

TITLE 1 CITY COUNCIL

Chapter 1 Council Meetings

§1.1.100: ADJOURNED MEETINGS.

An adjourned regular meeting ordinarily will be held at 7:00 p.m. on the Monday following the regular meeting which is adjourned.

§1.1.105: WORK SESSIONS.

A work session ordinarily will be held in the City Council Chambers at 7:00 p.m. on the second Monday of each month, with an additional work session scheduled on the fourth Monday, if needed.

Chapter 3 Reimbursement for Expenses

§1.3.120: REIMBURSEMENT FOR USE OF TECHNOLOGY.

Councilmembers and the Mayor may be reimbursed for expenses related to internet, mobile phone or other technology sources used for city business. The City will not provide technology equipment; Councilmembers may purchase equipment and submit receipts or provide monthly personal invoices for costs associated with phone and internet service plans for reimbursement.

Councilmembers and the Mayor are provided a technology allowance of up to \$4,000 for the first six months of their inaugural term, and up to \$3,000 per fiscal year for the remainder of their term; at no time shall reimbursements for the Fiscal Year exceed the above set amounts.

Chapter 4 Assistance to Parades, Promotions, and Miscellaneous Special Events

- (a) **Application Processing and Approval Fees—Section 4-20-105—Permit Required.** An application fee as stated in §6.4.100 of the San Leandro Administrative Code is established for processing all applications filed for events covered by Section 4-20-100 of the San Leandro Municipal Code.

Chapter 11 Policy Governing Use of Computer Systems, E-Mail and Information Security

~~§1.11.100: POLICY GOVERNING USE OF COMPUTER SYSTEMS, E-MAIL AND INFORMATION SECURITY.~~

~~City computer systems are made available to employees, public officials, and in some cases consultants to improve efficiency, communications and productivity when~~

~~providing services to the community. City computer systems are defined to include any City provided computer hardware (personal computers, laptops, personal digital assistants [PDAs], smart phones, mobile digital terminals, host systems and related devices, printers and other production peripheral equipment, scanners, the City's network), computer software, remote access, electronic mail (e-mail) and Internet connection tools used to provide City services. Use of City provided computer systems are for official City purposes only. This policy is established to protect the City's investment in information technology; safeguard the information contained within City computer systems; and assist in the efficient delivery of City services.~~

~~All City computer systems provided in accordance with this policy remain the property of the City. Users of City computer systems have no right to or expectation of privacy or confidentiality in any activity using the City computer systems, equipment, or networks. Any electronic files, documents, or records (as that term is defined in the California Public Records Act) stored, accessed, or transferred on the City's computer systems are not private to the user and are potentially disclosable under the California Public Records Act.~~

~~(a) E-Mail System.~~

~~(1) The E-Mail System shall be used for the transmission of communications and documents only and shall not be used for the storage of information or records. The E-Mail System is provided by the City to Users as a convenient and efficient method for rapidly communicating transitory information in an electronic format.~~

~~(2) The forwarding of E-Mails from City computer systems or through City provided E-Mail accounts by employees or public officials to any personal or other E-Mail account that is not a City provided email account that belongs to, or is managed by the employee or public official is strongly discouraged. Users are cautioned that any E-Mail sent or forwarded from a City computer system or email account to a personal email account may subject that entire personal account to disclosure pursuant to a public records request. An email sent from a personal email account to a City email account or City computer system is a public record subject to disclosure under the California Public Records Act.~~

~~(3) No User shall attempt to disguise the origin of any E-Mail, unless authorized by the Chief of Police for a criminal investigation.~~

~~(4) E-Mail messages located in a User's Inbox, Sent Items and Deleted Items folders will be automatically deleted by Information Technology from all computer devices and systems on the 120th day after sending or receipt, whether deleted by the User or not. All email will be archived and retained for 24 months.~~

~~(5) E-Mail messages that must be retained in accordance with the City's Records Retention Schedule or by law should be moved to a User's Outlook Cabinet or saved and placed in the appropriate subject file, either electronically or in hard copy.~~

~~(b) Use.~~

~~(1) City employees and public officials are responsible for the care, security and appropriate use of City computer systems and any related equipment. Inappropriate uses may include, but are not limited to, obscenity, harassment, slander, defamation, commercial or for-profit activities, and political or campaign activities.~~

~~(2) City computer systems are for use by employees, public officials, and City Manager designated persons only. Contractors, vendors and other non-City users may be granted access to City computer systems with approval from the Information Services Manager. Contractors, volunteers, and other non-City users accessing the City of San Leandro's computer systems are subject to the same policies and guidelines as any City employee or public official.~~

~~(3) City computer hardware and software will be installed, configured and supported by the City Manager's Office, Information Technology Division only.~~

~~(4) All Users shall respect copyright and license agreements and shall not distribute or download programs or materials without the legal right to do so.~~

~~(5) Any City-owned computer systems provided to or used by employees and public officials of the City should be returned to the City Manager's Office immediately upon request.~~

~~(c) Unacceptable Uses. City computer systems shall not be used for:~~

~~(1) Personal gain or political activity.~~

~~(2) Outside business activities, fundraising, or charitable activity without the express authorization of the City Manager.~~

~~(3) Libelous, offensive, or harassing statements, documents or images, including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs.~~

~~(4) Sending or soliciting sexually oriented messages or images; accessing internet sites which are "adult-oriented" in nature, or which require the user to be over the age of 18 years, or which offer gambling services, or which contain obscene content of any nature. Employees of the Police Department are exempt when performing duties that require him or her to perform these prohibited activities.~~

~~(5) Impersonation of any person or communication under a false or unauthorized name.~~

~~(6) Inappropriate mass mailing or "spamming."~~

~~(7) Knowingly or maliciously introducing any invasive or destructive programs (i.e. viruses, worms, Trojan Horses) into City computer systems or networks.~~

~~(8) Attempting to circumvent local or network system security measures.~~

~~(d) Information Security.~~

~~(1) City employees and elected officials access City computer systems with a unique identification and password. In order to protect City equipment and information, the City issued identification and passwords should not be shared or easily accessible to anyone but the individual user.~~

~~(2) All devices used to connect to the City's computer systems must be continually executing approved virus scanning software with a current virus database. Users shall not disable any anti-virus software installed nor download any files which trigger a warning from the anti-virus software.~~

~~(3) The Information Technology Division of the City Manager's Office will backup files stored on the City's computer networks according to the City's network backup policies. Users shall utilize network resources to store their data files to the fullest extent possible to protect the City's data resources. Users are responsible for ensuring that critical data not stored on network servers is backed up and stored in a safe location.~~

~~(e) Public Disclosure. The disclosure or exemption from disclosure of "public records" (which generally means any writing, whether electronic or paper, that contains information relating to the conduct of the public's business) is governed by the California Public Records Act and its exemptions (California Government Code §§ 6250 et seq.). It is City policy to exempt from disclosure all records that may be exempted pursuant to specific provisions of the California Public Records Act, unless specifically waived by the City Council, or City Manager.~~

~~Refer to San Leandro Administrative Code, Title 10, Chapter 6, Human Resources: Policy Governing Use of Computer Systems, E-Mail and Information Security.~~

~~Legislative History:~~

~~Resolution No. 2000-133, 09/05/2000 [§1.11.100]; Resolution No. 2012-013, 02/06/2012 [§1.11.100]~~

TITLE 2 – City Manager

Chapter 2 Regulation of Smoking in City Facilities

~~§2.2.100: ADOPTION OF A SMOKING POLICY.~~

~~Title 4, Chapter 12, Section 4-12-600 of the San Leandro Municipal Code provides that within three (3) months after the effective date of this Section, every employer regularly~~

~~employing four (4) or more persons in any building or structure in the City of San Leandro shall adopt, implement and maintain a written smoking policy. Pursuant thereto, the City of San Leandro adopts the following rules and regulations governing smoking in all City-owned facilities.~~

San Leandro Administrative Code

Title 5 Community Development

Chapter 1 Implementation of California Environmental Quality Act (CEQA) Guidelines

§5.1.100: IMPLEMENTATION OF CEQA GUIDELINES.

In implementing the CEQA and the CEQA Guidelines when assessing the potential environmental impacts of a proposed project, the City will utilize the most current amended version of the Act and Guidelines. For projects that are deemed to require some level of environmental documentation; i.e., Categorical Exemption, Mitigated Negative Declaration/Negative Declaration, or Environmental Impact Report, the City shall follow the procedures for preparation of said documents, including preparation of appropriate notices, as provided for in the Guidelines.

§5.1.105: Reserved

Chapter 2 Condominium Conversion

§5.2.100: DEFINITIONS.

The following terms shall have the meaning respectively ascribed:

- (a) **Median Income.** “Median income” means the area median income level as estimated by the U.S. Department of Housing and Urban Development, for the geographic area that includes San Leandro.
- (b) **Gross Income.** “Gross income” means that amount defined by Title 26, U.S.C.A. §61 (Internal Revenue Code).
- (c) **Purchaser.** “Purchaser” means the person or persons in whose name title is vested under the policy of title insurance issued upon close of escrow, for any converted unit.
- (d) **Converted Unit.** “Converted unit” means a unit approved for conversion to a condominium pursuant to the Zoning Code of the City of San Leandro.
- (e) **Conversion Fee.** “Conversion fee” means a fee as adopted in Title 6, Chapter 4 of the San Leandro Administrative Code as established by the City Council, assessed upon the conversion of a residential apartment building or complex to a condominium.

§5.2.105: PAYMENT OF CONVERSION FEE; CONDITION OF FINAL MAP; SECURITY.

As a condition of approval of the final subdivision map for an approved condominium conversion project, the City Engineer shall certify that an instrument has been recorded against the property containing language in substantially the following form: “Upon the

close of escrow of the sale of a converted unit in this subdivision the subdivider shall make payment to the City of the conversion fee for that unit." As a further condition of approval of the final map, the subdivider shall have deposited with the City security guaranteeing payment of the fees. The security may, at the option of the City Manager, be in the form of:

- (a) An irrevocable letter of credit in a form approved by the City Attorney and in an amount not less than twenty percent (20%) of the total fees; or
- (b) Any other security, whether or not recorded against the property, guaranteeing to the satisfaction of the City Manager, the payment of the fee.

§5.2.110: EXAMINATION OF FINAL MAP.

Prior to approving the final map the City Engineer shall certify that the map contains language satisfying §5.2.105, above.

§5.2.115: DIRECT PURCHASE REBATE FOR QUALIFIED PURCHASERS.

The City may, at the request of a qualified purchaser, apply the conversion fee on behalf of such qualified purchaser toward the purchase of a converted unit. A qualified purchaser is one who:

- (a) Has a gross income not in excess of one hundred twenty percent (120%) of the median income; and
- (b) Resides or is employed within the City of San Leandro as of the date application is made for such use of the fee; and
- (c) Contributes at least two and one-half percent (2½%) of the purchase price towards the purchase of the residential unit.

In such case, the fee may only be used for the purpose of reducing the principal purchase price of the unit. The total amount of the fee must be used for this purpose. The converter shall post in a conspicuous place in its sales offices, a notice informing prospective purchasers of the Direct Purchase Rebate benefit. Such notice shall also be printed on all brochures and other advertising material distributed by the converter.

§5.2.120: DETERMINATION OF QUALIFIED PURCHASER.

A mortgage lender selected by the purchaser shall be responsible for determining qualification of the purchaser for use of the fee as set forth in §5.2.115 herein. If the lender determines the buyer to be eligible for such use of the fee, the lender shall so certify in writing to the Finance Director prior to the close of escrow and provide all documents required by the Finance Director. Upon certification, a qualified purchaser shall be entitled to the Direct Purchase Rebate benefit described in §5.2.115, upon requesting such benefit on a form supplied by the Finance Director.

§5.2.130: CLOSING COSTS.

All costs associated with processing and recording the Direct Purchase Rebate benefit loan shall be the obligation of the qualified purchaser to pay.

§5.2.135: COMPLIANCE WITH FAIR DEBT COLLECTION PRACTICES ACT.

In administering the provisions of this Chapter, the City shall comply with applicable fair lending requirements of the Fair Debt Collection Practices Act, as may be amended from time to time, and of any other applicable federal or state statute.

Chapter 3 Application Processing

§5.3.100: GENERAL.

This chapter shall apply to those applications submitted in accordance with the Zoning Code and the Subdivision Ordinance of the City of San Leandro.

§5.3.110: DEVELOPMENT REVIEW APPLICATIONS.

Development review applications shall be processed within the time limits specified in Chapter 4.5 of the State Planning and Zoning Law ([Government Code](#) §65920 et seq.).

§5.3.120: INCOMPLETE APPLICATION SUNSET PROVISIONS.

All applications that remain incomplete and inactive for a minimum 6-month period shall have a written 30-day warning notification forwarded to the applicant. If no action is taken by the applicant regarding the application within 30 days thereafter, the application shall automatically be withdrawn and closed.

Chapter 4 Cannabis Product Manufacturing Pilot Program

§5.4.100: GENERAL.

Cannabis Product Manufacturing is a controlled land use that requires a special license from the State of California. This identifies the criteria for the application, review and approval of Conditional Use Permits for Cannabis Product Manufacturing. This shall apply to all Conditional Use Permit applications for Cannabis Product Manufacturing in conjunction with the Zoning Code.

§5.4.110: ELIGIBLE APPLICANTS.

Applications shall be from those applicants who intend to apply for or have already received a Cannabis Manufacturing License from the State of California. Speculative or third party applications shall be disqualified from consideration.

§5.4.120: APPLICATION REQUIREMENTS.

A Conditional Use Permit application for Cannabis Product Manufacturing shall be accepted for processing only when the following mandatory fees and documentation are provided at the time of application submittal:

(a) A completed application form with an original signature of the applicant(s) and property owner(s), as prescribed by the Community Development Department, including the following:

(1) Applicant and Property Owner Information:

- (i) The legal business name of the applicant and the applicant's tax identification number;
 - (ii) The name(s) under which the cannabis manufacturing business will operate ("Doing Business As");
 - (iii) The applicant's contact information, including name, title, mailing address, phone number, and email address;
 - (iv) The ownership structure of the applicant as filed with the California Secretary of State (e.g., limited liability company, joint partnership, S-Corporation). An applicant that is a foreign corporation shall include in its application the certificate of qualification issued by the Secretary of State of California;
 - (v) The name(s), title, address and phone number of the current property owner(s);
 - (vi) The name, title, address and phone number of any manager or management company responsible for the property or facility on behalf of the property owner(s).
- (2) Identification of other cannabis licenses the applicant holds or has applied for in other jurisdictions.
- (3) The Assessor's Parcel Number (APN) of the project location and physical address (if any).
- (b) The required deposit for a Conditional Use Permit, as per the City's current fee schedule, and any other concurrent application(s).
- (c) Twenty (20) printed and bound copies of the following shall be provided at the time of application:
- (1) A detailed Project Description that identifies the following information:
 - (i) A description of the proposed project and intended manufacturing use;
 - (ii) The type of Cannabis Manufacturing License being sought from the State of California (e.g., Type N, Type P, Type 6, or Type 7);
 - (iii) A description of the project location and property details, including proposed and existing square footage of the manufacturing facility, lot coverage calculations, floor area ratio (FAR), roof height, landscaped area, and other pertinent information pertaining to the property.
 - (iv) Parking calculations and anticipated total number of intended employees.
 - (2) A detailed Operational Plan that identifies the following information:
 - (i) Proposed hours of operation and/or shift scheduling;
 - (ii) A description of the type of equipment used for manufacturing;
 - (iii) A description of any hazardous materials used, including volatile solvents or gases used for extracting, and their storage methods;
 - (iv) A description of security measures, including physical and procedural measures taken to secure the facility, inventory, and employees;
 - (v) A description of measures taken to control or destroy unsold or damaged inventory and cannabis waste;
 - (vi) The anticipated gross annual revenue from all sales of products manufactured at the manufacturing premises;

- (vii) A list of State licensed transportation and distribution providers serving the facility, if known;
 - (viii) Anticipated number and frequency of deliveries serving the facility;
 - (ix) Any other pertinent information involving the operation of the facility.
- (d) Three (3) copies of a Title Report for the subject property prepared within three (3) months of the time of application.
- (e) Ten (10) full size sets (ARCH D or ANSI D) and fifteen (15) half size sets (ARCH B or ANSI B) of Project Plans drawn to scale, prepared and stamped by a licensed architect and/or civil engineer. Site Plans shall be submitted bound, rolled, or folded. The plans shall include pages of the following:
 - (1) Existing and Proposed Site Plan. Show, label, and dimension the property lines, sidewalks, curbs, all structures with a roof, the outline of buildings, ingress and egress points, paving, parking, walls/fences, trash enclosures, adjacent buildings, and contours (where relevant).
 - (2) Stormwater Control Plans (C.3). Provide Stormwater Control Plans for the project site in accord with Alameda County's Clean Water Program technical guidance. Plans shall be prepared by a licensed civil engineer.
 - (3) Conceptual Landscaping Plans. Identify existing and proposed landscaping for the project site, including all tree, shrub, and groundcover species and materials, plant sizes, and water use calculations in accord with the State of California's Model Water Efficient Landscaping Ordinance. Conceptual landscaping plans shall be prepared by a licensed landscape architect.
 - (4) Existing and Proposed Floor Plans. A scaled diagram of the premises to be permitted, showing boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and common or shared entryways. The plans shall identify all areas where commercial cannabis activities will be conducted. Plans shall be prepared by a licensed architect.
 - (5) Existing and Proposed Elevations. Show, label, and dimension all details for window types, trim, eaves, roof materials, exterior materials, fencing, trash enclosures, mechanical equipment, and screening. Provide color elevations of proposed building(s). For new construction, a color and materials board and color renderings shall be required.
- (f) A Traffic Generation Report prepared and stamped by a licensed transportation engineer. The report shall identify the estimated number of trips generated by the proposed use and summarize existing conditions on surrounding roadways.
- (g) A Noise Study or statement prepared by a qualified professional such as an acoustical engineer. The study shall identify and analyze potential sources of noise related to the proposed use and provide acoustically feasible abatement measures as necessary.
- (h) An Odor Control Mitigation Plan or statement describing assumed conditions and any necessary measures taken to monitor, control, and/or mitigate odors that may be generated from the manufacturing process.
- (i) A digital copy of all required application exhibits shall be provided in an accessible format.

§5.4.130: INCOMPLETE APPLICATIONS.

Following City review of an application, if an applicant fails to submit any required documentation within sixty (60) calendar days from the date of written notification from the City, the application shall be deemed abandoned and closed. No time extensions or exceptions shall be granted.

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 6 FINANCE

- Chapter 1 Late Payment Charges

- §6.1.100: IMPOSITION OF LATE PAYMENT CHARGES.

The Finance Director is hereby authorized and directed to impose a late payment charge or charges in the amount set forth herein upon those delinquent accounts receivable specified below:

- (a) Community Development Service Fees;
- (b) False Alarm Fees;
- (c) ~~Marina Berthing Fees;~~
- (d) Sewer Service Fees;
- (e) Property Rental Charges;
- (f) Engineering Service Fees;
- (g) Building Inspection Fees.

- §6.1.105: AMOUNT OF LATE PAYMENT CHARGES.

The amount of late payment charge shall be three-fourths of one percent (0.75%) of the outstanding balance per month for those accounts receivable delinquent for thirty (30) days or more, with the following exceptions:

- (a) ~~Marina Berth Rental~~ 10% of monthly rental rate
- (b) Sidewalk Fees 0.50% of outstanding balance per month
- (c) Underground Utilities Fees 0.59% of outstanding balance per month

§6.1.110: FINDING OF COST.

It is the finding of the City Council that the imposition of a late payment charge in the amount set forth herein is commensurate with the administrative costs and fiscal impact associated with non-payment of accounts receivable.

- §6.1.115: EFFECTIVE DATE.

The provisions of this Chapter shall be effective for all accounts receivable delinquent for thirty (30) days.

Legislative History:

Resolution No. 80-172, 08/04/1980 [§§6.1.100-6.1.115]; Resolution No. 2005-156, 11/21/2005 [§§6.1.100, 6.1.105, 6.1.115]

Commented [MB1]: Marina has been closed, all fees have been removed from the Master Fee Schedule.

Commented [NS2]: Can we not charge late fee on all AR?

Commented [BM3R2]: I don't recommend removing the late fees. That is our leverage to collect or motivate customers to pay and pay timely.

- Chapter 2 Utility User Tax Exemption

- §6.2.100: ESTABLISHMENT OF CERTAIN EXEMPTION.

The Finance Director is hereby authorized and directed to implement a system to provide exemptions from the Utility User Tax for qualifying residential users.

- §6.2.105: ELIGIBILITY CRITERIA.

The following eligibility criteria are established for the specified exemptions:

- (a) Successful application for and acceptance in Pacific Gas & Electric Company's (PG&E) California Alternate Rates For Energy (CARE) Program, with eligibility criteria and verification as required by PG&E.
- (b) Successful application for and acceptance in Pacific Bell's Universal Lifeline (Lifeline) Program, with eligibility criteria and verification as required by Pacific Bell.

- §6.2.110: FILING.

The exemptions pursuant to this Chapter are effective until such time as applicant no longer qualifies for PG&E's CARE program or Pacific Bell's Lifeline program, PG&E or Pacific Bell terminates said programs, or until June 30, 2005. The City Council shall have the authority to extend said program for an additional period of time after review of the fiscal impacts of said exemptions.

- §6.2.115: NON-APPLICABILITY.

This Chapter shall not apply to any person who otherwise would receive from any public agency the amount of tax referred to in §6.2.105 imposed upon such person for the purpose of paying such tax.

- §6.2.120: TERM OF EXEMPTIONS.

The PG&E exemption shall be for a term beginning October 1, 2001, and ending June 30, 2005. The Pacific Bell exemption shall be for a term beginning September 1, 2002, and ending June 30, 2005.

Editor's Note:

Former Title 6, Chapter 2, Finance: Subsidies, was repealed and deleted by Resolution No. 87-85, 05/18/1987.

Legislative History:

Resolution No. 2001-107, 07/02/2001 [§§6.2.100-6.2.115]; Resolution No. 2002-71, 05/20/2002 [§§6.2.100-6.2.120]; Resolution No. 2005-156, 11/21/2005 [§§6.2.110-6.2.120]

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 6 FINANCE

- Chapter 3{Reserved}

- Chapter 4 Fees

- §6.4.100: FEES.

The following fees have been established by the City Council pursuant to various provisions of the San Leandro Municipal Code (SLMC), San Leandro Administrative Code (SLAC), or the general laws of the State of California.

- §6.4.105: EFFECTIVE DATE.

The fees in this Chapter shall be effective on the first day of the fiscal year following adoption or on the date as set forth in the enacting resolution.

- §6.4.110: ~~FISCAL YEAR 2021-22 ADOPTED FEES~~ FEES AND CHARGES

Notwithstanding any provision of this Code to the contrary, the City may authorize or require payment of fees or charges in the amounts established by the Finance Director as generally authorized by the City Council, or by separate ordinance or resolution duly adopted from time to time by the City Council, in either case in amounts deemed necessary or appropriate to reimburse the City for costs of services performed or to be performed by the City. The fees and charges amount shall be established by City Council resolution and will be described in the City of San Leandro Master Fee schedule

Commented [MB4]: NBS, our consultant recommends that we make this section very general and not put the fee on the Code. Not listing the fees in the Code will eliminate annual update to the Code. I agree, this will be more efficient and will reduce any discrepancies in the fees presented to the public should we fail to update the Code when we update the fees. This is a perfect example where the fees listed in the current Code is already 2 years outdated.

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	DESCRIPTION	CURRENT FEE	REFERENCE
CITY-WIDE			
1.	Reproduction Work		
	A. Public Records, General	\$2.00 (first 10 pages) \$0.10 per additional page	SLAC 6.4-100
	B. Audio Recordings		
	— City Council Meetings	\$2.00 per meeting	
	C. San Leandro Municipal Code Book	\$125.00	
	D. San Leandro Municipal Code supplement service	\$20.00/year	
2.	Filming Project Fees:		SLAC 32-1-100
	A. Application Fee	\$150.00	
	B. Daily Filming Fee	\$50.00	
	C. Encroachment Fee	\$65.00	
	D. Personnel Fee:		
	— Police	Current hourly overtime rate with minimum of 4 hours per officer.	
	— Other City staff:	Direct Costs (1) for services within normal working hours. Overtime rate charged for services provided outside of normal operational hours.	
3.	Subpoena Fees		CA Gov't Code
	A. Records	\$15.00	
	B. Personal appearance of City employees	\$275.00	
	C. Personal appearance of police officers	\$275.00	
4.	Residential Parking Permit Program		

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 6 FINANCE

	DESCRIPTION	CURRENT FEE	REFERENCE
	Note: Fees are Annual and are to be charged on a calendar year basis and shall not be pro-rated.		
	A. Regular Permits	\$20 for first permit	
	1. Additional Permits (each)	\$40/each for additional permits	
	B. Visitor Permits	\$15 (good for 14 days)	
5.	Legal Services Cost Recovery Fee	Community Development Department applications and other Cost Recovery eligible legal services performed by the City Attorney's Office will be charged the following rates: \$250-\$400/Hr — Attorney time \$150.00/hr — Paralegal time	
6.	Service fee for credit card transactions processed by the City	A maximum of 2½% of total credit card transaction amount	
<i>(1) Direct Costs: Hourly personnel charge plus a factor of 33% for benefits, 14.80% for indirect overhead charges and 52.23% for staff support charges.</i>			
CITY CLERK			
1.	Private Subscriptions—for mailing and handling of Council Book	\$240.00/per year (prorated quarterly)	SLAC 6.4.100
2.	Fire and Closing Out Sales Application Fees	\$60.00 filing fee for 60 days	SLMC 4-8-220
3.	Appeals Fee		SLAC 6.4.100
	A. Non-refundable appeal processing fee for administrative decisions	\$75.00	
	B. Non-refundable appeal processing fee for Board of Zoning Adjustments, Planning Commission or Site Development Sub commission. This fee is in addition to the Appeal Fees in the Community Development Department which cover the costs associated with the review and processing of the appeal.	\$534.00 Cost Recovery, plus Community Development Department Planning Division Fee	
	C. Library Historical Commission	\$287.00 Cost Recovery	
	D. Rent Review Board	No Charge	
4.	Fee for the processing of an initiative petition for any municipal measure.	\$200.00 Refundable if, within one year of the date of filing the Notice of Intent, the Clerk certifies the sufficiency of the petition.	CA Elections Code §9202(b)
CITY MANAGER'S OFFICE—Information Services Division			
1.	Existing and Custom-designed GIS Data & Map Fees		
	A. Labor	Direct Costs (1)	
	B. Media: Bond or Vellum Paper	\$0.25 per sq. ft.	
	Semi-Gloss or Mylar Paper	\$0.75 per sq. ft.	
	8-1/2 x 11 Paper	\$0.10/per page for 10 or more pages	
	CD-Rom	\$5.00 each	
<i>(1) Direct Costs: Hourly personnel charge plus a factor of 33% for benefits, 14.80% for indirect overhead charges and 52.23% for staff support charges.</i>			
COMMUNITY DEVELOPMENT DEPARTMENT—Building Regulations Division			
1.	Plans and Specifications	See Engineering & Transportation Department Item 7, Public Work Projects	
2.	Building Permit Fees		

DESCRIPTION	CURRENT FEE	REFERENCE
A. Filing and Issuance Fee	\$130 plus valuation fees and/or other building fees as listed below	
<u>Re-Filing Fee</u> for each resubmittal, deferred submittal, and/or revision after 1st resubmittal, or upon 2nd resubmittal for plan check on same project.	50% of Filing and Issuance Fee per occurrence	
B. Permit Fee		
<i>Determination of Valuation for Fee-Setting Purposes: Valuation shall be based on total value of all construction work, as determined by the Building Official, including all finish work, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment.</i>		
<i>For new construction project valuations which the Building Official believes are understated at submittal, valuation may be determined using the most current International Code Council (ICC) valuation table modified to account for a regional construction cost modifier of 16% or the most currently available regional construction cost modifier (i.e. construction value in ICC Table *1.16).</i>		
<i>For tenant improvement, residential remodels, or other projects that do not involve new square footage project valuations which the Building Official believes are understated at submittal, valuation may be determined using, up to 50% of, the most current International Code Council (ICC) valuation table modified to account for a regional construction cost modifier of 16% or the most currently available regional construction cost modifier (i.e. up to 50% of construction value in ICC Table *1.16).</i>		
Note: The Building Official may adjust the plan checking/permit fee for an individual project when costs to the City are not congruent with this fee schedule.		
i) New Buildings, Additions, Tenant Improvements, Residential Remodels, and Combined Mechanical, Electrical and/or Plumbing Permits		
\$1 to \$5,000	\$201.00	
\$5,001 to \$10,000	\$201.00 for the first \$5,000 plus \$60.22 for each add'l \$1,000 or fraction thereof, to and including \$10,000	
\$10,001 to \$50,000	\$502.00 for the first \$10,000 plus \$17.57 for each add'l \$1,000 or fraction thereof, to and including \$50,000	
\$50,001 to \$100,000	\$1,205 for the first \$50,000 plus \$16.06 for each add'l \$1,000 or fraction thereof, to and including \$100,000	
\$100,001 to \$500,000	\$2,007 for the first \$100,000 plus \$13.05 for each add'l \$1,000 or fraction thereof, to and including \$500,000	
\$500,001 to \$1,000,000	\$7,227 for the first \$500,000 plus \$4.82 for each add'l \$1,000 or fraction thereof, to and including \$1,000,000	
\$1,000,001 and up	\$9,634 for the first \$1,000,000 plus \$4.57 for each add'l \$1,000 or fraction thereof over \$1,000,000	
ii) Stand-Alone Plumbing Permit		
Up to \$2,000	\$101.00	
\$2,001 to \$5,000	\$201.00	
\$5,001 to \$10,000	\$201.00 for the first \$5,000 plus \$40.15 for each add'l	

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	DESCRIPTION	CURRENT FEE	REFERENCE
		\$1,000 or fraction thereof, to and including \$10,000	
	\$10,001 and up	\$401.00 for the first \$10,000 plus \$13.38 for each add'l \$1,000 or fraction thereof over \$10,000	
	iii) Stand-Alone Electrical Permit		
	Up to \$2,000	\$101.00	
	\$2,001 to \$5,000	\$201.00	
	\$5,001 to \$10,000	\$201.00 for the first \$5,000 plus \$40.15 for each add'l \$1,000 or fraction thereof, to and including \$10,000	
	\$10,001 and up	\$401.00 for the first \$10,000 plus \$13.38 for each add'l \$1,000 or fraction thereof over \$10,000	
	iv) Stand-Alone Mechanical Permit		
	Up to \$2,000	\$101.00	
	\$2,001 to \$5,000	\$201.00	
	\$5,001 to \$10,000	\$201.00 for the first \$5,000 plus \$40.15 for each add'l \$1,000 or fraction thereof, to and including \$10,000	
	\$10,001 and up	\$401.00 for the first \$10,000 plus \$13.38 for each add'l \$1,000 or fraction thereof over \$10,000	
	v) Residential 1 and 2 Family Re-roof		
	a) Main dwelling roof	\$280.00 all sizes and materials	
	b) Detached garages and accessory structures on same property as main dwelling and done at the same time as the main dwelling roof.	\$90.00	
	vi) Inspection of the installation of an earthquake gas shutoff valve	\$34.00 with no Filing & Issuance Fee	
	vii) Residential Seismic Retrofit projects using "Plan set A" (for one and two family residences)	\$78.00 plus Filing and Issuance Fee and other miscellaneous fees	
	viii) Photovoltaic Systems		
	a) Residential		
	i) Up to 15kW	\$301.00	
	ii) each additional kW over 15kW	\$16.00	
	b) Commercial		
	i) Up to 25kW	\$421.00	
	ii) 26kW—50kW	\$631.00	
	iii) each additional kW (51kW—250kW)	\$7.00	
	iv) each additional kW over 250kW	\$5.00	
	Note: For photovoltaic systems, total permit fees, including applicable Permit Issuance and Filing Fees, Automation Fees, Community Planning Fees, and other mandated fees shall not exceed amounts authorized via Government Code Section 66015.		

