

**COUNCIL ACTION  
EXECUTIVE SUMMARY SHEET  
CITY OF SAN DIEGO**

DATE: 01/19/2012

ORIGINATING DEPARTMENT: Fire-Rescue Department

SUBJECT: Renaming of Fire-Rescue Related False Alarm Fees

COUNCIL DISTRICT(S): ALL

CONTACT/PHONE NUMBER: Brian Fennessy/(619) 533-4302 MS604

**DESCRIPTIVE SUMMARY OF ITEM:**

Rename already established fees for penalties related to fire-rescue false alarm responses.

**STAFF RECOMMENDATION:**

Authorize the requested actions.

**EXECUTIVE SUMMARY OF ITEM BACKGROUND:**

In November, 2011 San Diego Fire-Rescue (SDFD) partnered with San Diego Police Department's (SDPD) Permits and Licensing Section to implement a program to permit and track Fire-Rescue related false alarm responses to fire and harmful gas alarm systems. Since November 2011, SDFD has registered 8,467 fire/harmful gas alarm systems and collected \$126,519 in permit revenue.

During the development of the penalty assessment portion of the program, it was noted that the titles for the penalty fees in Resolution R-306996 Attachment 1 (9/28/2011) did not accurately represent the fee titles as described in the item's Attachment A – Ratebook Change Memo or the presentation made before council on September 12, 2011.

The intention of this council action is to authorize the amendment of the City Ratebook to correctly identify the penalty fees associated with fire/harmful gas alarm system false alarms. No changes to the amounts of the fees are requested.

The following fee names from Resolution R-306996, Attachment A, require name changes:

- "1st Permit Revocation Penalty" becomes "Excessive Fire-Rescue False Alarm Response Penalty Fee (First Offence)"
- "2nd Permit Revocation Penalty" becomes "Excessive Fire-Rescue False Alarm Response Penalty Fee (Second Offence)"
- "3rd Permit Revocation Penalty" becomes "Excessive Fire-Rescue False Alarm Response Penalty Fee (Third Offence)"
- "4th and Subsequent Permit Revocations Penalty" becomes "Excessive Fire-Rescue False Alarm Response Penalty Fee (More than Three Offences)"

**FISCAL CONSIDERATIONS:**

The City's Fiscal Year 2012 Adopted Budget includes a revenue projection of \$910,000 for the collection of alarm related permit and penalty revenues, assuming a start date of December 1, 2011. SDFD was able to implement the program beginning November 1, 2011. Based on this

new date, the revenue projection was increased to \$1,084,008, accounting for 8 months of collection in Fiscal Year 2012. Subsequent year's annual revenue is projected at \$1,626,008.

These revenue projections were calculated based on fee rates which included charging escalating penalties for non-permitted fire/harmful gas systems with false alarms. If the City of San Diego is unable to collect escalating penalties for unpermitted systems, as originally proposed, revenue projections would need to be adjusted down to \$331,000 in Fiscal Year 2012.

Approving this resolution would correct the penalty fee naming inconsistency, and ensure that program is able to assess penalties for non-permitted systems, as originally intended, in order to encourage permitting and proper maintenance of fire/harmful gas systems.

**EQUAL OPPORTUNITY CONTRACTING INFORMATION (IF APPLICABLE):**

This action does not authorize entering into any contract or agreement.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION (describe any changes made to the item from what was presented at committee):**

- 9/27/2011 - Council approved resolution R-306996 and ordinance O-20097 authorizing the City to issue permits and assess penalties effective November 1, 2011.
- 9/12/2011 – First reading of resolution R-306996 and ordinance O-20097.
- 6/29/2011 – Presentation at Budget and Finance committee. Recommended changing the names of the fees better represent how the fee will be applied.

**COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:**

Two separate stakeholder presentations were conducted in May 2011. On May 3, 2011 San Diego Fire-Rescue Department hosted a stakeholder meeting to present proposals for FY2012 fees. Additionally, members of SDFD and SDFD regularly attend local chapter meetings of San Diego Alarm Association and California Automatic Fire Alarm Association. In both settings, the proposed plan for fire alarm permitting and false alarm penalties were presented and stakeholders were given an opportunity to provide input and ask questions. SDFD and SDPD continue to work with the alarm associations, now that the program is operational.

