



CITY OF OAKLAND

# AGENDA REPORT

**TO:** Jestin D. Johnson  
City Administrator

**FROM:** Michael Kashiwagi  
Interim Director, Oakland  
Public Works

**SUBJECT:** OPW Illegal Dumping Surveillance  
Camera Program Annual Report &  
Use Policy Amendments

**DATE:** September 23, 2024

City Administrator Approval

  
Jestin Johnson (Oct 3, 2024 13:54 PDT)

Date: Oct 3, 2024

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt A Resolution Receiving The Annual Surveillance Report On The Oakland Public Works Illegal Dumping Surveillance Camera Program And Approving Proposed Amendments To The Illegal Dumping Surveillance Camera Program Use Policy As Recommended By The Privacy Advisory Commission**

## **EXECUTIVE SUMMARY**

Oakland City Council approved Oakland Public Works (OPW) to implement the Illegal Dumping Surveillance Camera Program (Camera Program) on January 18, 2022, per [Resolution No. 89000 C.M.S.](#) in response to the growing impacts of illegal dumping and the need for more enforcement tools to catch illegal dumpers. OPW staff presented the second Annual Illegal Dumping Surveillance Camera Program Report (Annual Surveillance Report / **Attachment A**) to the Privacy Advisory Commission (PAC) in July 2024. Staff returned to the PAC in August 2024 to recommend amendments to the Illegal Dumping Surveillance Camera Program Use Policy (Use Policy / **Amendment B**).

The PAC received and accepted the Annual Surveillance Report and supported the recommended amendments to the Use Policy.

## **BACKGROUND / LEGISLATIVE HISTORY**

[Oakland Municipal Code \(OMC\) Section 9.64.040](#) provides requirements for oversight of surveillance technology following initial City Council approval. As it pertains to the Illegal Dumping Surveillance Camera Program (Camera Program), City staff must present a written annual report summarizing the outcomes of the implementation of the Camera Program to the PAC. Staff must also submit proposed changes to the Camera Program Use Policy to the PAC

for feedback. After review by the PAC, City staff then submits the annual Camera Program Report, proposed Use Policy changes, and the PAC's recommendation to the City Council for review and approval.

To continue implementing the Camera Program and to adopt the proposed Use Policy modifications, the City Council shall make a determination that the benefits to the community of the Camera Program outweigh the costs, that the proposal will safeguard civil liberties and civil rights, and that, in the City Council's judgment, no alternative with a lesser economic cost or impact on civil rights or civil liberties would be as effective.

### **ANALYSIS AND POLICY ALTERNATIVES**

The second Annual Surveillance Report summarizes the implementation of the Camera Program for the period of April 1, 2023 to March 31, 2024. It provides discussions on the following topics: System Use; Data Sharing; Installation & Application; Deployment; Community Complaints; Internal Audits & Compliance; Data Breaches / Unauthorized Access; Efficacy; Public Records Requests; and Total Annual Costs.

During the reporting period, 15 cameras were deployed to 19 different locations in six of the seven Council Districts; one of the cameras was reported stolen in March 2024. Staff relied on Cityworks data to identify the most chronic hotspots to deploy the cameras. Cameras were also deployed at the direction of the OPW Director.

The Camera Program captured 457 illegal dumping incidents, which resulted in 59 citations during the reporting period – mostly from Council Districts 3 and 6. While 77% of the cases involved a vehicle, 23% did not have a license plate, and 41% of all dumping incidents caught on camera were unenforceable due to the lack of legible license plate information. Staff anticipates an increase in citations once the new license plate recognition (LPR) cameras approved by the Council are deployed.

Finding OPW personnel with the needed bucket truck certification to mount cameras was also a limiting factor in staff's ability to regularly relocate the cameras to catch dumpers at "fresh" locations, which might have also depressed the number of citations issued. To address this resource constraint, OPW is making inquiries of available bucket truck-certified employees in other City departments. The City has also entered into a three-year technical services contract with the camera vendor, Security Lines, U.S. In addition to providing technical maintenance for the surveillance cameras, the vendor can assist the City with relocating the cameras during their routine visits as needed.