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	DESCRIPTION	CURRENT FEE	REFERENCE
	ix) Signs		
	Sign permit fees are based on all signs being on the same property and on the same permit.		
	a) 1st Non-energized sign attached to building.	\$113.00	
	b) Each additional sign thereafter:	\$57.00	
	c) Pylon sign, energized or not, each:	\$238.00	
	d) Monument sign, energized or not, each	\$178.00	
	e) Relocation or alteration of any sign electronically or mechanically, but not including replacement of tubing, transformers and such parts subject to failure; or shop inspection by the local inspection department in lieu of a UL label (a local electrical inspection department label of approval shall be required), each	\$89.00	
	x) Demolition		
	a) Commercial/Residential Demolition up to 3,000SF	\$302.00	
	b) Each Additional 10,000SF	\$201.00	
	C. Plan Checking Fee		
	Plan checking fee shall be paid at the time of application for a building permit. The plan checking fee is in addition to the building permit fee and shall be as follows:		
	i) Plan Check Fee, if applicable	80% of building permit fee	
	ii) For Master Plans (i.e. identical buildings built by the same builder on the same lot or in the same tract and for which building permits are issued at the same time)	A full plan checking fee shall be paid for each Master Plan when more than one building will be built and one-third (33%) of the full plan checking fee shall be paid for each production phase building at time of application.	
	iii) Changes, revisions, or additions to plans previously checked	\$201.00 per hour; 1 hour minimum charge	
	iv) Additional plan review after the first re-check	\$201.00 per hour; 1 hour minimum charge	
	v) Alternate Methods and Materials	\$201.00 per hour; 1 hour minimum charge	
	vi) Energy Conservation—for all buildings and projects subject to the California Energy Commission's conservation regulations	20% of building permit fee	
	D. Miscellaneous Fees		
	i) Miscellaneous Inspections		
	a) Fees for inspection not otherwise set forth herein	\$201.00 per hour; 1 hour minimum charge	
	b) Fees for inspection conducted outside of normal business hours	\$302.00 hourly rate; 2-hour minimum charge	
	ii) Investigation Fees		
	a) Investigation fee for work commenced without first obtaining permits as required by the San Leandro Municipal Code, whether or not a permit is subsequently issued		

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	DESCRIPTION	CURRENT FEE	REFERENCE
	b) Investigation fee for conditions that are not in compliance with the San Leandro Zoning and/or Municipal Codes	\$201.00 per hour; 1-hour minimum charge	
	Note: Payment of any investigation fees does not exempt any person from compliance with all other provisions of applicable codes in the execution of the work nor from any other penalties prescribed by law.		
(1)	Note: For small tenant improvements to existing buildings and ADUs, the Chief Building Official and/or the Community Development Director may waive the Community Planning Fee at his/her discretion.		
(2)	Community Planning Fee will not be charged for the following project types: permits for accessory dwelling units; stand-alone mechanical, plumbing, and electrical permits; minor residential remodels, and minor tenant improvements.		
	E. Other Fees and Charges		
	i) Technology Fee	6% of permit fee, minimum \$7.00 per permit type	
	ii) Community Planning Fee (for commercial, industrial & residential projects)	0.3% of total valuation of construction	
	iii) Strong Motion Impact Fee: State mandated tax for the Seismic Safety Commission for seismic monitoring.		
	— Residential	0.00013 per \$1.00 Valuation or fraction thereof with a \$0.50 min.	
	— Commercial/Industrial	0.00028 per \$1.00 Valuation or fraction thereof with a \$0.50 min.	
	iv) Building Standards Commission (SB1473) Fee: State Mandated tax for Green Building Standards collected for the State by the City.	All Residential, Commercial, and Industrial permits that use Valuation to determine permit fees: \$1.00 per \$25,000 valuation or fraction thereof with a \$1.00 minimum.	
	v) Exception to Noise Ordinance	\$471.00	
	vi) Certificate of Occupancy	\$201.00 per hour; 1-hour minimum charge	
	vii) Temporary Certificate of Occupancy per 30 days	\$201.00 per hour; 1-hour minimum charge	
	viii) Certificate of Compliance:	\$201.00 per hour; 1-hour minimum charge	
	ix) House Moving Permit	\$201.00 per hour; 1-hour minimum charge	
	x) Microfilm Copies	\$1.20	
	xi) Photocopies	\$0.10 per page	
	xii) Microfilming of Permit and Plans includes imaging fee for fire permits: (For purposes of fee charges, each permit is considered a drawing)		
	— 8-1/2 x 11 or 11 x 14 drawings including fire permits	\$1.90 per sheet	
	— All other size drawings	\$2.10 per sheet	
	xiii) Appeals	Direct Costs (1)	
	(1) Direct Cost = hourly personnel charge plus a factor of 100% for fringe benefits, overhead and indirect costs		
	(2) Community Planning Fee will not be charged for the following project types: permits for accessory dwelling units; stand-alone mechanical, plumbing, and electrical permits; minor residential remodels, and minor tenant improvements.		
COMMUNITY DEVELOPMENT DEPARTMENT— Code Enforcement Division			
1.	Administrative Citations		

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	DESCRIPTION	CURRENT FEE	REFERENCE
	Municipal Code Violation		
	-1st Violation	\$100.00	
	-2nd Violation	\$200.00	
	-3rd Violation	\$500.00	
	Cap on penalty accruing on same violation for single-family residential parcels during one calendar year	\$5000.00	
2.	Re-Inspection Fee	\$201.00	
3	Administrative Citations		
	Building Code Violation		
	-1st Violation	\$130.00	
	-2nd Violation	\$700.00	
	-3rd Violation	\$1,300.00	
	Each additional violation of the same ordinance within two years of the first violation	\$2,500.00	

COMMUNITY DEVELOPMENT DEPARTMENT—Economic Development			
1.	Development Agreements and Leases for City/Agency Owned Property	Direct Costs (1)	
2.	Marina Leases	Direct Costs (1) (2) plus the value of the extension/assignment (3)	
(1) Direct Costs: Hourly personnel charge plus a factor of 33% for benefits, 14.80% for indirect overhead charges and 52.23% for staff support charges.			
(2) Direct Costs/Planning: Hourly personnel charge plus a factor of 33% for benefits, 83% for indirect overhead charges and 89% for staff support charges.			
(3) Based on case-by-case financial analysis and appraisals of subject facilities/improvements.			

COMMUNITY DEVELOPMENT DEPARTMENT—Planning Division			
1.	Annexation	Direct Costs (a); \$15,000 deposit	
2.	Appeal		
	A. Appeal to Official/Commission Other than City Council	Direct Costs (a); \$5,000 deposit	
	B. Appeal to City Council (Add'l City Clerk Filing Fees Apply)	Direct Costs (a); \$5,000 deposit	
	C. Appeal to Official/Commission Other than City Council	\$546.00	
	D. Appeal to City Council (Add'l City Clerk Filing Fees Apply)	\$546.00	
3.	Conditional Use Permit/Parking Exemption/Variance		
	A. Conditional Use Permit		
	i) Residential	Direct Costs (a); \$6,000 deposit	
	ii) Non-Residential	Direct Costs (a); \$10,000 deposit	
	B. Variance	Direct Costs (a); \$6,000 deposit	
	C. Parking Exceptions	Direct Costs (a); \$6,000 deposit	
4.	Conversion of residential apartment buildings to condominiums	\$5,293.40 per unit plus Direct Costs	
5.	Development Agreement	Direct Costs (a); \$15,000 deposit	
6.	Administrative Review and Exceptions		
	A. Non-Residential Administrative Review	\$3,148	
	B. Residential Administrative Review	\$2,097	
	C. Outdoor Facilities Permits	\$1,049	

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	D- Mobile Food Vending	\$231.00	
	E- Wireless Telecommunication Facility	\$6,995	
7.	Administrative Review Requiring Hearing		
	A- Non-Residential	\$6,296	
	B- Residential	\$4,197	
8.	Site Plan Review		
	A- Residential—Minor; Certificate of Compatibility	\$2,623	
	B- Residential—Major	Direct Costs (a); \$5,000 deposit	
	C- Non-Residential	Direct Costs (a); \$5,000 deposit	
	D- Non-Residential Façade Change	\$699.00	
	E- Major View Preservation	\$4,197	
9.	Environmental Review		
	A- Exemption Without Initial Study (Categorical)	\$699.00 (b) (c)	
	B- Initial Study/ EIR	Direct Costs (a) (b) (c)	
	DESCRIPTION	CURRENT FEE	REFERENCE
10.	Fence Modification		
	A- Single Family and Duplex	\$1,049	
	B- Multi-Family and Non-Residential	\$1,575	
	C- View Preservation	\$3,146	
11.	Historical Landmark Designation	\$2,097	
12.	Planned Unit Development	Direct Costs (a); \$15,000 deposit	
13.	Pre-Application Meeting		
	A- First Meeting	\$0.00	
	B- Each Additional meeting	\$526.00	
	C- Planning Commission or BZA Work Session	\$526.00	
	D- SB330 Housing Project	\$5,592	
14.	Public Convenience and Necessity Determination	\$1,913	
15.	Signs		
	A- Temporary Sign Permit	\$249.00	
	B- Standard Sign Permit	\$524.00	
	C- Sign Program	Direct Costs (a); \$5,000 deposit	
16.	Temporary Use Permit (TUP)		
	A- TUP— Holiday, Parking Lot Sale, Car Wash, or Fundraiser	\$257.00	
	B- TUP— All Others	\$1,049	
17.	Tentative Map/Subdivision/Condominium		
	A- Tentative Map	Direct Costs (a); \$15,000 deposit	
	B- Amendment/Extension/Revision/Waiver	Direct Costs (a); \$15,000 deposit	
	C- Conversion of Residential Apartment Buildings to Condominiums	Direct Costs (a); \$15,000 deposit	
	D- Conversion of Non-Residential Complexes to Individual Unit or Condominium Ownership	Direct Costs (a); \$15,000 deposit	
18.	Zone Change/Specific Plans/General Plan Amendments		
	A- Zone Change	Direct Costs (a); \$15,000 deposit	
	B- Zoning Code Amendment	Direct Costs (a); \$15,000 deposit	
	C- General Plan Amendment	Direct Costs (a); \$15,000 deposit	
	D- Specific Plan	Direct Costs (a); \$15,000 deposit	

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	E. Specific Plan Amendment	Direct Costs (a): \$15,000 deposit	
19.	Zone Compliance Letter	\$184.00	
20.	Zoning Approval for Business License		
	A. New Business License Zoning	\$121.00	
	B. Business Change of Ownership	\$37.00	
	C. Home Occupation—Application	\$121.00	
21.	Other Fees		
	A. Plan Check for Building		
	i) Alterations/Additions/Accessory Buildings—Residential	\$263.00	
	ii) New Construction—Single Family Residential	\$263.00	
	iii) New Construction—Multi-Family Residential	\$656.00	
	iv) New Construction—Non-Residential	\$656.00	
	v) Alterations/Additions—Non-Residential	\$263.00	
	B. Public Notice Sign Deposit	\$172.00 per hour	
	C. Community Planning Fee (applies to all building permits)	0.3% of total valuation of construction	
(1)	<i>Note: For small tenant improvements to existing buildings and ADUs, the Chief Building Official and/or the Community Development Director may waive the Community Planning Fee at his/her discretion.</i>		

	DESCRIPTION	CURRENT FEE	REFERENCE
(2)	<i>Community Planning Fee will not be charged for the following project types: permits for accessory dwelling units; stand-alone mechanical, plumbing, and electrical permits; minor residential remodels; and; minor tenant improvements</i>		
	D. Technology Fee: applies to all fees except Zoning Compliance Letter (18); Zoning Approval for Business License (19) and Other Fees (21)	6% of Permit Fee; \$7.00 minimum	
(a)	<p>DIRECT COST DEPOSITS AND DEPOSIT REPLENISHMENT</p> <p><i>Applicants for Full Cost Entitlement Applications shall pay for all City staff time, including legal costs, as well as any costs for consultants required to process the application. An Agreement for Payment of Fees for Application Processing shall be submitted with the project application.</i></p> <p><i>Initial deposits, as shown on the fee schedule, will be collected and held by the City in a deposit account at the time the application is submitted. The cost of staff time and legal costs will be drawn from the deposit account. A positive account balance shall be maintained at all times during the review process. No work will be performed on a project with a negative fund balance. If the deposit is reduced below 20% of the initial deposit amount, the applicant will be notified and required to supplement the deposit account with an additional amount no less than 50% of the original amount.</i></p> <p><i>When more than one Direct Cost application is submitted, the sum total of the initial full cost deposit amount can be reduced by 20%. Projects outside the scope of this fee schedule will be subject to a full cost reimbursement agreement which will include the identification of a work program and cost estimates for both City staff time and consultant services on a defined scope of work.</i></p> <p><i>Funds expended for staff time shall not be dependent upon the City's approval or disapproval of the application request. Planning Direct Costs are calculated as follows: hourly wage rate multiplied by a factor of 3.38 to account for benefits, indirect overhead charges and staff support charges. The deposit account will be held open for 90 days after project approval for City to complete any miscellaneous clean-up items and to account for all project-related costs. Any deposit amounts remaining after final project close-out, will be returned to the applicant.</i></p>		
(b)	<i>As may be required by the Community Development Department for project evaluation or environmental review, all payment for consultant work shall be the responsibility of the applicant and must be paid in advance.</i>		
(c)	<i>Note for all fees: In addition to COSL fees, applicant is responsible for any applicable fees imposed by other agencies, such as county filing fees, LAFCO fees, Department of Fish and Wildlife Fees, etc.</i>		

ENGINEERING AND TRANSPORTATION DEPARTMENT			
1.	General Encroachment		SLMC §5-1-225
	A. Permit	\$65.00	
	B.1 Inspection/Plan Review/Permit Issuance	Inspection = \$129.00/hour; Plan Check Engineer = \$157.00/hour; Technical Assistance = \$106.00/hour; Senior Engineer = \$192.00/hour; Principal Engineer = \$211.00/hour; Direct Costs for Plan Check Services Consultant	
	B.2 Permit + Inspection Fee	\$65.00 (Permit) + 1.5 hours (Minimum Inspection Time) (estimated inspection requirements = 1.5 hours determined by City Engineer)	
	C. Parklet Program		
	— Application Fee	\$150.00	
	— Design Review Deposit	As determined by City Engineer	
	— Restoration Deposit	\$2,500	
	— Inspection	\$129.00/hour	
	— Plan Review	\$157.00/hour	

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	DESCRIPTION	CURRENT FEE	REFERENCE
	D. Inspection/Security/Plan Review-Deposit	As determined by City Engineer to insure prompt, high quality repairs and to cover estimated inspection costs and plan review cost.	
	E. No Permit Penalty Fee	Double Inspection Fee and Permit Fee	
	F. Annual Sidewalk Repair Program – Sidewalk Inspection	Cost of work performed by the City contractor or as described in SLAC §8.1.120 “Repairs”	SLAC §8.1.120
	G. Agreement	Direct Costs (1)	
	H. Overhead Banner Installation and Removal	\$150.00	
	<i>(1) Direct Costs: Hourly personnel charge plus a factor of 33% for benefits, 54% for indirect overhead charges and 87% for staff support charges.</i>		
	I. News Rack Permit	\$55.00 + \$5.50 per news rack	
	Maintenance Deposit	\$100.00 + \$5.00 per news rack	
2.	Subdivision:		
	A. Parcel Map-Waiver/Lot Line Adjustment/ or Certificate of Compliance	Direct Costs (1); \$1,600 initial deposit	
	B. Parcel Map	Direct Costs (1); \$4,000 plus \$100 per lot initial deposit	
	C. Tentative/Final Map	Direct Costs (1)	
	D. Subdivision Improvement Plan Review	Direct Costs (1)	
3.	Building Permits:		
	A. Plan Review	Direct Costs (1); \$65.00 minimum	
	B. Agreement Preparation	Direct Costs (1)	
4.	Large Format Copies (see also Community Development Dept.)	\$10.00 for first sheet and \$2.00 for each sheet thereafter plus Direct Costs (1)	
	<i>(1) Direct Costs: Hourly personnel charge plus a factor of 33% for benefits, 54% for indirect overhead charges and 87% for staff support charges.</i>		
5.	Park Facilities Development Impact Fees (2)		SLMC §7-13-400
	Park Land Acquisition Fee:		SLAC §8.8.100
	Single Family	\$17,523	SLAC §7-1-820
	Multi-Family	\$15,316	
	Special Unit	\$7,659	
	Accessory Dwelling Unit	\$6,638 maximum (No fee when < 750 sq. ft.)	
	Park Improvement Fee:		
	Single Family	\$2,787	
	Multi-Family	\$2,436	
	Special Unit	\$1,218	
	Accessory Dwelling Unit	\$1,055 maximum (No fee when < 750 sq. ft.)	
	Total Acquisition and Improvement Fee:		
	Single Family	\$20,310	
	Multi-Family	\$17,752	
	Special Unit	\$8,877	
	Accessory Dwelling Unit	\$7,693 maximum (No fee when < 750 sq. ft.)	
	<i>(2) Park Development Fees created with Reso. 2000-064, and amended with Reso. 2005-069 & Reso. 2019-073.</i>		
6.	Grading Permits:		
	A. Permit	\$65.00	
	B. Inspection	\$129.00/hour	
	C. Inspection Deposit	As determined by City Engineer	
	D. Plan Review	Plan Check Engineer = \$157.00/hour; Principal Engineer = \$211.00/hour	
	E. Performance Bond	As determined by City Engineer	SLMC §7-12-605
	F. Erosion and Sediment Control Bond	Estimated cost for erosion and sediment control	SLMC §7-12-610

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	DESCRIPTION	CURRENT FEE	REFERENCE
7.	Public Works Projects:		
	A. City Standard Plans (Printed or CD)	\$10.00	
	B. Bidder: City Projects Plans & Specification Documents purchased at City Hall	Direct Costs (rounded to nearest \$5) or a minimum of \$25.00	
	C. Bidder: City Project Plans & Specification Documents purchased via mail	Direct Costs (rounded to nearest \$5) or a minimum of \$25.00 + mailing costs	
8.	Overhead Utility Conversion		
	A. Residential Development	Lesser of:	SLMC §5-3-325
		i) Actual cost per linear foot of property frontage, or	Underground Utility District Master Plan
		ii) \$1,642.99 per dwelling unit, or	
		iii) \$411.12/LF of property frontage	
	B. Non-Residential Development	Lesser of:	
		i) Actual cost per linear foot of property frontage, or	
		ii) \$411.12/LF of property frontage	
9.	City Property Use Application Fee	Direct Costs (1)	
10.	Technology Fee (4)	6% of application fee and deposit; \$3.90 minimum	
(1) Direct Costs: Hourly personnel charge plus a factor of 33% for benefits, 54% for indirect overhead charges and 87% for staff support charges.			
(2) Park Development Fees created with Reso. 2000-64, and amended with Reso. 2005-069 & Reso. 2019-074.			
(3) Impact fee for ADUs 750 sq. ft. or larger shall be charged proportionately in relation to the size of the primary dwelling unit, per CA Gov't Code Section 65852.2			
(4) Technology Fee does not apply to the following fees: (1.C) Parklet Program, (1.I) News Rack Permits, (3) Building Permit review costs by Engineering staff, (4) Large Format Copies, (5) Park Facilities Development Impact Fees, (6.E) & (6.F) Grading Permit Performance and Erosion Control Bonds, and (8) Overhead Utility			

ENGINEERING AND TRANSPORTATION DEPARTMENT – Traffic Division			
I.	Development Fees for Street Improvements (DFSIs) (2)		SLMC §7-11-120
	A. Residential:		
	— General residential	\$1,567.56	
	— Senior housing	\$782.21	
	— Accessory Dwelling Unit (4)	\$782.21 maximum (No fee when < 750 sq. ft.)	
	B. Commercial:		
	— General Office	\$4.35/gross bldg. sq. ft. (No fee when < 360 sq. ft.)	
	— Medical Office	\$6.09/gross bldg. sq. ft. (No fee when < 257 sq. ft.)	
	C. Retail:		
	— General Retail	\$4.87/gross bldg. sq. ft. (No fee when < 322 sq. ft.)	
	— Personal Services	\$2.61/gross bldg. sq. ft. (No fee when < 601 sq. ft.)	
	D. Restaurants:		
	— Quality Restaurants	\$3.49/gross bldg. sq. ft. (No fee when < 449 sq. ft.)	
	— All Other Restaurants	\$14.10/gross bldg. sq. ft. (No fee when < 111 sq. ft.)	

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	DESCRIPTION	CURRENT FEE	REFERENCE
	E. Financial Services	\$13.05/gross bldg.-sq. ft. (No fee when <120 sq.-ft.)	
	F. Hotel/Motel	\$1,061.79/room	
	G. Industrial:		
	— General	\$1.40/gross bldg.-sq. ft. (No fee when < 1,120 sq.-ft.)	
	— Mini-warehouse	\$0.44/gross bldg.-sq. ft. (No fee when < 3,563 sq.-ft.)	
	— Service Station	\$11,140.97/station	
2.	Oversized vehicles, objects, buildings:		
	A. Red-Tipping Driveway	\$65.00 plus \$6.50/ft for additional red-tipping > 10'	
	B. Public Service Directional Sign	\$65.00	
	C. Other Services	Direct Costs (+)	

3.	Davis-Doolittle Traffic Impact Fee	TRAFFIC IMPACT FEE SCHEDULE						
	TAZ (rates are per sq. ft.)	1	2	3	4	5	6	8
	General Residential	\$0.13	\$5.97	\$0.29	\$0.21	\$0.06	\$0.08	\$0.80
	Senior Housing	\$0.06	\$3.39	\$0.15	\$0.11	\$0.04	\$0.04	\$0.44
	Accessory Dwelling Unit (No fee when < 750 sq. ft.) (4)	\$0.06	\$3.39	\$0.15	\$0.11	\$0.04	\$0.04	\$0.44
	General Office	\$0.22	\$10.04	\$0.51	\$0.35	\$0.10	\$0.14	\$1.34
	Medical Office	\$0.30	\$14.41	\$0.71	\$0.52	\$0.15	\$0.20	\$1.91
	General Retail	\$0.25	\$11.53	\$0.57	\$0.39	\$0.11	\$0.15	\$1.54
	Personal Services	\$0.13	\$6.17	\$0.30	\$0.21	\$0.06	\$0.08	\$0.82
	Financial Services	\$0.67	\$30.88	\$1.53	\$1.09	\$0.33	\$0.42	\$4.11
	Hotel/Motel	\$0.10	\$4.94	\$0.24	\$0.18	\$0.05	\$0.06	\$0.66
	General Industrial	\$0.06	\$3.29	\$0.15	\$0.11	\$0.04	\$0.04	\$0.42
	Mini-Warehouse	\$0.03	\$1.02	\$0.05	\$0.04	\$0.01	\$0.01	\$0.13
	Service Station	\$0.90	\$41.16	\$2.01	\$1.45	\$0.46	\$0.57	\$5.47

4.	Marina/Interstate 880 Traffic Impact Fee (3)		
	A. Residential:		
	— General residential	\$788.46/unit	
	— Senior housing/Accessory Dwelling Unit	\$266.44/unit	
	B. Commercial:		
	— General Office	\$1.66/gross bldg.-sq. ft. (No fee when < 475 sq.-ft.)	
	— Medical Office	\$3.12/gross bldg.-sq. ft. (No fee when < 253 sq.-ft.)	
	C. Retail:		
	— General Retail	\$1.92/gross bldg.-sq. ft. (No fee when < 411 sq.-ft.)	
	— Personal Services	\$2.67/gross bldg.-sq. ft. (No fee when < 295 sq.-ft.)	
	D. Restaurants		
	— Quality Restaurants	\$3.62/gross bldg.-sq. ft. (No fee when < 218 sq.-ft.)	
	— All Other Restaurants	\$6.16/gross bldg.-sq. ft. (No fee when < 128 sq.-ft.)	

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E. Financial Services	\$13.72/gross bldg. sq. ft. (No fee when < 57 sq. ft.)	
F. Hotel/Motel	\$706.90/room	
G. Industrial:		

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	DESCRIPTION	CURRENT FEE	REFERENCE
	—General	\$1.03/gross bldg.-sq.-ft. (No fee when <765 sq.-ft.)	
	—Mini-warehouse	\$0.23/gross bldg.-sq.-ft. (No fee when <3,328 sq.-ft.)	
	—Service Station	\$2,830.86/station	
5.	Residential Parking Program		
	A. First regular annual parking permit	\$20.00	
	B. Second regular annual parking permit	\$40.00	
	C. Visitor parking permit		
6.	Technology Fee	6% of application fee and deposit; \$3.90 minimum	
(1)	<i>Direct Costs: Hourly personnel charge plus a factor of 33% for benefits, 54% for indirect overhead charges and 87% for staff support charges.</i>		
(2)	<i>This fee is reviewed in February of each year to determine if adjustment is required based on changes in the Construction Cost Index as shown in the "Engineering News-Record."</i>		
(3)	<i>Marina/ Interstate 880 Impact Fees pertain to a certain zone in the City—Please contact Engineering & Transportation Department for a complete map</i>		
(4)	<i>Impact fee for ADUs 750 sq.-ft. or larger shall be charged proportionately in relation to the size of the primary dwelling unit, per CA Gov't Code Section 65852.2</i>		
(5)	<i>Technology Fee does not apply to the following fees: (1) Development Fees for Street Improvements, (3) Davis-Doolittle Traffic Impact Fee, (4) Marina/Interstate 880 Traffic Impact Fee, (5) Residential Parking Program</i>		

FINANCE DEPARTMENT			
1.	Business License Related Fees:		SLMC 2-2-525
	A. Duplicate License	No charge	
	B. Business License Listing	\$1.00/page (min. \$5.00; max. \$50.00)	
	C. Business License Verification	\$5.00 written response (businesses only)	
	D. Administrative Fee for Business License Changes	\$50.00	SLMC 2-2-520
2.	Permits:		SLMC 4-5-210
	A. Marina Shoreline Peddlers (Ice Cream Vendors Only)		
	—New and Renewal	\$100.00/annual	
	B. Peddler/Solicitor:		
	—New	\$25.00	
	—Renewal	\$25.00	
	C. Itinerant Merchant		
	—New	\$25.00	
	—Renewal	\$25.00	
	D. Used Vehicle Dealers	\$50.00	SLMC 4-7-210
	E. Amusement Device Machines	\$50.00/machine	SLMC 4-3-305
	F. Bingo Not-for-Profit—New and Renewals	Business License Base Fee	SLMC 4-25-225
	G. Cannabis Dispensary Permit	\$35,000 per year	SLMC 4-33-200 (f)
3.	Parking Space Rental		SLAC 6-4-100
	A. Estudillo Garage		
	—Unrestricted Parking	\$35.00/month	
	—Low Income Parking (Employees ONLY)	\$15.00/month	
	—Daily Parking	\$2.50 per day	
	B. Plaza Lot	\$55.00/month	
4.	Dog License		SLMC 4-11-200

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TITLE 6 FINANCE

	DESCRIPTION	CURRENT FEE	REFERENCE
	A. Unspayed/unneutered, 1-yr.	\$20.00	
	B. Unspayed/unneutered, 3-yr. (1)	\$40.00	
	C. Spayed/neutered, 1-yr. (2)	\$10.00	
	D. Spayed/neutered, 3-yr. (1) (2)	\$20.00	
	E. Penalty:		SLMC 4-11-510
	— Unspayed/unneutered	\$10.00	
	— Spayed/neutered	\$10.00	
	F. City/County within California: Seeing-eye dog or certified hearing dog for physically handicapped	No Fee	
	G. Duplicate tag	\$3.00	SLMC 4-11-525
5.	Pot-Bellied Pig License—spayed/neutered, 1 year	\$20.00	SLMC 4-11-705
6.	Taxicab		SLMC 6-6-210
	A. Application—Taxicab Business Permit Application	\$100.00—Initial	
		\$50.00—Annual Renewal	
	B. Additional Vehicles—Permit Amendment	\$50 per amendment	
7.	Payroll Related Fees		SLAC 6.4.100
	A. Garnishment implementation fee	\$1.00 per check	
	B. Duplicate W-2s	\$5.00	
8.	Late Payment Charges	0.75% of outstanding balance per month for accounts delinquent 30 days or more	SLAC 6.1.105
9.	Purchase of Paid or Cancelled Bonds	\$5.00	SLAC 6.4.100
10.	Bond Issue	To be determined by City Council to recover administrative and related costs.	
11.	Trailer Park Camp	\$1.00 per camp site	SLMC 3-10-235
12.	Returned Check Service Charge	\$25.00	SLAC 6.4.100
13.	Copy of Adopted/Adopted Budget	\$130.00	
14.	Copy of Comprehensive Annual Financial Report (CAFR)	\$50.00	
15.	Administrative Fee to Place Delinquent Accounts on Tax Bills	\$20.00	SLMC 2-9-100
16.	Fee for Insufficient Information (DE6)	\$20.00	
17.	Stop Payment Service Charge	\$20.00	
18.	Wire Transfer Service Charge	\$25.00	
<i>(1) 3-year pet licenses are purchased by pet owners at a reduced fee and, therefore, are not refundable in whole or in part nor will credit be allowed toward licenses for other owned pets.</i>			
<i>(2) Pet owners presenting a receipt from a Veterinarian Clinic or Pet Hospital for prepayment of a spayed or neutered operation for their pet will be allowed to license their pet at the spay/neuter rate.</i>			
FIRE SERVICE RELATED—GENERAL			
1.	Fire Prevention Fees		
	A. Fire Permit Filing and Issuance Fee	\$124.00 plus applicable Fire Permit Fees	
	B. Fire Permit Re-Inspection Processing Fee	50% of Fire Permit filing and issuance fee	
	C. Fire Plan Storage	\$30.00	
2.	Permits		SLMC 3-3-112
	A. Fire Code Permit Fees	\$269.00	
3.	Sprinkler Fees		SLMC 3-3-260
	A. Underground/Private Service Fire Main (includes plan review, hydrostatic test, flush, & inspections <2>)	\$741.00 plus \$18.00/hydrant or connection fee	
	B. Sprinkler System (system = 1 riser) (includes plan review, weld, hydrostatic test & inspections <2>)	\$741.00 plus \$1.00 per head	

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TITLE 6 FINANCE

	DESCRIPTION	CURRENT FEE	REFERENCE
	C. Any extraordinary situations charged at	\$135.00/hr	
	D. Automatic Sprinkler Tenant Improvements:		
	— Less than 20 heads	\$269.00	
	— Greater than or equal to 20 heads	\$404.00	
4.	Fixed Fire Protection System		SLMC 3-3-250
	A. Plan check, inspection and test	\$269.00	
	B. Electronics activation (clean agent, pre-action, etc.)	\$404.00 plus \$6.00 per device	
	C. Any retest or re-inspection (1)	\$135.00/hr	
5.	Fire Alarms		SLMC 3-3-250
	A. Property protection, plan check and test	\$135.00 plus \$3.00/initiating and/or indicating device	
	B. Life Safety Systems	\$269.00 plus \$6.00 per device	
	C. Any retest or re-inspection (1)	\$135.00/hr	
	DESCRIPTION	CURRENT FEE	REFERENCE
6.	Hazardous Materials Response and Other Incident Fees		SLMC 3-3-300
	A. Engine or Truck Company	\$327/hr	
	B. Chief Officer	\$109/hr	
7.	Inspection of Multiple Family Dwellings (3 or more units)		CA Health & Safety Code
	A. Annual	\$135.00/hr (1)	
8.	Miscellaneous		
	A. All other plan reviews (includes review and ordinary inspections associated with project)	65% of building permit fee (2)	
	B. Other Fire Prevention Services (includes any miscellaneous fire protection related activities not otherwise categorized in this fee schedule)	Direct Cost (2) (3)	
	C. Excessive Plan Review and Inspections	\$135.00/hr	
	D. Fire Investigation Fee	\$624.00	
(1) 1 hour minimum.			
(2) The City Manager and/or Fire Chief may adjust the plan checking/permit fee for an individual project when costs to the City are not congruent with this fee schedule.			
(3) Direct Cost = hourly personnel charge plus a factor of 100% for fringe benefits, overhead and indirect costs.			