**KEY STAKEHOLDERS AND PROJECTED IMPACTS:**

The alarm industry in San Diego.

Mainar, Javier

Originating Department

Goldstone, Jay

Deputy Chief/Chief Operating Officer

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION RENAMING ESTABLISHED FEES FOR  
FIRE-RESCUE FALSE ALARM RESPONSES AND  
AUTHORIZING THE CITY CLERK TO CORRECT THE CITY  
CLERK'S FEE RATE BOOK REGARDING THESE FEES

WHEREAS, in November 2011 the San Diego Fire-Rescue Department (SDFD) partnered with the San Diego Police Department's Permits and Licensing Section to implement a program to permit and track SDFD responses to false alarms from fire/harmful gas alarm systems, and

WHEREAS, since November 2011, SDFD has registered 8,467 fire/harmful gas alarm systems and collected \$126,519 in permit revenue; and

WHEREAS, during the development of the penalty assessment portion of the program, it was noted that the titles for the penalty fees in the attachment to Resolution R-306996 did not accurately represent the fee titles as described in the "Ratebook Change Memo" or the presentation made before the City Council on September 12, 2011; and

WHEREAS, the intention of this City Council action is to correct this inconsistency and authorize the amendment of the City Clerk's fee rate book to accurately identify the penalty fees associated with fire/harmful gas alarm system false alarms; and

WHEREAS, there is no request to change the amount of the fees; and

WHEREAS, the incorrect fee names from the attachment to Resolution R-306996 will be changed per Attachment One of this resolution as follows:

- (i) "1<sup>st</sup> Permit Revocation Penalty" becomes "Excessive Fire-Rescue False Alarm Response Penalty Fee (First Offence)"

- (ii) “2<sup>nd</sup> Permit Revocation Penalty” becomes “Excessive Fire-Rescue False Alarm Response Penalty Fee (Second Offence)”
- (iii) “3<sup>rd</sup> Permit Revocation Penalty” becomes “Excessive Fire-Rescue False Alarm Response Penalty Fee (Third Offence)”
- (iv) “4<sup>th</sup> and Subsequent Permit Revocations Penalty” becomes “Excessive Fire-Rescue False Alarm Response Penalty Fee (More than Three Offences)”; and

WHEREAS, the City’s Fiscal Year 2012 Adopted Budget includes a revenue projection of \$910,000 for the collection of alarm related permit and penalty revenues, assuming a start date of December 1, 2011; and

WHEREAS, SDFD was able to implement the program beginning November 1, 2011; and

WHEREAS, based on this new date, the revenue projection was increased to \$1,084,008, accounting for eight months of collection in Fiscal Year 2012; and

WHEREAS, the subsequent year’s annual revenue is projected at \$1,626,008; and

WHEREAS, these revenue projections were calculated based on fee rates which included charging escalating penalties for non-permitted fire/harmful gas alarm systems with false alarms; and

WHEREAS, if the City is unable to collect escalating penalties for unpermitted systems, as originally proposed, revenue projections would need to be adjusted down to \$331,000 in Fiscal Year 2012; and

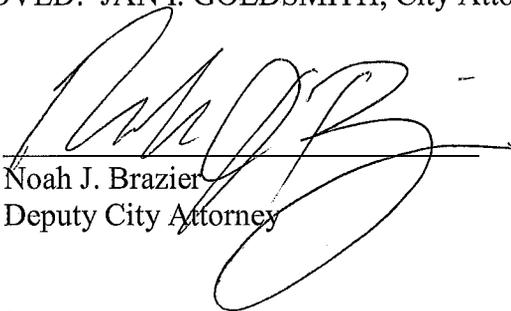
WHEREAS, approving this resolution would correct the penalty fee naming inconsistency, and ensure that the system is able to assess penalties for non-permitted systems, as

originally intended, in order to encourage permitting and proper maintenance of fire/harmful gas alarm systems; NOW, THEREFORE,

BE IT RESOLVED, that Attachment One of this resolution corrects and replaces the names of the fire-rescue false alarm fees listed in the attachment to Resolution R-306996.

