

RESOLUTION NUMBER R- 315695DATE OF FINAL PASSAGE JUL 30 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING THE CODE 5 GROUP GPS BIKE  
UNDER THE TRANSPARENT AND RESPONSIBLE USE OF  
SURVEILLANCE TECHNOLOGY ORDINANCE.

WHEREAS, the San Diego Police Department (SDPD) uses Code 5 Group GPS Bike technology which falls within the definition of surveillance technology under San Diego Municipal Code Chapter 2, Article 10, Division 1, the Transparent and Responsible Use of Technology Ordinance (TRUST Ordinance); and

WHEREAS, approval of the Council of the City of San Diego (Council) is required under the TRUST Ordinance; and

WHEREAS, SDPD utilizes Code 5 Group GPS Bike technology (GPS Bike) to place and remotely monitor Global Positioning System (GPS) integrated bicycles; and

WHEREAS, GPS tracking begins only after a GPS Bike is stolen; and

WHEREAS, utilization of this technology provides the ability for SDPD to safely track and apprehend suspects to address the persistent theft of bicycles within the City of San Diego; and

WHEREAS, to date, each time a GPS Bike has been stolen, an arrest was made, and the case was successfully submitted to a prosecuting agency. In addition, many arrestees were linked to other crimes, such as burglaries and thefts; and

WHEREAS, the GPS data utilized by SDPD is done in a live-tracking fashion and no data is retained, outside of use in a criminal case; and

WHEREAS, there is no alternative with lesser economic cost or impact on civil liberties or rights. The cost per fiscal year is approximately \$4,200; and

WHEREAS, GPS Bikes will be used Citywide and SDPD held community meetings discussing GPS Bike technology in all Council Districts on January 11, 2024, received public comment, and incorporated the public comments and written responses into the Surveillance Impact Report; and

WHEREAS, SDPD has prepared and publicly released and posted a Surveillance Use Policy and a Surveillance Impact Report for GPS Bike technology, on file with the City Clerk as document numbers RR315695-1 and RR315695-2; and

WHEREAS, SDPD notified the Chair of the Privacy Advisory Board (Board) of the GPS Bike technology and provided a Surveillance Use Policy and Surveillance Impact Report on January 16, 2024; and

WHEREAS, although draft recommendations were posted by the Board, the Board did not adopt a recommendation on the proposed surveillance technology within 90 days of notice to the Board Chair, and SDPD now seeks Council approval of GPS Bike technology; and

WHEREAS, the Council has considered the Surveillance Use Policy and Surveillance Impact Report for GPS Bike technology; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the benefits to the community of GPS Bike technology outweigh the costs.

BE IT FURTHER RESOLVED, that the Council determines the City's proposal for GPS Bike technology will safeguard civil liberties and civil rights.

BE IT FURTHER RESOLVED, that the Council determines that no alternative with a lesser economic cost or lesser impact on civil rights or civil liberties would be as effective as GPS Bike technology.

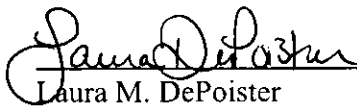
BE IT FURTHER RESOLVED, that GPS Bike technology is hereby approved by the Council under the TRUST Ordinance.

BE IT FURTHER RESOLVED, that this approval is not intended to and shall not supersede existing processes to seek approval for the appropriation and expenditure of specific funds through the annual budget process, or existing processes for the approval and execution of contracts, donations, and grants.

BE IT FURTHER RESOLVED, that the Council shall review this approval annually as required by the TRUST Ordinance.

APPROVED: MARA W. ELLIOTT, City Attorney

By

  
\_\_\_\_\_  
Laura M. DePoister  
Deputy City Attorney

LMD:hm  
May 29, 2024  
Or.Dept: PSE  
CC No. N/A  
Doc. No. 3665449

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 23 2024

DIANA J.S. FUENTES  
City Clerk

By Connie Patterson  
Deputy City Clerk

Approved: 7/25/24  
(date)

Todd Gloria  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on JUL 23 2024, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 30 2024.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

(Seal)

TODD GLORIA  
Mayor of The City of San Diego, California.

DIANA J.S. FUENTES  
City Clerk of The City of San Diego, California.

By *Linda Drueen*, Deputy  
For *Connie Patterson*

Office of the City Clerk, San Diego, California  
Resolution Number R- **315695**