HUMAN RESOURCES DEPARTMENT			
	No fees are charged by this department.		
LIBRARY SERVICES DEPARTMENT			
1.	Library Cards		SLMC 1-3-805
2.	Fines and Penalties		SLMC 1-3-805
	A. Lost Books	Item list price	
	B. Lost Video Cassette/DVD/CD	Replacement costs	
	C. Damaged Video Cassette/DVD/CD	Charge to be assessed by staff	
	D. Damaged Plastic Case for Video, DVD or CD	\$5.00	
	E. Replace Mylar Book Cover	\$5.00	
	F. Replace Damaged or Lost Barcode —	\$1.00	
3.	Special Services		SLMC 1-3-805
	A. Inter-Library Loan		
	B. Proctor Exam Fee	\$50.00	
4.	Meeting Facility Fees		
USERS are classified into the following groups for the purpose of determining applicable fees and charges:			
	— Group Eligibility A:	Programs administered by or for the City of San Leandro	

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TITLE 6 FINANCE

DESCRIPTION		CURRENT FEE					REFERENCE	
— Group Eligibility B:		San Leandro non-profit organizations with 10 or more members of whom at least 50% are San Leandro residents. (Non-profit fundraising events will be charged for actual operating costs, including staffing, utilities and security.)						
— Group Eligibility C:		Non-San Leandro non-profit organizations which serve San Leandro residents. (Use of high-demand facilities limited to twice per year. Fundraising events will be charged for actual operating costs, including staffing, utilities, and security.)						
— Group Eligibility D:		San Leandro resident individuals or groups using the facility for private purposes.						
— Group Eligibility E:		Non-resident individuals using the facility for private purposes.						
— Group Eligibility F:		San Leandro businesses with company facility located within San Leandro city limits.						
— Group Eligibility G:		Non-San Leandro businesses, commercial groups, non-profit organizations, and all other non-resident groups.						
RENTAL FEES are determined by group eligibility and facility used. Operations costs, liability insurance fees, and security fees may also be applicable. Minimum rental is two hours. Hourly rates are not prorated for parts of an hour.								
Facility:		Hourly Rental Rates for Group Eligibility						
A. Community Library Center:		A	B*	C*	D	E	F	G
— Trustees Room, Mary Brown Room, Conference B or Conference C	See Hourly Rental Rate Schedule	N/A	N/A	N/A	\$50	\$75	\$75	\$85
— Lecture Hall, Estudillo Room, Karp, or Senior Facility	See Hourly Rental Rate Schedule	N/A	N/A	N/A	\$100	\$120	\$120	\$140
— Kitchen (flat rate)	See Hourly Rental Rate Schedule	N/A	N/A	N/A	\$75	\$85	\$95	\$110
— Karp/Estudillo combination	See Hourly Rental Rate Schedule	N/A	N/A	N/A	\$150	\$200	\$200	\$250
B. Casa Peralta Grounds:	See Hourly Rental Rate Schedule	N/A	N/A	N/A	\$150	\$200	\$200	\$250
— Kitchen (flat rate)	See Hourly Rental Rate Schedule	N/A	N/A	N/A	\$80	\$100	\$110	\$120
		*Resident Rates will be charged during peak weekend hours						
OTHER FEES:		(Fees are the same for all categories)						
— Attendant on Duty		\$35.00/hr						
— Opening/Closing Fee (when needed)		\$25.00/hr						
— Liability Insurance		Fees determined for each use.						
— San Leandro Police Dept. Security		Fee determined by current overtime rates for police personnel.						
— Private Vendor Security		Fee determined by current hourly rates, nature of event, and number of participants.						
— Utilities		Fee determined by average current hourly costs.						
— Portable Dance Rental		\$100.00						
— Meeting Room Damage Deposit		\$50.00 – \$250.00, depending upon room size						
Equipment Rental		Fees based on current replacement costs.						

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 6 FINANCE

DESCRIPTION	CURRENT FEE	REFERENCE
CANCELLATION PENALTY:	(Rooms)	
If cancelled more than 90 days prior to event:	Full refund of deposit and fees.	
If cancelled between 90 days and 30 days prior to event:	Forfeit full damage deposit.	
If cancelled between 30 days and 10 days prior to event:	Forfeit full damage deposit and 1/2 of all fees collected.	
If cancelled less than 10 days prior to event:	Forfeit all deposits and fees collected.	
Change/Amendment/No Show Fee ———	Changes to reservations (date/time/location) including "no shows" made within 30 days of the rental date will be charged a \$25 administrative fee.	

POLICE DEPARTMENT			
1.	Fingerprint (LiveScan) Fee	\$25.00 for residents \$50.00 for non-resident	SLAC 6.4.100
2.	Concealed Weapon Permit:		SLAC 6.4.100
	A. Background Investigation Fee:		
	Upon application for license	\$150.00	
	Upon issuance of license	\$90.00 plus State fee (1)	
	B. Renewal Fee	\$50.00	
3.	Gun Dealer's Permit:		SLAC 6.4.100
	A. New	\$150.00 Plus State fee (1)	
	B. Renewal	\$100.00	
4.	Firearms Storage Fee	\$40.00 per firearm	SLAC 6.4.100
5.	Massage/Acupuncture Permits:		SLAC 6.4.100
	A. New Establishment	\$100.00 plus State fee (1)	
	B. Renewal Establishment	\$50.00	
	C. Masseur/Masseuse/Acupuncturist Permit	\$25.00 — Permit Fee, plus	SLMC 4-23-400
		\$32.00 — Fingerprint (LiveScan) & Background Check, plus	
		\$20.00 — Police Dept. Administrative Fee	
6.	Secondhand Dealers/Junk Dealers/Pawnbrokers:		SLMC 4-9-230
	A. New	\$100.00 plus State fee (1)	
	B. Renewal	\$60.00	
7.	Fortunetelling:		SLMC 4-15-210
	A. New	\$25.00 plus State fee	
	B. Renewal	\$25.00 plus State fee	
8.	Taxicab:		
	A. Owner Fingerprint & Background Check	\$175.00 plus \$20.00 Police Dept. Admin Fee	SLMC 6-6-215
	B. Driver Permit Application, Annual	\$50.00 Permit Fee, plus (2) and (3)	SLMC 6-6-340
		\$32.00 — Fingerprint & Background Check, plus	
		\$20.00 — Police Dept. Administrative Fee	
	C. Driver Permit Re-Issuance (within 6 mos.)	\$20.00	SLMC 6-6-340
<i>(1) As part of the application process, applicants must undergo a psychological evaluation at a cost of \$150, which shall be borne by the applicant.</i>			
<i>(2) As part of the application process, applicants must submit proof of a current drug test showing negative results and two identical and current passport size color photographs.</i>			
<i>(3) As part of the Police Department's inspection of taxi cabs, verification of the City Council approved (5/2/11) flag drop rate of \$3.00, \$2.60 mileage rate and \$26.00 wait fee/hour will be conducted to ensure compliance with SLMC 6-6-400, effective June 1, 2011.</i>			
9.	Tobacco Retailer's Annual Permit Fee	\$500.00	SLMC 4-36-500
10.	Police Reports:		SLAC 11.2.110

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 6 FINANCE

	DESCRIPTION	CURRENT FEE	REFERENCE
	A. Letter of clearance, verification, lost property, etc.	\$25.00	
	B. Crime Analysis	\$50.00	
	C. Accident Reports	\$10.00 (1-10 page report); \$0.10 per additional page	
	D. Police Reports/Arrest Reports	\$2.00 (1-10 page report); \$0.10 per additional page	
11.	Animal Service Fees:		SLAC 6.4.100
	A. Animal pickup	\$50.00/pickup	
	B. Veterinarian pickup:		
	— For 1—10	\$125.00	
	— Over 10	\$12.50 ea. to max. of \$300.00	
	C. Animal Redemption	\$40.00	
	D. Animal Permits		SLAC 6.4.100
	1. Animal Permit (New—Includes changes to permit)	\$15.00	
	2. Animal Permit (Renewal)	\$15.00	
	3. Beekeeping Permit (New)	\$15.00	
	4. Beekeeping Permit (Renewal)	\$15.00	
12.	Tape recordings of telephone and/or radio communications—incident related records for public release	\$50.00	SLAC 6.4.100
13.	Intoxicated Driver:		SLAC 6.4.100
	A. Property Damage	Actual cost of damage to City property	
	B. Emergency Response	\$77.00/hr.	
14.	Vehicle Release	\$200.00	SLAC 6.6.100
15.	Vehicle Repossession	\$15.00	
16.	False Alarm Response:		SLMC 4.6.400
	A. Third response within 90 days	\$75.00	
	B. Fourth and subsequent responses	\$175.00	
17.	Photographs:		SLAC 6.4.100
	A. Color photographs		
	— 8 x 10	\$5.00	
	— 4 x 6	\$4.00 (per print)	
	B. Black and white photographs		
	— 8 x 10	\$16.00	
	C. Duplication of CDs & DVDs	\$25.00 per CD or DVD	
18.	Parade Permits (Special Events):		
	A. Permit	\$50.00	SLAC 1.4.100 (a)
	B. City service support (i.e. personnel assistance, barricade services or special refuse services); excluding City sponsored civic functions.	Direct costs in excess of \$500.00, per event	SLAC 1.4.100 (b)
19.	Carnival Permit	\$100.00	SLAC 6.4.100
20.	Block Party Permit	\$30.00	
21.	Background Investigation for Certification of Employee of Firearm Dealer	\$40.00	SLMC 4.14.420
22.	Vehicle Registration Violation	\$13—at City Hall	
	Correction Verifications	\$25—at home or business	
23.	Parking Citation Fines:		
	— CPO Parking Violation	\$65.00	SLMC 3.1.200(h)
	— Parking on Street for Repairs	\$90.00	SLMC 6.1.270
	— Posted Private Property	\$45.00	SLMC 6.1.400

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TITLE 6 FINANCE

DESCRIPTION	CURRENT FEE	REFERENCE
— Not Curbing Wheels on Hill	\$40.00	SLMC 6.1.425
— Oversize Vehicle (Commercial in Residential)	\$150.00	SLMC 6.1.430(d)
— Off-Street Oversize Vehicle	\$150.00	SLMC 6.1.430(b)
— Non-Motorized Vehicle	\$75.00	SLMC 6.1.430(c)
— Parking Within Designated Stall	\$45.00	SLMC 6.1.435
— No Parking Area	\$65.00	SLMC 6.1.500(a)
— Designated Street or Park by Time or Day	\$65.00	SLMC 6.1.500(b)
— Parking Limitations/Restrictions	\$45.00	SLMC 6.1.500(c)
— Curb Markings/Red-A/Yel-B/Whi-C/Grn-D	\$65.00	SLMC 6.1.505
— Handicapped Stall	\$350.00	SLMC 6.1.505(e)
— Truck No Parking	\$75.00	SLMC 6.1.600
— Truck No Parking Truck Route	\$75.00	SLMC 6.1.605
— Truck Parking Prohibited	\$75.00	SLMC 6.1.610
— Truck Over 25 Tons Prohibited	\$75.00	SLMC 6.1.615
— Municipal Parking Lots Restrictions	\$45.00	SLMC 6.1.800
— Designated Reserved Parking Spaces	\$45.00	SLMC 6.1.805
— Obstructing Enf. Removing Chalk Marks	\$45.00	SLMC 6.1.810(a)
— Obstructing Enf. Moving Vehicle to Evade	\$45.00	SLMC 6.1.810(b)
— Parking in Excess of 72 Hours	\$90.00	SLMC 6.1.820
— Passenger Loading Zone	\$45.00	SLMC 6.1.835
— Parking Limitations/Golf Course	\$36.00	SLMC 6.1.850
— Meter Expired	\$45.00	SLMC 6.2.115
— Meter Zone Time Limit	\$45.00	SLMC 6.2.120
— Private Property Storage	\$116.00	SLMC 6.4.400
— Failure to Abate from Private Property	\$116.00	SLMC 6.4.405
— Truck Route Violation for parked and moving trucks	\$150.00	SLMC 6.7.210
— Parking on or blocking a crosswalk	\$60.00	CVC 22500(b)
— Parking in front of a driveway	\$60.00	CVC 22500(e)
— Parking on a sidewalk	\$60.00	CVC 22500(f)
— Double Parking	\$60.00	CVC 22500(h)
— Parking over 18" from curb	\$75.00	CVC 22502(a)
— Parking within 15 feet of fire hydrant	\$60.00	CVC 22514
— Parking within 7-1/2 feet of Railroad Track	\$60.00	CVC 22521
— Abandoned vehicle	\$300.00	CVC 22523(a)
— Electric Vehicle Charging Station (EVCS) Parking Stall	\$45.00	SLMC 6.2.405
24. Traffic Control:		
— Driving over or across newly laid pavement, surfacing, painting	\$75.00	SLMC 6.1.240
— Driving over any street barrier, sign, marker for closed street	\$75.00	SLMC 6.1.245
— Unauthorized placement of barrier or sign	\$50.00	SLMC 6.1.255

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TITLE 6 FINANCE

	DESCRIPTION	CURRENT FEE	REFERENCE
	— Unlawful riding of skateboard, roller-skates, coasters, toy vehicles or similar device on undesignated City Property	\$50.00	SLMC 6.1.265
	— Unlawful for operator to drive across property not intended for use as a public right-of-way as means of effecting shortened route	\$50.00	SLMC 6.1.285
	— Refusal or failure to comply with Police Officer/Parking Aide's traffic control instructions	\$100.00	SLMC 6.1.300
	— Failure to remove ignition key from unattended vehicle	\$50.00	SLMC 6.1.830
25.	Commercial Enforcement:		
	a. Transportation Permit Violation – No Permit	\$250.00	SLMC 6-8-110
	b. Transportation Permit – Annual	\$90.00	SLMC 6-8-110 & 6-8-115
	c. Transportation Permit – Repetitive	\$90.00	SLMC 6-8-110 & 6-8-115
	d. Transportation Permit – Single Trip Only	\$16.00	SLMC 6-8-110 & 6-8-115
	e. Overweight Vehicle Permit Violation – No Permit	\$200.00	SLMC 6-9-110
	f. Overweight Vehicle Permit – Annual	\$300.00	SLMC 6-9-110 & 6-9-125
26.	Special Event/Oversized Loads requiring Police special services	Direct costs (4)	
27.	Municipal Code Violations:		SLMC 1-12-200 (e)
	a. 1st Violation	\$100.00	
	b. 2nd Violation	\$200.00	
	c. 3rd Violation (treated as a misdemeanor)	\$1,000.00	
28.	Peddler/Solicitor/Itinerant Merchant	\$32.00 – fingerprint & background check	SLAC 6-4-100
		\$20.00 – Police Dept. Administrative Fee	
29.	Curfew Violations:		SLMC 1-12-140; 4-1-305 – 4-1-320
	a. 1st Violation	\$50.00	
	b. 2nd Violation within 12 months of first violation	\$100.00	
	c. 3rd Violation and additional offenses within 12 months of the 2nd violation	\$200.00	

POLICE DEPARTMENT – Community Standards Division			
1.	Second Inspection/Notice of Violation	\$110.00 plus Direct Costs (4)	SLMC 3.1.100-210
2.	Third Inspection/Notice to Abate or Notice of Pending Citation	\$110.00 plus Direct Costs (4)	
3.	Citation or Administrative Hearing	\$325.00 plus Direct Costs (4)	
4.	Each Additional Hour	\$50.00/hr. plus Direct Costs (4)	
5.	Legal Fees for Administrative Hearings and Judicial Actions	\$110.00/hr. plus Direct Costs (4)	
6.	Storage of Illegal Signs	\$100 for up to 4 months	SLMC 4.13.110
<i>(4) Direct Costs: Hourly personnel charge plus a factor of 33% for benefits, 14.8% for indirect overhead charges and 52.2% for staff support charges.</i>			

PUBLIC WORKS SERVICES DEPARTMENT

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 6 FINANCE

1.	Equipment Rental:	Rental Rates are based on current replacement value of \$40 for every \$20,000 vehicle value.	
	Aerial Lift—Large	\$83.00	
	Aerial Lift—Small	\$58.50	
	Backhoe	\$41.50	
	Chipper, Brush	\$21.00	
	Compressor, Air	\$8.00	
	Crack Sealing Machine	\$31.00	
	Fifth Wheel Tractor	\$106.50	
	Forklift	\$15.50	
	Grinder—Asphalt	\$55.00	
	Grinder—Sidewalk	\$2.50	
	Loader	\$80.00	
	DESCRIPTION	CURRENT FEE	REFERENCE
	Manlift	\$38.00	
	Pavement Milling Machine	\$337.00	
	Rodder	\$67.50	
	Roller	\$35.50	
	Root Pruner	\$16.00	
	Sedan	\$11.00	
	Spray Emulsion Rig	\$6.00	
	Spreader, Asphalt Box	\$25.50	
	Street Sweeper	\$137.50	
	Street Sweeper, Light	\$24.00	
	Stump Cutter	\$21.00	
	Tractor	\$17.00	
	Tractor Loader	\$81.00	
	Trailer—Heavy Duty	\$63.00	
	Trailer—Light Duty	\$4.50	
	Trailer—Medium Duty	\$8.50	
	Trencher	\$12.00	
	Truck—Cargo Body	\$21.50	
	Truck—CCTV	\$99.00	
	Truck—Crane	\$80.50	
	Truck—Dump 2-axle	\$29.50	
	Truck—Dump 3-axle	\$68.50	
	Truck—Patch	\$140.50	
	Truck—Pickup	\$19.00	
	Truck—Sewer	\$175.00	
	Truck—Stakebed	\$27.00	
	Truck—Trash	\$54.50	
	Truck—Water Tank	\$61.50	
	Van	\$16.00	
	Van—Utility	\$50.50	
2.	Emergency Call Out:		
	A. Administration fee	\$100.00	
	B. City Personnel Charges	Direct Costs (1)	
(1) Direct Costs: Hourly personnel charge plus a factor of 33% for benefits, 14.80% for indirect overhead charges and 52.23% for staff support charges.			
3.	Parking Meter Rates:		
	A. Three Hour Meters (Zone 1)		
	—10 minutes	\$0.25	
	—20 minutes	\$0.50	
	—30 minutes	\$0.75	

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— 40 minutes	\$1.00	
— 50 minutes	\$1.25	
— 60 minutes	\$1.50	
B. Three Hour Meters (Zone 2)		
— 20 minutes	\$0.25	
— 40 minutes	\$0.50	
— 60 minutes	\$0.75	
C. 30 Minute Meters		
— 10 minutes	\$0.25	
— 20 minutes	\$0.50	
— 30 minutes	\$0.75	
D. Electric Vehicle Charging Station (EVCS)		
— First 4 hours	\$1.00/hour	

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	DESCRIPTION	CURRENT FEE	REFERENCE
	— For fifth (5th) and successive hours during the hours of 6:00 a.m. to 4:00 p.m., Monday through Friday, except for holidays	\$5.00/hour	
	— For fifth (5th) and successive hours on weekends and holidays and during the hours of 4:00 p.m. to 6:00 a.m. Monday through Friday	\$1.00/hour	
4.	BBQ Rental	\$150.00/day	
5.	Tree Planting:		
	New Tree	\$100.00	
	Concrete Cutout (up to 4' x 4')	\$50.00	
6.	Barriades:		
	Block Party Deposit	\$100.00 for 8; \$34.00 each additional	
	Block Party Drop-off and Pickup Services	\$60.00	
	Unreturned Barriades	\$34.00 each	
7.	Shopping Cart Fee	\$21.00	SLMC 4.19.125
8.	Solid Waste & Recycling:		
	— Diversion Plan (formerly Waste Management Plan)	\$117.00	
	— Plan Review	\$177.00	
	Receptacles:		
	— Receptacle Deposit for Community Events	\$300 for 15; \$60.00 each additional	
	— Unreturned Receptacles	\$60 each	
	— Receptacle Cleaning	\$100.00	

PUBLIC WORKS SERVICES DEPARTMENT — Marina

	San Leandro Marina:		
	A. Miscellaneous Rates		
	— Security Live Aboard Permit	\$198.20 per month	
	— Towing	\$100.00 per hour — with a ½ hour minimum	
	— Pumping	100.00 per hour — with a ½ hour minimum	
	— Mooring Line Replacement	\$10.00 per line	
	— Lien Charge	\$108.00 per occurrence (maximum permitted by State Law)	
	— Lien Processing Charge	\$160.00 per occurrence	
	— Electronic Key Purchase	\$20.00	
	— Impound Rates	\$30.00 per day	
	B. Berth Rental Rates:	Monthly Rental	
	— Open Berths:	\$9.80 per foot	
	24 ft. length	\$235.20 per month	
	28 ft. length	\$274.40 per month	
	32 ft. length	\$313.60 per month	
	36 ft. length	\$352.80 per month	
	40 ft. length	\$392.00 per month	
	44 ft. length	\$431.20 per month	
	48 ft. length	\$470.40 per month	
	60 ft. length	\$588.00 per month	
	— Covered Berths:	\$12.70 per foot	
	40 ft. length	\$508.00 per month	
	48 ft. length	\$609.60 per month	
	60 ft. length	\$762.00	
	— Late Rate	10% of monthly rental rate per each month late	
	C. Boat Launch Ramp Rates:		
	— Daily	\$10.00	

DESCRIPTION	CURRENT FEE	REFERENCE
— Annual	\$100.00	
D. Dry Storage Rate	\$78.90 per space per month	
<i>(1) Direct Costs: Hourly personnel charge plus a factor of 33% for benefits, 14.80% for indirect overhead charges and 52.23% for staff support charges.</i>		

PUBLIC WORKS SERVICES DEPARTMENT— Environmental Services Section							
			FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
1	Hazardous Materials Storage	SLMC 3-3-300	-	-	-	-	-
	A. Annual fees for storage of combustible liquids, corrosives, flammable gases, flammable liquids, flammable solids, nonflammable gases, organic peroxides, other regulated materials, oxidizers, poisonous gasses, poisonous materials (1)			-	-	-	-
	Quantity Range 1		\$145	\$155	\$168	\$182	\$197
	Quantity Range 2		\$291	\$289	\$301	\$314	\$327
	Quantity Range 3		\$418	\$421	\$442	\$464	\$487
	Quantity Range 4		\$546	\$542	\$565	\$589	\$614
	Quantity Range 5		\$682	\$668	\$692	\$717	\$743
	B. Annual Fees for Storage of Radioactive Materials		\$201	\$213	\$229	\$246	\$264
	C. Aboveground Tank Installation Permit (2)						
	First Tank		\$1,064	\$1,023	\$1,049	\$1,076	\$1,104
	Each Additional		\$355				
	D. APSA Facility Annual Fee		-	-	-	-	-
	Qualified Facility (Tier I/Tier II)		\$177	\$293	\$394	\$530	\$712
	Non-Qualified Facility (full SPCC)		\$312	\$439	\$545	\$676	\$839
2	Accidental Release Program:	SLMC 3-3-300	-	-	-		
	Additional Review by City Staff		\$177				
	Additional Review by third party			Direct Costs plus 10%			
	Annual Fee:		-	-	-	-	-
	Program 1		\$692	\$859	\$1,001	\$1,167	\$1,360
	Program 2		\$900	\$1,321	\$1,675	\$2,124	\$2,693
	Program 3		\$1,167	\$1,669	\$2,088	\$2,612	\$3,268
	Program 4		\$1,752				
3	Underground Hazardous Materials Storage	SLMC 3-3-300	-	-	-	-	
	A. Annual Operating Permit— Each Tank		\$152	\$388	\$649	\$1,085	\$1,814
	B. New Tank Installation (2)		-	-	-	-	-
	Each Tank		\$3,220	\$3,557	\$3,929	\$4,340	\$4,794
	C. Tank Removal, Repair, Alterations (2)		-	-	-	-	-
	First Tank		\$1,774	\$2,194	\$2,553	\$2,971	\$3,458
	Each Additional		\$283				

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	D. Minor Repairs and Alterations Hourly Rate		\$177	
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	DESCRIPTION		CURRENT FEE			REFERENCE	
4	Hazardous-Waste On-site Treatment:	CA Health & Safety Code; Title 27					
	Annual Fees:		-	-	-	-	-
	Permit-by-Rule		\$1,319	\$1,433	\$1,562	\$1,703	\$1,857
	Conditional Authorization		\$563	\$661	\$750	\$851	\$965
	Conditional Exempt		\$152	\$247	\$329	\$438	\$584
PUBLIC WORKS SERVICES DEPARTMENT—Environmental Services Section							
			FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
5	Hazardous-Waste Generators	CA Health & Safety Code; Title 27	-	-	-	-	
	A. Annual Fees for Generators of Hazardous Waste—(3)		-	-	-	-	-
	CESQG		\$201	\$192	\$196	\$200	\$204
	CESQG-0		\$101	\$115	\$129	\$144	\$161
	SQG		\$201	\$401	\$418	\$436	\$454
	LQG		\$725	\$707	\$731	\$755	\$780
	UWG		\$201	\$202	\$211	\$221	\$231
6	CalEPA CUPA Surcharge Fee	CA Health & Safety Code; Title 27	As Required by State of California				
7	File Review:	SLAC 6.4.100	-	-	-	-	
	A. Photocopying		See City-Wide				
	B. Copies of Site Lists		\$172				
8	Plan Review:	SLMC 3-3-100					
	A. City Staff Hourly Rate		\$177				
	B. Outside Contractor		Direct Costs plus + 10%				
	CUPA Hourly Rate		\$117	\$119	\$122	\$126	\$130
9	Wastewater Pretreatment:		-	-	-	-	-
	A. All Users	SLMC 3-15-510					
	Service Charge—Per Connection Per Month	SLAC 12.5.110(e)					
	—Weekly Activity		\$1,886				
	—Semi-Monthly Activity		\$942				
	—Monthly Activity		\$472				
	—Bi-Monthly Activity		\$236				
	—Quarterly Activity		\$158				
	—Semi-Annual Activity		\$78				
	—Annual Activity		\$39				
	—Biennial Activity		\$21				
	B. Service Users		-	-	-	-	-
	Sampling Charge and Routine Analysis—Per Sample		-	-	-	-	-
	—Composite Samples (4)		\$1,096				
	—Grab Samples (4)		\$453				
	—Other Analyses		Cost + 10%				
	Permit Fee (Triennial)		\$1,567				
	C. Compliance Users						

