



# REPORT TO COUNCIL

## City of Sacramento

# 15

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STAFF  
November 22, 2005

Honorable Mayor and  
Members of the City Council

**Subject:** Implementation of Reverse 911

**Location/Council District:** Citywide

**Recommendation:**

Adopt a Resolution authorizing the Chief of Police to negotiate a Memorandum of Understanding with the partner agencies on the Reverse 911 system in order to begin implementation.

**Contact:** Gina Knepp, Program Manager, 808-8333

**Presenter:** Rick Braziel, Deputy Chief, 433-0800

**Department:** Police

**Division:** Office of Technical Services

**Organization No:** 2151

**Summary:**

To ensure the successful implementation and consistent regional use of the Reverse 911 system for improved public safety, this report offers an update on implementation progress and partner agency participation. Additionally, this report requests the Council authorize the City Manager to grant authority to the Chief of Police to prepare and enter into a Memorandum of Understanding with partner agencies outlining the implementation and use of Reverse 911, as well as the establishment of internal protocol for the City's use. The Chief of Police will serve as the lead administrator in the use of Reverse 911 and policy implementation.

**Committee/Commission Action:** None.

**Background Information:**

On May 3, 2005, City Council authorized the regional purchase and installation of the Reverse 911 Emergency Telephone Notification System (ETNS). The ETNS purchased is known as and will be further referred to as Reverse 911. Reverse 911 will allow member agencies the ability to make notification to its residents via telephone regarding events directly involving public safety. The Reverse 911 system will be shared regionally by the following entities:



- City of Sacramento
- Sacramento Regional Fire
- Sacramento County
- City of Roseville
- City of Rocklin
- City of West Sacramento
- City of Folsom
- CHP Sacramento
- City of Galt

The system will operate using dual servers housed at the Sacramento City Police Communications Center and the Sacramento County Sheriff's Department. All agencies will be linked via Virtual Private Network (VPN) and system access will be autonomous to each agency. Data is partitioned to safeguard against accidental session launching. The local system is capable of sending 5000 calls per hour, however a mass-calling feature has been incorporated into the purchase and this offers the capacity to make approximately 4,800 calls per minute or 288,000 calls per hour. Calls per hour vary dependant upon call duration.

**Financial Considerations:**

System purchase and 3 years of service and maintenance were funded by UASI Grant funds (G457). Expectation is that after FY 07-08 service and maintenance agreements will be funded with future UASI grants or absorbed within existing department budgets.

**Environmental Considerations:** Not applicable.

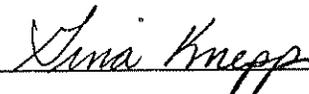
**Policy Considerations:**

Implementation of the Reverse 911 system is supportive of the City's Strategic Plan by improving and expanding public safety by furthering the City's ability to communicate public safety information more effectively and efficiently. The following points will be integral components of both the Memorandum of Understanding and internal City policy:

- System administrators will be identified from each participating agency.
- System safeguards will be implemented to protect system integrity.
- Reverse 911 will be used strictly for the purposes of public safety, maintaining compliance with SBC California's Tariff, CAL.P.U.C. NO. A9.2.6. In accordance with this agreement, Reverse 911 may only be used for the purpose of public safety.
- Any long distance calling costs associated with the use of the Reverse 911 system will be the financial responsibility of the incurring agency, inclusive of mass calling charges.

- GIS mapping cooperative under the auspices of the Sacramento Area Council of Governments (SACOG) will be utilized.

