

Minutes Citizen's Oversight Committee

February 13, 2019

Attendance:

Mayor Doug Nicholls
Greg Wilkinson
Ricky Rinehart
Bill Craft
Chris Wood
Scott McCoy
Randy Love
Leslie McClendon
Cliff O'Neil

The meeting was called to order by **Ricky Rinehart**.

(R. Rinehart)

Purpose of committee is to provide policy change recommendations to City Council as needed pertaining to data collection from anyCOMM to City of Yuma.

Purpose for accessing city data collected by nodes will be provided in a written report to City Council and City Administrator.

Section 2 Review Committee

- An internal committee the City Administrator formed of 3 members, city staff, and department heads of City of Yuma.
- Will provide operational oversight, establish internal controls from all access, and retrieval of city data collected by nodes.
- Review committee will meet on quarterly basis or as needed.
- In all cases Fourth Amendment constitutional rights, rules regarding warrants, search and seizure, will be adhere to.
- Review Committee may recommend formal policy changes to City Council.
 - Copy provided to oversight committee.

Section 3

- Refers to YPD and YFD ability to request, obtain, or access city data without prior approval of City Council, City Administrator, or review committee when needed for criminal justice purposes, post incident to include criminal investigations, traffic collision investigations, crime deterrence, training purposes, public safety.
- YPD's access to and retrieval or collection of city data will be in strict compliance with all federal, state, and local laws and policies.
- Once downloaded or obtained by YFD or YPD, will be handled in same manner as other evidence.

Section 4

- Gives YPD and YFD access to real time city data without prior approval of City Council, City Administrator, or review committee for purpose of public safety emergencies exigent

circumstances, for lack of immediate action may lead to death, serious injury, or severe breach of law.

- In all other cases, access to real time city data will be in strict compliance with all federal, state, and local laws and policies.
- Independent recording of live video by staff is prohibited.

Section 5

- Pertains to possession and control of City of Yuma and city data.
- Not subject to public record laws until such time as a copy is obtained by the city.
- Any persons requesting data will be referred to anyCOMM.
- If city came into possession of city data, would then become public record and subject to our retention and release as required by federal, state, and local law.
- Only city allowed to access city data live or recorded, except as may be required by court.

Section 6

- Requests for access to real time information and data provided by nodes on public streets and right of ways to perform traffic counts, monitoring of traffic, to assist in traffic control, and changes to traffic signal timing will be provided to review committee for consideration and approval.

(Question from B. Craft)

Regarding section 5, only city allowed to represent direct access. Who represents that?

(R. Rinehart responded)

Chris Wood. He has currently gone through background investigation and other things to be able to represent us.

R. Rinehart displayed to oversight committee an example of an actual node that will be installed.

Policies to data are outline within agreement with anyCOMM and agreement was approved by City Council. Explains in detail how data is obtained from anyCOMM and how it's used.

The data is not city property and belongs to anyCOMM, which is non-exclusive agreement we have with them. There's a process and policy in place of how to obtain data. Based upon event will dictate how information is disseminated. We would make request to anyCOMM and they'd provide us data based upon a process to be put in place.

anyCOMM Master Strategic Joint Development Agreement

- Worked through 1.5 – 2 years internally with staff and Council.
- Was approved October 1st, 2017 and been working on project since.

Background to project

- Began having conversations with Siemens - company proposing a street light project in community.
- Also approached us about smart lighting controls solution (node).
- anyCOMM shared they were looking for community of 10,000 street lights to do test bed of smart city initiatives.
- Yuma selected for first test of over entire community to provide us with smart city initiative as well as advanced lighting control.

- Advanced lighting control, with change out of street lights, would be 50% of reduction in energy costs.
- Another 20% of energy savings based on capability of node ramping light up and down.
- Allowed real time metering of each street light. Currently street lights in city are not metered separately and are metered in groups, blocks, or individually. APS came out with LED rate that we applied for and were given.
- 98% done with LED street light project.
- Scheduled to start installation in second quarter of 2019 to change out photo cell on street light and put in anyCOMM node.

5 Initiatives Council brought forward

- Bridging the digital divide within community by providing and building wireless network.
- Create citizen engagement to provide them with hotspots to utilize to interact with local government.
- Connectivity to potential businesses that may relocate or current businesses.
- Drive economic development in community.
- Reduce traffic accidents, fatalities, and improve traffic flows throughout community and improve public safety and security of community.

Providing access doesn't mean free access. Will be up to provider to have conversation with anyCOMM. There's mechanism inside that will allow anyCOMM to go out and work with current incumbent providers within community and provide them with access to node by putting sim cards in nodes for ability to improve their service in community.

Various Wi-Fi parameters outlined within agreement.

There's a provision that allows provider to offer as a service as well as a revenue stream that if they are to generate revenue off device, 20% goes back to COY.

Test bed was for 10,000 nodes. Currently did 7,049 street lights. Believe we will come in between 7500-8000 when we get install done. Node itself has lifetime warranty; includes hardware and software upgrades during term of agreement of 25 years.