	DESCRIPTION	CURRENT FEE			REFERENCE	
	Sampling Charge—Per Sample					
	— Composite Samples	\$942				
	— Grab Samples	\$366				
	Lab Analysis		Cost + 10%			
	Permit Fee (Triennial)	\$940				
	D. Violation Follow-Up:	-	-	-	-	-
	— Composite Samples	\$1,560				
	— Grab Samples	\$984				
	— Other Analyses		Cost + 10%			
	E. Special Discharge Permit (Annual)	\$940	-	-	-	-
10	Miscellaneous Services:	-	-	-	-	-
	A. Site Visits (No Sampling)	\$323				
	B. City Staff hourly	\$167				
(1)	<i>Quantity Range 1 Less than or equal to 500 pounds, 55 gallons, or 2,000 cubic feet at STP.</i>					
	<i>Quantity Range 2 Greater than 500 pounds, 55 gallons, or 2,000 cubic feet at STP, but less than or equal to 5,000 pounds, 550 gallons or 20,000 cubic feet at STP, respectively.</i>					
	<i>Quantity Range 3 Greater than 5,000 pounds, 550 gallons, or 20,000 cubic feet at STP, but less than or equal to 50,000 pounds, 5,500 gallons or 200,000 cubic feet at STP, respectively.</i>					
	<i>Quantity Range 4 Greater than 50,000 pounds, 5,500 gallons, or 200,000 cubic feet at STP, but less than or equal to 500,000 pounds, 55,000 gallons, or 2,000,000 cubic feet at STP, respectively.</i>					
	<i>Quantity Range 5 Greater than 500,000 pounds, 55,000 gallons, or 2,000,000 cubic feet at STP.</i>					
(2)	<i>Includes plan review, field inspections, and permit processing. Additional time will be charged at the current hourly rate.</i>					
(3)	<i>CESQG—Conditionally Exempt Small Quantity Generator—less than 100 kilograms of hazardous waste per month.</i>					
	<i>SQG—Small Quantity Generator—more than or equal to 100 kilograms but less than 1,000 kilograms of hazardous waste per month.</i>					
	<i>LQG—Large Quantity Generator—more than or equal to 1,000 kilograms of hazardous waste per month</i>					
	<i>UWG—Universal Waste Generator</i>					
	<i>CESQG-0—Zero waste count due to onsite treatment and/or recycling resulting in off-site shipment not counted as hazardous waste.</i>					
(4)	<i>Includes lab analysis for service charge parameters.</i>					

	DESCRIPTION	CURRENT FEE	REFERENCE
PUBLIC WORKS SERVICES DEPARTMENT — Waste Water Discharge Fees			
1.	Monthly User Charges		
	A. For Classification A Users (Residential):		
	▪ Single Family Each Unit	\$41.60	
	▪ Multiple Family Each Unit	\$29.30	
	▪ Accessory Dwelling Each Unit	\$29.30	
	B. For Classification B Users (Commercial & Institutional):		
	Connection	\$7.25 Each	
	Commercial, per 100 cubic feet		
	Auto Services	\$9.75	
	Bakery, Wholesale	\$7.84	
	Laundries	\$5.59	
	Markets/Foods	\$9.58	
	Mixed Use	\$8.13	
	Restaurants	\$9.17	
	All Other	\$4.36	

	DESCRIPTION	CURRENT FEE	REFERENCE
PUBLIC WORKS SERVICES DEPARTMENT—Waste Water Discharge Fees			
	Institutional:		
	Schools	\$3.93/100	
	C. For Classification C Users (Industrial & Other Large Users):		
	Loading Charge—based on the total discharge volumes for the billing period:		
	Each Connection	\$7.25	
	Volume per million gallons	\$3,724	
	BOD (Biochemical oxygen demand) per thousand pounds	\$515	
	SS (Suspended solids) per thousand pounds	\$884	
2.	Connection Fees		
	Dwelling units:		
	▪ Single-Family Each Unit	\$4,068	
	▪ Multiple-Family Each Unit	\$3,394	
	▪ Accessory Dwelling Each Unit	\$3,394	
	Converting an existing apartment building to condominium units	\$179/Unit	
	Non-residential users shall be assessed connection fees based on the estimated average day of their peak month discharge according to the unit cost schedule below:		
	Volume, gallons per day	\$22.80	
	BOD (Biochemical oxygen demand), pounds per day	\$973	
	SS (Suspended solids), pounds per day	\$1,030	
	A connection fee adjustment shall be made at the end of one year of service for all non-residential users to reflect the actual wastewater discharge based on monitored wastewater discharged or metered water usage adjusted for volume not discharged to the sanitary sewer system. If the estimated wastewater discharge is low, an additional connection fee shall be assessed. If the estimated wastewater discharge is high, the City shall issue a refund to the user.		
	DESCRIPTION	CURRENT FEE	REFERENCE
RECREATION AND HUMAN SERVICES DEPARTMENT			
1.	Facility/Parks/Fields Rental Fees		
	USERS are classified into the following groups for the purpose of determining applicable fees and charges:		
	— Group Eligibility A:	Programs administered by or for the City of San Leandro:	
	— Group Eligibility B:§	San Leandro non-profit organizations with 10 or more members of whom at least 50% are San Leandro residents:	
	— Group Eligibility C:§	Non-San Leandro non-profit organizations which serve San Leandro residents:	
	— Group Eligibility D:	San Leandro resident using the facility for private purposes:	
	— Group Eligibility E:	Non-resident individuals using the facility for private purposes	
	— Group Eligibility F:	San Leandro businesses with company facility located within San Leandro city limits:	
	— Group Eligibility G:	Non-San Leandro businesses, commercial groups and non-profit organizations:	
§	Resident fees charged for all facility and picnic area use during peak weekend hours (Fridays after 5pm, Saturdays, Sundays) and holidays.		

DESCRIPTION		CURRENT FEE					REFERENCE	
RECREATION AND HUMAN SERVICES DEPARTMENT								
Rental fees are determined by group eligibility and facility used. Operational costs, setup & cleanup time, minimum rental hours, liability insurance fees, and security fees may also be applicable. Minimum rental is two hours. Hourly rates are not prorated for parts of an hour.								
A. Facilities								
Marina Community Center:		MARINA COMMUNITY CENTER FEES						
		A	B*	C*	D	E	F	G
Patio Conference Room	Hourly Rental Rate	N/A	\$12	\$12	\$40	\$61	\$61	\$71
Multipurpose Room A; B, C, Presentation Room	Hourly Rental Rate	N/A	\$24	\$24	\$65	\$96	\$96	\$112
Kitchen (Flat Rate)	Flat Rate Coincides with Duration of Room Rental	N/A	\$100	\$100	\$100	\$150	\$150	\$175
Kitchen (Hourly Rate)	Hourly Rental Rate—for hours used in addition to the flat rate	N/A	\$24	\$24	\$65	\$96	\$96	\$112
Titan Auditorium	Hourly Rental Rate	N/A	\$58	\$58	\$175	\$263	\$263	\$306
Senior Community Center:		SENIOR COMMUNITY CENTER FEES						
		A	B*	C*	D	E	F	G
Main Hall	Hourly Rental Rate	N/A	\$58	\$58	\$175	\$263	\$263	\$306
1/2 Main Hall A (Not Available on Saturday)	Hourly Rental Rate	N/A	\$30	\$30	\$93	\$140	\$140	\$163
1/2 Main Hall B (Not Available on Saturday)	Hourly Rental Rate	N/A	\$30	\$30	\$93	\$140	\$140	\$163
Kitchen (flat rate-)	Flat Rate Coincides with duration of Room Rental	N/A	\$100	\$100	\$100	\$150	\$150	\$175
Kitchen (Hourly Rate)	Hourly Rental Rate—for hours used in addition to the flat rate	N/A	\$24	\$24	\$65	\$96	\$96	\$112
Activities Room	Hourly Rental Rate	N/A	\$24	\$24	\$65	\$96	\$96	\$112
Meeting Room C	Hourly Rental Rate	N/A	\$24	\$24	\$65	\$96	\$96	\$112
Meeting Room D	Hourly Rental Rate	N/A	\$24	\$24	\$65	\$96	\$96	\$112
Arts & Crafts Room	Hourly Rental Rate	N/A	\$24	\$24	\$65	\$96	\$96	\$112
Health & Fitness Room	Hourly Rental Rate	N/A	\$30	\$30	\$96	\$140	\$140	\$163
Computer Lab	Hourly Rental Rate	N/A	\$40	\$40	\$120	\$175	\$175	\$204

		HALCYON PARK BUILDING						
Haleyon Park Building	Hourly Rental Rate	N/A	\$24	\$24	\$65	\$96	\$96	\$112
		WASHINGTON MANOR BUILDING						
Washington Manor Park Building	Hourly Rental Rate	N/A	\$24	\$24	\$65	\$96	\$96	\$112
Additional Fees for Facility Rentals:	(Fees are the same for all categories)							
Opening/Closing Fee (when needed)	\$35							
Liability Insurance	Fees determined for each use.							
San Leandro Police Dept. Security	Fee determined by current overtime rates for police personnel.							
Private Vendor Security	Fee determined by current hourly rates, nature of event, and number of participants.							
Meeting Room Damage Deposit	Titan Auditorium \$625; All Other Rooms \$125							
Overtime Fee	Reservations that exceed the scheduled rental time may be billed at twice the hourly rental rate applicable to their applicable room for additional time used.							
Change/Amendment Fee	Changes to reservations (date/time/location) made within 30 days of the rental date will be charged a \$25 administrative fee.							

[Cancellation Policy for Facilities:](#)

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DESCRIPTION		CURRENT FEE				REFERENCE		
If cancelled more than 90 days prior to event:	Full refund of deposit and fees minus a \$25 administrative fee							
If cancelled between 90 days and 30 days prior to event:	Forfeit full damage deposit.							
If cancelled between 30 days and 10 days prior to event:	Forfeit full damage deposit and one half (1/2) of all fees collected.							
If cancelled less than 10 days prior to event:	Forfeit all deposits and fees collected.							
B. Parks		PARK DAY FEE						
		A	B*	C*	D	E	F	G
Capacity – Under 40								
Bonaire Park – Area 5		N/A	N/A	N/A	\$60	\$90	\$90	\$105
Cherry Grove Park – Areas 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12		N/A	N/A	N/A	\$60	\$90	\$90	\$105
Tony B. Santos Park – Front Area, Playground Area		N/A	N/A	N/A	\$60	\$90	\$90	\$105
Halcyon Park – Areas 2, 3, and 4		N/A	N/A	N/A	\$60	\$90	\$90	\$105
Marina Park – Areas 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18		N/A	N/A	N/A	\$60	\$90	\$90	\$105
Mulford Point Areas 1, 2, 3, and 4		N/A	N/A	N/A	\$60	\$90	\$90	\$105
Memorial Park – Rear Area*		N/A	N/A	N/A	\$60	\$90	\$90	\$105
Root Park		N/A	N/A	N/A	\$60	\$90	\$90	\$105
Siempre Verde Park, Areas 1 and 2		N/A	N/A	N/A	\$60	\$90	\$90	\$105
Stenzel Park – Areas 1, 2, and 3		N/A	N/A	N/A	\$60	\$90	\$90	\$105
Washington Manor Park – Areas 2, 3, 4, 5, 6*, 7, and 8*		N/A	N/A	N/A	\$60	\$90	\$90	\$105
Capacity 40-75								
Bonaire Park – Pods 1 & 2* and Pods 3 & 4*		N/A	N/A	N/A	\$136	\$205	\$205	\$239
Cherry Grove Park – Area 2		N/A	N/A	N/A	\$136	\$205	\$205	\$239
Floresta Park – Lawn Area*, Playground Area*		N/A	N/A	N/A	\$136	\$205	\$205	\$239
Halcyon Park – Areas 1* and 5*		N/A	N/A	N/A	\$136	\$205	\$205	\$239
Marina Park – Heron Area, Mallard Area*, Behind Seagull Area, and		N/A	N/A	N/A	\$136	\$205	\$205	\$239
Area 19 (Pescadero Point)		N/A	N/A	N/A	\$136	\$205	\$205	\$239
Memorial Park – Front Area*		N/A	N/A	N/A	\$136	\$205	\$205	\$239
Thrasher Park*		N/A	N/A	N/A	\$136	\$205	\$205	\$239
Toyon Park*		N/A	N/A	N/A	\$136	\$205	\$205	\$239
Capacity 75-150								
Bonaire Park – All Pods*		N/A	N/A	N/A	\$190	\$287	\$287	\$335
Chabot Park*		N/A	N/A	N/A	\$190	\$287	\$287	\$335
Marina Park – Otter Area*, All Mulford Point Area		N/A	N/A	N/A	\$190	\$287	\$287	\$335
Washington Manor Park – Area 1*		N/A	N/A	N/A	\$190	\$287	\$287	\$335
Capacity 150+								
Marina Park – Seagull Area*		N/A	N/A	N/A	\$245	\$368	\$368	\$430
Additional Fees for Parks:								
Park Special Event Fee (Groups 350+)								\$250
Vehicle Access Fee for Permitted Parks Only: Allows permitted vehicles to load and unload within the park								\$30
Overcapacity Fee: Allows for estimated attendance to exceed the set capacity for a picnic area. Attendance cannot exceed double the set capacity.								\$25
Inflatable Fee								\$5
Cancellation Fee: A non-refundable fee will be charged for changes or cancellations within 30 days.								\$25

<i>§</i>	<i>Resident fees charged for all facility and picnic area use during peak weekend hours (Fridays after 5pm, Saturdays, Sundays) and holidays</i>
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DESCRIPTION		CURRENT FEE			REFERENCE			
C, Pools								
All Facility Buy-Outs, must provide own pool insurance or purchase through Gales Creek (inquire when reserving pool)								
San Leandro Boys & Girls Club Pool Buy-Outs:		A	B	C	D	E	F	G
— 1 to 75 Participants	90 Minute Rate	N/A	\$90	\$90	\$90	\$135	\$135	\$158
— 76 to 99 Participants	90 Minute Rate	N/A	\$140	\$140	\$140	\$210	\$210	\$245
— More than 100 Participants	90 Minute Rate	N/A	\$180	\$180	\$180	\$270	\$270	\$315
		FARRELLY POOL						
Farrelly Pool Buy-Outs:		A	B	C	D	E	F	G
— Party Package-Space for 3 hours and the per-person rate; Maximum capacity 40 people per area	3-Hour Rate	N/A	\$110	\$110	\$110	\$166	\$166	\$192
— Area A and B (additional per person fee required)	3-Hour Rate	N/A	\$60	\$60	\$60	\$90	\$90	\$106
— Whole Facility Buy-out (1-150)	2-Hour Rate	N/A	\$671	\$671	\$671	\$991	\$991	\$1,151
— Whole Facility Buy-out (151-300)	2-Hour Rate	N/A	\$991	\$991	\$991	\$1,471	\$1,471	\$1,711
— Whole Facility Buy-out (1-150) ADDITIONAL HOURS	Additional Hours—60 Minute Rate	N/A	\$335	\$335	\$335	\$495	\$495	\$575
— Whole Facility Buy-out (151-300) ADDITIONAL HOURS	Additional Hours—60 Minute Rate	N/A	\$409	\$409	\$409	\$606	\$606	\$705
		SAN LEANDRO FAMILY AQUATICS CENTER						
San Leandro Family Aquatic Center Buy-Outs:		A	B	C	D	E	F	G
— Event Room-No Pool Usage & Non-Rec Swim hours; Max. capacity=40 seated, 70 standing	60 Minute Rate	N/A	\$76	\$76	\$76	\$114	\$114	\$133
— Party Package-Space for 3 hours and the per-person rate; Maximum capacity 40 people per area:								
— Event Room (additional per person entrance fee required)	3-Hour Rate	N/A	\$300	\$300	\$300	\$390	\$390	\$436
— Areas A, B and C (additional per person entrance fee required)	3-Hour Rate	N/A	\$250	\$250	\$250	\$340	\$340	\$386
— Whole Facility Buy-Out (1-150)	2-Hour Rate	N/A	\$671	\$671	\$671	\$991	\$991	\$1,151
— Whole Facility Buy-Out (151-300)	2-Hour Rate	N/A	\$991	\$991	\$991	\$1,471	\$1,471	\$1,711
— Whole Facility Buy-Out (1-150) ADDITIONAL HOURS	Additional Hours—60 Minute Rate	N/A	\$335	\$335	\$335	\$495	\$495	\$575
— Whole Facility Buy-Out (151-300) ADDITIONAL HOURS	Additional Hours—60 Minute Rate	N/A	\$409	\$409	\$409	\$606	\$606	\$705
D, Field/Facility Rentals								
A field or facility may be rented by groups or individuals for the exclusive use upon payment of a specified service fee. Groups wishing to use field facilities for tournaments, leagues or more than three (3) practices or games must have insurance. Arrangements must be made when reserving the facility. Participants must comply with any and all regulations as established by the City of San Leandro. Field fees are for each 1-hour use period.								
Damage Deposit:								
Stenzel #1-4, Washington Manor Middle School Soccer & Softball Field, Thrasher Park Field, Muir Soccer Field, Washington Manor Park #1 & #2		\$300.00 per season						
San Leandro Ball Park		\$500.00 per season						

TITLE 6 FINANCE

~~FOR ALL OTHER RECREATION FEES AND PROGRAMS, SEE CURRENT RECREATION PROGRAM GUIDE~~

Legislative History:

Resolution No. 83-272, 12/19/1983 [§6.4.100]; Resolution No. 87-248, 12/07/1987 [§6.4.100]; Resolution No. 88-54, 04/04/1988 [§6.4.100]; Resolution No. 90-111, 06/18/1990 [§6.4.100]; Resolution No. 91-109, 06/17/1991 [§6.4.100]; Resolution No. 91-251, 12/02/1991 [§6.4.100]; Resolution No. 92-165, 06/15/1992 [§6.4.100]; Resolution No. 92-205, 07/06/1992 [§6.4.100]; Resolution No. 92-242, 08/17/1992 [§6.4.100]; Resolution No. 93-122, 06/14/1993 [§6.4.100]; Resolution No. 94-8, 01/18/1994 [§6.4.100]; Resolution No. 94-59, 04/04/1994 [§6.4.100]; Resolution No. 94-80, 05/16/1994 [§6.4.100]; Resolution No. 94-94, 06/13/1994 [§6.4.100]; Resolution No. 94-142, 08/01/1994 [§6.4.100]; Resolution No. 95-33, 03/06/1995 [§6.4.100]; Resolution No. 95-98, 06/05/1995 [§6.4.100]; Resolution No. 95-107, 06/12/1995 [§6.4.100]; Resolution No. 95-213, 11/06/1995 [§6.4.100]; Resolution No. 96-94, 06/10/1996 [§6.4.100]; Resolution No. 97-51, 05/19/1997 [§6.4.100]; Resolution No. 98-60, 06/15/1998 [§6.4.100]; Resolution No. 99-74, 06/07/1999 [§6.4.100]; Resolution No. 2000-64, 06/05/2000 [§6.4.100]; Resolution No. 2000-79, 06/05/2000 [§6.4.100]; Resolution No. 2000-80, 06/05/2000 [§6.4.100]; Resolution No. 2001-49, 03/19/2001 [§6.4.100]; Resolution No. 2001-78, 06/8/2001 [§6.4.100]; Resolution No. 2001-205, 12/17/2001 [§6.4.100]; Resolution No. 2002-41, 04/01/2002 [§6.4.100]; Resolution No. 2003-016, 01/21/2003 [§6.4.100]; Resolution No. 2003-094, 04/07/2003 [§6.4.100]; Resolution No. 2004-039, 04/12/2004 [§6.4.100]; Resolution No. 2004-114, 07/19/2004 [§6.4.100]; Resolution No. 2005-059, 05/16/2005 [§6.4.100]; Resolution No. 2005-069, 06/06/2005 [§6.4.100]; Resolution No. 2005-121, 08/01/2005 [§6.4.100]; Resolution No. 2005-128, 09/06/2006 [§6.4.100]; Resolution No. 2005-156, 11/21/2005 [§6.4.105]; Resolution No. 2006-041, 05/01/2006 [§6.4.100]; Resolution No. 2006-119, 11/06/2006 [§6.4.100]; Resolution No. 2006-129, 12/04/2006 [§6.4.100]; Resolution No. 2007-067, 05/21/2007 [§6.4.100]; Resolution No. 2007-123, 09/17/2007 [§6.4.100]; Resolution No. 2008-045, 05/05/2008 [§6.4.100]; Resolution No. 2009-058, 05/04/2009 [§6.4.100]; Resolution No. 2009-080, 06/15/2009 [§6.4.100]; Resolution No. 2009-133, 10/05/2009 [§6.4.100]; Resolution No. 2010-045, 05/03/2010 [§6.4.100]; Resolution No. 2010-070, 06/21/2010 [§6.4.100]; Resolution No. 2010-084, 07/06/2010 [§6.4.100]; Resolution No. 2011-082, 05/02/2011 [§6.4.100]; Resolution No. 2011-143, 07/18/2011 [§6.4.100]; Resolution No. 2011-206, 12/19/2011 [§6.4.100]; Resolution No. 2012-036, 05/07/2012 [§6.4.100]; Resolution No. 2012-128, 12/17/2012 [§6.4.100]; Resolution No. 2013-024, 03/04/2013 [§6.4.100]; Resolution No. 2013-055, 05/06/2013 [§6.4.100]; Resolution No. 2013-113, 09/03/2013 [§6.4.100]; Resolution No. 2014-036, 05/05/2014 [§6.4.110]; Resolution No. 2014-103, 09/15/2014 [§6.4.110]; Resolution No. 2015-011, 01/20/2015 [§6.4.110]; Resolution No. 2015-054, 03/02/2015 [§6.4.110]; Resolution No. 2015-088, 05/04/2015 [§6.4.110]; Resolution No. 2016-047, 05/02/2016 [§6.4.110]; Resolution No. 2017-060, 05/01/2017 [§6.4.110]; Resolution No. 2018-034, 05/07/2018 [§6.4.110]; Resolution No. 2018-089, 07/16/2018 [§6.4.110]; Resolution No. 2018-105, 09/04/2018 [§6.4.110]; Resolution No. 2018-106, 09/04/2018 [§6.4.110]; Resolution No. 2019-073, 05/06/2019 [§6.4.100]; Resolution No. 2019-123, 07/15/2019 [§6.4.110]; Resolution No. 2020-044, 05/18/2020 [§6.4.100]; Resolution No. 2020-058, 06/01/2020 [§6.4.100]; Resolution No. 2020-131, 10/19/2020 [§6.4.110]; Resolution No. 2021-081, 06/07/2021 [§6.4.110]; Resolution No. 2021-066, 05/03/2021 [§6.4.110]

◆Chapter 5{Reserved}

Editor's Note:

Former Title 6, Chapter 5, Finance: Refuse Fees, was removed during the 2005-06 republication.

- Chapter 6 City Vehicle Use Policy

- §6.6.100: {RESERVED}.
- §6.6.105: {RESERVED}.
- §6.6.110: {RESERVED}.
- §6.6.115: {RESERVED}.
- §6.6.120: {RESERVED}.
- §6.6.125: MILEAGE ALLOWANCE.

The City shall reimburse employees for the business use of personal automobiles at the standard mileage rate permitted under the Internal Revenue Service federal tax laws. Annually on January 1, the Finance Director shall notify employees of the current applicable rate.

Editor's Note:

This Chapter was first codified administratively in 1986.

Legislative History:

Resolution No. 2005-156, 11/21/2005 [§§6.6.100-6.6.125]

- Chapter 7 Real Property Transfer Tax

- §6.7.100: CLAIMS FOR REFUNDS.

Claims for refunds of taxes imposed pursuant to Title 2, Chapter 3 of the San Leandro Municipal Code (“Real Property Transfer Tax”) shall be governed by the provisions hereof.

- §6.7.105: GROUNDS FOR REFUND.

No claim for refund shall be filed unless the taxpayer has paid the tax under protest. Any taxes paid under protest and prior to delinquency shall be refunded on order of the Finance Director if they were:

- (a) Paid more than once;
- (b) Erroneously or illegally collected;
- (c) Erroneously or illegally assessed or levied.

- §6.7.110: PROTEST.

Any taxpayer contending that taxes heretofore paid should be refunded shall file a protest of said taxes with the Finance Director within thirty (30) days of paying said taxes. The Finance Director shall prepare and make available appropriate forms for filing protests. The protest shall be in writing specifying the amount of refund claimed and the grounds therefor. For purposes of this chapter, the tax is paid on the date the document subject to taxation is recorded.

- §6.7.115: DETERMINATION.

Within six (6) months of filing any protests, the Finance Director shall evaluate and determine the sufficiency of any protest. The Finance Director shall serve by mail notice of the determination made. If the protest is upheld, the Finance Director shall refund the taxes paid as well as penalties, if any, thereon. If any payments may be refunded but no protest is filed within the time allowed, the payment shall be transferred to the general fund.

- §6.7.120: APPEAL.

Any party aggrieved by the determination of the Finance Director relative to a refund claim may appeal in writing to the City Manager within thirty (30) days of the date of mailing of the Finance Director’s determination under §6.7.115.

- §6.7.125: FINAL DETERMINATION.

The City Manager shall consider such appeal and affirm, modify or reverse the determination of the Finance Director. The determination of the City Manager shall be final.

Editor’s Note:

This Chapter was first codified administratively.

- Chapter 8 Policy Governing Employee Use of Purchasing Cards

- §6.8.100: POLICY GOVERNING EMPLOYEE USE OF PURCHASING CARDS.

It is the policy of the City of San Leandro to provide Purchasing Cards to employees, subject to the conditions set forth in this policy, when such provision would enhance an employee's ability to perform assigned job duties, and when it is determined to be in the City's best interest. The employee's Department Head and the Finance Director are responsible for certifying that there is a demonstrated need for an employee to have a purchasing card. Requests for purchasing cards should be submitted to the Purchasing Supervisor using the appropriate form.

Violations of this policy will result in the immediate removal of the Purchasing Card and possible disciplinary action, up to and including termination.

Regulations governing use of Purchasing Cards:

- (a) Purchasing Cards shall only be provided to City of San Leandro employees.
- (b) An employee must sign and agree to the stipulations of the Employee Purchasing Card Agreement prior to receipt and use of a Purchasing Card.
- (c) The only person entitled to use the Purchasing Card is the person whose name appears on the card.
- (d) Employees must promptly report a lost, misplaced or stolen Purchasing Card to the issuing bank and Purchasing Supervisor.
- (e) The Purchasing Card may be used only for City of San Leandro business-related small purchases as defined in Section 1-6-300 of the San Leandro Municipal Code, and authorized travel and training expenditures.
- (f) The Purchasing Card limit may be increased in the case of an emergency as specified in Section 1-6-310 of the San Leandro Municipal Code.
- (g) Employees shall retain all Purchasing Card receipts, enter each transaction into the City's financial software system, and reconcile the receipts with the monthly bank statement.
- (h) The City reserves the right to monitor use of Purchasing Cards. Employees should neither expect nor assume any privacy regarding Purchasing Card transactions.

Commented [MB6]: Since the new limits allow the City Manager up to \$100K without Council approval, Section 1-6-310 should be updated from \$50K to \$100k

Legislative History:

Resolution No. 2003-148, 06/16/2003 [§6.8.100]

Chapter 9 Policy for Employee Computer Purchase Program

§6.9.100: POLICY FOR THE EMPLOYEE COMPUTER PURCHASE PROGRAM.

It is the policy of the City of San Leandro to provide a computer purchase program for employees and City Councilmembers. Interested employees and City Councilmembers must read the packet of information regarding eligibility for the Employee Computer Purchase Program and follow the procedures for applying and participating in the Program. When eligible Program Participants are accepted, they must then complete and submit the required agreement and forms as directed in the "Employee Computer Purchase Program Packet."

§6.9.105: OBJECTIVE.

The objective of the Employee Computer Purchase Program (EPCC) is to elevate the computer literacy of regular (permanent) full or part time City Employees and City Councilmembers (the "Program Participants") through encouraging the purchase and use of home computers and software.

§6.9.110: PHILOSOPHY.

The philosophy is that, if Program Participants can more readily purchase computer equipment for home use, they will use the equipment more frequently. Many people learn more easily and effectively in a more relaxed environment, and home computers will allow Program Participants to practice and explore without impeding their normal workload. Program Participants will become more adept at the use of City compatible hardware and software, thereby improving valuable computer skills and work productivity.

§6.9.115: ELIGIBILITY.

All regular (permanent) full or part time City employees who have completed their initial probationary period and City Councilmembers are eligible for a loan under the program. Program Participants must agree to comply with the requirements and provisions of the plan. Program Participants are eligible to finance acquisition of only one computer every three (3) years. Program Participants will be eligible to finance upgrades to their existing system and additional software through this plan at any time.

§6.9.120: LOAN LIMITS.

Each Program Participant is eligible to borrow, interest free, a maximum of \$3,000. The minimum amount of a loan will be \$500. The loan balance cannot exceed \$3,000 for one individual at any time. Once a loan is initiated by a Program Participant, the Participant may not reenter the purchase program until three (3) months after the obligation has been paid. For a purchase over \$3,000, the Program Participant is responsible for the cost difference, payable directly to the vendor.

§6.9.125: LOAN REPAYMENT.

Loan repayment will be made through payroll deductions on a semimonthly basis and will start on the first paycheck after payment to the vendor is made. The maximum repayment schedule is 48 pay periods (2 years). The minimum payment will be \$20.00 per pay period. If a Program Participant terminates employment with the City before the loan is paid in full, the remaining

balance will be deducted from the Participant's final paycheck (including wages, accrued sick leave, accrued vacation payoff, and for any other compensation available). The obligation owed to the City will have first priority over any other paycheck deductions. If the Program Participant's paycheck is insufficient to repay the loan in full, the City will issue to the Program Participant an invoice for the remaining amount, payable in full within fifteen (15) working days.