There were no reported data breaches for the period of April 2023 to March 2024. While the stolen camera has not been recovered, its data have not been breached. Access to the data would require accessing a secure website specific to the camera using a username and password. Staff has also received no privacy-related complaints for the Camera Program, nor have there been any public records requests.

Staff is proposing minor amendments to the Use Policy. In response to the reorganization of the Environmental Enforcement Unit under the Environmental Services Division, staff recommends amending Section D, Data Access, of the Use Policy to authorize the Environmental Services Manager and the Recycling Program Manager to access and view surveillance camera information and add/delete other users in accordance with identified data access needs. In addition, the camera vendor, Security Lines U.S., will also be given access to the surveillance system to provide ongoing technical support. Lastly, staff recommends replacing in the Use Policy all references of "DVR," digital video recorder, with "NVR," network video recorder, to reflect the new video recorders being used for the new LPR cameras.

Adopting the proposed resolution will enable the City to continue to implement the Camera Program to reduce illegal dumping, consistent with the Citywide priority of being a **responsive, trustworthy government**. Blight reduction also promotes **holistic community safety**.

### **FISCAL IMPACT**

This item is for informational purposes only, and approving the recommended minor Use Policy amendments does not have a direct fiscal impact or cost.

### **PUBLIC OUTREACH / INTEREST**

No outreach was deemed necessary for the proposed policy action beyond the standard City Council agenda noticing procedures.

### **COORDINATION**

The Annual Surveillance Report and proposed Use Policy amendments were scheduled to the PAC agenda. The PAC reviewed, discussed, and approved the proposed action. This report and resolution have also been reviewed for form and legality by the Office of the City Attorney and Budget Bureau of the Finance Department.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** The Camera Program enhances the environmental enforcement officers' (EEOs') investigative/enforcement efforts against more dumpers, thus reducing debris on Oakland streets and the City's significant spending on illegal dumping abatements. Cleaner streets will promote a safer, healthier, pedestrian-friendly environment that encourages shopping and recreation in Oakland, which will benefit neighborhood businesses and the economic vitality of the city.

**Environmental:** Illegal dumping is a crime against the environment. Chemicals and toxic compounds from unwanted household cleaners, motor oil, materials from broken furniture, mattresses, and appliances, as well as biohazardous and commercial waste, can readily leach

into soil or be washed into storm drains, contaminating Oakland's waterways and harming wildlife. Debris can also clog storm drains and culverts, causing flooding. Large garbage piles increase the likelihood of fires. Dump piles also serve as an ideal breeding ground for mosquitoes, flies, rats, and other disease-carrying vermin. The Camera Program enables the EEOs to more effectively investigate individuals who dump on city streets and hold them accountable, which in turn protects human health and the environment.

***Race & Equity:*** Clean streets free of used household goods and clothing, broken furniture, appliances, biohazardous and/or commercial waste will have a measurably positive effect on the health and safety of Oaklanders, especially for those living and working in historically underserved and disadvantaged communities below Interstate-580 where illegal dumping is concentrated and chronic hot spots are prevalent. With the Camera Program, the City will continue its commitment to minimize blight in these communities.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution Receiving The Annual Surveillance Report On The Oakland Public Works Illegal Dumping Surveillance Camera Program And Approving Proposed Amendments To The Illegal Dumping Surveillance Camera Program Use Policy As Recommended By The Privacy Advisory Commission

For questions regarding this report, please contact Wanda Redic, Recycling Program Manager, at (510) 238-6808.

Respectfully submitted,

*Michael Kashiwagi*

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Attachments (2):

- A: Annual Illegal Dumping Surveillance Camera Program Report
- B: Illegal Dumping Surveillance Camera Program Use Policy