Advanced lighting control

- With 20% additional savings through energy provider APS, also believe it will allow us to come back to AZ Corporation Commission and have conversation about a new rate.
- New rate does not exist today.
- We will be able to provide real time data based upon each street light and its usage and wattage. We will pursue after period of time.
- 5% of network capacity for wireless benefit for hotspots.
- All nodes installed will only be activated for advanced lighting controls. No data, audio, or video collection features can be activated without council approval.
- They have 1 year after node deployment is completed for us to come back and ask for that to become an operational aspect of this project.
- Node is an open platform - 3rd parties can write applications that actually reside on the node. If any new ideas of utilizing it, we can approach anyCOMM about it.
- Node has 16 computers inside it. Has capability for cameras, seismic detection, distinguish between heat sources, and multiple features.

(C. Wood)

Under smart city arrangement, have to have base network. Main focus is getting base network in place for lighting control but can use it for a lot more.

Big focus is on traffic patterns. Some in car surveillance features from other vendors currently being used by public safety can be enhanced. It can change the way they do business from downloading surveillance data to streaming in real time.

Ability for YFD to have external and internal sensors to measure health of individual battling a fire, as well as external conditions may be exposed to. Be able to meter water usage.

Anything that passes node to node is encrypted with 2,048 bit encryption. Nothing is completely un-hackable but is very secure solution. Would be extremely difficult to break into each data system and to have knowledge to get through encryption keys, which are constantly changing. Would be insecure if not on proper platform.

(R. Rinehart)

Only thing turned on at this time is advanced lighting control feature.

Has ability to do traffic counts in real time in any format we like and pedestrian counts. We believe YMPO and ADOT will reach out and ask for that type of information.

Agreement

- Within 6 months of completion of node deployment, anyCOMM shall insure that a standard high speed mesh network is fully operational.
- Within 1 year of completion of node deployment, anyCOMM and its partners shall provide fully operational high speed network within community.
- Within 1 year of completion of node deployment, anyCOMM will collaborate with COY to identify areas of traffic congestion and/or traffic issues to provide intelligent traffic data.
- Within 1 year of completion of node deployment, anyCOMM will work with city to implement a video based public safety and security solution with analectic capabilities.
- anyCOMM will also work with the city to develop appropriate program policies and public outreach.
- Will also work with us on another piece called Open Data Policy. A lot of communities are putting a lot of stuff out on web for citizens to interact with government to make requests for data.

Master Agreement

- Explains what anyCOMM will provide to community as far as deployment and things to be offered.
- Page 8 section 4.2 City Data
 - Talks about what we're granting to anyCOMM for use of data and requirements they have to protect the data and how we're able to obtain data.
 - 4.2 "Neither party shall engage in any prohibited activities except for public safety purposes authorized in advance and in writing and signed by the City Administrator."
 - Explains we're protecting our citizens by not allowing their information to be sold or exploited in any way.
- This document defines policies and procedures on how data is obtained, how it's used, who can get it, from internal departments through public safety departments. Public safety departments are treated separately for other routine requests for data.

- If public safety emergency or life threatening, they have authorization without having to come back to council, review committee, or oversight committee to access data. That data then becomes chain of custody like any other investigation and how it's handled.

National Operational Center (NOC)

- anyCOMM is going to build a NOC in Yuma.
- Will have employees monitoring system based upon event triggers.
- Still working on defining what those triggers are.
- NOC will have direct communication with YPD dispatch and have same capabilities as dispatch center.
- 911 dispatchers will have access to real time data and will become part of process of investigation based on triggering event.
- Node's audio portion listens to frequencies and can be automated.
- Staff would not be monitoring video – they would be looking at map of Yuma and if event is triggered, would bring up on map based on green or red icon status.
 - Red status icon will immediately notify staff of what event/trigger was and location.

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- Talks about standards in place and installation process if some type of breach.
- 2048 bit encryption and transport layer security is at highest standard.

Been having conversations with local media. Will work with anyCOMM to do more community outreach to educate public. We've gone to various organizations in community presenting and informing community about capabilities.

Currently have an open application through YPD and believe we can interface it with this project to create more transparency.

Node Deployment Agreement

- New FCC rule effective Jan. 14th pertaining to small cell deployment and 5G deployment within community across U.S.
- Device allows those incumbent carriers today to work with anyCOMM to place chips within device to accelerate 5G within community.
- We have an agreement with anyCOMM to report to us any contacts they have with providers.
- Taken anyCOMM 18 years from starting point to deployment point.
- anyCOMM currently working with other communities in San Jose, San Fran, and LA.
 - Yuma is first city wide project.

Features

- Allows us to create multiple streams of data.
- Has ambient light detection and can detect heat source.
- Heat - nodes have been tested up to 165 degree F to ensure they can withstand heat in closed environment.
- Detect glass breakage, gunshots, gun type, and caliber frequencies.
- Can broadcast communication by speaker.
- Public safety LED sensor lights to control traffic flows and to direct traffic.
- Does not have amplification that would enable advanced audio surveillance.

(Comment by L. McClendon)

YPD already short staffed and not enough to monitor each trigger. There will always be triggers popping up and concerns about YPD getting too many false calls.