~~§6.9.130: AGREEMENT.~~

~~A written agreement between the City and the Program Participant is required. The loan agreement will outline the responsibilities of the Participant, terms of the agreement, payroll deduction arrangements, and other conditions of the plan.~~

~~§6.9.135: LIMITATIONS.~~

~~Loans will be made to Participants on a lottery type basis until the loan pool is depleted. As funds become available through loan repayments, additional loans will be processed from a first come, first served waiting list. Lottery and waiting list positions may not be purchased or swapped between Participants. After notification of eligibility, applicants will have two (2) weeks to make purchase decisions. If no decision is reached within two (2) weeks, the applicant will be dropped off the list or will be placed at the bottom of the list.~~

~~§6.9.140: MAXIMUM PARTICIPATION.~~

~~The total amount outstanding to all Participants under this program at any given time will be \$234,000 or less. This program may be suspended at any time at the discretion of the City.~~

~~§6.9.145: RESTRICTIONS ON TRANSFER OR ASSIGNMENT.~~

~~Each Participant in the plan agrees that the equipment and software made available under this plan will be restricted to the Participant's own use and that of his or her immediate family. Any reassignment or transfer of the equipment violates the agreement, cancels the right to participate in the plan, and requires immediate payoff of any outstanding loan balance. The Participant agrees to maintain the equipment in good working order during the term of the loan.~~

~~§6.9.150: INSURANCE.~~

~~Participants in this plan **must** ensure that their home or renter's insurance policy provides adequate protection of their equipment. **The City will not assume any liability for damage or theft of equipment or software.**~~

~~§6.9.155: PROCEDURE.~~

- ~~(a) — Applicant submits a completed program interest form to the Finance Department.~~
- ~~(b) — Applicant waits for notification from the Finance Department that his or her lottery or waiting list position is available for eligibility.~~
- ~~(c) — Applicant obtains an application from the Finance Department after notification of eligibility is received.~~

- (d) ~~Applicant obtains a quotation(s) from vendor(s) for the costs of hardware and software to be purchased through this plan. All quotations received should be valid for a minimum of 45 days and should include a three year warranty on the PC hardware.~~
- (e) ~~Applicant submits the completed application together with the quotation(s) from the vendor(s) to the Finance Department. The Finance Department forwards system configuration information to the Information Services Division for a determination on configuration eligibility.~~
- (f) ~~Finance Department verifies employment and prepares a loan agreement (including obtaining the Participant's signature) once the configuration is approved by Information Services.~~
- (g) ~~Finance Department issues payment to vendor(s).~~
- (h) ~~Participant can then pick up hardware and software from the vendor(s).~~

~~§6.9.160: SYSTEM CONFIGURATION REQUIREMENTS.~~

~~The Information Services Manager will provide minimum hardware and operating system requirements for an eligible system under this plan at the time the Packet is requested to ensure ongoing compatibility with the work environment during the life of the loan.~~

~~All PC hardware is to be provided by a single vendor (a second vendor may be used for the purchase of the printer and/or software), must include a three year warranty, and must be purchased new from a reputable, existing public business.~~

~~Equipment may **not** be purchased for or supported by another City employee, family member, or vendor affiliation that could be construed as a conflict of interest. It is strongly recommended that the system be a nationally recognized brand name. All system configurations are subject to review by Information Services.~~

~~Mail order systems must be pre-approved. Game software (not bundled with the system or multimedia package) or gaming peripherals, such as joysticks or control paddles, must be purchased outside of this plan.~~

~~§6.9.165: SPECIAL ORDERS.~~

~~Although this program is designed to encourage the use of the previously listed equipment configuration, in some cases there may be a special need for equipment that is not included on the City's list. The City will consider special equipment orders on a case-by-case basis. The criteria for approval will focus on whether the proposed special purchase will improve the Participant's computer literacy skills as they pertain to work. (Participants who have moderate functional computer skills but not technical skills should consider the problem of debugging hardware glitches of special equipment. If the Participant has ample technical help at home, this may not be a problem; if not, the City strongly encourages the use of the standard equipment configurations.) If approved, the Participant will be offered the same benefits and terms as the standard program.~~

~~§6.9.170: OTHER CONDITIONS.~~

~~The City will not act as the primary consultant or be responsible for making system recommendations for acquisition. The City will not be responsible for troubleshooting or fixing system bugs, breakdowns, or problems. The City will not provide training specifically for home computer use. The City loan will cover only state sales tax; any portion of sales tax above the state tax will be the Participant's responsibility. Proof of sales tax paid **must** be provided for all purchases, even for out of state mail order purchases.~~

Editor's Note:

Former Title 10, Chapter 7, Human Resources: Policy for Employee Computer Purchase Program, was editorially renumbered to be Title 6, Chapter 9, Finance: Policy for Employee Computer Purchase Program, during the 2005-06 republication. Legislative history for Title 10, Chapter 7: Resolution No. 2001-126, 07/16/2001 [§§10.7.100-10.7.170]

Legislative History:

Resolution No. 2005-156, 11/21/2005 [§§6.9.100-6.9.170]

TITLE 7 ~~RECREATION AND~~ **PARKS HUMAN SERVICES**

Chapter 1 Rules and Regulations for the Use of Public Parks and Recreational Facilities

ARTICLE 1 GENERAL REGULATIONS

§7.1.100:

No person, firm, corporation, partnership, club, associations or other organization shall, without the written consent of the City of San Leandro, except as provided in Title 4, Chapter 5 of the San Leandro Municipal Code titled Peddlers, Solicitors and Itinerant Merchants:

- (a) Sell or offer for sale any goods or merchandise of any kind, solicit sales, funds, contributions or donations of any kind, conduct of any business, event or program, trade or occupation.
- (b) Cut, mark, paint, damage, remove or deface any tree, landscaping, irrigation, fence, wall, building, apparatus or other structure, or fasten thereto any poster, circular, or other object.
- (c) Use sound amplifying equipment that exceeds the City's noise limits as detailed in Section 4-1-1100, known as the "Noise Ordinance," of the San Leandro Municipal Code.
- (d) Consume or be in possession of any open container of any alcoholic beverage in any City park or open space area, as detailed in Section 4-1-705 of the San Leandro Municipal Code.

§7.1.105:

No person shall disrupt park or recreational activities, or interfere with public use and enjoyment of park or recreational facilities.

No person owning or having custody or control of any dog shall permit such dog to defecate on any public sidewalk, park or parkway without immediately removing the resulting excrement. Persons shall have in their possession the capability to properly dispose of such excrement at the time of occurrence. The excrement so removed shall not be disposed of on any property listed in this chapter except in public refuse receptacles. Persons using Seeing-Eye dogs are exempt from this section.

ARTICLE 2 SPECIAL REGULATIONS

§7.1.200: SIGNS.

Signs shall be posted within the park or recreational facility to notice the regulations stated in §7.1.205 below.

§7.1.205: REGULATIONS.

The provisions of this section shall be cumulative and are not intended to replace any otherwise available regulations. No person shall:

- (a) Enter or remain except at such times as public use is permitted.
- (b) Ride or drive any bicycle, motorcycle, motorized equipment and other motorized vehicles on any playfield, turf, landscaping area, court, picnic area or pedestrian walkway.
- (c) Drive a vehicle at a speed greater than ten (10) miles per hour, except where otherwise posted.
- (d) Park or leave standing any vehicle except at such times as public use is permitted.
- (e) Park a motor vehicle except as authorized, in any of the following places:
 - (1) Where prohibited by "No Parking" signs.
 - (2) Adjacent to any curb painted red by the City.
 - (3) Within 15 (fifteen) ft. of a fire hydrant
 - (4) Blocking or obstructing a fire lane.
 - (5) Blocking or obstructing a trail entrance, sidewalk or pedestrian walkway
 - (6) Blocking or obstructing any gate, entrance or exit.
 - (7) On any lawn, turf or landscaped area.
 - (8) In any picnic area.
 - (9) In such a manner as to take up more than one designated parking place in any authorized area.
 - (10) In such a manner as to block or partially block the roadway of the parking area i.e., Vehicle not pulled fully into parking space.
 - (11) In any parking area designated for the park for reasons other than park use.
 - (12) In any parking areas designated for the park outside the hours of park operation or parking lot hours as designated.
- (f) Climb any tree, bush, fence, building or equipment except play apparatus or other structure designed for that purpose.
- (g) Drive, putt or hit any golf ball except upon areas designed for that purpose.
- (h) Play hardball-baseball except in areas designated for that purpose.

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- ~~(d) Ride or drive any bicycle, motorcycle, motorized equipment or other vehicles on any playfield, turf, landscaping area, court or pedestrian walkway.~~
- ~~(e) Enter or remain except at such times as public use is permitted.~~
- ~~(f) Park or leave standing any vehicle except at such times as public use is permitted.~~
- ~~(g) Drive a vehicle at a speed greater than ten (10) miles per hour, except where otherwise posted.~~
- (h) Cause or permit any restrained dog to come within or remain within thirty (30) feet of a picnic table.
- (i) Skate with roller skates or skateboards in, upon or along ~~with the~~ north or south parking lots located at Marina Park.
- (j) Feed, or cause the feeding of, or leave food for any feral or undomesticated animal.
- (k) Use the designated skateboard area at Thrasher Park for riding a skateboard or in-line skates without wearing a helmet, knee pads and elbow pads suitable to provide protection in the event of falls or collisions.
- (l) Allow any animal under his or her care or custody to enter onto any ballpark or playing field approved for organized play, subject to exceptions for disabled persons requiring the assistance of an animal and special events with prior approval of the City Manager.
- (m) Use tennis and pickleball courts except for their intended purpose.
- ~~De (on) Dump, deposit or release any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse or trash in or on any park facility except that refuse which is incidental to the use of the facility may be deposited in the receptacles provided therefor. For purposes of this section, an incinerator, stove, fire ring, barbecue or other device used to contain fires or for cooking is not a proper receptacle for refuse or other waste material.~~
- ~~(p) Dispose of burning fuel such as wood or charcoal in garbage cans or refuse bins. All fuels shall be thoroughly extinguished prior to disposal. If no designated coal receptacle is available, extinguished coals shall be left in a barbecue device.~~
- ~~(q) Wear footwear that will damage, injure or create the need for excessive maintenance on any field, court, deck, floor, turf or specialized surface for games and activities. In areas posted with a sign specifying footwear authorized or approved, no person shall enter such area other than with the footwear so designated.~~

(r)Construct or erect any building, structure, modify or alter City property without a valid permit issued by the City or otherwise authorized in writing by the City.

(s)Use a playground or other play equipment other than as stated by the manufacturer or City for accessibility and age limitations for such equipment.

ARTICLE 3 PARK OPERATING PROCEDURES

§7.1.300: AVAILABILITY.

In an effort to insure maximum public accessibility to all community and neighborhood parks in San Leandro, all non-reservable park facilities are on a first come, first served basis during periods when parks are open to the public.

§7.1.305: PARK HOURS.

Park operating hours are hereby established for the following designed parks:

(a) All parks, except Chabot Park and San Leandro Shoreline Recreation Area, shall be open to the public daily from 8:00 a.m. to 8:00 p.m. from October 31 through April 30 and from 8:00 a.m. to 10:00 p.m. May 1 through October 30.

(b) Chabot Park shall be open to the public daily as follows:

January	7:00 a.m. - 6:00 p.m.
February - March	7:00 a.m. - 7:00 p.m.
April	7:00 a.m. - 8:00 p.m.
May - Labor Day	7:00 a.m. - 9:00 p.m.
Day after Labor Day to October	7:00 a.m. - 8:00 p.m.
October	7:00 a.m. - 7:00 p.m.
November - December	7:00 a.m. - 6:00 p.m.

(c) The San Leandro Shoreline Recreation Area shall constitute that property owned by the City of San Leandro bounded on the north by Marina Boulevard and on the prolongation of Marina Boulevard to San Francisco Bay, on the east by the eastern boundary of the Marina Golf Course, the Driving Range, the Tony Lema Golf Course and the Shoreline Trail, on the south by San Lorenzo Creek and on the west by the navigable waters of the San Francisco Bay.

(d) The San Leandro Shoreline Recreation Area shall be open to the public daily from one-half hour before sunrise to 10:00 p.m. and the park shall be closed to all persons and no person shall be permitted to remain at the park (except as permitted in paragraph (e) below) between 10:00 p.m. in the evening and one-half hour before sunrise in the morning of the following day.

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- (e) The provisions of these regulations shall not apply to ~~Marina berths, patrons of restaurants or other concessions, customers of the golf course, boatworks or brokerage, members of the San Leandro or Spinnaker Yacht Clubs, employees, invitees or licensees of the foregoing.~~
- (f) Signs stating the closing hours and exceptions thereto shall be conspicuously posted at all entrances to the San Leandro Shoreline Recreation Area.

Public use of parks at times other than herein specified is not permitted without prior written approval from the Recreation and ~~Human Services~~Parks Department.

§7.1.310: PARK RESERVATIONS and PERMITS.

City park facilities may be reserved by obtaining a permit from the Recreation and Human Services Parks Department.

~~Recreation and Parks Director~~ ~~tys~~ ~~Recreation and Parks Director~~ ~~Dd~~ ~~Recreation and~~
~~Pp~~ ~~and community servicestys~~

The Recreation and Parks ~~Director shall~~ Director shall have the authority to close any park facility or portion thereof and require the exit of all persons therein when they determine that conditions exist in said facility or portion thereof which present a hazard to the facility or to public safety.

The Recreation and Parks Director shall issue a permit hereunder when they find that:

1. The proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
2. The proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
3. All conditions, including, where applicable, the payment of fees, approval of the ~~D~~irectorDirector of Recreation and Pparks and community services, and insurance coverage and/or requirements are met;
4. The proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;
5. The proposed activity or use will not entail unusual, extraordinary or burdensome expense or security operation by the department;
6. The facilities desired have not been reserved for other use;
7. Special conditions requested in applications are reasonable and feasible.

No person shall fail to produce and exhibit a permit they claims to have upon request of any department employee or any peace officer who desires to inspect the permit for the purpose of enforcing compliance with any regulations of this chapter.

Any person using a park facility or portion thereof which may be reserved by obtaining a permit, but who has not obtained such a permit, shall vacate said area when holders of a valid permit present themselves.

§7.1.315: FEES.

All parties shall be required to comply and pay the appropriate rental fees set forth in the City of San Leandro Adopted Master Fee Schedule §6.4.100 of the San Leandro Administrative Code.

Editor's Note:

Former Title 7, Fire, was removed and former Title 22, Chapter 2, Recreation and Parks: Rules and Regulations for the Use of Public Parks and Recreational Facilities, was editorially renumbered to be Title 7, Chapter 1, Recreation and Human Services: Rules and Regulations for the Use of Public Parks and Recreational Facilities, during the 2005-06 republication. Legislative history for former Title 22, Chapter 2: Resolution No. 82-196, 07/19/1982 [§§22.2.100-22.2.310]; Administrative Order, 08/22/1995 [§22.2.200(k)]

Legislative History:

Resolution No. 2006-123, 11/20/2006 [§§7.1.100-7.1.315]; Resolution No. 2008-152, 12/15/2008 [§7.1.100(d)]; Resolution No. 2009-076, 06/01/2009 [§7.1.205(l)]; Resolution No. 2010-139, 11/15/2010 [§7.1.205(m)]

Chapter 2 Street Tree Policy and Procedures

§7.2.100: GENERAL.

A street tree is a plant of arborescent form planted by the City within the public right-of-way. Except as specifically provided in this Chapter, trees planted by the property owner that are located inside or outside the public right-of-way, and/or City trees that have been at some point maintained by the property owner are the sole and exclusive responsibility of the property owner.

§7.2.105: STREET TREE PLANTING.

Property owners desiring a new street tree must contact the City to request a tree. The City will plant the tree for a fee set forth in the City of San Leandro Adopted Master Fee Schedule. The property owner will have limited discretion as to the type of tree based on the area available for planting, and the species that the City will plant based on the approved Street Tree List.

If an existing street tree is being removed by the City under the circumstances in §7.2.110 and the property owner asks for a replacement tree to be planted, there will be no cost to the property owner for this service.

§7.2.110: STREET TREE REMOVAL.

(a) The City will remove a street tree under the following circumstances:

- (1) Where the tree is dead or damaged beyond expected recuperation (by storm, vehicle accident, etc.).
- (2) Where hazardous conditions exist (e.g., a tree in danger of falling over).
- (3) Where the City determines a tree has caused concrete or sewer utility line damage and further damage cannot be prevented by normal tree maintenance measures, such as root pruning.

(4) Where the City is engaged in a scheduled and phased tree removal and replacement program.

(5) Under unusual hardship circumstances upon approval by the Recreation and Parks Director.

(b) A property owner may prune or remove a City street tree under the following conditions:

(1) The property owner shall obtain an encroachment permit from the Recreation and Parks ~~City Public Works~~ Department prior to pruning or removal of the City tree.

(2) The tree removal shall include stump-grinding, with return of the planting area to either softscape or hardscape that does not create a tripping hazard to the public.

(3) The cost of pruning or removal and stump-grinding of the City tree shall be the exclusive responsibility of the property owner.

(4) If a replacement tree is not requested by the property owner as set forth in §7.2.105, the property owner shall be required to pay the City the fee set forth in the City of San Leandro Adopted Master Fee Schedule for a tree to be planted in a location of the City's choosing.

§7.2.115: STREET TREE TRIMMING.

The City trims ~~young~~ street trees as needed for proper growth and tree health. Mature trees are trimmed by area on a scheduled basis depending on the size and species of the trees.

Pacific Gas & Electric, as the local electricity utility purveyor, may trim or remove City trees at any time to maintain electrical line clearance, and will attempt to provide prior notification to the property owner. It is noted that Pacific Gas & Electric does not remove/grind the stumps of trees that they remove.

§7.2.120: {RESERVED}.

§7.2.125: OTHER MAINTENANCE.

The City ~~will~~may root prune street trees as needed ~~and~~; the health of the tree will be considered. The City will remove and dispose of large limbs that have fallen from street trees. The property owner is responsible for the cleanup of tree debris, such as small limbs, leaves, berries and nuts.

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If large limbs from trees located on private property fall and obstruct the public sidewalk or street, the City will, upon notification by the property owner, remove the obstruction and place the limbs on the private property for disposal by the property owner.

§7.2.126: ADMINISTRATIVE AUTHORITY.

In order to provide for a sustainable urban forest within San Leandro neighborhoods, street trees within identified neighborhoods, which may have grown beyond the public right-of-way, may require maintenance by the City. The Recreation and Parks Director is hereby given administrative authority to adopt policies pertinent to the maintenance of street trees as deemed necessary.

§12.8.130: {RESERVED}.

Editor's Note:

Chapter 2 Street Tree Policy and Procedures was formerly Title 12, Chapter 8. The reorganization of the Public Works Department transferred trees to a new Recreation and Parks Department and this Chapter. Legislative history for former Title 12, Chapter 2: Resolution No. 83-260, 11/21/83 [§§12.8.100-12.8.130]; Resolution No. 2001-154, 09/17/01 [§§12.8.100-12.8.130]; Resolution No. 2003-125, 06/02/2003 [§§12.8.105, 12.8.110, 12.8.120, 12.8.130]; Resolution No. 2008-134, 11/03/2008 [§§12.8.110, 12.8.126]; Resolution No. 2010-049, 05/03/2010 [§12.8.105]; Resolution No. 2019-150, 09/03/2019 [§§ 12.8.100—12.8.115]

Legislative History:

· TITLE 8 ~~ENGINEERING & TRANSPORTATION~~PUBLIC WORKS

· Chapter 1 Sidewalk Repair Program

· §8.1.100: APPLICABILITY.

The procedures set forth herein shall be applicable to the repair of, and allocation of costs for, concrete improvements in the public right-of-way.

· §8.1.105: DEFINITIONS.

- (a) Occupant. "Occupant" means the property owner, renter, or tenant occupying a subject residential, industrial or commercial property.
- (b) Property Owner. "Property owner" means the owner of the residential, industrial or commercial property abutting the public right-of-way on which damaged or deteriorated concrete improvements are located.
- (c) Sidewalk Inspector. "Sidewalk Inspector" means the City Engineer or designee.

· §8.1.110: DETERMINATIONS.

All determinations of the Sidewalk Inspector shall be final and conclusive as the matters decided. Failure of any person to receive notice shall neither invalidate any determination nor prevent the imposition of costs upon any property for improvements. The provisions of this Chapter are intended to supplement and not conflict with the provisions of Chapter 22, Division 7, Part 3 of the California Streets & Highways Code and Title 5, Chapter 1 (Encroachments) of the San Leandro Municipal Code. The provisions of this Chapter shall not be construed to impose a mandatory duty upon the City or any employee, officer or agent thereof, nor shall they be construed to create any liability against the City not otherwise provided by law.

· §8.1.115: CONTRIBUTION BY CITY.

The City finds and determines that while it possesses the legal authority to impose upon benefiting properties the full cost of concrete improvements made to the public-right-of-way abutting said benefited property, that in the circumstances set forth in §8.1.120 hereof it desires to contribute a portion of such costs. The City reserves the right to determine otherwise and make no contribution.

· §8.1.120: REPAIRS.

Subject to the procedure established by Chapter 22, Division 7, Part 3 of the California Streets & Highways Code (§5600) and upon determination by the City Council, the costs for repair of concrete in the public right-of-way shall be allocated as follows:

- (a) Sidewalk Damage—Street Tree Related. Damage to the public sidewalk resulting from a tree planted in the public right-of-way.
 - (1) $\frac{1}{4}$ " to $\frac{1}{2}$ " Vertical Offset [All Offsets Measured at Their Highest Point]. The City will, at its cost, root prune the tree involved.
 - (2) $\frac{1}{2}$ " to $1\frac{1}{2}$ " Vertical Offset. The City will, at its cost, root prune the tree involved and patch or grind the affected area.
 - (3) $1\frac{1}{2}$ " or Greater Vertical Offset. The City will, at its cost, place a temporary patch on the affected area. The City will repair the affected area by removal and replacement. The time within which such repair is undertaken shall be determined by the City's Sidewalk Inspector. The City's Sidewalk Inspector will determine the area of the sidewalk required to be repaired, and the City will bear fifty percent (50%) of the cost of those repairs. Any additional repairs or improvements requested by the property owner must be made at the property owner's expense.
- (b) Sidewalk Damage, Non-Street Tree Related.
 - (1) $\frac{1}{2}$ " to $1\frac{1}{2}$ " Vertical Offset. The City will, at its cost, patch the affected area.
 - (2) $1\frac{1}{2}$ " or Greater Vertical Offset. The City will, at its cost, place a temporary patch on the affected area. The City will repair the affected area by removal and replacement. The time within which such repair is undertaken shall be determined by the City's Sidewalk Inspector. The City's Sidewalk Inspector will determine the area of the sidewalk required to be repaired, and the property owner shall bear one hundred percent (100%) of the cost of those repairs. Any additional repairs or improvements requested by the property owner must also be made at the property owner's expense.
- (c) Parkway Strip Improvements.
 - (1) Where the parkway strip (the area between the sidewalk and curb) has been paved with concrete, the concrete is displaced or otherwise damaged, and if the City requires a concrete parkway strip, it shall be considered as sidewalk and the allocation of costs shall be provided in this section.
 - (2) If the City does not require that the parkway strip be concrete, the property owner will be given the option of removing the improvements and filling the void with topsoil. If the property owner fails to perform such work, the City will do so and assess the property owner for the full cost of that work.
- (d) Curb and Gutter Improvements. Curb and gutter improvements which require repair will be treated as sidewalk for the purpose of determining the limits of the repairs and the cost of such repairs.

- (e) Property Backing on Public Right-of-Way. Where the rear portion of a subject property abuts public right-of-way with damaged concrete improvements and there is no means of direct access from the rear of the property to the public right-of-way, the City shall pay the costs of repair unless the damage is the result of conditions on the private property or the actions of the property owner.
- (f) Curb Returns. All damage in a curb return shall be repaired at no cost to the property owner.

· §8.1.125: NOTICE TO OCCUPANT.

In addition to any notice required to be given pursuant to the applicable provisions of the California Streets & Highways Code, whenever the City patches the sidewalk or root prunes a street tree to prevent further damage to the sidewalk, it shall deliver to the occupant a notice of the work completed, the condition necessitating the work, and a statement that the occupant is responsible for notifying the City of any change in the condition of the improvements.

Editor's Note:

Former Title 5, Chapter 5, Community Development: Sidewalk Repair Program, was editorially renumbered to be Title 8, Chapter 1, Engineering and Transportation: Sidewalk Repair Program, during the 2005-06 republication. Former Title 5, Chapter 5 was codified administratively in 1986. Legislative history for former Title 5, Chapter 5: Resolution No. 2003-125, 06/02/2003 [§5.5.120(a)(3)]

Legislative History:

Resolution No. 2005-156, 11/21/2005 [§§8.1.100-8.1.125]; Resolution No. 2007-092, 07/02/2007 [§8.1.120(a)(3)]

· Chapter 2 Substitution of Subcontractors

· §8.2.100: GENERAL.

The ~~Public Works Engineering and Transportation~~ Director is authorized to give at least three (3) working days notice to a subcontractor listed in the original bid of a prime contractor awarded the contract for a public works project in the event such prime contractor requests the City's approval of a substitution of another subcontractor in such listed subcontractor's place, and to consent to such substitution in any case in which such substitution is permitted by law and is in the best interests of the City. Should such listed subcontractor protest such substitution, the ~~Engineering and Transportation~~Public Works Department shall immediately advise the City Manager who shall have the matter set for hearing at the next regular meeting of the City Council.

Editor's Note:

Former Title 12, Chapter 9, Public Works: Substitution of Subcontractors, was editorially renumbered to be Title 8, Chapter 2, Engineering and Transportation: Substitution of Contractors, during the 2005-06 republication. Resolution No. 70-5, 01/19/1970, was codified into former Title 12, Chapter 9 administratively in 1984.

Legislative History:

Resolution No. 2005-156, 11/21/2005 [§8.2.100]

· Chapter 3 Traffic Warrants for Stop Signs

· §8.3.100: GENERAL—TWO-WAY STOP.

Two-way stop signs are appropriate where there is a need to control the right-of-way at an intersection with noticeable traffic conflicts. Typically, the signs are installed on local streets where they intersect collector or arterial streets.

· §8.3.105: WARRANTS FOR INSTALLATION—TWO-WAY STOP.

(a) Two-way stop sign installation may be considered if any **one** of the following conditions exist:

(1) Traffic Volume.

(i) Total vehicular volume on the major street must be at least 1,000 vehicles per day or 100 vehicles per hour during the peak hour on an average day, and

(ii) Total vehicular volume on the minor street must be at least 500 vehicles per day or 50 vehicles per hour during the peak hour on an average day.

(2) Accidents. Three or more of a type susceptible to correction by stop signs within a 12-month period.

(3) Visibility. Critical approach speed is less than 10 miles per hour.

(4) Through Street Conditions. A street intersecting an adopted through street.

(b) Two-way stop sign installation may be considered if any **two** of the following conditions exist:

(1) Traffic Volume.

- (i) Total vehicular volume on the major street must be at least 500 vehicles per day or 50 vehicles per hour during the peak hour on an average day, **and**
 - (ii) Total vehicular volume on the minor street must be at least 250 vehicles per day or 25 vehicles per hour during the peak hour on an average day.
- (2) Accidents. Two or more of a type susceptible to correction by stop signs within a 12-month period.
- (3) Visibility. Critical approach speed is less than 15 miles per hour.
- (4) Unusual Conditions.
- (i) High speed – the 85 percentile speed on the major street exceeds 25 mph, **or**
 - (ii) Unusual conditions such as school, playground, fire station, steep hill, etc.

· §8.3.110: **GENERAL—FOUR-WAY STOP.**

Generally, a four-way stop is reserved for use at the intersection of two through streets where volume of traffic on each street is approximately equal. A four-way stop may be used as an interim traffic control measure prior to signalization.

· §8.3.115: **WARRANTS FOR INSTALLATION—FOUR-WAY STOP.**

Four-way stop sign installation may be considered if **any** of the following conditions exist:

- (a) Traffic and Pedestrian Volumes.
- (1) A minimum hourly average (for any eight hours) volume of 300 vehicles entering the intersection from all approaches on an average day. In addition, the vehicular volume entering the intersection from the minor street or streets for the same eight hours must average 1/3 of the total volume entering the intersection (100 per hour minimum), **or**
 - (2) A minimum hourly average (for any eight hours) volume of 300 vehicles entering the intersection on the main approach and a pedestrian volume of at least 100 pedestrians per hour crossing the main street during the same eight hours.
- (b) Accidents. Five or more of types susceptible to correction by stop signs within a 12-month period, with satisfactory observance and enforcement of less restrictive control.
- (c) Visibility. The straight line sight distance on one or more approaches of the major street for vehicles or pedestrian crossing the intersection is less than 150 feet.

- (d) Residential Area. Volume warrants to be reduced to 60% of the values above if **all** of the following conditions are met:
- (1) Both streets have residential frontage with existing 25 mph speed limits.
 - (2) Neither street is an adopted through street.
 - (3) Both streets are two-lane streets.
 - (4) No existing stop sign or signal is located on the more heavily traveled street within a distance of 600 feet.
 - (5) Intersection has four legs, with streets extending 600 feet or more away from the intersection on at least three sides.
 - (6) Installation of a four-way stop is compatible with overall traffic circulation needs for the residential area.
- (e) Unusual Conditions. Volume warrants to be reduced to 60% of the values above, if any unusual condition such as grades, curves, blind corners, or steep hills exist.

Editor's Note:

Former Title 12, Chapter 10, Public Works: Traffic Warrants for Stop Signs, was editorially renumbered to be Title 8, Chapter 3, Engineering and Transportation: Traffic Warrants for Stop Signs, during the 2005-06 republication. Former Title 12, Chapter 10 was codified administratively in 1987.

Legislative History:

Resolution No. 2005-156, 11/21/2005 [§§8.3.100-8.3.115]

· Chapter 4 {Reserved}

Editor's Note:

Former Title 8, Chapter 4, Oversize Vehicles, was repealed and deleted by Resolution No. 2015-053, 03/02/2015.

· Chapter 5 Substandard Residential Driveways

· §8.5.100: GENERAL.

It shall be the policy of this City Council to encourage property owners to upgrade residential driveway approaches not meeting current City standards whenever City streets are reconstructed.

· §8.5.200: AUTHORITY TO ADMINISTER POLICY.

The City Engineer shall have the sole discretion to determine if an existing driveway is substandard and meets the prerequisites necessary to qualify under this program.

· §8.5.300: SUBSTANDARD RESIDENTIAL DRIVEWAY POLICY.

The cost of replacement of substandard driveways approaches will be on an equal share basis between the City and the qualifying property owner. The property owner will be given the option to either pay his share of the driveway replacement cost upon completion of the work or defer payment of his share to the City for up to one year after completion and thereafter payments can be made over a period of five years at an annual interest rate of six percent (6%). Qualifying low-income property owners may be eligible to receive grant funds, if available. Property owner participation in the City's program to upgrade substandard residential driveways shall be on a voluntary basis.

If the property owner elects to complete his driveway approach construction utilizing the property owner's contractor, the rebate for the cost of the work will be fifty percent (50%) of the total cost to the property owner, or fifty percent (50%) of the current unit cost of the City's Annual Sidewalk Repair Program, whichever is less. Receipts must be provided for all reimbursable costs.

· §8.5.400: PROCESS.

Whenever the City undertakes street reconstruction, the City will inspect residential driveways within the limits of construction. A driveway will be eligible under this program when it does not conform to the current City standard; and, where the pavement elevation at the gutter has been significantly lowered in the course of street reconstruction.

Driveways altered by the construction of non-permitted concrete, asphalt, wood, or other unauthorized materials will not qualify under this program, unless the conditions found in the aforementioned paragraph also exist.

All residential properties will receive written notice containing details of the upcoming street reconstruction.

