RESOLUTION 2016-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELL GRANTING THE COMMUNITY SERVICES DEPARTMENT AUTHORITY TO OPERATE UNMANNED AIRCRAFT SYSTEMS TO CAPTURE IMAGES OF CITY-SPONSORED SPECIAL EVENTS AND TO IMPLEMENT APPLICABLE ADMINISTRATIVE RULES TO PROTECT ATTENDEE PRIVACY CONCERNS

WHEREAS, the City of Bell is the location of a variety of City-sponsored special events for our community and our guests; and

WHEREAS, City-sponsored special events in Bell provide a forum for residents and guests to come together in a community-focused setting; and

WHEREAS, the City has an incentive to capture images of City-sponsored special events and attendees for future City-sponsored special event marketing purposes and to provide images to the public as a community service for our residents and our guests; and

WHEREAS, Unmanned Aircraft Systems ("UASs" OR "drones") can be outfitted with technology capable of capturing images of events, items, or people on the ground and in the air; and

WHEREAS, unprecedented advances in unmanned aircraft technology allow photographers to document the world around them in ways that oftentimes replace more hazardous operations; and

WHEREAS, UASs allow photographers to capture images from high-vantage points to showcase an expansive representation of City-sponsored special events; and

WHEREAS, the City has an incentive to use UASs to capture high-vantage point images of City-sponsored special events for our community and our guests; and

WHEREAS, the City seeks to establish regulations on City-operated UASs so as to not infringe upon residents’ or guest’s privacy rights; and

WHEREAS, any City authorized high-vantage point images of City-sponsored special events will be captured at voluntarily attended community-focused events on public property; and

WHEREAS, by this Resolution, the City desires to balance any privacy concerns from members of the public with the community benefits of authorizing Bell’s Community Services Department to operate UASs to capture images of City-sponsored special events.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF BELL AS FOLLOWS:

Section 1. The City Council finds and declares the Bell community will be benefited by the use of UAS to capture images of City-sponsored special events.
Section 2. The City Council authorizes Bell’s Community Services Department to operate UAS devices over outdoor City-sponsored special events which take place on public property while adhering to all applicable Local, State and Federal laws which govern the use of UAS.

Section 3. This Resolution grants Community Services Department employees with a limited authority to operate UAS devices to capture images of City-sponsored special events and City-sponsored special event attendees, at any time during the event, for the sole purpose of collecting images for marketing purposes or to provide images of the event to the public as a public service.

Section 4. The Community Services Department shall notify City-sponsored special event attendees of the use of UAS devices to capture images at events by posting written notice at the event, on any media used to advertise the event, or on the City’s website.

Section 5. The Community Services Department shall document all use of any UAS which captures images of City-sponsored special events or attendees. The Department shall document all flights as to duration, flight path, and specific objectives. The flight information must be verified as accurate and complete by a supervising Community Services Department employee authorized by Bell’s City Manager. The flight information required under this section must be retained for two (2) years.

Section 6. Any images or other forms of data obtained under this Resolution shall be subject to the California Public Records Act and any other applicable Federal, State, and local laws.

Section 7. The City of Bell shall implement training programs to increase the knowledge, proficiency, ability, and skills required to safely operate UAS devices over outdoor City-sponsored special events and shall assure proper licensing for all employees eligible to control City-owned UASs.

Section 8. The City of Bell shall procure and maintain insurance against claims for injuries to persons or damages to property that may arise from or in connection with the operation of every City-owned UAS by City agents, representatives, employees or subcontractors.

Section 9. Except for the operational capabilities of the UAS and other operational information strictly related to the technical conduct and physical security of the flight processes, a person accused of a crime that includes evidence gathered through the use of a UAS capturing images at a City-sponsored special event may obtain all information relating to the person acquired in the course of the capturing images at the event through subpoena and discovery proceedings available in criminal proceedings.

Section 10. Allegations of abuse or misuse of UAS devices by the Community Services Department shall be reported to the City Manager or his/her designee. The City Manager, or his/her designee, shall investigate the Community Services Department for these reports of abuse to determine if the Department has followed the policies set forth in this Resolution, and if the reviewer develops a reasonable belief that a breach of standards occurred, the City Manager or his/her designee shall address the matter by taking the appropriate actions.

Section 11. The City Manager, or his/her designee, shall conduct a yearly audit of
Community Services Department UAS information to determine if the Department is following the policies set forth in this Resolution, and if the reviewer develops a reasonable belief that a breach of standards occurred, the City Manager or his/her designee shall address the matter by taking the appropriate actions.

Section 12. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 14th day of December, 2016.

Alicia Romero, Mayor

APPROVED AS TO FORM:

David Aleshire, City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Angela Bustamante, City Clerk of the City of Bell, hereby attest to and certify that the foregoing resolution is the original resolution adopted by the Bell City Council at its regular meeting held on the 14th day of December, 2016, by the following vote:

AYES: Councilmembers Quintana, Saleh, Valencia, Vice Mayor Gallardo and Mayor Romero

NOES: None

ABSENT: None

ABSTAIN: None

Angela Bustamante, City Clerk