BE IT FURTHER RESOLVED, that the City Clerk is authorized to amend the City Clerk's fee rate book to reflect the corrected penalty fee names as stated in Attachment One to this resolution.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
Noah J. Brazier  
Deputy City Attorney

NJB:jdf  
02/07/2012  
Or.Dept:Fire  
Doc.No.:316485

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

\_\_\_\_\_  
JERRY SANDERS, Mayor

## ATTACHMENT ONE

<b>COSTS AND PENALTIES</b>	<b>PROPOSED RATE STRUCTURE FY2012</b>
Fire/harmful gas permit only (24 months)	\$18.00
Addition of fire/harmful gas alarm to current SDPD permitted alarm system (24 months)	SDPD rate + \$18.00
Excessive Fire-Rescue False Alarm Response Penalty Fee (First Offence)	\$110.00
Excessive Fire-Rescue False Alarm Response Penalty Fee (Second Offence)	\$220.00
Excessive Fire-Rescue False Alarm Response Penalty Fee (Third Offence)	\$440.00
Excessive Fire-Rescue False Alarm Response Penalty Fee (More than Three Offences)	\$2,200.00
Unpermitted fire/harmful gas alarm penalty	\$85

<b>REQUEST FOR COUNCIL ACTION</b> CITY OF SAN DIEGO	CERTIFICATE NUMBER (FOR COMPTROLLER'S USE ONLY) N/A
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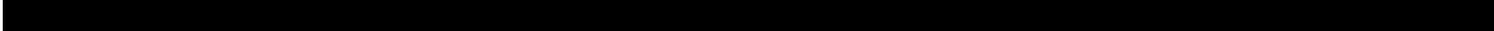
TO: CITY COUNCIL	FROM (ORIGINATING DEPARTMENT): Fire-Rescue Department	DATE: 01/19/2012
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SUBJECT: Renaming of Fire-Rescue Related False Alarm Fees

PRIMARY CONTACT (NAME, PHONE): Brian Fennessy, (619) 533-4302 MS604	SECONDARY CONTACT (NAME, PHONE): Sara Diaz, (619) 533-3628 MS 604
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**COMPLETE FOR ACCOUNTING PURPOSES**

FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00



FUND					
DEPT / FUNCTIONAL AREA					
ORG / COST CENTER					
OBJECT / GENERAL LEDGER ACCT					
JOB / WBS OR INTERNAL ORDER					
C.I.P./CAPITAL PROJECT No.					
AMOUNT	0.00	0.00	0.00	0.00	0.00

COST SUMMARY (IF APPLICABLE):

**ROUTING AND APPROVALS**

CONTRIBUTORS/REVIEWERS:	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
Financial Management	ORIG DEPT.	Mainar, Javier	1/20/2012
Environmental Analysis	CFO		
Liaison Office	DEPUTY CHIEF		
Comptroller	COO	Goldstone, Jay	2/6/2012
	CITY ATTORNEY		
	COUNCIL PRESIDENTS OFFICE		

PREPARATION OF:     RESOLUTIONS     ORDINANCE(S)     AGREEMENT(S)     DEED(S)

1. Authorize the Mayor or his designee to rename already established fees for penalties related to fire-rescue false alarm responses as reflected in the summary of this Report and in the Attachment A provided.
2. Authorize the City Clerk to amend the City Ratebook to reflect the corrected penalty names as stated in the summary of this report.

STAFF RECOMMENDATIONS: Authorize the requested actions.	
SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION)	
COUNCIL DISTRICT(S):	ALL
COMMUNITY AREA(S):	ALL
ENVIRONMENTAL IMPACT:	This activity is not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(2).
CITY CLERK INSTRUCTIONS:	Please send signed resolution to Sara Diaz at MS 604