Property owners will also be advised whether or not the replacement of their driveway qualifies for cost sharing under this program.

Property owners will also be informed that following the completion of the street reconstruction work, that use of appurtenances in the street gutter (e.g., wood, concrete, or metal ramps) to adjust for grade differences between the street and driveway will not be allowed in accordance with San Leandro Municipal Code, §5-1-200. This notification is necessary to minimize the potential for flooding and pavement water damage as a result of gutter blockage.

· **§8.5.500: TIME LIMITS FOR PARTICIPATION.**

Eligibility for this cost-sharing program is for a limited time. The eligibility period for this program is as follows:

- (a) Start of Eligibility Period. Twelve (12) months prior to the award of the associated street rehabilitation project construction contract.
- (b) End of Eligibility Period. Three (3) months after the initial acceptance of the associated street rehabilitation project construction contract.

· **§8.5.600: SUSPENSION OF PROGRAM.**

This program may be suspended by the City Manager when insufficient funding is available for its implementation.

Editor's Note:

Former Title 12, Chapter 13, Public Works: Substandard Residential Driveways, was editorially renumbered to be Title 8, Chapter 5, Engineering and Transportation: Substandard Residential Driveways, during the 2005-06 republication. Legislative history for former Title 12, Chapter 13: Resolution No. 2001-34, 02/20/2001 [§§12.13.100-12.13.400]

Legislative History:

Resolution No. 2005-156, 11/21/2005 [§§8.5.100-8.5.500]; Resolution No. 2011-149, 07/18/2011 [§§8.5.200-8.5.600]

· **Chapter 6 Residential Parking Permit Program**

· **§8.6.100: INITIAL PROCESS.**

The addition of a neighborhood to the City's Residential Parking Permit Program may be initiated by the City Council or City Manager or by petitions as specified in the City's Residential Parking Permit Ordinance.

· §8.6.105: PETITION PROCESS.

Area residents requesting that a neighborhood to be added to the program must submit a petition on a form to be supplied by the ~~City's Engineering and Transportation~~ Public Works Department pursuant to the requirements of the City's Residential Parking Permit Program. Only residents that are adult property owners in the proposed residential parking area are qualified to submit petitions. The residents must define the boundaries of the area with guidance from ~~the City's Engineering and Transportation~~ Public Works staff. The minimum area to be considered is four (4) contiguous block faces unless exceptional circumstances warrant a smaller area as determined by the ~~Public Works~~ Engineering and Transportation Department. The residents shall submit a petition to the ~~Engineering and Transportation~~ Public Works Department with signatures by adult property owners representing at least seventy-five percent (75%) of the addresses within the proposed program area. The proposed hours of permit parking shall be determined by the ~~Engineering and Transportation~~ Public Works Director.

- (a) The petition shall contain a description or a map showing the proposed residential parking permit area.
- (b) Said description or map shall be followed in the petition by a statement describing the residential parking permit program and the current residential permit fees.
- (c) The statement shall be followed by a signature, printed name, address, and date of signing of the application by a number of adult property owners including at least seventy-five percent (75%) of the addresses within the proposed program area.
- (d) All petitions shall be the same as the standard petition form developed by City staff. Any petition form different from the standard petition form shall be deemed invalid.

· §8.6.110: CONDITIONS OF PROPOSED AREA.

In the proposed residential parking permit area, at least eighty percent (80%) of the block fronts with unlimited on-street parking must be residentially zoned, and at a minimum, seventy-five percent (75%) of all unlimited on-street parking spaces within the proposed area must be occupied during any two (2) one-hour periods between 8:00 a.m. and 5:00 p.m. or unlimited on-street parking is projected to be impacted by parking spillover from a more congested residential parking permit area.

· §8.6.115: APPROVAL PROCESS.

A public hearing with notification to properties within three hundred (300) feet of the proposed area shall be held by the Planning Commission pursuant to the Commission's authority set forth in ~~Section §~~ 1-3-1005 of the San Leandro Municipal Code, to review proposals relating to traffic circulation. After receiving the Planning Commission recommendation, the City Council shall consider a resolution establishing a residential parking permit area.

· §8.6.120: INITIATION OF ENFORCEMENT.

At least sixty percent (60%) of the households must purchase permits before signs identifying the program and establishing the area are installed.

· §8.6.125: MAXIMUM NUMBER OF PERMITS.

Each household may be entitled to purchase a maximum of two (2) annual parking permits.

· §8.6.130: VISITOR PERMITS.

Each household may be entitled to purchase visitor permits.

(a) The Finance Department shall issue visitor permits in accordance with ~~Section §6-2-335~~ of the San Leandro Municipal Code. A visitor permit shall be of limited duration, but shall otherwise grant to the holder all the rights and privileges of regular residential parking. Visitor permits shall be fourteen (14) day visitor permits.

(b) The Finance Department is authorized to establish rules and regulations, consistent with this Chapter, concerning the issuance and display of visitor permits to permit holders.

(c) An eligible applicant for a visitor permit shall be any person eligible to obtain a residential parking permit pursuant to criteria set forth in ~~Section §6-2-300~~ of the San Leandro Municipal Code.

· §8.6.135: FEES.

The annual fee shall be charged on a calendar year basis and shall not be pro-rated. Annual fees for regular permits shall be twenty dollars (\$20) for the first permit and forty dollars (\$40) for a second permit. Fourteen (14) day visitor permits shall be fifteen dollars (\$15) each. Subsequent changes of fees shall be established by the City Council upon recommendation of the ~~Engineering and Transportation~~Public Works Director.

Editor's Note:

Former Title 12, Chapter 14, Public Works: Residential Parking Permit Program, was editorially renumbered to be Title 8, Chapter 6, Engineering and Transportation: Residential Parking Permit Program, during the 2005-06 republication. Legislative history for former Title 12, Chapter 14: Resolution No. 2003-023, 02/03/2003 [§§12.14.100-12.14.135]

Legislative History:

Resolution No. 2005-156, 11/21/2005 [§§8.6.100-8.6.135]

· Chapter 7 Neighborhood Traffic Calming Program

· §8.7.100: GENERAL.

The Neighborhood Traffic Calming Program (NTCP) is designed to address speeding and cut-through traffic in residential neighborhoods. The City receives more requests than can be accommodated each year. Therefore, this program is in place to provide minimum criteria that must be met for a roadway to be considered in the NTCP and also identifies prioritization criteria used to prioritize roadways to receive traffic calming measures.

Detailed design requirements and procedures will be as described in the Neighborhood Traffic Calming Program Handbook. This handbook will be maintained and updated by the ~~Engineering and Transportation~~Public Works Department.

· §8.7.105: MINIMUM CRITERIA FOR QUALIFICATION.

A roadway may qualify for the Neighborhood Traffic Calming Program if all of the following conditions exist:

- (a) The roadway is a local residential roadway, a residential collector roadway, or a collector roadway as defined in the San Leandro General Plan's Transportation Element.
- (b) If the roadway is a local residential roadway, the critical speed must be at least 32 miles per hour (mph) or the average daily traffic volume must be at least 1,000 vehicles per day (vpd).
- (c) If the roadway is a residential collector roadway, the critical speed must be at least 34 miles per hour (mph) or the average daily traffic volume must be at least 2,000 vehicles per day (vpd).
- (d) If the roadway is a collector roadway, street segments of selected collectors must contain more than 95% residential properties as determined by the ~~Engineering and Transportation~~Public Works Department. The segments identified shall use the prioritization criteria of a residential collector roadway as defined in (c).

· §8.7.110: PRIORITIZATION CRITERIA.

If a roadway meets the minimum criteria, it may be prioritized amongst all of the other qualifying roadways based on the following points system:

- (a) Critical (85th Percentile) Speed.

Local Street	Residential Collector Street	Points
32 mph	34 mph	1

33 mph	35 mph	2
34 mph	36 mph	3
35 mph	37 mph	4
36 mph	38 mph	5
37 mph	39 mph	6
38 mph	40 mph	7
39 mph	41 mph	8
40 mph	42 mph	9
41 mph	43 mph	10 maximum

(b) Average Daily Traffic Volume.

Local Street	Residential Collector Street	Points
1000-1100	2000-2200	1
1101-1200	2201-2400	2
1201-1300	2401-2600	3
1301-1400	2601-2800	4
1401-1500	2801-3000	5
1501-1600	3001-3200	6
1601-1700	3201-3400	7
1701-1800	3401-3600	8
1801-1900	3601-3800	9
1901 and above	3801 and above	10 maximum

(c) Collision History. One point for each collision susceptible to correction by traffic calming over the past three (3) years. (5 points maximum)

(d) Pedestrian Generators. One point for each park, recreation facility or other public facility that is a significant pedestrian generator within the neighborhood boundary as determined by the Traffic Engineer. Elementary, middle and high schools will be weighed double points in the category. (5 points maximum)

§8.7.120: APPROVAL REQUIREMENT.

In order to ensure effective use of City resources, it is prudent to obtain both resident and property owner approval of any proposed traffic calming measures. A designated traffic calming area will be divided into two sub-areas at the discretion of ~~Engineering and Transportation~~Public Works staff. The areas are as follows:

Focus Area (Improvement Area) – This area is the principal street(s) where traffic calming has been requested and where the majority of the traffic calming improvements will be implemented.

Influence Area (Neighboring Area) – This area includes the streets surrounding the Focus Area where traffic may be marginally influenced or altered as a result of implementing the traffic calming improvements.

There are two requirements for implementation of the NTCP, which are as follows:

- (a) Residents and property owners within the Focus Area must authorize the implementation of the NTCP by return ballot. Acceptance of the program requires a response by at least fifty percent (50%) of the issued ballots with a minimum approval rating of sixty-seven percent (67%).
- (b) Once a final traffic calming plan is recommended, both the residents and the property owners must approve the plan by ballot. Approval shall be based upon the Composite Voting System shown in the figure below. A minimum of fifty percent (50%) of the issued ballots must be returned from the Focus Area to constitute a valid vote. The response from the Influence Area will be evaluated using a Protest Vote method. The Protest Vote method will count no-votes and compare them to the entire Influence Area to determine the approval percentage.

Editor's Note:

Former Title 12, Chapter 15, Public Works: Neighborhood Traffic Calming Program, was editorially renumbered to be Title 8, Chapter 7, Engineering and Transportation: Neighborhood Traffic Calming Program, during the 2005-06 republication. Legislative history for former Title 12, Chapter 15: Resolution No. 2003-154, 07/07/2003 [§§12.15.100-12.15.120]

Legislative History:

Resolution No. 2005-156, 11/21/2005 [§§8.7.100-8.7.120]; Resolution No. 2007-131, 10/01/2007 [§8.7.120]; Resolution No. 2011-129, 06/20/2011 [§8.7.105]

· Chapter 8 Park Facilities Development Impact Fee

· §8.8.100: GENERAL.

The purpose of the Park Facilities Development Impact Fee set forth by the enacting resolutions is to finance park facilities to reduce the impacts caused by future development in the City. Title 7, Chapter 13 of the San Leandro Municipal Code establishes the Park Facilities Development Impact Fee ("Park Impact Fee") applicable to development within the City and provides for these administrative guidelines that sets

forth the amount of the fee, the types of development projects on which the fee is imposed and the time for payment.

· §8.8.105: DEFINITIONS.

- (a) Commercial. “Commercial” shall mean any development constructed or to be constructed on land having a Commercial or Professional District land use designation as described in Article 6 of the City of San Leandro Zoning Code (“Zoning Code”). Commercial land uses include, but are not limited to: apparel and clothing stores; auto dealers and malls, auto accessories stores; banks and savings and loans; beauty salons; book stores, discount stores and centers; dry cleaners; drug stores; eating and drinking establishments; furniture stores and outlets; general merchandise stores; hardware stores; home furnishings and improvement centers; hotels and motels; Laundromats; liquor stores; restaurants; service stations; shopping centers; supermarkets; and theaters.
- (b) Development. “Development” shall mean the construction, alteration or addition of any residential building or structure within the City of San Leandro.
- (c) Facilities. “Facilities” shall include those facilities that are described in the Report and in the Findings of the enacting resolution. “Facilities” shall also include comparable alternative facilities should later changes in projections of development in the region necessitate construction of such alternative facilities; provided that the City Council later determines in accordance with applicable law that:
 - (1) There is a reasonable relationship between development within the City and the need for alternative facilities;
 - (2) The alternative facilities are comparable to the facilities listed in the Report of the enacting resolution; and
 - (3) Revenue from fees charged pursuant to this Chapter will be used only to pay new development’s fair and proportionate share of the alternative facilities.
- (d) Fee. “Fee” shall mean the charge or charges imposed on Development to fund the Facilities to ensure that such Development pays its fair share of facilities needs generated by such Development pursuant to this Chapter and applicable law.
- (e) Industrial. “Industrial” shall mean any development constructed or to be constructed on land having a Zoning Code designation for the manufacture, production, assembly, or processing of consumer goods and/or other space uses incidental to these activities. Industrial land uses include but are not limited to: assembly; concrete and asphalt batching plants; contractors’ storage yards; fabrication; lumber yards; manufacturing; outdoor stockyards and service yards; printing;

processing; warehouse and distribution; and wholesale and heavy commercial uses.

- (f) Mixed Development. "Mixed Development" shall mean a development that includes more than one of the types of development defined in this Section. Mixed Developments may combine residential types of development, non-residential types of development, or a combination of residential and non-residential types of development.
- (g) Single-Family. "Single-Family" shall refer to any buildings containing one dwelling unit and up to one accessory dwelling unit and one junior accessory dwelling unit located on a single lot, as defined in Title 1 General Provisions Section § 1.12.108 dwelling unit appropriate to a Residential Single-Family District as described in Article 5, Section 2-500 Definitions of the Zoning Code.
- (h) Office. "Office" shall mean any development constructed or to be constructed on land having a Zoning Code designation for general business offices, medical or professional offices, administrative or headquarters offices, offices for large wholesaling or manufacturing operations, and research and/or development and other space uses incidental to these activities. Office land uses include, but are not limited to: administrative headquarters; business parks; finance offices; insurance offices; legal offices; medical and health services offices and office buildings; professional and administrative offices; professional associations; real estate offices; research and/or development offices and travel agencies.
- (i) Multi-Family. "Multi-Family" shall refer to any dwelling unit other than a Single-Family unit, Special Unit, or Accessory Dwelling Unit.
- (j) Special Unit. "Special Unit" shall refer to any dwelling unit that is not a Single-Family unit or is not a Multi-Family unit or is not an Accessory Dwelling Unit or a Secondary Dwelling Unit that meets the Zoning Code definition or a Senior Housing Project established for independent elderly adults that do not require daily care and supervision as well as assisted living facilities where the residents are able to enjoy local parklands or participate in senior-oriented park facilities or centers.
- (k) Accessory Dwelling Unit. "Accessory Dwelling Unit" is hereby defined in Title 1 General Provisions Section § 1.12.108 Part II, Article 5, Division 3, Section 2-576 Definitions of the San Leandro Zoning Code.

§8.8.110: PARK IMPACT FEE IMPOSED.

- (a) A Fee shall be charged and paid for each Single-Family, Multi-Family, Special Unit and Accessory Dwelling Unit within the City when the Certificate of Occupancy for the unit is issued.

- (b) For each Mixed Development a composite Fee shall be charged and paid in accordance with (a), above, for each Single-Family, Multiple-Family, Special Unit and Accessory Dwelling Unit within a Mixed Development.
- (c) The Fee shall not be charged for non-residential developments (Commercial or Industrial), nor shall the Fee be charged for non-residential developments within Mixed Developments.

· §8.8.115: AMOUNT OF FEE.

The amount of the Fee shall be as listed in ~~§6.4.100 of the San Leandro Administrative Code~~the City of San Leandro Adopted Master Fee Schedule.

· §8.8.120: EXEMPTIONS FROM FEE.

The Fee shall not be imposed on any of the following:

- (a) Any alteration or addition to a residential structure, except to the extent that a residential unit is added to a Single-Family residential unit or another unit is added to an existing Multi-Family residential unit;
- (b) Any replacement or reconstruction of an existing residential structure that has been destroyed or demolished; provided that, the building permit for reconstruction is obtained within one year after the building was destroyed or demolished, unless the replacement or reconstruction increase the square footage of the structure by fifty percent (50%) or more.

· §8.8.125: USE OF FEE REVENUE.

The revenues raised by payment of the Fee shall be placed in a separate, interest bearing account to permit accounting for such revenues and the interest, which they generate. Such revenues and interest shall be used only for the Facilities and the purposes for which the Fee was collected, which are the following:

- (a) To pay for acquisition of the Facilities;
- (b) To pay for design, engineering and construction of and property acquisition for, and reasonable costs of outside consultant studies related to, the Facilities;
- (c) To reimburse the City for the Facilities constructed by the City with funds from other sources including funds from other public entities, unless such funds were obtained from grants or gifts intended by the grantor to be used for the Facilities;
- (d) To reimburse developers that have designed and constructed any of the Facilities with prior City approval and have entered into an agreement, as provided in §8.8.155 below; and

- (e) To pay for and/or reimburse costs of program development and ongoing administration of the Fee program, including, but not limited to, the cost of studies, legal costs, and other costs of updating the Fee.

- §8.8.130: STANDARDS.

The Standards upon which the need for the Facilities is based are the standards of the City, including the standards contained in the General Plan and those City standards reflected in the San Leandro Municipal Code.

- §8.8.135: PERIODIC REVIEW.

During each fiscal year, the City Manager shall prepare a report for the City Council, pursuant to California Government Code ~~Section §~~66006, identifying the balance of Fee revenues in the Fee account and identifying the improvements to which the Fee has been applied during the previous fiscal year.

- §8.8.140: 5-YEAR REVIEW.

For the fifth fiscal year following the first deposit into the Fee account, and every five years thereafter, the City Council shall make findings with respect to the purpose of the Fee as described in California Government Code ~~Section §~~66001(d).

- §8.8.145: SUBSEQUENT ANALYSIS AND REVISION OF THE FEE.

The Fee set herein is adopted and implemented by the City Council in reliance on the Record identified above. The City may continue to conduct further study and analysis to determine whether the Fee should be revised. When additional information is available, the City Council may review the Fee to determine that the Fee amounts are reasonably related to the impact of development within the City. In addition to the inflation adjustments pursuant to §8.8.150, below, the City Council may revise the Fee to incorporate the findings and conclusions of further studies and any standards in the General Plan or the Master Plan, as from time to time amended by the City.

- §8.8.150: FEE ADJUSTMENTS.

Beginning July 1, 2006 and each July 1 thereafter, as follows, the City Manager shall adjust the amount of the Fee to account for inflation, according to the San Francisco Bay Area Consumer Price Index for All Urban Consumers or the Construction Cost Index, whichever is higher at the time of adjustment.

- §8.8.155: CREDITS AND REIMBURSEMENT FOR DEVELOPER CONSTRUCTED FACILITIES.

The City and a developer may enter into an improvement agreement to allow the developer to construct certain of the Facilities. Such an agreement is totally discretionary on the part of the City. Such agreement shall provide for security for the developer's commitment to construct the Facilities and shall refer to this Chapter for credit and reimbursement. If the City enters into such an agreement with a developer prior to construction of one or more of the Facilities, the City shall provide the developer a credit in accordance with the following:

- (a) Credit Amount. The credit shall be in the amount of the lowest bid received for construction of the facility, as approved by the City Engineer. However, in no event shall a credit pursuant to this provision exceed the current facility cost. For the purposes of §8.8.155, such current facility cost shall be the amount listed in the Report for that particular facility as subsequently adjusted pursuant to §8.8.145 and §8.8.150 of this Chapter prior to issuance of the building permit for that facility. Once issued, credit pursuant to §8.8.155 shall not be adjusted for inflation or any other factor. Credit provided pursuant to §8.8.155 is not transferable.
- (b) Application of Credit. Credit pursuant to §8.8.155 may be applied by developers against the Fee applicable to a particular project until the credit is exhausted or an excess credit results. The total credit shall be divided by the number of units (for a residential project) to determine the amount of credit which can be applied against the Fee for each unit and, if the credit per unit is less than the Fee per unit, the developer shall pay the difference for each unit. If a credit pursuant to §8.8.155 is less than the Fee applicable to a particular non-residential development project, the developer shall pay the City the balance in cash.
- (c) Reimbursement for Excess Credit. Reimbursement for excess credit shall only be from remaining unspent Fee revenues. Once all the Facilities have been constructed or acquired and to the extent Fee revenues are sufficient to cover all claims for reimbursement of Fee revenues, including reimbursement for excess credit, developers with excess credit shall be entitled to reimbursement, subject to such developers:
 - (1) Certifying in writing to the City that the cost of constructing the facility which resulted in an excess credit was not passed on to homeowners, and
 - (2) Indemnifying the City from landowner claims for reimbursement under Government Code [Section §-66000](#) et seq. and [Section §-66001](#) in particular.

· §8.8.160: CREDIT CONCERNING QUIMBY ACT DEDICATIONS AND/OR FEES PAID.

If a developer has dedicated land and/or paid a fee in lieu of dedication for a residential subdivision project under a City ordinance adopted pursuant to the Quimby Act ("Quimby Act Ordinance"), and such residential subdivision project is later subject to imposition of the Fee, such developer shall be entitled to a credit against the Fee in accordance with the following:

- (a) The amount of credit shall equal the park land acquisition element of the Fee applicable to the particular residential subdivision project and in effect at the time for payment of the Fee pursuant to this Chapter.

- (b) The park improvement element of the Fee applicable to the particular residential subdivision project in effect at the time for payment of the Fee pursuant to this Chapter shall continue to apply, notwithstanding any dedication of land and/or payment of a fee in lieu of dedication for the particular residential subdivision project pursuant to the Quimby Act Ordinance.

· §8.8.165: EFFECTIVE DATE.

In accordance with California Government Code ~~Section §~~-66017, the Fee shall be effective sixty (60) days from the effective date of the enacting resolution.

· §8.8.170: SEVERABILITY.

Each component of the Fee and all portions of this Chapter are severable. Should any individual component of the Fee or any portion of this Chapter be adjudged to be invalid and unenforceable by a body of competent jurisdiction, then the remaining Fee components and/or Chapter portions shall be and continue in full force and effect, except as to those Fee components and/or Chapter portions that have been adjudged invalid.

Editor's Note:

Resolution No. 2005-069, 06/06/2005, was codified into this Chapter during the 2005-06 republication.

Legislative History:

Resolution No. 2005-156, 11/21/2005 [§§8.8.100-8.8.170]; Resolution No. 2019-074, 05/06/2019 [§§8.8.105 and 8.8.110]

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 9 LIBRARY

Chapter 1 {Reserved}

Editor's Note:

Former Title 9, Chapter 1, Library Commission: Bylaws, was editorially renumbered to be Title 19, Chapter 1, Library-Historical Commission: Bylaws, on 12/04/1985.

Chapter 2 Meeting Room Regulations

~~§9.2.100: PURPOSE OF SENIOR MEETING ROOM.~~

~~The basic purpose of the Dave Karp Senior Meeting Facility is to serve the needs of San Leandro senior organizations.~~

~~§9.2.105: PREFERENCE FOR DAVE KARP SENIOR MEETING FACILITY.~~

~~Organizations that meet the requirements of §9.2.110 of the San Leandro Administrative Code, may reserve the Dave Karp Senior Meeting Facility six (6) months in advance.~~

~~§9.2.110: CERTIFICATION OF SENIOR ORGANIZATIONS.~~

~~In order for an organization to qualify as a senior organization, a majority of the members of that organization must:~~

~~(a) Reside within the San Leandro corporate limits; and~~

~~(b) Be sixty two (62) years of age or older.~~

~~§9.2.100: USE OF MEETING ROOMS.~~

~~Public use of meeting rooms, shall be limited to the standard hours of operation.~~

§9.2.105: USE OF ALCOHOLIC BEVERAGES IN MEETING ROOMS.

All alcoholic beverages except wine and beer are prohibited in the rooms, with exception of the following:

- (a) Organizations must be qualified to use the rooms under general meeting room regulations.
- (b) Consumption of wine and beer is limited to the Estudillo Room and Dave Karp ~~Senior~~ Meeting Facility.
- (c) Food must accompany the serving of wine and beer.
- (d) Organizations must comply with the Alcoholic Beverage Control Act.
- (e) Organizations must provide adequate cleanup and must supervise wine and beer consumption to assure no excess consumption and no consumption by persons under 21 years of age.
- (f) Failure to observe all of the above regulations may result in disqualification of an organization from future use of the rooms.

~~§9.2.110: RESTRICTIONS ON GAMES AND AWARDING OF PRIZES.~~

~~To the extent permitted by the San Leandro Municipal Code and state law, games of chance shall be allowed in designated areas of the library. and shall be restricted to Dave Karp Senior Meeting Facility, Estudillo Room, and Carnegie Lecture Hall.~~

To use the meeting rooms for bingo, organizations must have a bingo permit from the Finance Department, in conformance with Title 4, Chapter 25 of the San Leandro Municipal Code, and present such valid permit to the Library Director before use.

No game of chance prohibited by state law shall be allowed in any meeting room.

~~§9.2.125: PUBLIC FUND RAISING ACTIVITIES.~~

~~(a) "Public fund raising" is defined as "fund raising programs open to the general public."~~

~~(b) Public fund raising shall be allowed, subject to the following restrictions:~~

~~(1) The activity must be non-disruptive to public library services and operations and be of general interest or benefit to San Leandro citizens.~~

~~(2) The sponsors of public fund raising activities shall be required to comply and pay the appropriate fee set forth in the §6.4.100 of the San Leandro Administrative Code.~~

§9.2.11530: FEES AND INSURANCE.

All organizations shall be required to comply and pay the appropriate fee set forth in §6.4.100 of the San Leandro Administrative Code. The Library Director shall have the discretion to require organizations provide to the City evidence of insurance acceptable to the City's Risk Manager.

Legislative History:

Resolution No. 83-25, 02/07/1983 [§§9.2.100-9.2.125]; Resolution No. 2005-156, 11/21/2005 [§§9.2.100-9.2.130]

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 10 HUMAN RESOURCES

Chapter 1 {Reserved}

Chapter 2 Political Activity of Personnel**§10.2.100: POLITICAL ACTIVITY.**

- (a) It is prohibited for any person holding a position as an officer or employee to engage in any political activities of any kind while in uniform or during working hours. In addition, no political activities shall be permitted on City premises.
- (b) This section is adopted pursuant to authority set forth in Government Code Section §3207. This section is intended as a supplement to and not a substitute for Government Code Sections §3201- §3209.

Editor's Note:

This Chapter was first codified administratively in 1990.

Chapter 3 {Reserved}

Chapter 4 {Reserved}

Chapter 5 {Reserved}

Chapter 6 {Reserved}

Chapter 7 Employment of Relatives

§10.7.100.

Close family relatives shall not be employed in positions where they directly or indirectly supervise or are supervised by a close family relative. Accordingly, this policy is designed to prevent potential conflicts of interest pertaining to supervision, safety, security and/or morale. Supervisory responsibilities, in this context, denote control over assignments, promotion or pay.

The close family relatives covered by this policy include: spouse; domestic partner registered with the State of California; parent, grandparent, child, grandchild, brother, sister, aunt, uncle, niece, nephew, mother-in-law, father-in-law, brother-in-law, sister-in-law, step-parent, step-child, step-brother or step-sister.

A close family relative of a City employee is not precluded from applying for an examination, competing in an examination, being placed on an employment list or being certified to the Department Head for employment consideration. However, no appointment will be made whenever an applicant is in a close family relationship with an employee working in a department/division for which he/she is applying if such an appointment creates a supervisory conflict, as outlined in this policy and in accordance with City Charter Section §705, Nepotism, which precludes appointment of such persons to any permanent, salaried office or employment if such person is related by blood or marriage within the third degree to a Councilmember or Mayor or to the appointing officer. This policy applies to both open and promotional examinations, transfers and entry-level examinations.

In the event that two employees who are in a supervisory relationship become close family relatives as defined above, both family members must immediately report their familial relationship to the City. In such a situation, one of the employees shall be reassigned so as to eliminate the supervisory relationship as soon as feasible. If possible, subject to the needs of the City, the choice as to which employee is to be reassigned shall be made in writing by the affected employees.

Editor's Note:

Former Title 10, Chapter 7, Human Resources: Policy for Employee Computer Purchase Program, was editorially renumbered to be Title 6, Chapter 9, Finance: Policy for Employee Computer Purchase Program, during the 2005-06 republication.

Legislative History:

Resolution No. 2012-008, 02/06/2012

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 11 POLICE

- Chapter 1 Rules and Regulations

- **ARTICLE 1 AUTHORIZATIONS**

- **§11.1.100: RULES AND REGULATIONS.**

Title 1, Chapter 2, Section 1-2-105 of the San Leandro Municipal Code provides that Department Heads may prescribe rules and regulations for the administration of their departments and the conduct of their employees, subject to the approval of the City Manager.

- **§11.1.105: ADOPTION OF REGULATIONS—CONFLICT—INTERPRETATIONS.**

Pursuant to the authority set forth in Section 1-2-105 of the San Leandro Municipal Code, these Police Rules and Regulations (hereinafter referred to as regulations) are adopted. Notwithstanding any general orders, special orders, memoranda, instructions, manuals and the like to the contrary, the provisions of these regulations shall govern. Nothing contained herein shall be construed to limit or supersede any provision of law relating to the duties and obligations of peace officers, nor shall these regulations be construed to enlarge the liability of any officer or the department for actions within the course and scope of such officer's employment. The specific enumeration of unprofessional conduct does not constitute approval of unprofessional conduct harmful to the department not specifically stated herein. The use of the term "member(s)" shall be deemed to include peace officer and civilian employees of the Police Department.

- (a) **Amendment.** These regulations may be amended, revised, repealed or reenacted from time to time by written order of the Chief of Police.
- (b) **Existing Orders.** It is intended that these regulations provide general guidance for professional conduct of all peace officers and civilian employees of the department. All general orders, special orders, memoranda, instructions, manuals and the like in existence on the effective date of these regulations and not in conflict therewith, shall have the same force and effect as these regulations.

- **§11.1.110: REPORTING VIOLATIONS OF LAWS OR ORDINANCES.**

Members shall report to the Chief of Police, through proper channels, such violations of these rules and regulations, or any laws and ordinances in force in the City of San Leandro, by other members of the department that may come to their attention, or of which they have knowledge.