**Emerging Small Business Development (ESBD):** Not applicable.

Respectfully Submitted by:   
 Gina Knepp  
 Program Manager

Approved by:   
 Albert Nájera  
 Chief of Police

Recommendation Approved:  
  
 ROBERT P. THOMAS  
 City Manager

Ref. COP 10-9

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NETWORK AND EXCHANGE SERVICES  
 A9. CENTRAL OFFICE SERVICE

- 9.2 EMERGENCY REPORTING SERVICES (Cont'd)  
 9.2.6 NEIGHBORHOOD CALL (Cont'd)  
 B. REGULATIONS (Cont'd)  
 2. Customer Responsibilities (Cont'd)

b. The Neighborhood Call database information provided to Customer pursuant to this tariff is confidential and proprietary and such information will be held in confidence and only used and disclosed to Customer's employees or its subcontractors and agents with a need to know for purposes of providing a community alert and notifications to citizens as defined in California Public Utilities Code Sections 2872 and 2891.1. Customer agrees that each of its employees, subcontractors or agents receiving or having access to the Neighborhood Call database information will be informed that such information is subject to the terms and conditions of this tariff and the Neighborhood Call database information will remain the property of Pacific; that the Neighborhood Call database information will be treated with the same degree of care as Customer affords to its own highly confidential and proprietary information; and that the Neighborhood Call database information will not be reproduced in any manner, unless otherwise specifically authorized in writing by Pacific. Upon request, Customer will promptly return to Pacific all Neighborhood Call database information in a tangible form or certify to Pacific that such information has been destroyed.

3. Limitation of Liability

The Utility's liability to 9-1-1 customers and third parties utilizing 9-1-1 service(s) is set forth in Schedule Cal.P.U.C. No. A2.1.14 and California Public Utilities Code Section 2872 and 2891.1.

C. RATES AND CHARGES

	<u>Nonrecurring Charge</u>	<u>Monthly Rate</u>	<u>USOC</u>
1. Neighborhood Call	\$99.74 (R)	\$90.24 (R)	E9MN1
2. Neighborhood Call per 1000 records <sup>1</sup>	NO	.85 (R)	E9MOA
3. Neighborhood Call (Additional Download)	90.24 (R)	NO	E9MOB
4. Neighborhood Call Record Processing <sup>2</sup> per 1000 records (Additional Download)	.85 (R)	NO	E9MOC

NOTE 1: Once each year in January, this quantity (based upon the maximum number of main stations in Service) will be adjusted for purposes of updating Customer's monthly billing. No additional Installation charges will be applied to the updated amounts.

NOTE 2: For additional download(s) the charges include the base rate plus the per record charge.

Continued

Advice Letter No. 20400B

Issued by

Date Filed: July 1, 1999

Decision No. 89-10-031  
 94-09-065

A E Swan

Effective: Nov. 1, 1999

Managing Director

Resolution No T-16265

NETWORK AND EXCHANGE SERVICES  
A9. CENTRAL OFFICE SERVICE

9.2 EMERGENCY REPORTING SERVICES (Cont'd)

9.2.6 NEIGHBORHOOD CALL

(N)

A. DESCRIPTION

1. Neighborhood Call

Neighborhood Call will provide subscriber data from the Pacific Bell E9-1-1 Management System to specific public agencies, or their designated subcontractors or agents, for the purpose of emergency notification system through the use of automatic dialing announcement devices as allowed by California Public Utilities Code Sections 2872 and 2891.1. Subscriber information is to be used for the sole purpose of contacting local citizens during localized emergencies.

B. REGULATIONS

1. General

- a. Customers of these services must be "public agencies" referenced in tariff A9.2.3.B.1.i or their designated subcontractors or agents.
- b. Neighborhood Call is provided by the Utility where facilities and operating conditions permit.

2. Customer Responsibilities

- a. Customer warrants that if the Neighborhood Call database information is to be provided to its subcontractors or agents, Customer will enter into an agreement with the subcontractor or agent that limits the use of the Neighborhood Call database information stated herein. The subcontractor or agent must enter into a Nondisclosure Agreement with Pacific Bell.

(N)

Continued

Advice Letter No. 20013

Issued by

Date Filed: Feb. 2, 1999

Decision No.

A.E. Swan

Effective: Mar. 14, 1999

Executive Director

Resolution No.

**CALIFORNIA PUBLIC UTILITIES CODE  
SECTIONS 2871-2876**

2871. As used in this article, "automatic dialing-announcing device" means any automatic equipment which incorporates a storage capability of telephone numbers to be called or a random or sequential number generator capable of producing numbers to be called and the capability, working alone or in conjunction with other equipment, to disseminate a prerecorded message to the telephone number called.

