, training, support, maintenance, and related professional services for an initial one-year term ending on October 31, 2019, with maximum compensation amount not-to-exceed \$6,326,346.
 2. Negotiate and execute amendments and/or change orders not to exceed \$300,000 for contingencies related to implementation and system requirements, subject to the appropriation of funds.
 3. Execute up to ten one-year options to extend the term of the Agreement for ongoing support, maintenance, and related professional services through October 31, 2029, subject to the appropriation of funds.
 4. Negotiate and execute an agreement with Sentry Control Systems for the purchase of a parking access and revenue control system for the Airport, subject to substantially the same terms and conditions as the Agreement for the Department of Transportation, for an initial one-year term with maximum compensation amount not-to-exceed \$7,000,000, and up to ten additional one-year options to extend the term of the agreement for ongoing support, maintenance, and related professional services, subject to the appropriation of funds.

- B. Adopt a Resolution approving a Parking Operations-specific Automated License Plate Recognition Policy.
- C. Adopt the following 2018-2019 Appropriation Ordinance and Funding Sources Resolution amendments in the Airport Renewal and Replacement Fund:
 - 1. Increase the Parking Revenue Control System Upgrade appropriation to the Airport Department by \$3,500,000;
 - 2. Increase the estimate for Transfers and Reimbursements by \$3,500,000.
- D. Adopt the following 2018-2019 Appropriation Ordinance amendments in the Airport Revenue Fund:
 - 1. Decrease the Future Budgets/Capital Reserve by \$3,500,000;
 - 2. Increase the Transfer to the Airport Surplus Revenue Fund by \$3,500,000.
- E. Adopt the following 2018-2019 Appropriation Ordinance and Funding Sources Resolution amendments in the Airport Surplus Revenue Fund:
 - 1. Increase the Transfer to the Airport Renewal and Replacement Fund by \$3,500,000;
 - 2. Increase the estimate for Transfers and Reimbursements by \$3,500,000.

OUTCOME

The new Parking Access and Revenue Control System will improve the City's parking operations and enhance the parking experience of visitors, local businesses, and employees by equipping the City's parking facilities with a system that capitalizes on the latest innovations in revenue collection, credit card payment security, and reservations. The Automated License Plate Recognition Policy will enable the City to use license plate reader technology to enhance customer service and revenue controls.

BACKGROUND

The City currently utilizes a Parking Access and Revenue Control System (PARCS) in the downtown parking garages and in the Airport parking facilities. The PARCS – which includes barrier gates, ticket dispensers, automated pay stations, and computer hardware and software systems – provides the infrastructure for controlling access into the facilities, collecting and calculating fees, and reporting revenues. The system is critical to the City's efforts in improving

customer service, enhancing revenue opportunities, and securing credit card payment information.

Department of Transportation (DOT)

The DOT oversees the operation of eight parking garages with approximately 6,100 parking spaces that provide convenient parking to visitors, businesses, and employees in downtown San José and maintains the parking facilities in a manner that reflects the City's commitment to clean, safe, and inviting facilities. In FY 2017-18, the parking garages served approximately 1,500,000 downtown visitors and 100,000 monthly permit holders, and generated approximately \$12,000,000 in gross revenue.

The existing PARCS equipment was installed by Scheidt and Bachmann over ten years ago. While the system modernized the City's parking technology at the time, it has reached the end of its functional life. The system suffers from frequent equipment failures, is not compliant with the required Payment Card Industry Data Security Standards (PCI DSS), and does not allow for the implementation of innovative customer service and data analytics features. As such, Finance staff conducted a Request for Proposal for DOT to procure a new system.

The Norman Y. Mineta San José International Airport (Airport)

The Airport manages over 6,200 parking spaces including 4,500 public parking spaces located in two parking garages and four surface lots. These parking facilities generate approximately \$32,000,000 in gross revenue annually. The Airport PARCS was installed by ACS Transport Solutions in 2008 (now OSP US, Inc.) as part of the Terminal Area Improvement Program. While the system has performed well, it no longer meets the needs of the Airport. The system does not allow for the use of innovative features expected of a current parking system, such as reservations, online coupon usage, or the use of smartphone access to facilities.