- **§11.1.115: VIOLATION OF DUTIES—ORDERS—RULES.**

Every member shall faithfully carry out and perform the duties of ~~his~~their rank or assignment. The failure of a member, either willfully, or through negligence or incompetence, to perform the duties of ~~this~~their rank or assignment, or the violation by a member of these regulations, or any instruc-

tion having the effect of these regulations may be considered cause for dismissal, demotion, suspension, loss of pay or privilege, reprimand, or any other penalty subject to the provisions of ~~Civil Service Rules~~ the applicable Memorandum of Understanding.

- **§11.1.120: AUTHORITY FOR ADMINISTRATION AND DISCIPLINE.**

Section 405 of the San Leandro City Charter provides that the City Manager (a) "shall appoint, remove and discipline all administrative officers of the City, except as otherwise provided by or pursuant to this Charter;" (b) "shall approve, modify or disapprove all recommendations for appointments of, removal of and disciplinary actions to be taken against, employees by administrative officers of the City, except as otherwise provided by or pursuant to this Charter."

- (a) **Dismissal, Suspension, Demotion, Reduction in Pay.** In accordance with the City of San Leandro ~~Code~~ Charter, Charter Municipal Code, applicable Memorandum of Understanding, and Personnel Rules, the City Manager, upon the recommendation of the Chief of Police or their designee, may discharge, suspend, demote or reduce the pay of any non-probationary member for cause.
- (b) **Probationary Members.** In accordance with Personnel Rules and pursuant to the Code and Charter of the City of San Leandro, a probationary member may be discharged by the City Manager upon the recommendation of the Chief of Police or their designee for any reason which, in the sole opinion of the City is just and sufficient.
- (c) **Other Personnel Actions.** The Chief of Police may change duty assignments, issue or cause to be issued oral or written reprimands, counsel any member or take any other action consistent with the Code, Charter, Civil Service Rules and applicable provisions of any current memoranda of understanding relative to an affected member for the good of the department or any other good cause.

- **§11.1.125: ADMINISTRATIVE INVESTIGATION.**

- (a) An administrative investigation is an investigation conducted to determine whether or not a member has violated any provisions of a Departmental order, rule, or regulation, or whether a member is impaired or unfit to perform the duties and responsibilities of ~~his or her~~ their position. Administrative investigation reports, statements, etc., may be used in administrative actions involving members of the department.
- (b) **Cooperation Required.** Members who are witnesses to derelictions of employees charged shall cooperate in the conduct of any administrative investigations.

- **§11.1.130: INTERROGATIONS AND INVESTIGATIONS.**

Interrogations of any member during the course of an investigation that could lead to formal disciplinary action shall be conducted under the following conditions and procedures and in accordance with the Peace Officer Bill of Rights. This rule shall not apply to any interrogation of a member in the normal course of duty, counseling, instruction or informal verbal admonishment by,

or other routine or unplanned contact with a supervisor or any other member, nor shall this rule apply to an investigation concerned solely and directly with alleged criminal activities.

- (a) The interrogation shall be conducted at a reasonable hour, preferably at a time when the member is on duty, or during the normal waking hours of the member, unless the seriousness of the investigation requires otherwise. If such interrogation does occur during off-duty time of the member being interrogated, the member shall be compensated for such off-duty time in accordance with regular department procedures, and the member shall not be released from employment for any work missed.
- (b) The member under investigation shall be informed prior to such interrogation of the rank, name and command of the officer in charge of the interrogation, the interrogating officers, and all other persons to be present during the interrogation. All questions directed to the member under interrogation shall be asked by and through no more than two interrogators at one time.
- (c) The member under investigation shall be informed of the nature of the investigation prior to any interrogation.
- (d) The interrogating session shall be for a reasonable period taking into consideration gravity and complexity of the issue being investigated. The person under interrogation shall be allowed to attend to ~~their his~~ own personal physical necessities.
- (e) The member under interrogation shall not be subjected to offensive language or threatened with punitive action, except that an officer refusing to respond to questions or submit to interrogations shall be informed that failure to answer questions directly related to the investigation or interrogation may result in punitive action. No promise of reward shall be made as an inducement to answering any question. The employer shall not cause the member under interrogation to be subjected to visits by the press or news media without ~~their his~~ expressed consent nor shall ~~their his~~ home address or photograph be given to the press or news media without ~~their his~~ expressed consent.
- (f) The complete interrogation of a member may be recorded. If a tape recording is made of the interrogation, the member shall have access to the tape if any further proceedings are contemplated or prior to any further interrogation at a subsequent time. The member shall be entitled to a transcribed copy of any notes made by a stenographer or to any reports or complaints made by investigators or other persons, except those which are deemed by the investigating agency to be confidential. No notes or reports which are deemed to be confidential may be entered in the officer's personnel file. The member being interrogated shall have the right to bring ~~their his~~ own recording device and record any and all aspects of the interrogation.
- (g) If prior to or during the interrogation of a member it is deemed ~~that they~~ that they may be charged with a criminal ~~offense, they~~ offense, they shall be immediately informed of ~~their his~~ constitutional rights.

- (h) Upon the filing of a formal written statement of charges, or whenever an interrogation focuses on matters which are likely to result in punitive action against any member, that member, at ~~their his~~ request, shall have the right to be represented by a representative of ~~their his~~ choice who may be present at all times during such interrogation. The representative shall not be a person subject to the same investigation.
- (i) No member shall be loaned or temporarily reassigned to a location or duty assignment if a sworn member of ~~their his~~ department would not normally be sent to that location or would not normally be given that duty assignment under similar circumstances.
- (j) No member shall be compelled to submit to a polygraph examination against ~~theirhis~~ will. No disciplinary action or other recrimination shall be taken against a member refusing to submit to a polygraph examination, nor shall any comment be entered anywhere in the investigator's notes or anywhere else that the member refused to take a polygraph examination, nor shall any testimony or evidence be admissible at a subsequent hearing, trial, or proceeding, judicial or administrative, to the effect that the member refused to take a polygraph examination.
- (k) No member shall have ~~their his~~ locker, or other space for storage that may be assigned to ~~themhim~~ searched except in ~~theirhis~~ presence, or with ~~theirhis~~ consent, or unless a valid search warrant has been obtained or where ~~theyhe~~ ~~have~~s been notified that a search will be conducted. This section shall apply only to lockers or other space for storage that are owned or leased by the employing agency.

(l) The aforementioned sections shall be interpreted in conformance with and not in conflict to California Government Code Sections 3300 *et seq.*

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- §11.1.135: CRIMINAL INVESTIGATIONS.

Whenever in the course of conducting an administrative investigation there is probable cause to believe that the member under investigation has committed a criminal act, such member shall be treated as any other criminal suspect or defendant and shall be afforded all rights and privileges guaranteed under the federal and state constitutions.

- §11.1.140: CIVIL SERVICE APPEALS.

The provisions of these rules and regulations shall not be construed to increase or decrease the rights of any non-probationary member to an appeal as a matter of right or to a hearing at the discretion of the Personnel Relations Board for actions taken against any member as provided herein.

- §11.1.145: CONSTRUCTION AND SEVERABILITY.

The provisions of this ~~manual-title~~ shall be severable and if any phrase, clause, sentence or provision of this code is declared to be unconstitutional or the applicability thereof to any person or circumstance is held invalid, the constitutionality of this ~~code-title~~ and the applicability thereof to any other person or circumstance shall, with respect to all severable matters, not be affected thereby.

•ARTICLE 2 DEFINITIONS

• §11.1.200: MEMBER.

Refers to every officer and employee of the Police Department.

• §11.1.205: NON-SWORN MEMBER.

When used alone shall mean civilian employee assigned to the Police Department in any permanent or temporary Personnel Classification.

• §11.1.210: OFFICER.

As used herein shall mean any person appointed to the Police Department as a regularly salaried and duly sworn as a peace officer, and shall have no reference to non-sworn employees.

• §11.1.215: COMMAND OFFICER.

Shall designate officers of the Department appointed to the rank of Lieutenant of Police or higher, or assigned by the Chief of Police to act in such rank.

• §11.1.216: CIVILIAN MANAGER.

Shall designate a non-sworn member who holds a position equivalent to a command officer (i.e., Support Services Manager).

• §11.1.220: SUPERVISORY OFFICER.

Shall designate officers of the department assigned by the Chief of Police to positions requiring the exercise of immediate supervision over the activities of members of the Department.

• §11.1.221: CIVILIAN SUPERVISOR.

Shall designate a non-sworn member who holds a position equivalent to a supervisory officer (i.e., Administrative Specialist Police).

• §11.1.225: SUPERIOR OFFICER.

As used herein shall refer to an officer of higher rank. The ranks in the San Leandro Police Department in descending order are: Chief of Police; ~~Assistant Police Chief~~; Captain; Lieutenant; Sergeant; and Police Officer. Where two officers of the same rank are concerned, the superior officer shall be the one with greater seniority in rank, unless the other has been assigned as the officer in charge.

• §11.1.226: CIVILIAN MANAGER AND CIVILIAN SUPERVISOR.

A civilian manager position shall be considered a non-sworn equivalent rank to Lieutenant. A civilian supervisor position shall be considered a non-sworn equivalent rank to Sergeant.

• §11.1.230: DEPARTMENT.

As used herein shall mean the San Leandro Police Department, City of San Leandro, California.

§11.1.235: DEPARTMENT POLICY.

Policies are written directives issued by the Chief of Police defining policy and procedures to be used by the Department. The Department Policy may be used to amend, rescind, or supersede any other regulations, Department Policy or Special Orders. Policies are permanent Department policy and remain in full force and effect until amended, rescinded or superseded by the Chief of Police.

- §11.1.240: SPECIAL ORDER.

Department Special Orders are written directives issued at departmental and divisional level by the Chief of Police, Assistant Police Chief, Captain of Police, or a Commanding Officer of a Division. Special Orders are issued to establish a temporary policy or procedure on a given subject, usually for a specific length of time. Special Orders are automatically canceled when their objective has been achieved.

- §11.1.245: ORDER.

As used herein an order is any written or oral directive issued by a superior officer to any subordinate or group of subordinates.

- §11.1.250: MANUAL.

As used herein are detail procedure guides and policy outlines issued for reference purposes. All manuals are issued by authority of the Chief of Police and carry the weight of a Department Policy Operations Directive.

- §11.1.255: SHALL/WILL.

The words “shall” or “will” as used herein shall indicate that the action required is mandatory.

- §11.1.260: MAY.

The word “may” as used herein shall mean the action indicated as permissive.

- §11.1.265. TENSE OF WORDS.

Words used in the present tense shall include the future tense.

- §11.1.270: PLURALITY OF WORDS.

The singular includes the plural and the plural includes the singular.

~~§11.1.275: GENDER.~~

~~The use of the masculine gender herein shall also include, when appropriate, the female gender.~~

- §11.1.280: BEGINNING OF DAY.

For record purposes the department day shall begin at 0001 hours and shall conclude at 2400 hours.

- §11.1.285: LINE FUNCTION.

That portion of the department's total activity that is directly concerned with the accomplishment of the departmental objectives in field operations. These units are responsible for the primary task of protection of life and property and render such services required by the public.

- §11.1.290: STAFF AND STAFF FUNCTION.

That portion of the department's total activity which assists the line organization in the accomplishment of the department objectives.

- §11.1.295: EXERCISE OF AUTHORITY.

All members holding any command or supervisory rank within the department have authority over all members of the department of any subordinate rank. Command or supervision will ordinarily be exercised only within the scope of the member's assignment. In an emergency, or when the good of the department so requires it, any command or supervisory member may direct or correct the activities of any subordinate member.

- §11.1.296: RESPONSIBILITY CROSSING LINE OF AUTHORITY.

When a member has directed or corrected an activity of a subordinate member outside of the normal scope of ~~their his~~ assignment, ~~they shall~~ they shall be held fully responsible for ~~theirhis~~ actions.

- §11.1.297: SENIORITY.

Seniority is established first by rank and second by time served in rank. Where conflict occurs because of identical service or dates of appointment, the member with the higher position on the Personnel eligibility list from which appointments were made is deemed the senior.

- §11.1.298: SENIORITY EQUAL RANK.

In situations requiring decision or control where the officers are of equal rank, the senior officer will make the decision and exercise control, unless otherwise directed by a higher authority.

- §11.1.299: FULL AUTHORITY IN ACTING CAPACITY.

Any member assigned the status "Acting" for any command or supervisory position in the department shall have full authority and full responsibility of the command or supervisory position ~~he is~~ they are occupying.

- ARTICLE 3 RANKS AND GENERAL DUTIES

- §11.1.300: CHIEF OF POLICE.

The Chief of Police is the chief executive officer of the department and is the final departmental authority in all matters of policy, operations and discipline.

- (a) The Chief of Police is responsible for the organization of the department, its operations, policy and procedures, and its relations with citizens, the city government and other agencies.

- (b) The Chief of Police is responsible for the efficiency of all members of the department. They shall conduct inspections to assure effective compliance with theirhis orders.
- (c) The Chief of Police may designate such officers of the department as they deems necessary, to act as administrative deputies in theirhis name, and as theirhis representatives. The Chief shall be held responsible for the actions of such deputies.
- (d) The Chief of Police shall keep the City Manager informed of the operations of the department by oral or written reports.
- (e) In the event of the absence of the Chief of Police from duty for any extended time, the Chief of Police shall designate an Acting Chief of Police, who will assume, during the absence of the Chief, all authority and responsibility vested in the Office of the Chief of Police.

§11.1.302: ASSISTANT CHIEF OF POLICE

The Assistant Chief of Police ~~Chief~~ serves as second in command of the Department and may be assigned to command a Bureau of the Department in addition to other duties by the Chief of Police. The Assistant Chief of ~~Police~~ ~~Chief~~ assists in planning, managing, directing, controlling, and coordinating all activities of the Department. Subject to the approval of the City Manager, the Assistant Chief of Police ~~Chief~~ shall act as Chief of Police during their absence.

- §11.1.305: CAPTAIN OF POLICE.

A Captain of Police shall be assigned to command a Bureau of the Department, but may be assigned additional duties by the Chief of Police. A Captain of Police shall be responsible for planning, directing, controlling, and coordinating all activities of theirhis command. The Captain of Police shall submit such verbal or written reports relating to their command, as may be required by the Chief of Police. Subject to the approval of the City Manager, the Chief of Police may designate a Captain of Police to act as Chief of Police during theirhis absence.

- §11.1.310: LIEUTENANT OF POLICE.

The Lieutenant of Police shall be assigned as a command officer in charge of a division of the department. The Lieutenant shall be responsible for the general and individual responsibilities of all supervisory officers, and other employees under their direct control. In addition to general responsibilities:

- (a) ~~He~~ They shall provide direction and control of personnel under their command to assure proper performance of duties and adherence to established rules, regulations, policies, and procedures.
- (b) Maintain discipline and morale within the command and shall investigate personnel complaints relating to their command, not assigned elsewhere.

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- (c) Prepare required correspondence, reports, and records relating to the activities of their command.
- (d) Require that quarters, equipment, supplies and materials assigned to their command are properly used and maintained.

- §11.1.311: CIVILIAN MANAGER.

A Civilian Manager is a non-sworn member who holds a management level position within the City of San Leandro and the equivalent of a command position within the Police Department. A Civilian Manager has all the duties, authority and responsibilities of a Lieutenant of Police as outlined above with the exception of those requiring peace officer status under the law.

- §11.1.315: SERGEANT OF POLICE.

A Sergeant of Police is a supervisory officer who may be assigned in charge of a unit of the department. The Sergeant shall be responsible for officers and employees assigned to their unit. A Sergeant may be assigned to field or staff duties.

- (a) The Sergeant shall exercise direct command of their subordinates to assure good conduct, discipline, and efficiency.
- (b) The Sergeant shall enforce departmental rules, regulations and orders to insure compliance with departmental policies and procedures. This requires inspections of activities, personnel and equipment under their supervision. they shall institute suitable action in the event of a failure, error, violation, misconduct, or neglect of duty by a subordinate. they shall keep their supervisor abreast of the activities of their subordinates and their unit, and shall submit written reports of incidents which warrant administrative notice or further action.
- (c) A Sergeant shall monitor the performance and progress of their subordinates and shall, according to departmental procedures submit objective and definitive reports of such performance. They shall provide or request such training as ~~he deems~~they deem necessary for their subordinates.
- (d) A Sergeant shall have a working knowledge of the duties and responsibilities of their subordinates. ~~He-They~~ shall be available for assistance and instruction to their subordinates, as required.

- §11.1.316: CIVILIAN SUPERVISOR.

A Civilian Supervisor is a non-sworn member who holds the equivalent of a police Sergeant's position within the Police Department. A Civilian Supervisor has all the duties, authority and responsibilities of a Sergeant of Police as outlined above with the exception of those requiring peace officer status under the law.

- §11.1.320: POLICE OFFICER.

Police Officers are ordinarily assigned as motorized. They may be assigned to other related duties or special assignment by Division Commanders, subject to the approval of the Chief of Police.

- (a) The Police Officer is responsible for general law enforcement duties and shall be held accountable for the beat, post, or special detail to which ~~they are~~^{is} assigned. ~~They~~^{He} shall hold ~~themselves~~^{himself} in readiness to answer the calls and obey the orders of ~~their~~ Superiors.
- (b) A Police Officer assigned as a specialist (i.e., detective, field evidence technician, canine handler, etc.), shall be held accountable for proper and efficient performance of the duties of such special assignment.
- (c) A Police Officer shall work such hours as may be designated by the Division Commander, subject to the approval of the Chief of Police.
- (d) A Police Officer assigned to the Patrol Division shall patrol ~~their~~ beat diligently and faithfully and with the understanding ~~they~~^{he} carries with ~~them~~^{him} a responsibility for the safety of the community and ~~their~~ fellow officers.
- (e) A Police Officer shall give immediate attention to calls for assistance, complaints or other emergencies. ~~They~~^{He} shall render such assistance as may be required in an efficient manner, returning to ~~their~~ regular duties as soon as is practicable. ~~They~~^{He} shall make an appropriate and timely report of ~~their~~ actions as soon as practicable upon completion of the service rendered.
- (f) A Police Officer shall inform ~~themselves~~^{himself} of information concerning the City of San Leandro, its public buildings, courts, churches, transportation, boundaries, recreation facilities, county, state, and federal offices within the City. ~~They~~^{He} shall be available to the public to provide accurate and intelligent assistance as required.
- (g) A Police Officer shall attempt to dissuade any other member from any act or omission which ~~they have~~^{he has} reason to believe is unlawful, hazardous, in direct violation of departmental rules and regulations, highly disruptive to departmental purposes or operations, or likely to bring discredit to the department or its members. Failing to discourage such act or omission, the officer shall immediately report ~~their~~ conclusions and dissuasive efforts to the most readily available supervisory or command officer.

~~§11.1.325: — POLICE SERVICES AIDE—~~

~~The Police Services Aide classification was established principally to release officers from considerable non-field duties.~~

- ~~(a) — A Police Services Aide may be assigned to any bureau, division or section of the Police Department. The Police Services Aide shall remain in readiness to assist the public or other agencies in as diligent and as efficient manner as possible.~~

- ~~(b) A Police Services Aide shall work such hours as may be designated by the Division Commander, subject to the approval of the Chief of Police.~~
- ~~(c) A female Police Services Aide, when requested or directed by an officer, shall accompany such officer as matron when a female is involved in an investigation. Her duty is to protect the officer, or officers, from false accusations.~~
- ~~(d) A female Police Service Aide, when directed to do so by an officer or supervisor, shall search female prisoners as may be necessary. Other than a search, a female Police Services Aide shall not be required to have bodily contact, such as restraining a prisoner, with females detained by the police. Actual physical restraint is the responsibility of the officer or officers involved.~~
- ~~(e) A Police Services Aide shall diligently and efficiently perform those tasks assigned by competent authority. In addition, the Police Services Aide shall be in readiness to answer public inquiry concerning police matters as may be requested at department headquarters.~~
- ~~(f) A Police Services Aide is subject to all department rules and regulations in the same manner as are officers and other employees of the department.~~

- §11.1.330: MEMBER.

Non-sworn members, ~~other than Police Services Aides~~, are appointed to the department in appropriate civil service classification.

- (a) Non-sworn members of the department shall work such hours as may be designated by the Division Commander, subject to the approval of the Chief of Police.
- (b) Non-sworn members are subject to all department rules and regulations in the same manner as are officers ~~and Police Services Aides.~~
- (c) Non-sworn members assigned to duties which require contact with the general public are representing the department and shall conduct themselves in a courteous, alert, and efficient manner.

- ARTICLE 4 GENERAL RESPONSIBILITIES

~~§11.1.400: GENERAL RESPONSIBILITIES OF OFFICERS AND/OR MEMBERS.~~

~~Officers of the department shall at all times, within the limits of the City of San Leandro, protect life and property, preserve the peace, prevent crime, apprehend violators of the law, or take appropriate action as the situation dictates. They shall enforce the laws of the United States of America, the State of California and the Ordinances of the City of San Leandro.~~

~~(a) Constitutional Rights. Members shall strive, in every facet of their duties and responsibilities, to protect the Constitutional rights of every individual.~~

Commented [TL1]: Lexipol 100

~~§11.1.405: PROFESSIONAL CONDUCT.~~

~~Members of the department shall maintain a professional posture towards victims, complainants, witnesses or violators of the law.~~

~~(a) Members shall not abuse their authority by acting in an officious or arbitrary manner.~~

Commented [TL2]: Lexipol 321

- §11.1.410: RESPONSIBILITY FOR ENFORCEMENT OF LAWS BY ALL OFFICERS.

Regardless of assignment, officers shall take prompt, proper police action with respect to violations of laws and ordinances, as observed by them, or coming to their attention.

- §11.1.415: FAILURE TO ASSIST A FELLOW OFFICER.

No officer of the department shall fail to assist or protect their fellow officer in time of danger, or fail to take effective action where danger might reasonably be impending, except where ~~he is~~they are actually incapacitated.

~~§11.1.420: SOLICITATION, ACCEPTANCE OF GRATUITIES.~~

~~No member shall solicit or accept any gratuities offered in recognition of the member's position, or for services performed in the line of duty, where it may be interpreted as capable of influencing the discharge of the member's official duties.~~

~~(a) Disposition of Gratuities, Etc. Should any presents, gratuities or unauthorized compensation come into the possession of any member, it shall be immediately forwarded to the Chief of Police, accompanied by a written report outlining all circumstances connected therewith.~~

~~(b) Merit Awards Excluded. This rule is not intended to preclude the receipt of merit awards, medals, honors, and other forms of recognition conferred by the employing agency, other agencies, and public or civic groups.~~

~~(c) Social Practices Excluded. This rule is not intended to isolate members from normal social practices where gifts among friends, associates and relatives are appropriate.~~

Commented [TL3]: Lexipol 321.5.2

~~§11.1.425: SOLICITATION OF SPECIAL PRIVILEGES.~~

~~No member shall use badge, identification card, uniform or official position to solicit special privileges for himself or herself, or for any other person.~~

~~(a) Solicitation of Special Discounts on Purchases. No member shall solicit or accept special discounts on purchases for himself or any person, by use of or her official position in the department, unless such discounts are routinely given as a business practice in recognition of group purchasing.~~

~~(b) **Solicitation of Free or Discounted Meals.** No member shall solicit free or discounted meals or drinks for himself, or any person, because of his or her position in this department. All reasonable efforts should be made to pay the full price of the meal or drink.~~

Commented [TL4]: Lexipol 321.5.2

~~§11.1.430: **OUTSIDE EMPLOYMENT.**~~

~~Except as expressly authorized by the Chief of Police, all members are prohibited from engaging in any other business or occupation, which would by virtue of its demand upon the member's rest time, hamper his ability to respond to and work diligently at his primary employment.~~

~~(a) Members desiring to engage in outside employment shall submit a written application in accordance with departmental procedure. Upon reasonable request, permission to engage in such employment will not be withheld except for good cause.~~

Commented [TL5]: Lexipol 1023

• §11.1.435: **SEEKING PERSONAL PREFERMENT OUTSIDE DEPARTMENT.**

No member shall for the purpose of personal preferment, advantage, transfer, advancement, or any other personal action, seek the influence or intervention of any person not an employee of the department. Reference Section §406, Article IV, City Charter.

~~§11.1.440: **COURT APPEARANCE.**~~

~~All members who normally work in uniform shall appear in Court, while on duty, in uniform. Uniformed members who are appearing in court while off duty, and all other members of the department shall appear in appropriate civilian attire. Civilian attire for male members shall include a suit or coat and slacks. Wearing of neckties is encouraged.~~

Commented [TL6]: Lexipol Policy 350

~~(a) **Manner of Testifying in Court.** Members in court shall avoid any indication of bias, prejudice or anger. They shall testify in a clear and distinct manner.~~

~~(b) **Prompt Attendance in Court.** Members required to be in court by departmental order or court subpoena shall be prompt in attendance and shall remain until excused by competent authority.~~

~~§11.1.445: **REFUSAL TO TESTIFY.**~~

~~Every member of the department, who, when required by competent authority to appear as a witness before any judicial tribunal, hearing board, investigative body, or person authorized to take testimony, refuses to testify to any material fact or subject, shall be subject to disciplinary action up to and including dismissal. This rule shall not be construed to require a member to incriminate himself in contravention to the Fifth Amendment of the U.S. Constitution.~~

~~§11.1.450: **REFUSAL TO TESTIFY IN DEPARTMENT INVESTIGATION.**~~

~~Every member shall forthrightly and truthfully answer questions in any department personnel investigation, when ordered to do so by competent authority. Refusal is insubordinate conduct and shall subject the member to disciplinary action.~~

Commented [TL7]: Lexipol 1012.5.2

- **§11.1.455: OFFICIAL INTERVENTION IN CIVIL CASES PROHIBITED.**

No officer of the department shall serve civil process nor shall ~~he-they~~ officially intervene in civil matters, except as required by law to prevent a breach of this peace, commission of a crime, or as directed by a Commanding Officer.

- (a) **Notification of Superior on Service of Civil Subpoena.** Whenever any department in the City of San Leandro is involved in a civil matter which results in the subpoena of a member of the Police Department, the member shall immediately notify their Command Officer of the service of the subpoena.
- (b) **Improper Use of Official Position in Civil Cases.** No member shall use their official position with the department as a means of coercion or intimidation of persons, businesses, or organizations with whom ~~he-they~~ may be engaged in a civil dispute, to settle the dispute or civil action in the favor of such member.

~~(c) **Instituting Civil Action, Service-Connected.** Members shall notify the Chief of Police in writing immediately upon instituting any civil action arising out of their official duties.~~

Commented [TL8]: Lexipol 321.5.9

(d) **Notification—Payment, Service-Connected Injury.** Members shall notify the Chief of Police in writing immediately upon accepting payment for damages or personal injury incurred in line of duty.

(e) **Interviews with Attorneys—Investigators.** For the protection of officers and the department, all interviews between members of the department, and attorneys or other persons interested in any case arising out of the departmental employment, shall take place in the presence of, or with the knowledge of a Command Officer of the department.

~~§11.1.460: PRESS RELATIONS WITH DEPARTMENT.~~

~~Members of the department shall cooperate with the working press consistent with statutory or court direction, departmental orders and policy, provided that police tactics, investigations or court prosecution of cases are not thereby jeopardized. In any case where a question of press relationship cannot be satisfactorily resolved by an employee, such case shall be referred to a Superior Officer for further decision.~~

~~(a) **Confidential Reports Not to be Reviewed.** Where an official report or memorandum of the department has been marked or labeled "CONFIDENTIAL" by a Supervisory or Command Officer, such official report or memorandum shall NOT be revealed to any person, organization or agency without the express approval of a Supervisory, or Command Officer, preferably the officer who labeled the official report or memorandum. The label of an official report or memorandum as "CONFIDENTIAL" may be reviewed and revised, where deemed necessary, by a Superior Officer.~~

Commented [TL9]: Lexipol 326

(b) **Seeking Personal Publicity Prohibited.** Members shall not, either directly or indirectly, seek personal publicity, or when identified as a member of the Police Department make personal

statements through the public press. All press releases concerning departmental business or activities of any type shall be made by the Chief of Police, Assistant Chief of Police, a Police Captain, or such member as may be designated by above authority.

~~§11.1.465: RESTRICTED USE OF DEPARTMENT RECORDS.~~

~~Members shall not divulge to any person not connected with the department any information, memorandum, or official record of the department, unless required by law, departmental order, departmental policy, or order of a Command Officer. Departmental records, memorandum or reports shall be exhibited only in conformity with current law and departmental orders. (Refer to Departmental Operations Directives 87-24 and 87-34.)~~

~~(a) **Disclosing Police Information.** Members shall not divulge any police information to which they may have access or which may come to their attention, except in the exercise of their official duties, or as provided by law or competent authority.~~

~~(b) **Divulging Identity of Persons Prohibited.** Members shall not divulge to anyone the identity of any person giving information to the department, except as provided by law, competent authority or Operations Directive. This includes the identity of a complainant or confidential informant in any police activity.~~

Commented [TL10]: Lexipol 805

~~§11.1.470: METHOD OF ARREST AND DETENTION.~~

~~Officers of the department shall make arrests and detentions in strict conformity with the Laws of Arrest, as defined in the California Penal Code.~~

Commented [TL11]: Lexipol 100

~~(a) **Use of Excessive Force Prohibited.** Members shall not use physical force or the threat of physical force upon the person of another for any reason, except as provided by law. No member shall use more force or restraint than is necessary for the arrest and/or detention of a person and for the safety and protection of the member or members.~~

Commented [TL12]: Lexipol 300

~~(b) **Arresting Officer/Jailer Responsible for Prisoner Safety.** The arresting officer or officers and jailers are responsible for the safety of the person or persons arrested or detained, so long as such person is in custody and control. The arresting officer or jailer shall call to the attention of an appropriate Supervisor any injury, apparent illness, or other personal disability which the person or persons arrested or detained may appear to have.~~

Commented [TL13]: Lexipol 900

~~(c) **Arresting Officer Responsible for Prisoner Property.** The arresting officer is responsible for the personal property of persons arrested or detained, until such custody is relinquished to competent authority.~~

Commented [TL14]: Lexipol 901

~~(d) **Safeguarding Weapons.** Officers shall not leave firearms or other weapons, or permit such weapons or firearms to remain unattended in any location normally accessible to a prisoner or any other unauthorized person.~~

Commented [TL15]: Lexipol 306.4

~~(e) **Search of Arrested Persons — Officer Safety.** The arresting officer shall search, or cause to be searched, for firearms or other offensive weapons, every person lawfully taken into~~

~~custody, prior to transportation in a police vehicle. In most cases, and specifically in cases where a search for weapons cannot effectively be conducted in the field, the arrested person shall be placed in mechanical restraints prior to transportation, according to departmental procedure.~~

Commented [TL16]: Lexipol 901

- §11.1.475: RECOMMENDING BAIL AGENCY PROHIBITED.