2872. (a) The connection of automatic dialing-announcing devices to a telephone line is subject to this article and to the jurisdiction, control, and regulation of the commission.

(b) No person shall operate an automatic dialing-announcing device except in accordance with this article. The use of such a device by any person, either individually or acting as an officer, agent, or employee of a person or corporation operating automatic dialing-announcing devices, is subject to this article.

(c) No person shall operate an automatic dialing-announcing device in this state to place a call that is received by a telephone in this state during the hours between 9 p.m. and 9 a.m. California time.

(d) This article does not prohibit the use of an automatic dialing-announcing device by any person exclusively on behalf of any of the following:

(1) A school for purposes of contacting parents or guardians of pupils regarding attendance.

(2) An exempt organization under the Bank and Corporation Tax Law (Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code) for purposes of contacting its members.

(3) A privately owned or publicly owned cable television system for purposes of contacting customers or subscribers regarding the previously arranged installation of facilities on the premises of the customer or subscriber.

(4) A privately owned or publicly owned public utility for purposes of contacting customers or subscribers regarding the previously arranged installation of facilities on the premises of the customer or subscriber or for purposes of contacting employees for emergency actions or repairs required for public safety or to restore services.

(5) A petroleum refinery, chemical processing plant, or nuclear powerplant for purposes of advising residents, public service agencies, and the news media in its vicinity of an actual or potential life-threatening emergency.

(e) This article does not prohibit law enforcement agencies, fire protection agencies, public health agencies, public environmental health agencies, city or county emergency services planning agencies, or any private for-profit agency operating under contract with, and at the direction of, one or more of these agencies, from placing calls through automatic dialing-announcing devices, if those devices are used for any of the following purposes:

(1) Providing public service information relating to public safety.

(2) Providing information concerning police or fire emergencies.

(3) Providing warnings of impending or threatened emergencies.

These calls shall not be subject to Section 2874.

(f) This article does not apply to any automatic dialing-announcing device that is not used to randomly or sequentially dial telephone numbers but that is used solely to transmit a message to an established business associate, customer, or other person having an established relationship with the person using the automatic dialing-announcing device to transmit the message, or to any call generated at the request of the recipient.

(g) The commission may determine any question of fact arising under this section.

2873. Automatic dialing-announcing devices may be used to place calls over telephone lines only pursuant to a prior agreement between the persons involved, whereby the person called has agreed that he or she consents to receive such calls from the person calling, or as specified in Section 2874.

2874. (a) Whenever telephone calls are placed through the use of an automatic dialing-announcing device, the device may be operated only after an unrecorded, natural voice announcement has been made to the person called by the person calling. The announcement shall do all of the following:

(1) State the nature of the call and the name, address, and telephone number of the business or organization being represented, if any.

(2) Inquire as to whether the person called consents to hear the prerecorded message of the person calling.

(b) The calling person described in subdivision (a) shall disconnect the automatic dialing-announcing device from the telephone line upon the termination of the call by either the person calling or the person called.

2875. No person shall connect any automatic dialing-announcing device to any telephone line without first making written application to the telephone corporation within whose service area telephone calls through the use of such device are proposed to be placed. In such application, the person shall provide information as to the type of automatic dialing-announcing device proposed to be connected, the time of day such telephone calls are proposed to be placed using such device, the anticipated number of calls proposed to be placed during the specified calling period, the average length of a completed call, and such additional information as the corporation or the commission may require. Upon receiving such an application for service, the corporation shall review the furnished information and, if it appears that calling patterns would create a traffic overload condition or the service would be detrimental to the services of other customers of the corporation, it may deny the application or modify the application and grant the application as so modified.

2875.5. (a) On and after July 1, 2002, no person operating any automatic equipment that incorporates a storage capability of telephone numbers to be called or a random or sequential number generator capable of producing numbers to be called may make a telephone connection for which no person, acting as an agent or telemarketer, is available for the person called.

(b) Notwithstanding subdivision (a), the commission shall establish an acceptable error rate for telephone connections made in violation of subdivision (a). The commission shall determine the error rate, if any, before July 1, 2002.