The Airport desires to implement the PARCS solution selected through the RFP process that Finance staff conducted on behalf of DOT for the downtown parking garages. This action is allowable as the RFP included provisions that permit the City to standardize on the PARCS solution selected through the competitive process.

The proposed system will replace all functions of the current system, including the use of Automated License Plate Recognition (ALPR). ALPR has been used for over 10 years at the Airport to assist with the recognition of vehicles and the establishment of parking charges due. The ALPR system has been valuable in determining charges for customers who have misplaced their parking tickets.

New PARCS

The new turnkey PARCS will provide the City with a new fully integrated, web-based, modern access and revenue control system that will:

- Support the needs of the City for the next decade with utilization of the industry's latest technology advancements to control access, calculate and accurately report revenue and enhance revenue control and fraud prevention.
- Achieve a compliant PCI/DSS environment that maintains secure cardholder information.
- Introduce Automated License Plate Recognition (ALPR) technology within downtown parking facilities for easier garage access and improved revenue control, and replace and update ALPR technology at the Airport.
- Improve the customer experience by providing a wider range of convenient electronic payment methods that not only include credit and debit payment cards, but also Near Field Contact (NFC) enabled payments, and electronic "wallets" such as Google Pay, Samsung Pay, and Apple Pay.
- Introduce flexible rate structure management to support the City's different parking and validation programs and leverage web-based and smartphone technologies.
- Introduce business intelligence and data analytics integrating all parking databases across the entire parking system enabling real-time parking program analysis and predictive analytics.
- Improve customer service by connecting the downtown parking facilities to a local 24/7 Customer Service Command Center which will enable immediate response to customer needs by utilizing live video and audio feeds.

As a subsystem of the PARCS, the existing roadway electronic parking guidance signs for both the Airport and downtown will be replaced. The upgraded signs will be fully integrated with the new PARCS allowing real-time information on available parking spaces and other important messages and information to be displayed.

Automated License Plate Recognition (ALPR) Policy

An ALPR is defined as any device that uses optical character recognition on images to automatically read vehicle license plates to enable the rapid identification of vehicles. ALPR technology is widely used within the parking industry; major California agencies currently utilizing the technology within their parking operations include San Francisco Municipal

Transportation Agency, City of Sacramento, City of Santa Monica, San Francisco International Airport, and Mineta San José International Airport.

On January 1, 2016 California Senate Bill 34 went into effect creating California Civil Code (CCC) 1798.90.51, which requires agencies that operate ALPR technology to maintain reasonable security procedures and practices to protect information gathered through the use of the ALPR technology from unauthorized access, destruction, use, modification or disclosure. CCC 1798.90.51 also requires agencies to implement a usage and privacy policy to ensure that collection, use, maintenance, sharing, and dissemination of information gathered through the use of ALPR technology complies with applicable law and is consistent with individual privacy and civil liberties.

ANALYSIS

Request for Proposal

In preparation for the development of the Request for Proposal (RFP) scope of requirements, DOT engaged stakeholders to obtain feedback on the desired features and capabilities of the new PARCS. DOT facilitated pre-RFP workshops that included the following invitees:

- San José Downtown Association
- Downtown Parking Board
- Team San José
- Hotel management from Hilton San José, Saint Claire, and San José Marriott
- City Departments: Airport, Information Technology (ITD), and Public Works
- Council District 3 Office

In 2017, Finance staff released a RFP for a new PARCS through the City's e-procurement system. A total of 139 companies viewed the RFP. Fourteen companies subsequently participated in a mandatory pre-proposal conference in order for staff to present an overview of the RFP and answer questions from the vendor community. The City received five proposals by the RFP deadline from the following firms:

- Amano McGann, Inc. (San Leandro, CA)
- ParkingSoft, LLC (Norcross, GA)
- Scheidt & Bachmann USA, Inc. (Lowell, MA)
- Sentry Control Systems LLC (Van Nuys, CA)
- TIBA Parking Systems (Columbus, OH)

The RFP evaluation process consisted of four phases, in which only the highest scoring proposals advanced to the next phase. The evaluation criteria and weights for each phase are summarized in the following table:

<u>Criteria</u>	<u>Weight by Phase</u>			
	<u>Phase 1</u>	<u>Phase 2</u>	<u>Phase 3</u>	<u>Phase 4</u>
Experience	90%	10%	5%	5%
Technical Capability		80%	35%	25%
Oral/Product Demonstration			50%	25%
Cost				35%
Local Business Preference	5%	5%	5%	5%
Small Business Preference	5%	5%	5%	5%
TOTAL	100%	100%	100%	100%

Evaluation Team: A five-member panel with representatives from the DOT, Department of Public Works, and Team San José (the City's partner that manages the San José Convention Center and other City owned cultural facilities) independently evaluated and scored the proposals.

Phase 1: Experience and Qualifications: This phase considered factors such as the company's years of experience implementing PARCS, customer references, and qualifications of key personnel who would implement and support the system. Four of the five proposers (Amano McGann, ParkingSoft, Sentry Control Systems, and TIBA Parking Systems) advanced to Phase 2 of the evaluation process.

Phase 2: Technical Capability: In this phase, proposals were evaluated on their project approach, implementation plan and schedule, ability to meet the City's technical and functional requirements, system capabilities, and ongoing support and maintenance. At the conclusion of this phase, Amano McGann and Sentry Control Systems advanced to Phase 3 of the evaluation process.

Phase 3: Oral Presentation and Product Demonstration: This phase consisted of on-site presentations by proposers that included an introduction of key members of their project team and a product demonstration of their fully-functioning PARCS in order for the City to validate system functionalities and capabilities. Representatives from key stakeholder groups, including the Downtown Parking Board, Team San José, the Airport, and the Information Technology Department were invited to participate and serve as observers during this phase. Upon conclusion of this phase, both Amano McGann and Sentry Control Systems advanced to Phase 4 of the evaluation process.

Phase 4: Cost: This phase included cost proposal submissions from Amano McGann and Sentry Control Systems. The cost proposal was based on the total cost of ownership that considered all costs for PARCS equipment, software, implementation and configuration, and maintenance and support for ten years after system acceptance. The cost proposal required a detailed breakdown by key cost elements, including equipment, hardware, software, maintenance and support, and professional services for project management, system design, implementation, and training.

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On-Site Customer Reference Visits: The RFP provided that the City could conduct site visits of reference projects to better understand and evaluate a proposed solution. The City visited MGM properties in Las Vegas, Nevada for Sentry Control Systems and the City of Sacramento for Amano McGann.

Best and Final Offer (BAFO): The two finalists Amano McGann and Sentry Control Systems were further required to provide clarification regarding their initial cost proposals and submit an updated cost proposal that included pricing for implementing Automated License Plate Recognition (ALPR) system in all parking garages.

The final scores are summarized below:

Phase 4: Evaluation Criteria	Maximum Points	Amano McGann	Sentry Control Systems
Experience	5	3	4
Technical Capability	25	16	21
Oral/Product Demonstration	25	17	19
Cost	35	35	34
Local Business Preference	5	5	0
Small Business Preference	5	0	0
TOTAL	100	76	78

Local and Small Business Preference: In accordance with City policy, ten percent of the total possible evaluation points were reserved for local and small business preference. Amano McGann, who maintains an office in San José, requested and received five points for Local Business Preference. The preference was not a factor in the final award recommendation.

Protest: The RFP process included a ten-day protest period that commenced when the City issued the Notice of Intended Award on June 1, 2018. No protests were received.

Award Recommendation: Staff recommends award of contract to Sentry Control Systems whose solution was determined to be the “best value” per the evaluation criteria set forth in the RFP. Sentry Control Systems’ PARCS solution was superior in the following key areas:

- Successful implementation at facilities that are similar in size and scope to City requirements.
- Technologically superior and aesthetically modern system.
- Successful integration with third-party vendors incorporating value-added services.
- Innovative solutions that exceeded City requirements.

During the on-site visit to MGM properties in Las Vegas, Nevada, staff was able to confirm a positive reference check and a full verification of Sentry Control System’s PARCS solution in a multi-facility environment.

