



## Agenda Report

20-26

Agenda Date: 1/14/2020

### REPORT TO COUNCIL

#### SUBJECT

Action on: (1) Agreement with Superior, LLC for Residential and Business Alarm Management Software and (2) Introduction of an Ordinance Amending Chapter 8.40 of the City Code ("False Alarm Regulation") [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

#### BACKGROUND

On December 10, 2019, the City Council unanimously voted to defer Report to Council 19-809, Action on: (1) Agreement with Superior, LLC for Residential and Business Alarm Management Software, (2) Resolution Amending the Municipal Fee Schedule, and (3) Introduction of an Ordinance Amending Chapter 8.40 of the City Code ("False Alarm Regulation"), to January 14, 2020.

In the meantime, the Police Department was asked to conduct two public meetings on the topic, described in further detail below. The Resolution Amending the Municipal Fee Schedule will be brought forward for Council consideration in conjunction with the adoption of the Ordinance (second reading) on January 28, 2020.

#### DISCUSSION

The Police Department coordinated two public meetings about the Alarm Permit program. Advertising for the meetings included:

- Update on Council action, pending community meetings and where to locate January 14, 2020, City Council packet and audio/video from the meeting on existing Facebook and Nextdoor threads
- New message regarding pending community meetings on City / SCPD website, eNotify, Facebook, Nextdoor, Nixle and Twitter
- Private messages to 14 residents who commented (positive or with concerns) on Nextdoor based on original post regarding the Alarm Permit program about the upcoming community meetings
- Emails to two individuals who shared comments on this topic to the Mayor and Council (six comments were received; four individuals were duplicate to those who commented on Nextdoor)
- Invite to the Mayor and Council of the Alarm Permit community meetings

Additional reminder-type messaging was distributed on January 2, 2020.

The meetings took place as follows:

Day / Date	Time	Location	Number of People in Attendance
Tuesday, January 7	2 - 3:30 p.m.	Central Park Library 2635 Homestead Road	7
Wednesday, January 8	6 - 7:30 p.m.	Northside Branch Library 695 Moreland Way	4 residents and 2 Council Members

Each community meeting followed the same format, and included dialogue on the following topics:

- Purpose and summary of the existing Alarm Permit Program
- Business reasons and community benefits to a new third-party vendor
- Third-party vendor security requirements and protection of personal identifying information
- Current and recommended rate structure, as well as Alarm Permit fees throughout Santa Clara County
- If Council approved, third-party vendor implementation process
- Next steps, including ways and locations to receive the January 14, 2020, Report to Council and supplemental documents

The community meeting was facilitated by Captain Wahid Kazem, Carolyn McDowell, Management Analyst and Sujata Reuter, Assistant City Attorney. A copy of the PowerPoint utilized at the community meetings is attached.

Following the staff presentation, individuals in attendance had an opportunity to ask questions of clarification of staff and share concerns. Both meetings resulted in robust discussions of various resident concerns. A summary of the topics discussed included:

- Differentiation between self-monitoring and control center monitoring, and how each is impacted by the City's existing and proposed Alarm Permit Program
- Concerns regarding the annual renewal and why an annual regulatory fee is being proposed
- Ideas for data gathering and analysis as the program progresses in order to assess performance and success of the program
- Revisiting the fee structure in the future to determine whether fees should be reallocated, increased, etc.
- Concern of confidentiality of personal identifying information
- Interest in financial resources for seniors on a fixed income
- Ensuring that the City is involved with the outreach efforts by Superior during the on-boarding process

Generally, resident sentiments were positive towards modernizing the program to achieve efficiencies, increase compliance, and decrease the drain on resources caused by false alarm calls. Resident concerns regarding confidentiality and cyber security were addressed with an explanation

of the security requirements built into the agreement with Superior. Concerns regarding the \$15 annual renewal fee generated the most discussion, with interesting ideas for future data gathering and analysis, as well as future reconsideration of the fee structure based upon the data analysis. Staff has already reached out to Superior to discuss data collection and reporting options. Additional information will be provided when the Resolution Amending the Municipal Fee Schedule is brought forward for Council consideration (in conjunction with the second reading of the Ordinance) on January 28, 2020.

### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

### **FISCAL IMPACT**

An Agreement with Superior creates operational efficiencies within the Police and Finance Departments staffing model.

Through analysis and review of the Police Department's alarm program and corresponding revenue, new fees were proposed, and a revenue-sharing split was negotiated. There are no upfront costs or annual maintenance fees as part of this Agreement. Instead, Superior (24%) and the City of Santa Clara (76%) will split the estimated revenue. The first-year revenue and expenditure estimates were included in the FY 2019/20 Adopted Operating Budget. These included proposed adjustments to Chapter 8.40 Security Alarm Systems and the Municipal Fee Schedule estimated annually at \$246,000 (or, \$186,960 to the City of Santa Clara).

### **COORDINATION**

This report has been coordinated with the City Attorney's Office and Police Department.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

### **RECOMMENDATION**

1. Approve a three-year Agreement with Superior LLC, for Residential and Business Alarm Management Software and authorize the City Manager to automatically renew the agreement for additional one-year periods, with a maximum of two additional one-year periods, as necessary, without further Council action; and
2. Approve Introduction of an Ordinance Amending Chapter 8.40 of the City Code ("False Alarm Regulation").

Reviewed by: Daniel Winter, Assistant Chief of Police

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Report to Council 19-809 from December 10, 2019
2. Agreement for Services with Superior LLC
3. Ordinance amending SCCC Chapter 8.40 ("False Alarm Regulation")
4. Alarm Permit Program Community Meeting PowerPoint