(c) The commission may require any person operating equipment as described in subdivision (a) to maintain records of telephone connections made for which no person, acting as an agent or telemarketer, is available for the person called. The commission may require copies of those records to be submitted to the commission.

2876. Any person violating this article is guilty of a civil offense and is subject to either or both of the following penalties:

(a) A fine of not to exceed five hundred dollars (\$500) for each violation, levied and enforced by the commission, on complaint or on its own motion, pursuant to Chapter 11 (commencing with Section 2100) of Part 1.

(b) Disconnection of telephone service to the automatic dialing-announcing device for a period of time which shall be specified by the commission.

**CALIFORNIA PUBLIC UTILITIES CODE  
SECTIONS 2891-2894.10**

2891. (a) No telephone or telegraph corporation shall make available to any other person or corporation, without first obtaining the residential subscriber's consent, in writing, any of the following information:

(1) The subscriber's personal calling patterns, including any listing of the telephone or other access numbers called by the subscriber, but excluding the identification to the person called of the person calling and the telephone number from which the call was placed, subject to the restrictions in Section 2893, and also excluding billing information concerning the person calling which federal law or regulation requires a telephone corporation to provide to the person called.

(2) The residential subscriber's credit or other personal financial information, except when the corporation is ordered by the commission to provide this information to any electrical, gas, heat, telephone, telegraph, or water corporation, or centralized credit check system, for the purpose of determining the creditworthiness of new utility subscribers.

(3) The services which the residential subscriber purchases from the corporation or from independent suppliers of information services who use the corporation's telephone or telegraph line to provide service to the residential subscriber.

(4) Demographic information about individual residential subscribers, or aggregate information from which individual identities and characteristics have not been removed.

(b) Any residential subscriber who gives his or her written consent for the release of one or more of the categories of personal information specified in subdivision (a) shall be informed by the telephone or telegraph corporation regarding the identity of each person or corporation to whom the information has been released, upon written request. The corporation shall notify every residential subscriber of the provisions of this subdivision whenever consent is requested pursuant to this subdivision.

(c) Any residential subscriber who has, pursuant to subdivision (b), given written consent for the release of one or more of the categories of personal information specified in subdivision (a) may rescind this consent upon submission of a written notice to the telephone or telegraph corporation. The corporation shall cease to make available any personal information about the subscriber, within 30 days following receipt of notice given pursuant to this subdivision.

(d) This section does not apply to any of the following:

(1) Information provided by residential subscribers for inclusion in the corporation's directory of subscribers.

(2) Information customarily provided by the corporation through directory assistance services.

(3) Postal ZIP Code information.

(4) Information provided under supervision of the commission to a collection agency by the telephone corporation exclusively for the collection of unpaid debts.

(5) Information provided to an emergency service agency responding to a 911 telephone call or any other call communicating an imminent threat to life or property.

(6) Information provided to a law enforcement agency in response to lawful process.

(7) Information which is required by the commission pursuant to its jurisdiction and control over telephone and telegraph corporations.

(8) Information transmitted between telephone or telegraph corporations pursuant to the furnishing of telephone service between or within service areas.

(9) Information required to be provided by the corporation pursuant to rules and orders of the commission or the Federal Communications Commission regarding the provision over telephone lines by parties other than the telephone and telegraph corporations of telephone or information services.

(10) The name and address of the lifeline customers of a telephone corporation provided by that telephone corporation to a public utility for the sole purpose of low-income ratepayer assistance outreach efforts. The telephone corporation receiving the information request pursuant to this paragraph may charge the requesting utility for the cost of the search and release of the requested information. The commission, in its annual low-income ratepayer assistance report, shall assess whether this information has been helpful in the low-income ratepayer assistance outreach efforts.

(11) Information provided in response to a request pursuant to subdivision (a) of Section 530.8 of the Penal Code.

(e) Every violation is a grounds for a civil suit by the aggrieved residential subscriber against the telephone or telegraph corporation and its employees responsible for the violation.