Summary of Agreement: The agreement includes fixed pricing for all PARCS equipment, hardware, software, and professional services for design, configuration, installation, and training during the initial one-year term covering system implementation through final acceptance of the entire PARCS. The Agreement includes a detailed scope of services, a general project plan, a compensation schedule with milestone payments tied to the successful completion of key project deliverables, and a final system acceptance process that triggers final payment and start of warranty and maintenance services.

Full system warranty is one year from City's final system acceptance. Post-warranty maintenance and support services will be exercised as options at the sole discretion of the City. After Year 2, the contractor may request compensation adjustments to the annual maintenance and support fees. Rate adjustments in the option years shall not exceed 3%, except to reflect an increase to the City's Living/Prevailing Wage that is greater. The contractor must provide wages and benefits information to establish the amount paid to their workers to justify an adjustment that is greater than 3%. In no event will an adjustment greater than 3% be allowed for general and administrative expenses, overhead expenses, and profit.

The agreement is subject to the City's Prevailing/Living Wage Policy. Sentry Control Systems agreed to pay the prescribed prevailing and living wage rates identified in the RFP.

Automated License Plate Recognition (ALPR) Policy

ALPR technology has multiple beneficial applications specific to the City's parking operations. The use of ALPR as a parking credential improves and enhances parking operations and customer experiences by enabling monthly parkers the ability to enter and exit a facility without having to scan a keycard, link multiple vehicles to a single account, and allow visitors to pre-purchase parking online and enter/exit facilities without having to pull a ticket or pay at a pay station, thereby creating a frictionless parking experience.

Additionally, ALPR can help reduce fraud and tighten revenue controls by linking vehicles to a specific parking transaction and thereby reduce lost ticket and ticket swapping abuse. This helps parking operators enhance revenue control by ensuring parkers are charged and pay the appropriate rate for their duration of stay. ALPR may also help facilitate parking enforcement activities by identifying vehicles that may be in violation of parking rules and regulations, have attempted to circumvent the PARCS equipment controls and/or have damaged parking equipment/facilities.

To comply with California Civil Code (CCC) 1798.90.51, DOT and Airport collaborated in the development of a specific parking operations ALPR policy which outlines that the City must disclose any security breaches and cannot sell, share, or transfer ALPR information, except to another public agency and only as permitted by law. As indicated in the proposed ALPR policy the City will only use ALPR technology to collect license plate data within public view (See attached Exhibit A). The City will not use ALPR technology for the purpose of monitoring

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individual activities that are otherwise protected by the First Amendment to the United States Constitution. Information gathered or collected and records retained by the City will not be sold, published, exchanged or disclosed for commercial purposes. Additionally, the City will not confirm the existence or non-existence of ALPR information, such as through a Public Records Act request. Further, the parking ALPR system is designed as a standalone complementary component to the PARCS. The ALPR servers will be locally hosted and independent of external databases. The system will be encrypted and cannot be accessed or queried by an external system and cannot be cross-referenced or matched to an external database or list.

Where relevant, the parking operations ALPR policy, mirrors the existing San José Police Department ALRP policy that was approved by Council in January 2017.

This memorandum and corresponding Council meeting satisfy the provisions under CCC 1798.90.55(a) which require a public agency that operates or intends to operate an ALPR system to provide an opportunity for public comment at a regularly scheduled public meeting of the governing body of the public agency before implementing the program.

EVALUATION AND FOLLOW-UP

The memorandum will not require any follow-up from staff.

PUBLIC OUTREACH

This memorandum will be posted on the City's website for the October 30, 2018 Council Agenda.

COORDINATION

This memorandum has been coordinated with the Information Technology Department, the Public Works Office of Equality Assurance, the Police Department, the Parks, Recreation and Neighborhood Services (PRNS) Department and the City Attorney's Office.

COMMISSION RECOMMENDATION/INPUT

DOT engaged the Downtown Parking Board in a pre-RFP stakeholders meeting to collect feedback on desired requirements and subsequently invited members of the Board to the oral presentations of the two finalists. In addition, DOT staff provided regular updates of the RFP process to Board members during the quarterly Board meetings.

Additionally, on August 13, 2018, the Airport Commission was briefed by Airport staff on the RFP and the proposed upgrade of the Airport's PARCS.

