

RESOLUTION NUMBER R- 315401

DATE OF FINAL PASSAGE MAR 22 2024

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING UNMANNED AIRCRAFT
SYSTEMS TECHNOLOGY UNDER THE TRANSPARENT
AND RESPONSIBLE USE OF SURVEILLANCE
TECHNOLOGY ORDINANCE.

WHEREAS, the San Diego Fire-Rescue Department (SDFD) uses Unmanned Aircraft Systems (UAS), which are manually controlled video/photography cameras attached to small remote-controlled aircrafts; and

WHEREAS, UAS fall 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, as surveillance technology, use of the UAS requires approval of the Council of the City of San Diego (Council) under the TRUST Ordinance; and

WHEREAS, SDFD uses UAS to manage, control and assess geographically-confined, time-limited emergency situations in which lives and property are at risk, including fires and search and rescue missions; and

WHEREAS, the majority of UAS video feed is streamed live and not recorded. The number of images/videos that are captured, saved, and downloaded is very limited. SDFD shall only collect data using UAS, or use UAS-collected data, to the extent that such collection or use is a benefit to the public and is collected consistent with legal authorities; and

WHEREAS, SDFD's use of UAS technology benefits the City and the community by providing an otherwise impossible aerial perspective of an emergency event while eliminating

risk to human life. UAS provides crucial data and access to difficult terrain, leading to faster rescues, more effective mitigation efforts, and ultimately, saved lives and property; and

WHEREAS, the UAS will be used by SDFD Citywide and SDFD held community meetings discussing UAS technology in all Council Districts, on November 8, 2023, received public comment, and incorporated the public comments and written responses into the Surveillance Impact Report; and

WHEREAS, SDFD has prepared and publicly released and posted a Surveillance Use Policy and a Surveillance Impact Report for UAS technology on MAR 22 2024, on file with the City Clerk as document numbers 11-315401-1 and 11-315401-2; and

WHEREAS, UAS technology, including the proposed Surveillance Use Policy and the Surveillance Impact Report, was reviewed by the Privacy Advisory Board (Board) on November 16, 2023, at a publicly noticed meeting; and

WHEREAS, the Board recommended the Council approve the use of UAS technology proposal, as modified to improve controls, processes, and monitoring; and

WHEREAS, SDFD received and reviewed the recommendations of the Board and, in response, has made modifications to the Surveillance Use Policy; and

WHEREAS, the Council has considered the Surveillance Impact Report and Surveillance Use Policy for SDFD's UAS technology; and

WHEREAS, the Council has considered the recommendations of the Board; 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 SDFD's UAS technology outweigh the costs.

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

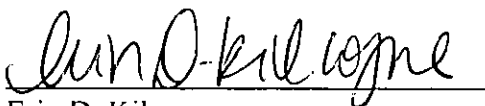
BE IT FURTHER RESOLVED, that the Council determines that no alternative with a lesser economic cost or lesser impact on civil rights or civil liberties would be as effective as SDFD's UAS technology.

BE IT FURTHER RESOLVED, that SDFD's UAS technology is hereby approved by the Council pursuant to San Diego Municipal Code section 210.0103.

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 San Diego Municipal Code section 210.0105.

APPROVED: MARA W. ELLIOTT, City Attorney

By 
Erin D. Kilcoyne
Deputy City Attorney

EDK:hm
February 7, 2024
Or.Dept: PSE
CC No. "INSERT Comptroller's Certificate #"
Doc. No. 3554677

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 12 2024.

DIANA J.S. FUENTES
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 3/22/24
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAR 12 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"/>
District 4 - vacant	<input 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 MAR 22 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:

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

(Seal)

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

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

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