(f) For purposes of this section, "access number" means a telex, teletex, facsimile, computer modem, or any other code which is used by a residential subscriber of a telephone or telegraph corporation to direct a communication to another subscriber of the same or another telephone or telegraph corporation.

2891.1. (a) Notwithstanding Section 2891, a telephone corporation selling or licensing lists of residential subscribers shall not include the telephone number of any subscriber assigned an unlisted or unpublished access number. A subscriber may waive all or part of the protection provided by this subdivision through written notice to the telephone corporation.

(b) Notwithstanding Section 2891, a provider of mobile telephony services, or any direct or indirect affiliate or agent of a provider, providing the name and dialing number of a subscriber for inclusion in any directory of any form, or selling the contents of any directory database, or any portion or segment thereof, shall not include the dialing number of any subscriber without first obtaining the express consent of that subscriber. The provider's form for obtaining the subscriber's express consent shall meet all of the following requirements:

(1) It shall be a separate document that is not attached to any other document.

(2) It shall be signed and dated by the subscriber.

(3) It shall be unambiguous, legible, and conspicuously disclose that, by signing, the subscriber is consenting to have the subscriber's dialing number sold or licensed as part of a list of subscribers and the subscriber's dialing number may be included in a publicly available directory.

(4) If under the subscriber's calling plan the subscriber may be billed for receiving unsolicited calls or text messaging from a telemarketer, the provider's form shall include a disclosure, which shall be unambiguous, legible, and that by consenting to have the

subscriber's dialing number sold or licensed as part of a list of subscribers or be included in a publicly available directory, the subscriber may incur additional charges for receiving unsolicited calls or text messages.

(c) A subscriber who provides express prior consent pursuant to subdivision (b) may revoke that consent at any time. A provider of mobile telephony services shall comply with the subscriber's request to opt out within a reasonable period of time, not to exceed 60 days.

(d) A subscriber shall not be charged for making the choice to not be listed in a directory.

(e) This section does not apply to the provision of telephone numbers to the following parties for the purposes indicated:

(1) To a collection agency, to the extent disclosures made by the agency are supervised by the commission, exclusively for the collection of unpaid debts.

(2) (A) To any law enforcement agency, fire protection agency, public health agency, public environmental health agency, city or county emergency services planning agency, or private for-profit agency operating under contract with, and at the direction of, one or more of these agencies, for the exclusive purpose of responding to a 911 call or communicating an imminent threat to life or property.

(B) Any information or records provided to a private for-profit agency pursuant to this subdivision shall be held in confidence by that agency and by any individual employed by or associated with that agency. This information or these records shall not be open to examination for any purpose not directly connected with the administration of the services specified in subdivision (e) of Section 2872 or this paragraph.

(3) To a lawful process issued under state or federal law.

(4) To a telephone corporation providing service between service areas for the provision to the subscriber of telephone service between service areas, or to third parties for the limited purpose of providing billing services.

(5) To a telephone corporation to effectuate a customer's request to transfer the customer's assigned telephone number from the customer's existing provider of telecommunications services to a new provider of telecommunications services.

(6) To the commission pursuant to its jurisdiction and control over telephone and telegraph corporations.

(f) Every deliberate violation of this section is grounds for a civil suit by the aggrieved subscriber against the organization or corporation and its employees responsible for the violation.

(g) For purposes of this section, "unpublished or unlisted access number" means a telephone, telex, teletex, facsimile, computer modem, or any other code number that is assigned to a subscriber by a telephone or telegraph corporation for the receipt of communications initiated by other telephone or telegraph customers and that the subscriber has requested that the telephone or telegraph corporation keep in confidence.

(h) No telephone corporation, nor any official or employee thereof, shall be subject to criminal or civil liability for the release of customer information as authorized by this section.

2891.2. Telephone subscribers shall be annually notified that use of an "800" or "900" telephone number may result in the disclosure of the subscriber's telephone number to the called party. The commission shall, by rule or order, impose the responsibility for the notification with the telephone corporation that offers the caller identification service, often known as automatic number identification, in connection with an "800" or "900" service.