(R. Rinehart responded)

Training of dispatch and NOC will be able to make that determination in real time visual.

(Comment by C. Wood)

If groups of nodes around car repair store, you can make that a void zone due to constant spray paint noise frequencies. Sensitivity Levels and zones in mesh nodes will be built out systematically, not all at once.

(R. Rinehart)

Review of Event Request Form

- First page is form.
- Second page is event triggering definitions.
- Department will fill out form and turn it into department head. Will have first approval/denial of event, then forwarded to city Administrator for approval/denial.
- Oversight committee will receive courtesy copy of each.
- anyCOMM will receive form to see if node is capable of triggering event.

(Comment by Mayor Nicholls)

If we as citizen's committee feel something needs to change, we can go to City Administrator or council and issue can be addressed over time.

(R. Rinehart)

Flow Chart

- Shows how it will interact with city dispatch.
- Event happens, NOC is notified, dispatch notified, begin viewing live, device moves into record status and has built in DVR. Able to record for 28 days before overriding itself.
- Believe 99% or more will be post event occurrence.
- During testing by anyCOMM, determined that rear facing camera is not practical due to bird usage on pole. Fourth camera will be removed and replaced with higher power transmitter and will give us better Wi-Fi coverage. Wi-Fi coverage is 1000 feet from each device.
- NOC will support 12 million devices.

(Comment by Mayor Nicholls)

The removal of the ability to scroll through cameras at will and not allowing that capability until a trigger occurs; by creating that separation protects Fourth Amendment, privacy, and everything from fear of being followed.

(R. Rinehart)

anyCOMM test on inventory as of Feb. 13th

- Currently 11 sites been identified with connectivity testing – cellular or Wi-Fi connection.
- 11th location (not currently on list) is at 3rd St and 4th Ave.
- “A” node (cellular device) and “B” node (Wi-Fi connection).
- Currently testing connectivity now.
 - Selected based upon coverage maps that current incumbents have.
- Photo examples listed in folders

(C. Wood)

Issues currently working on

- Mass surveillance – cameras are not surveillance cameras, do not have tilt, pan or zoom controls like a security surveillance camera.
- Time of day lighting issues – early AM hours, splitting lights.
- Bird usage on nodes and lenses – looking at alternatives to deter bird use on lenses.
- Tree blockage.

(Comment by R. Rinehart)

Cameras have a 4 degree tilt.

(C. Wood)

High pressure sodium street light v. LED

- LED improves public safety.
- LED street lights improve shadows, street lighting, and enhances cameras ability to pick things up by illuminating full color spectrum.
- Functionality could be built into camera to auto dim lights as needed.
- For full daylight and full darkness, they have to be able to be set appropriately to be used for public safety.

(R. Rinehart)

Meetings

- Per resolution, meet twice annually or as needed.
- Will come back in near future with event form for review.
- They cannot do anything with device without our approval. Approval resides with City Administrator.

(Comment by Mayor Nicholls)

Need to have outreach plan and schedule out. Needs to be implemented right away.

(Question from C. O'Neil)

Who is anyCOMM?

(R. Rinehart responded)

Not a lot of information on Internet regarding company. That is a direction by CEO and their board because of technology and patents still working on. Located in San Jose, CA. They've made commitment with our community. If they don't fulfill, we have termination rights within agreement and city of Yuma would not be out a dime. Manufacturing piece is done in China. In conversation right now to relocate their manufacturing piece to Yuma. Hope to secure. They work with Intel, Motorola, anything to do with computer based.

Street light project handled through separate agreement with Siemens. Siemens was contractor and vendor of choice that went through standard city business. Street lights have 10 year warranty.

(Question from C. O'Neil)

(How is system set up to handle requests from other agencies?)

(R. Rinehart responded)

Discussions with inter-agencies are under way. We've briefed them on technology.

(Question from C. O'Neil)

How does communication occur between policy and implementers of project, such as training and monitoring?

(R. Rinehart responded)

Defined within agreement. Citizen oversight committee, then internal review committee who works at direction of City Administrator. They set policies and procedures.

(Question from Mayor Nicholls)

If YPD wants recording done for incident management, do they get warrant for that as well?

(R. Rinehart responded)

Whatever procedure is today for video evidence will apply here as well.

(Comment by G. Wilkinson)

General rule, if video out there exists they are entitled to get it. It's making sure is admissible in court.

(Comment by Mayor Nicholls)

For future agenda item, good to know what research has shown from legal perspective from different communities.

(S. McCoy responded)

We've been talking with other communities that have pieces of this technology. Example: ShotSpotter and body worn cameras. Reviewing their policies as well. Emily Hart with Prosecutors office working on it as well.

(Comment by G. Wilkinson)

At some point there will be court challenges to provide information.

(R. Rinehart)

When nodes are in, we will ramp up to 80%. Also capability to ramp to 100% to light up an area per YPD request.

Future Meeting

- We are 12-24 months out until anything is deployed; still in testing phase.
- Meet again in 2 months, date to come.

Meeting adjourned by **Ricky Rinehart**.

END