



## **NAPA VALLEY TRANSPORTATION AUTHORITY Board Agenda Letter**

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**TO:** Board of Directors  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Antonio Onorato, Director-Administration, Finance, and Policy  
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**SUBJECT:** Closed-Circuit Television (CCTV) Monitoring and Preserved Footage Policy

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### **RECOMMENDATION**

That the Napa Valley Transportation Authority (NVRTA) Board adopt the Closed-Circuit Television (CCTV) Monitoring and Preserved Footage policy for inclusion into the record retention policy.

### **OTHER OPTIONS FOR CONSIDERATION**

A written policy will ensure staff handles CCTV requests appropriately and that privacy laws as well as Public Records Act laws are followed. The Board may deny this request and direct staff to continue to handle CCTV request under existing unwritten rules.

The Board may also direct staff to increase the recording and storage capabilities of the preservation hardware. The cost has not been determined and could result in equipment replacement due to storage capacity limitations at each site.

### **COMMITTEE RECOMMENDATION**

None

### **EXECUTIVE SUMMARY**

NVRTA has placed cameras strategically in the interior and exterior of Vine Transit buses, Soscol Gateway Transit Center, and Jackson Street transit yard. The ability to monitor and preserve footage when necessary has been instrumental in protecting patrons, visitors, and employees, deterring crime as well as aiding in criminal, operations efficiency and risk management activities. This policy will provide protocols on the use and preservation of surveillance footage.

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**PROCEDURAL REQUIREMENTS**

1. Staff Report
2. Public Comments
3. Motion, Second, Discussion and Vote

**FISCAL IMPACT**

Is there a Fiscal Impact? No

**STRATEGIC GOALS MET BY THIS PROPOSAL**

Goal 2: Improve system safety in order to support all modes and serve all users.

**CEQA REQUIREMENTS**

**ENVIRONMENTAL DETERMINATION:** The proposed action is not a project as defined by 14 California Code of Regulations 15378 (California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable

**BACKGROUND AND DISCUSSION**

The Policy will set forth that NVRTA shall use its CCTV system only for legitimate safety, security, and business purposes as guidance for what purposes CCTV monitoring may take place:

- Protection of persons, property and buildings;
- Video of public areas;
- Criminal investigations;
- Protection of pedestrians;
- Investigations;
- Legal holds; and
- Other purpose that serve the NVRTA's business needs.

NVRTA will balance the agency's concern for security and safety, with its legitimate business needs with the public's reasonable expectation of privacy. As such, NVRTA provides signage on buses and conspicuous locations to inform the public of the presence of CCTV cameras. NVRTA's CCTV system is configured in such a way that unless footage is preserved ("downloaded") for one of the purposes listed above, new footage will override the previous footage approximately every thirty days (30) at the Transit Center and thirty days at the transit yard and on public transit vehicles.

Footage preserved for legitimate purposes, will be destroyed in accordance with NVRTA's Record Retention Policy, which will be amended to include Closed-Circuit Monitoring and Preserved Footage. Accordingly, the Policy will provide guidance for staff concerning

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requests for footage and how the footage should be handled. For example, the Policy will allow law enforcement agencies to help expedite the ability to request and view video footage timely without delaying an investigation. Request to obtain footage from the public of a non-criminal nature must be made through a California Public Records Act request.

### **SUPPORTING DOCUMENTS**

Attachment: (1) Closed Circuit Television (CCTV) and Preservation Footage Policy

*(The following policy will be added to NVTA's Records Retention Policy)*

### **Closed-Circuit Television (CCTV) Monitoring and Preserved Footage Policy**

The purpose of this policy is to regulate the use of closed circuit television (CCTV) cameras to monitor and record public areas for the legitimate purposes of safety and security. This policy does not apply to videography and filming for promotional purposes.

Legitimate safety and security purposes include, but are not limited to the following;

- Protection of buildings and property
- Building perimeter, entrances and exits, lobbies and corridors, receiving areas, special storage areas, cashier locations, etc.
- Monitoring of Access Control Systems
- Monitor and record restricted access transactions at entrances to buildings and other areas.
- Verification of security alarms
- Intrusion alarms, exit door controls, hold-up alarms
- Video patrol of public areas
- Transit vehicles, transit yard, park and ride lots,
- Criminal investigations
- Robbery, burglary, and theft surveillance
- Protection of pedestrians
- Monitoring of pedestrian and vehicle activity

### **Posted Notice**

Signs and/or decals will be posted on transit vehicles and in conspicuous locations to advise passengers of the presence of the audio/video surveillance and recording equipment.

### **Handling of Audio/Video Clips Involved in Incident Reviews**

Audio/video recordings will be provided to law enforcement agencies for law enforcement investigatory or evidentiary purposes upon request. All other requests by the public for audio/video records may be made by submitting a California Public Records Act request. To assist the agency in identifying the records sought, requests should include the following information, if known: (1) A description of the requested incident; (2) Date of occurrence; (3) Estimated time of the occurrence; and (4) Route number and vehicle ID number.

## Recording Preservation

Record retention is determined by the equipment type in each location. The following table presents the retention period for transit vehicles and specific locations.

<b>Audio/Video Surveillance Recording Retention Schedule</b>			
<b>Record Type</b>	<b>Retention</b>	<b>Citation</b>	<b>Description</b>
Transit vehicle audio/video surveillance	30 days, except as otherwise provided herein	Gov. Code 34090.8(a)(3)	Video surveillance equipment on transit vehicles capable of storage for 30 days.
Soscol Gateway Transit Center	30 days, except as otherwise provided herein	Gov. Code 34090.8(a)(3)	Video surveillance equipment on transit vehicles capable of storage for 30 days.
Transit Yard or Maintenance Facility	30 days, except as otherwise provided herein	Gov. Code 34090.8(a)(3)	Video surveillance equipment on transit vehicles capable of storage for 30 days.
Audio/video recordings requested through the California Public Records Act, subpoenas, Court Order, deemed necessary by NVTa for longer retention, and/or are disclosed as authorized by the law and are not otherwise provided for herein	Closed/ Complete/Resolved date + one year	Gov. Code 34090, 34090.8	Records retrieved from recording system and stored separately.
Audio/video surveillance used as evidence in any claim or litigation, or which is the subject of an Incident Report	Closed/ Complete/Resolved date + one year	GC34090.8(b)(1)-(2)	(1) Video recordings or other recordings which are evidence in any claim filed or any pending litigation shall be preserved until the claim or the pending litigation is resolved; and (2) Video recordings or other recordings which recorded an event that was or is the subject of an incident report shall be preserved until the incident is resolved.
Digital records are overwritten the day after storage capacity has been met on the 31st day			