2892. (a) As used in this section, the term "commercial mobile radio service" has the same meaning as the term "commercial mobile service," as defined in subsection (d) of Section 332 of Title 47 of the United States Code.

(b) A provider of commercial mobile radio service shall provide access for end users of that service to the local emergency telephone systems described in the Warren-911-Emergency Assistance Act (Article 6 (commencing with Section 53100) of Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code). "911" shall be the primary access number for those emergency systems. A provider of commercial mobile radio service, in accordance with all applicable Federal Communication Commission orders, shall transmit all "911" calls from technologically compatible commercial mobile radio service communication devices without requiring user validation or any similar procedure. A provider of commercial mobile radio service may not charge any airtime, access, or similar usage charge for any "911" call placed from a commercial mobile radio service telecommunications device to a local emergency telephone system.

(c) A "911" call from a commercial mobile radio service telecommunications device may be routed to a public safety answering point other than the Department of the California Highway Patrol only if the alternate routing meets all of the following requirements:

(1) The "911" call originates from a location other than from a highway or county road under the jurisdiction of the Department of the California Highway Patrol.

(2) The alternate routing is economically and technologically feasible.

(3) The alternate routing will benefit public safety and reduce burdens on dispatchers for the Department of the California Highway Patrol.

(4) The Department of the California Highway Patrol, the Department of General Services, and the proposed alternate public safety answering point, in consultation with the wireless industry, providers of "911" selective routing service, and local law enforcement officials, determine that it is in the best interest of the public and will provide more effective emergency service to the public to route "911" calls that do not originate from a highway or county road under the jurisdiction of the Department of the California Highway Patrol to another public safety answering point.

2892.3. (a) The commission shall require cellular telephone service providers to report to the commission, within a year after enactment of this section, and thereafter as specified by the commission, on activities associated with customer fraud.

(b) Each report shall include a description of the types of fraud occurring, the amount of revenues that have been uncollectible because of fraud, and the actions undertaken by the service provider to combat fraud.

(c) The commission shall require cellular telephone service providers to provide their subscribers with a notice, to be reviewed by the commission, warning subscribers about

problems associated with fraud, and informing them about ways to protect against fraud.

2892.5. (a) As used in this section, the following terms have the following meanings:

(1) "Commercial mobile radio service" has the same meaning as the term "commercial mobile service," as defined in subsection (d) of Section 332 of Title 47 of the United States Code.

(2) "Public safety agency" has the same meaning as that term is defined in Section 53102 of the Government Code.

(b) A provider of commercial mobile radio service may enter into a contract with a public safety agency to give the transmissions of public safety agency end users of that service priority over the transmissions of other persons or entities. The contract shall comply with applicable federal law.

2893. (a) The commission shall, by rule or order, require that every telephone call identification service offered in this state by a telephone corporation, or by any other person or corporation that makes use of the facilities of a telephone corporation, shall allow a caller to withhold display of the caller's telephone number, on an individual basis, from the telephone instrument of the individual receiving the telephone call placed by the caller. However a caller shall not be allowed to withhold the display of the caller's business telephone number when that number is being used for telemarketing purposes.

(b) There shall be no charge to the caller who requests that his or her telephone number be withheld from the recipient of any call placed by the caller.

(c) The commission shall direct every telephone corporation to notify its subscribers that their calls may be identified to a called party either:

(1) Thirty or more days before the telephone corporation commences to participate in the offering of a call identification service.

(2) By March 1, 1990, if the telephone corporation is participating in a call identification service prior to January 1, 1990.

(d) This section does not apply to any of the following:

(1) An identification service which is used within the same limited system, including, but not limited to, a Centrex or private branch exchange (PBX) system, as the recipient telephone.

(2) An identification service which is used on a public agency's emergency telephone line or on the line which receives the primary emergency telephone number (911).

(3) Any identification service provided in connection with legally sanctioned call tracing or tapping procedures.

(4) Any identification service provided in connection with any "800" or "900" access code telephone service until the telephone corporation develops the technical capability to comply with subdivision (a), as determined by the commission.