FISCAL/POLICY ALIGNMENT

This action is consistent with the City's 2018-2019 Adopted Operating Budget City Service Areas Delivery Framework for Performance Driven Government for Transportation and Aviation Services: 1) Provide Viable Transportation Choices that Promote a Strong Economy; 2) Travelers Have a Positive, Reliable, and Efficient Experience; and 3) Preserve and Improve Transportation Assets and Facilities.

COST SUMMARY/IMPLICATIONS

The following outlines the elements of the DOT contract.

1. AMOUNT OF RECOMMENDATION (1-year initial term) \$6,326,346

2. COST ELEMENTS OF AGREEMENT/CONTRACT:

PARCS Equipment, Software, and Installation (System Implementation)

Market Street Garage	\$834,182
4th & San Fernando Garage	493,162
3rd Street Garage	436,461
4th & St. John Garage (Employee Garage)	300,568
2nd & San Carlos Street Garage	420,404
City Hall Garage	304,700
Convention Center Garage	1,068,771
The Globe Garage	197,574
Field Dynamic Message Signs	632,505
PARCS Software	560,279
Parking Command Center	54,240
Parking Network Center	298,500
Spare Parts	\$75,000
Optional Deliverables	250,000
Estimated Sales Tax	400,000

CONTRACT NOT TO EXCEED TOTAL (1-year initial term) \$6,326,346

Contingency \$300,000

TOTAL \$6,626,346

Warranty & Maintenance Services After System Acceptance (Years 1-10)

– Year 1 (\$92,000 fixed fee + \$250,000 additional time and materials)	\$342,000
– Year 2 (\$403,900 fixed fee + \$250,000 additional time and materials)	653,900
– Year 3 (\$403,900 fixed fee + \$250,000 additional time and materials)	653,900
– Year 4 (\$403,900 fixed fee + \$250,000 additional time and materials)	653,900
– Year 5 (\$403,900 fixed fee + \$250,000 additional time and materials)	653,900
– Year 6 (\$403,900 fixed fee + \$250,000 additional time and materials)	653,900
– Year 7 (\$403,900 fixed fee + \$250,000 additional time and materials)	653,900
– Year 8 (\$403,900 fixed fee + \$250,000 additional time and materials)	653,900
– Year 9 (\$403,900 fixed fee + \$250,000 additional time and materials)	653,900
– Year 10 (\$403,900 fixed fee + \$250,000 additional time and materials)	653,900
TOTAL	\$6,227,100

3. SOURCE OF FUNDING: General Purpose Parking Capital Fund (Fund 559)

4. FISCAL IMPACT: The PARCS upgrade will be fully funded from the General Purpose Parking Capital Fund within the existing appropriation for the Revenue Control and Meter Upgrades project and the Security Improvements project for elements of the PARCS project, such as additional surveillance cameras, that lend themselves to facility oversight and security. Ongoing operations and maintenance costs specifically related to the City Hall and Employee (4th/St. John) garages will continue to impact the General Fund. Ongoing operations and maintenance costs related to all other City parking facilities are funded from the General Purpose Parking Fund.

The first year warranty and maintenance costs will be considered as part of the development of the 2019-2020 annual operating budget and the out-year costs as part of future budget processes. The impact to the General Fund for City Hall and Employee (4th/St. John) garages from the new fixed operating costs is expected to be approximately \$10,000 above the current costs of \$40,000, for a total of \$50,000.

The following summarizes the elements of the Airport contract.

1. AMOUNT OF RECOMMENDATION (1-year initial term) \$7,000,000

2. COST ELEMENTS OF AGREEMENT/CONTRACT:

Staff is finalizing the total cost of the PARCS solution at the Airport, including all equipment, software, and related services to implement and maintain the system. The cost elements and final compensation for the Airport contract is expected to be completed in December 2018. The maximum amount for the initial contract is \$7.0 million, including contingency.