(e) Until the market for local telephone service is competitive, a telephone corporation shall not charge any subscriber for having an unlisted or unpublished telephone number. However, nothing in this subdivision shall be interpreted by the commission to reduce the revenues of telephone corporations. Any actions of the commission pursuant to this subdivision shall be implemented on a competitively neutral basis. This

charge shall not be eliminated prior to the effective date upon which offsetting rates are implemented by the commission.

2894. (a) Notwithstanding subdivision (e) of Section 2891, the disclosure of any information by an interexchange telephone corporation, a local exchange telephone corporation, or a provider of commercial mobile radio service, in good faith compliance with the terms of a state or federal court warrant or order or administrative subpoena issued at the request of a law enforcement official or other federal, state, or local governmental agency for law enforcement purposes, is a complete defense against any civil action brought under this chapter or any other law, including, but not limited to, Chapter 1.5 (commencing with Section 630) of Part 1 of Title 15 of the Penal Code, for the wrongful disclosure of that information.

(b) As used in this section the following terms have the following meanings:

(1) "Interexchange telephone corporation" means a telephone corporation that is a long-distance carrier.

(2) "Local exchange telephone corporation" means a telephone corporation that provides local exchange services.

(3) "Commercial mobile radio service " has the same meaning as the term "commercial mobile service" as defined in Section 332(d)(1) of Title 47 of the United States Code.

2894.10. (a) The Legislature finds and declares that a number of federal and state laws have been enacted to protect residential telephone subscribers' privacy rights with respect to telephone solicitations. Various governmental agencies publish information that generally describes telephone subscribers' rights under these laws. Examples of publications include the Federal Trade Commission's brochure, "Straight Talk About Telemarketing," and the Federal Communications Commission's publication, "Consumer News, What You Can Do About Unsolicited Telephone Marketing Calls and Faxes." The Legislature intends that telephone subscribers be provided with information regarding their privacy rights, under state and federal law, with respect to telephone solicitations.

(b) Every local exchange telephone corporation shall provide its residential customers with information regarding state and federal laws that protect the privacy rights of residential telephone subscribers with respect to telephone solicitations by providing on an annual basis one or more of the following items of information in the billing statement of each residential customer and in conspicuous notices in the consumer information pages of the local telephone directories distributed by that telephone corporation:

(1) A copy of a publication prepared by the Department of Consumer Affairs, the Public Utilities Commission, the Federal Trade Commission, or any other federal or state governmental agency that generally describes telephone subscribers' privacy rights, under state and federal laws, with respect to telephone solicitations.

(2) A list of the titles of the publications identified in paragraph (1) and information on how to obtain those publications.

(c) A provider of local exchange service shall not be subject to any penalties if the provider makes a good faith effort to provide or identify the publications described in subdivision (b).

## **RESOLUTION NO.**

Adopted by the Sacramento City Council

### **AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN AGREEMENT FOR THE IMPLEMENTATION OF THE REVERSE 911 SYSTEM**

#### **BACKGROUND**

- A. On May 3, 2005, City Council authorized the regional purchase of Reverse 911 Emergency Telephone Notification System (ETNS).
- B. A Memorandum of Understanding is necessary between user agencies to ensure the consistent and appropriate use of the Reverse 911 System.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

- Section 1. Authorizes the City Manager to grant authority to the Chief of Police to enter into a Memorandum of Understanding with partner agencies that will include but not be limited to the following points and to develop internal City protocol for use.
- System administrators will be identified by each participating agency. They will be responsible for designating in writing those personnel authorized to activate the Reverse 911 System.
  - Appropriate safeguards will be taken to protect the system, its databases and user passwords to prevent unauthorized use of the system.
  - The Reverse 911 System will be used strictly for the purposes of public safety notifications.
  - The telephone number database obtained from SBC will require participating agencies to adhere to the Non-Disclosure Agreement as set forth by SBC.
  - Any long distance calling costs that result from the use of the Reverse 911 System will be the financial responsibility of the incurring agency, inclusive of the Mass Call feature.
  - All users will utilize the GIS mapping cooperative under the auspices of the Sacramento Area Council of Governments (SACOG).