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3. SOURCE OF FUNDING: Airport Renewal and Replacement Fund (Fund 527)

4. FISCAL IMPACT: The PARCS upgrade will be fully funded from the Airport Renewal and Replacement Fund. Budget actions are recommended to increase the project budget by \$3.5 million, bringing the total project budget to \$7.0 million. Based on the flow of Airport funds, additional actions are recommended to implement the project budget increase. Any ongoing operations and maintenance costs will be funded by Airport Maintenance and Operation Fund. The first year warranty and maintenance costs will be considered as part of the development of the 2019-2020 annual operating budget and the out-year costs as part of 2020-2021 budget

BUDGET REFERENCE

The table below identifies the DOT and Airport funds and appropriations to fund the contract recommended as part of this memorandum.

Fund #	Appn #	Appn. Name	Total Appn	Rec. Budget Action	Amt. for Contract*	2018-2019 Adopted Budget Page	Last Budget Action (Date, Ord No.)
559	6386	Revenue Control and Meter Upgrades	\$7,202,000		\$6,211,346	V-787	10/16/2018 Ord. No. 30172
559	5993	Security Improvements	\$415,000		\$415,000	V-788	10/16/2018 Ord. No. 30172
527	408L	Parking Revenue Control System Upgrade	\$3,500,000	\$3,500,000	\$7,000,000	V-618	06/19/2018, Ord. No. 30124
521	8199	Future Budgets/Capital Reserve	\$26,630,779	(\$3,500,000)		X-5	10/16/2018 Ord. No. 30172
521	A016	Transfer to the Airport Surplus Revenue Fund	\$26,939,783	\$3,500,000		X-5	10/16/2018 Ord. No. 30172
524	R003	Transfers and Reimbursements	\$27,051,990	\$3,500,000		X-6	10/16/2018 Ord. No. 78825
524	A014	Transfer to the Airport Renewal and Replacement Fund	\$18,335,000	\$3,500,000		X-6	10/16/2018 Ord. No. 30172
527	R003	Transfers and Reimbursements	\$18,335,000	\$3,500,000		V-617	10/16/2018 Ord. No. 78825

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CEQA

Not a project, Public Project Number PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.

/s/

JULIA H. COOPER
Director of Finance

/s/

JOHN RISTOW
Acting Director of Transportation

/s/

JOHN AITKEN
Director of Aviation



MARGARET MCCAHAH
Budget Director

I hereby certify that there will be available for appropriation in the designated fund and in the amounts listed below in Fiscal Year 2018-2019 moneys in excess of those heretofore appropriated therefrom:

Airport Renewal and Replacement Fund	\$3,500,000
Airport Surplus Revenue Fund	\$3,500,000



MARGARET MCCAHAH
Budget Director

For questions regarding the RFP, please contact Jennifer Cheng, Deputy Director of Finance at (408) 535-7059.

For questions regarding the ALPR Policy, please contact Heather Hoshii, Division Manager Department of Transportation at (408) 793-4131 and Bob Lockhart, Deputy Director of Airport Operations at 408-392-3510.

Exhibit A: City of San José Automated License Plate Recognition Policy for Parking Operations

Exhibit A

City of San José

City Administrative Policy Manual

Automated License Plate Recognition Policy 1.6.6 for Parking Operations

PURPOSE

The City of San José utilizes Automated License Plate Recognition (ALPR) technology to capture, analyze, and store digital license plate data and images to enable the rapid identification of vehicles in support of parking operations, compliance activities and public safety. In connection with its use of ALPR technology, the City recognizes established privacy and data breach notification rights of the public.

The purpose of this policy is to define the City's appropriate use, maintenance, collection, security, and retention of all ALPR Information, and the authorized users of the City's ALPR technology, in compliance with all applicable federal, state, and local laws.

DEFINITIONS

Automated License Plate Recognition System (ALPR): Means a searchable computerized database resulting from the operation of one or more mobile or fixed cameras combined with computer algorithms to read and convert images of vehicle license plates and characters they contain into computer-readable data.

Automated License Plate Recognition end-user (ALPR end-user): Means a person who accesses or uses the ALPR system.

ALPR Information or ALPR Data: Means information or data collected through the use of the ALPR system.

ALPR Operator: Means a person or group with oversight responsibility for the ALPR system.

PARCS: Parking Access and Revenue Control System

AUTHORIZED USES

The use of ALPR systems and related data is restricted to the support of official City parking operations and enforcement activities, such as:

1. Serving as access control credentials for City owned and/or operated parking facilities
2. Parking revenue protection and fraud prevention

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Exhibit A

City of San José

City Administrative Policy Manual

Automated License Plate Recognition Policy 1.6.6 for Parking Operations

3. Auditing and accountability of parking transactions
4. Enforcement of parking rules, regulations, and restrictions

Additionally, as set forth in San José Police Department (SJPd) Duty Manual Addition L4207 – Use of ALPR Technology, ALPR may also be used by the City for legitimate law enforcement and public safety purposes.

RESTRICTED USES

The City will only use ALPR Technology to collect license plate data within public view. The City will not use ALPR Technology for the purpose of monitoring individual activities that are otherwise protected by the First Amendment to the United States Constitution.

The City will not share ALPR Information with any commercial or private entity, other than City parking contractors and enforcement vendors, as necessary for the conduct of City parking operations. The City will include confidentiality provisions in its agreements with any parking contractors and/or vendors to prohibit any use or distribution of ALPR Information for any purpose other than the Authorized Uses under this Policy. Information gathered or collected and records retained by the City will not be:

1. Sold, published, exchanged or disclosed for commercial purposes
2. Disclosed or published without authorization
3. Disseminated to persons not otherwise authorized to access or use the ALPR Information

The City will not confirm the existence or nonexistence of ALPR Information to any person or agency who would not otherwise be eligible to receive the information under either this Policy or applicable law.

AUTHORIZED USERS

Authorized users with access to ALPR data shall include staff with a City operational need who specifically oversee and/or are responsible for parking operations and enforcement within City Departments including, Transportation, Parks, Recreation and Neighborhood Services, Airport, and Police as authorized by the respective department head, as well as City contracted parking operations and enforcement vendors.

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Automated License Plate Recognition Policy for Parking Operations

1.6.6

TRAINING

Pursuant to California Civil Code Section 1798.90.51 (b), all Authorized Users shall receive training prior to being provided access to ALPR system and data. A record of all completed trainings will be maintained by the respective City departments. Training shall include:

1. Applicable federal and state law
2. Functionality of the equipment
3. Safeguarding password information, access to the ALPR systems, and ALPR Information.

ALPR DATA RETENTION

The City shall retain ALPR Data for the length of time established by each City department for official City use. Once the retention period has expired, the City will purge the record entirely from all active and backup systems.

ALPR DATA SECURITY

The City will closely safeguard all ALPR Data, and the City will monitor access to ALPR Data by procedural and technological means.

1. ALPR Data shall be accessible only through a login-password protected system capable of documenting all information accessed by username
2. All network equipment and servers containing sensitive data are maintained in a secured location and accessed only by authorized personnel
3. ALPR system shall maintain a log of successful and unsuccessful logon attempts, with such logs monitored by department Authorized Users
4. ALPR system workstations and servers shall be updated with latest security patches on a regular basis
5. ALPR Data shall be secured, encrypted and backed up regularly

Exhibit A

City of San José

City Administrative Policy Manual

Automated License Plate Recognition Policy 1.6.6 for Parking Operations

6. ALPR Data shall reside on a firewall protected network
7. ALPR system notifications will be monitored and reviewed with action taken as necessary

DATA BREACH NOTIFICATION REQUIREMENTS

Following the discovery of a breach of the ALPR system that results in unauthorized third party disclosure of personal information, the City shall disclose the breach to all impacted individuals, in the most expedient time possible and without reasonable delay, by providing a notification to those reasonably believed to have been affected by the breach, and include the following:

1. Titled "Notification of Data Breach"
2. "What Happened"
3. "What Information Was Involved"
4. "What We Are Doing"
5. "What You Can Do"
6. "For More Information"
 - a. Name and contact information for department reporting the breach
 - b. A list of the personal information subject to the breach
 - c. Either the date, estimated date, or the date range that the breach occurred if the information can be determined when the notice is provided
 - i. If notification was delayed as a result of law enforcement investigation
 - ii. A general description of the breach incident

Approved:

City Manager or Designee

Date

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