No member shall suggest or recommend any person or firm engaged in the business of furnishing bail to any persons desiring bail, except to the member's immediate family.

- §11.1.480: RECOMMENDING ATTORNEYS PROHIBITED.

No member shall recommend or counsel the retention of a specific attorney to any prisoner or other person involved in a criminal or civil case of interest to this department, except to the member's immediate family.

- §11.1.485: PERSONAL TRANSACTIONS WITH PRISONERS/SUSPECTS PROHIBITED.

No member shall knowingly buy or accept any article for personal disposition from any person in custody, any person suspected of criminal acts, or any associate or relative of such person.

- §11.1.490: COMPROMISING CRIMINAL CASES.

No member shall for personal reasons or benefit interfere with any criminal court action or use their official position to arrange for any person charged or suspected of a crime to escape prosecution.

- §11.1.495: WITHHOLDING INFORMATION.

Except as protected by the Fifth Amendment of the U.S. Constitution, no member receiving or possessing any facts or information relative to a criminal offense or investigation shall, for personal reasons or self-aggrandizement, fail to promptly report such facts or information to the Bureau, Division, or Section of the department concerned.

- (a) **Advising Another to Withhold Information.** No member of the department shall advise, counsel, order, or otherwise dissuade any other member from making a lawful or proper report either on criminal investigations or departmental matters.

- ARTICLE 5 MISCELLANEOUS REGULATIONS

~~§11.1.500: USE OF DEPARTMENT VEHICLES.~~

~~Members shall not use any departmental vehicle except in the furtherance of their official duties. Vehicles shall be driven with care and consistent with safe driving practices and equipment longevity.~~

- (a) ~~Transporting Persons in Department Vehicles.~~ Transporting persons in department vehicles shall be done only in conformance with department policy or with the permission of a Supervisor or Command Officer.

Commented [TL17]: Lexipol 703

~~§11.1.505: FALSE OFFICIAL REPORTS.~~

~~No member of the department shall knowingly make a false official report, either verbally or in writing, concerning any action, circumstance, report, person, or any other matter directly connected with official departmental business.~~

Commented [TL18]: Lexipol 321.5.8

- §11.1.510: OFF-DUTY AVAILABILITY.

Members not subscribing to a telephone and who are subject to recall or call-in for special or emergency response, shall inform the department of the means by which they may be reached when not immediately available.

- (a) **Members' Telephone Number and Address.** Members shall keep the department informed of their current residence address and telephone number, and shall report any change of address or telephone within twenty-four (24) hours.

- §11.1.515: PUBLIC SPEECH OR APPEARANCE.

Members shall not address public gatherings or fill speaking engagements as official representatives of the department, except in accordance with established department procedures.

- §11.1.520: INCURRING DEPARTMENT EXPENSE.

Members shall not knowingly incur any unauthorized departmental expense or liability without the expressed approval of a Superior Officer.

- §11.1.525: IDENTIFICATION OF OFFICER TO PUBLIC.

Officers, on official duty, shall, upon request, identify themselves immediately by giving their names and displaying their badges and credentials, unless such action is likely to jeopardize the successful completion of an official assignment.

- §11.1.530: KNOWLEDGE OF DEPARTMENT INFORMATION.

Members shall acquaint themselves, daily when on duty, and immediately upon return from absence, with police information posted on bulletin boards, in **Policies** and Special Orders, wanted circulars and crime information sheets, pertinent to their assignment and themselves.

- §11.1.535: POSTING INFORMATION ON BOARD.

All information, notices, circulars, or other material posted on the department bulletin boards shall be in conformity with City and department orders. Reference City Council Resolution No. 70-48 (Employer-Employee Relations).

- (a) **Prohibited Materials.** Members shall not defile any authorized posting, or post any material, cartoon or graffiti which is in any manner lewd, obscene, or demeaning.

- **§11.1.540: DEPARTMENT INSPECTIONS.**

The Chief of Police may call for a full dress inspection of the department or of any bureau, Division, or Section thereof. All members directed to attend shall report in the uniform prescribed at the time and place specified. Failure to report for inspection shall be considered absent without leave.

- (a) **Supervisory Inspections.** Supervisory and command personnel shall conduct such inspections of the personnel under their command as may be necessary to assure the proper appearance, condition, readiness, and effectiveness of personnel and equipment.

- **§11.1.545: REPORTING INOPERATIVE EQUIPMENT.**

Members shall promptly report to their immediate Superior, on the appropriate forms, any defects or damage existing in any departmental equipment, vehicle, or property assigned to them or used by them.

- **§11.1.550: REPORTING ACCIDENTS.**

Members shall immediately report on appropriate forms, all accidents, vehicle or other types, in which they are involved, in accordance with current department orders or procedures and the directives of the City of San Leandro. Written reports shall contain all material facts and statements concerning the incident. Any member who knowingly omits or falsifies a material fact or statement is guilty of gross misconduct.

- **§11.1.555: IN-SERVICE TRAINING REQUIRED.**

All members of the department shall attend such In-Service Training courses as required by orders, memorandums, or directives issued by competent authority.

~~§11.1.560: BUSINESS CARDS.~~

~~No members shall use personal business cards bearing department affiliation and rank, except as authorized by department directives.~~

Commented [TL19]: Lexipol 203

~~§11.1.565: CORRESPONDENCE.~~

~~All official correspondence sent out of the department shall be over the name and title of the Chief of Police, except when directed by competent authority.~~

Commented [TL20]: Lexipol 203

- (a) **Method of Correspondence.** Members shall not enter into correspondence concerning their official activities, except as provided by departmental procedures.

- (b) **Nature of Correspondence.** Members identifying themselves as employees of this department and on behalf of the department, a bureau, division or section thereby, shall not criticize through correspondence, the people, policies or operations of any public agency or private enterprise without the expressed consent of the Chief of Police.

- ~~(c) **Improper Use of Stationery.** Members shall not use department stationery or forms for any purpose other than official business.~~

Commented [TL21]: Lexipol 203

- **§11.1.570: SUBMISSION OF REPORTS.**

Members shall promptly submit written reports as required and in conformance with departmental orders and procedures or the instructions of a Superior Officer.

§11.1.575: CARE OF DEPARTMENT EQUIPMENT AND SUPPLIES.

~~Members shall be held responsible for the proper care of department vehicles, property, equipment or supplies assigned to or used by them. Any member, who intentionally or by gross negligence causes the loss or damage of department property, equipment or supplies, may be subject to reimbursement charges and/or disciplinary action.~~

~~(a) **Reporting Loss/Theft of Departmental Property.** Members shall promptly provide their immediate supervisor with a written report, regarding the loss or theft of any departmental property entrusted to them, and shall take every reasonable step to prevent such loss or theft.~~

~~(b) **Surrender of Department Property.** Members shall surrender all department property issued to them or under their control, upon termination of employment with the department, as specified by General Order.~~

~~(c) **Private Use of Department Property.** Members shall not temporarily or permanently convert any department property, equipment or supplies to their own private use or to that of any other person.~~

~~(d) **Use of Department Telephone.** Members shall not use department telephone equipment for personal business, or transmission of personal messages, to the extent that it interferes with their official duties, and in no case will long distance or extra message unit personal calls be made without prior supervisory authorization.~~

Commented [TL22]: Lexipol 321.5.9 & 700

• ARTICLE 6 PERSONAL RESPONSIBILITIES

~~§11.1.600: CONDUCT TO BE CREDITABLE.~~

~~A position of public trust demands the highest degree of integrity and professional conduct. Members of the department shall so conduct themselves, on and off duty, in a manner which does not bring discredit upon the department or the City or discredit or dishonor upon themselves. Conduct unbecoming a police officer is that conduct, in the mind of a reasonable person and taken in the context of the law enforcement community, which discredits or dishonors the police department or injures the professional reputation and morale of its members.~~

~~§11.1.605: CONDUCT TOWARD THE PUBLIC.~~

~~Members shall be courteous, compassionate, and civil to the public and to one another. They shall exercise patience and discretion in the performance of their duties. They shall not allow their personal prejudices, biases, or opinions to influence their official acts or decisions.~~

Commented [TL23]: Lexipol 321.5.8 & 5.9

• §11.1.610: DEPARTMENT SEMI-MILITARY ORGANIZATION.

The Police Department is a semi-military organization in operational and personnel procedures.

- (a) **Title of Rank to be Used in Public.** Members on duty, while in the presence of the public shall address command or supervisory officers by their title of rank.
- (b) **Military Honors to National Colors.** Officers in uniform shall at appropriate time, render full military honors to the National Colors and the National Anthem. Members in civilian dress shall render proper civilian honors to the National Colors and National Anthem.

~~§11.1.615: INTOXICANTS—REPORTING FOR DUTY.~~

~~Members shall not drink any alcoholic beverage prior to reporting for duty to the extent that on duty performance is in any way impaired or that such consumption is in any way apparent.~~

~~(a) **Intoxication Examination.** Members whose on duty state of sobriety is questioned by competent authority shall, upon the order of a superior officer, submit to an intoxication examination which may include a chemical analysis of the member's blood, breath or urine.~~

Commented [TL24]: Lexipol 1007

~~(b) **Intoxicants—Drinking on Duty.** No member in uniform shall drink any alcoholic beverage while on duty. No officer in plain clothes shall drink any alcoholic beverages while on duty, except when necessary in the performance of duty.~~

~~(c) **Intoxicants—Drinking in Uniform.** No member off duty and in uniform, or in any recognizable part of the uniform dress, shall drink any alcoholic beverage in public view or in any place accessible to the public.~~

~~(d) **Intoxicants on Duty.** Members shall not bring into or keep any alcoholic beverage on departmental premises, or transport any alcoholic beverage in department vehicles, except in performance of their duty.~~

Commented [TL25]: Lexipol 321.5.11

~~§11.1.620: CONTROLLED SUBSTANCES.~~

~~Members shall not use any narcotics, hallucinogens, or any other controlled substances, except when legally prescribed.~~

- ~~(a) **Reporting Use of Controlled Substances.** Members shall inform their supervisory officer prior to reporting for duty, whenever any controlled substance has been prescribed for their use, or whenever any substance whatsoever is used which might impair their ability to perform their assigned functions.~~

Commented [TL26]: Lexipol 1007

~~§11.1.625: USE OF TOBACCO.~~

~~Members shall not use tobacco when making initial contacts with the public. Members shall use good judgment and common courtesy when using tobacco in the presence or view of others.~~

Commented [TL27]: Lexipol 1011

~~§11.1.630: CONTROVERSIAL DISCUSSIONS.~~

~~No members shall, while on duty, engage in a political, religious, racial or other argument which is highly disruptive to the effectiveness or discipline in the department. Nothing herein shall be construed to inhibit the exercise of First Amendment rights.~~

~~§11.1.635: DESTRUCTIVE CRITICISM.~~

~~No member shall maliciously perform any action, or make any statement written or verbal for publication or any other reason which is vitriolic, defamatory, or highly disruptive in nature, and which tends to bring the department or its administrative officers into disrepute or ridicule; or which destructively criticizes the department or its administrative officers in the performance of their official duties; or which is highly disruptive of the effective performance of official duties and obligations of members of the department; or which tend to interfere with or subvert the reasonable supervision, proper discipline or good order of the department. Nothing herein shall be construed to inhibit the exercise of First Amendment rights.~~

- ~~(a) **Disrespectful Conduct.** No member shall manifest disrespect or insolent, mutinous, or other insubordinate attitude or conduct towards a superior officer, either by action, speech or behavior.~~

Commented [TL28]: Lexipol 321.5.8

~~§11.1.640: POLITICAL ACTIVITIES.~~

~~With the exception of appearances before any local elective or appointive body, no member shall engage in political activity during working hours, and no member shall engage in political activities on the premises of the City of San Leandro. In all other respects, the political activities of members shall be governed by the provisions of Government Code Section 3201 and sections following.~~

Commented [TL29]: Lexipol 321.5.8

- **§11.1.645: MEMBERSHIP IN ORGANIZATIONS.**

Members shall not belong to, be affiliated with, or participate in the activities of any organization, association, society, or other group (except for the Armed Forces Reserve Components listed in the

California Veterans Code), the constitution or by-laws of which in any require prior consideration to itself or prevents its members from rendering proper and efficient service to the department.

- §11.1.650: COMMERCIAL TESTIMONIALS.

Members shall not permit the use of their photographs, names, or official titles for advertising purposes; or by testimonial, recommendation, or other means participate in any advertising scheme or enterprise related to or based upon their employment with the department, without the approval of the Chief of Police.

- §11.1.655: FINANCIAL OBLIGATIONS.

Financial distress may impair an individual's effectiveness and tends to bring discredit upon the department. Employees should avoid incurring financial obligations which are beyond their ability to reasonably satisfy from their earnings.

- §11.1.660: SHOPPING IN UNIFORM.

Members shall not shop or conduct personal business while dressed in the readily identifiable uniform of the police department, unless required to do so in the line of duty.

- §11.1.665: READING WHILE ON DUTY.

Members in uniform shall not read newspapers, periodicals, books or other reading material, while on duty in public view, which would imply inattentiveness to duty, except in connection with official duties.

- (a) Members, whether in uniform or not, shall not, except during authorized meal or refreshment breaks, devote on-duty time to reading any material that is not reasonably related to their employment.

- §11.1.670: USE OF POLICE CREDENTIALS AND BADGE.

No member of the department shall use another member's badge, or identification card, or name tag, without the expressed approval of a command officer, nor shall any member knowingly permit another member to use their badge, identification card, or name tag without the expressed approval of a command officer.

- (a) **Lending Police Credentials or Badge.** No member shall knowingly permit any person not appointed to the San Leandro Police Department to use a department badge, identification card, or name tag at any time.

- §11.1.675: OBEDIENCE TO ALL LAWFUL ORDERS.

Members shall obey all lawful orders and directions issued by a member of higher rank. Such obedience shall be prompt and efficient.

- (a) **Insubordination.** The intentional failure or deliberate refusal of any member to obey any lawful order or instruction given by a member of higher rank in the department shall be

deemed insubordination. The intentional failure or deliberate refusal to do or perform any act required by these Rules and Regulations or department directives, or the commission of any act prohibited by these Rules and Regulations or department directives shall also be deemed insubordination. The flouting of the authority of any member of a higher rank by manifest disrespect or disputing their orders shall likewise be deemed insubordination.

- §11.1.680: THE MANNER OF ISSUING ORDERS.

The issue of orders from superior to subordinate shall be in clear understandable language, civil in tone, oral or written, and issued in pursuit of department business.

- (a) **Issue of Unlawful Orders Prohibited.** No command or supervisory employee shall knowingly issue any order or instruction which is in violation of any law or ordinance or of department Rules and Regulations.
- (b) **Criticism of Order or Instructions.** No member shall publicly, derogatorily criticize or comment concerning instructions or orders, verbal or written, they may receive.

- §11.1.685: CONFLICT OF ORDERS.

Should any lawful order or lawful instruction issued by a superior officer conflict with any such order or instruction issued previously by another superior or with any departmental order, the officer or employee to whom such order or instruction is given shall respectfully call attention to the conflict. If the superior officer, who issued such conflicting order or instruction, does not change it to eliminate the conflict, the order or instruction shall stand and the responsibility shall be the said superior officer's.

- §11.1.690: APPEALS FROM UNJUST ORDERS.

Members may appeal for relief from orders which are unjust. Appeals justifying relief from orders shall be made in writing through channels to the Chief of Police. Irresponsible or capricious appeals will be considered serious misconduct.

- (a) **Obedience of Unlawful Orders Not Mandatory.** The responsibility for criminal acts is that of the individual and cannot be delegated or directed to another. Therefore, no member is required to obey orders or instructions which are contrary to the laws of the United States, the State of California, or the ordinances of the City of San Leandro. However, should a member refuse to obey such an order or instruction, such refusal is their responsibility and they shall be strictly required to justify their actions.
- (b) **Unjust Order to be Obeyed, Then Appealed.** Whenever a member receives an order or instruction that they feel to be contrary to Rules and Regulations, Policies or Special Orders, they shall first obey such order or instruction to the best of their ability and may then proceed to appeal for relief as provided by §11.1.690.

- §11.1.695: WORK STOPPAGE OR OBSTRUCTION.

No member shall engage in any strike, work stoppage, slowdown or abstention from duty, in whole or in part which detracts from the full, faithful and proper performance of their assigned duties and responsibilities.

- §11.1.696: USING DEPARTMENT ADDRESS.

Members, except when provided by law, shall not use the department as a mailing address for non-service-oriented business.

- ARTICLE 7 DUTY RESPONSIBILITY

- §11.1.700: MEMBERS ALWAYS SUBJECT TO DUTY.

Members of the department shall always be subject to duty, including even those periods normally considered to be off-duty hours or rest days. In an emergency or under any unusual circumstances, a Command or Supervisory member may order a member to report for duty or remain on duty.

- (a) **Duty Calls for Emergencies and Unusual Circumstances.** Members off duty shall report for duty immediately upon receipt of and in compliance with the directions given them at the time of notification.
- (b) **Reporting Without Notification.** Members shall report without notification in the event of a major disaster, or any other emergency wherein it would reasonably be expected that the department would require the additional services of all members. If in doubt, members shall call the department to report their readiness and state their location.

- §11.1.705: REPORTING FOR DUTY.

All members shall report for duty at the time and place, in the attire, and with the equipment specified by departmental orders or the orders of a Superior in rank, unless their absence is authorized by competent authority.

- §11.1.710: REMAINING ON DUTY UNTIL RELIEVED.

All members shall remain at their assigned duties until the completion of their tour of duty; or until officially dismissed by someone superior in rank.

- §11.1.715: SLEEPING ON DUTY.

Members shall remain awake, alert, and productive during the time they are on duty.

- (a) **Member's Responsibility.** It shall be the member's responsibility to notify their supervisor if they ~~he~~ becomes overly fatigued or ill while on duty. Said supervisor shall evaluate the member's reported distress and take measures appropriate to the situation.

- **§11.1.720: LUNCH OR REFRESHMENTS ON DUTY.**

Members may suspend their duties, circumstances permitting, for a lunch period of authorized duration, unless otherwise directed by their Supervisor. Members may also suspend their duties, circumstances permitting, for refreshments for not more than fifteen minutes; once during the first half of their tour of duty, and once during the last half of their tour of duty. Such lunch and refreshment periods shall be subject to the inspection of a supervisor.

- (a) **Discretion Regarding Meal/Refreshment Breaks.** Members shall take meal and refreshment breaks in accordance with department procedures, and shall avoid congregating in such numbers, or under such circumstances as would tend to suggest to the public an inattentiveness to duty.

- **§11.1.725: COMMUNICATIONS DURING DUTY.**

Members on duty, or when officially on call, shall be directly available by normal means of communications; or shall keep their office, headquarters, or Superior Officer informed of the means by which they may be reached when they are not immediately available.

- (a) **Radio Communications.** Members assigned to duties which normally maintain ongoing radio contact with headquarters shall not leave their vehicle or post without first advising headquarters of their location and intentions and receiving permission to do so, unless the urgency of the task precludes such prior notification.

- **§11.1.730: SERVICE REQUIREMENTS OFF DUTY.**

Any member who observes, or has called to their attention, any situation wherein the department should take action, shall, as soon as is practical, notify department headquarters. ~~They~~He shall give their name, rank, the facts of the situation, and what action, if any, the member is taking.

- (a) **Off-Duty Officers Performing Police Service.** Officers off duty shall perform necessary police services whenever and wherever they are aware of a serious criminal offense or a present threat to life (830.1 Penal Code).

- **§11.1.735: PROMPT ATTENTION TO CALLS.**

All members shall respond appropriately and without unnecessary delay to all calls for police or police-related assistance from the public or other officers or employees. While emergency calls take precedence, all calls shall be answered as soon as practicable, consistent with normal safety precautions.

- (a) **Regard for Public Safety During Emergency Response.** Although a member may be directed to, or may decide, based on the circumstances, to respond in an emergency mode under red lights and siren, said member shall respond with all due regard and caution for the safety of ~~themselves~~himself, and other motorists and pedestrians (§21056 California Vehicle Code).

- §11.1.740: MEMBERS AVAILABLE FOR DUTY.

All members of the department shall keep themselves readily available to the public at all times when on duty, except when concealment is a necessary police tactic or purpose.

- §11.1.745: REPORTING ILLNESS OR INJURY.

Every member who is injured, whether on or off duty, or who becomes ill, shall promptly make such reports, or cause such reports to be made, as are required by Civil Service Regulations and department directives of instructions. In the case of serious illness or injury, such reports shall be made as soon as is practicable. (Reference Civil Service Rule XI - Section 2E and ~~Operations Directives 84-4~~ Department Policy 1009.)

- §11.1.750: ABSENCE WITHOUT LEAVE.

No member shall be absent from their assigned duties without authorized leave. "Absence without leave," is herein defined as a willful failure of a member to appear for or remain on duty at the date, time, and place specified by the member's Supervisor to the Commanding Officer of the Unit to which the absent member is assigned.

- §11.1.755: PHYSICAL AND MENTAL FITNESS.

All members shall maintain themselves in such physical condition and such mental attitude as will allow them to cope effectively with their assigned duties.

- (a) **Standards and Evaluations.** Members shall submit to such testing as may be prescribed by the department to measure and evaluate their physical and mental fitness for duty, and shall adhere to such fitness standards as may be adopted by the department.

- §11.1.760: INCOMPETENCY.

General or persistent incompetency shall be grounds for dismissal. Incompetence as herein used shall mean that the members lack adequate ability, knowledge, or fitness to satisfactorily perform the duties which are within the scope of the member's employment.

- (a) Incompetency may be evidenced by continued substandard performance of duty or the inability to meet and maintain performance standards following reasonable remedial or corrective measures instituted by the department.
- (b) Incompetency shall specifically include the inability or failure to assimilate and/or apply the laws, ordinances, and legal concepts which form the framework within which the peace officer functions.

- §11.1.765: INEFFICIENCY.

General or persistent inefficiency shall be grounds for disciplinary action. Inefficiency as used herein shall mean that the member's performance of work results in performance lower than that which is typically expected of a similar employee in a similar position.

- §11.1.770: LOITERING IN PUBLIC PLACES.

Members, while in uniform, or on duty, shall not enter restaurants, taverns, theaters, or other public places, except in performance of duty or while on authorized rest breaks. Meals taken in public places should be eaten within the time limit defined in these Rules, and in public view.

- §11.1.775: LEAVING ASSIGNED AREA WITHOUT PERMISSION.

An officer on duty as a patrol officer shall stay within the general confines of ~~their~~ assigned area. ~~They~~~~He~~ shall not leave ~~their~~ assigned area without authorization, except when assigned or ordered in pursuit of official duty.

- §11.1.780: PROTECTING CRIME SCENE.

It shall be the duty of all officers of the department when assigned to or assuming control at a crime scene, to keep the premises or area secure from intrusion by unauthorized persons and maintain it without change in appearance or character; to obtain witnesses for interview; and where lawful and practical, to arrest the responsible person or persons.

- *ARTICLE 8 UNIFORM AND EQUIPMENT REGULATIONS*

- §11.1.800: POSSESSION OF UNIFORM.

All members shall own and maintain in good order all uniform and equipment required by the Uniform and Equipment regulations of the Department.

- (a) **Uniform and Equipment to Conform to Specifications.** No member on duty shall wear any uniform or equipment or portion thereof, which does not conform with the Uniform and Equipment Regulations of the San Leandro Police Department.
- (b) **Maintenance of Uniform and Equipment.** Members shall maintain their uniforms and equipment in serviceable condition. Uniform shall be clean and pressed, and shall not be noticeably patched or worn. All shoes, leather, and metal equipment shall be polished.
- (c) **Specifications for Uniforms and Equipment.** Specifications for uniforms and equipment will be found in San Leandro Police ~~Department Operations Directives 88-07 and 94-04; Policies~~

- §11.1.805: DISPLAY OF FIREARMS.

Officers shall not unnecessarily display their firearms in any public place, or carelessly handle a firearm at any time or place.

- (a) **Discharge of Firearms.** No officer shall discharge a firearm under any circumstances, except in connection with official law enforcement duties, and as authorized by department orders and regulations.

- (b) **Reporting Discharge of Firearm.** Any officer who discharges any firearm accidentally or intentionally, except during routine target practice, or discharges any chemical gas, shell or projectile, shall immediately notify their Superior Officer. ~~They~~He shall submit a written report to their Bureau Commander, through proper channels, as soon as is practical.
- (c) **Use of Weapons or Chemicals.** Officers shall not take into the field or use weapons not otherwise authorized by the department, including, but not limited to, submachine guns, rifles, or other chemical agents or weapons, except with the approval of a Command Officer or in strict accordance with departmental policy. The use of such weapons shall be under the direct supervision of a Command Officer or such officer of the department designated by the Command Officer. Aerosol chemical agents routinely carried by individual members are excluded from this rule.

- §11.1.810: STORAGE OF WEAPON IN HEADQUARTERS.

No member shall store or place any type of firearm in the police headquarters building or surrounding area, unless the place of storage is secure, and is kept locked when unattended.

- (a) **Locked Storage Areas.** Personal lockers and departmental storage areas where firearms, all other weapons, and department property are stored, shall be kept locked when unattended.

- §11.1.815: SELLING FIREARMS.

Officers shall not knowingly give, lend or sell any firearm to any person who does not have the legal right to possess such firearm.

- §11.1.820: REPORT OF SERVICE FIREARMS.

All officers shall file a report with the Chief of Police listing the serial number, manufacturer, and model of all concealable firearms carried by such officer, whether on or off duty. A similar report shall be made of the handcuffs owned by officers.

- (a) **Reporting Loss of Firearms or Handcuffs.** Any loss of a service firearm or handcuffs owned by or issued to officers shall be reported in writing immediately, giving full details of the loss. Such report shall be filed with the superior of the reporting officer.

Editor's Note:

This Chapter was first codified administratively in 1982.

Legislative History:

Resolution No. 2005-156, 11/21/2005 [§§11.1.216, 11.1.221, 11.1.425(b), 11.1.800(c)]

Chapter 2 Access to Records

~~§11.2.100: PURPOSE AND AUTHORITY.~~

~~These regulations are intended to implement the provisions of §6250 et seq., of the Government Code (hereinafter referred to as the "Public Records Act" or "Act"). The authority for these regulations is contained in §6253 of the Act.~~

~~§11.2.105: PROHIBITED DISCLOSURE OF RESTRICTED OR CONFIDENTIAL RECORDS.~~

~~Notwithstanding the provisions of the Act, the following records shall not be released to any person except persons authorized by San Leandro Police Department Operations Directive 87-24, these rules, Section 4-1-800 of the San Leandro Municipal Code, the City Manager and City Attorney.~~

~~(a) Internal Affairs complaints and investigatory reports;~~

~~(b) CORPUS, CORI (as defined in Operations Directive 87-24);~~

~~(c) Juvenile records;~~

~~(d) Investigatory reports prepared at the request of the City Attorney and any records pertaining to pending or actual litigation;~~

~~(e) Any record exempted from disclosure by the Act.~~

~~§11.2.110: DISCRETIONARY DISCLOSURE OF CERTAIN RECORDS.~~

~~Upon request and payment of fees therefore, the Department may release the following records whenever it determines that the disclosure of any record or information contained in a record would not endanger the safety of a person involved in an investigation or would not endanger the successful completion of an investigation or a related investigation:~~

~~(a) Accident reports (routinely released following Police Department investigation);~~

~~(b) Offense reports (subject to review prior to release);~~

~~(c) Arrest reports (subject to review prior to release);~~

~~(d) Incident reports (subject to review prior to release).~~

~~§11.2.115: NONDISCLOSURE OF VICTIM'S ADDRESS FOR SPECIFIED OFFENSES.~~

~~In no instance shall the address of the victim of any crime defined by Sections 261, 264, 264.1, 273a, 273d, 286, 288, 288a, or 289 of the Penal Code be disclosed.~~

~~§11.2.120: TIME FOR DETERMINATION TO RELEASE RECORDS.~~

~~Upon request therefore the Department shall have ten (10) days to determine whether to release the records specified in §11.2.110. A short statement of reasons shall accompany a denial of access to records. Time for determination may be extended as provided in Section 6256.1 of the Act.~~

~~§11.2.125: TIME, PLACE AND MANNER OF REQUEST/PAYMENT OF FEES.~~

~~Except for accident reports and other data routinely released upon request, any requests for records pursuant to §11.2.110 shall be made in writing on forms provided by the Department, Monday through Friday, between 8:30 a.m. and 5:00 p.m., in person at the Public Safety Building in the San Leandro Civic Center. The fee for any record shall be established by the City Council and shall be paid prior to disclosure of records.~~

~~§11.2.130: SUMMARY OR COMPILATION NOT REQUIRED.~~

~~Nothing contained in these rules shall require the Department to summarize, abstract, censor, compile or abbreviate any information contained in disparate records for purposes of complying with a request for disclosure of records.~~

~~§11.2.135: (RESERVED).~~~~§11.2.140: DESTRUCTION OF RECORDINGS.~~

~~Pursuant to Government Code §34090.6 and Resolution No. 98-16, the Chief of Police or designated representative is authorized to cause the ongoing destruction of routine daily taping and recording of telephone communications to and from the Police Department and all radio communications relating to the operations of the Police Department which are older than 100 days and whose retention is no longer required as evidence in any claim filed or any pending litigation. The City Attorney has given written consent for the ongoing destruction of such recordings.~~

Commented [TL30]: Lexipol 805 & 806

Editor's Note:

This Chapter was first codified administratively in 1982.

Legislative History:

Resolution No. 2005-156, 11/21/2005 [§§11.2.105, 11.2.135, 11.2.140]

- Chapter 3 Reserve Officers Rules and Regulations

- *ARTICLE 1 AUTHORIZATION*

- §11.3.100: RESERVE RULES AND REGULATIONS.

These Police Reserves Rules and Regulations (hereinafter referred to as regulations) are adopted as a supplement to the Police Rules and Regulations contained in Chapter 1 of this Title. In the event of a conflict, the Police Rules and Regulations take precedence.

- *ARTICLE 2 PURPOSE AND AUTHORITY*

- §11.3.200: ORGANIZATION.

The Police Reserve unit is an organizational unit of the Patrol Division of the San Leandro Police Department. The Police Reserve unit is under the command of the Patrol Division Lieutenants, one of which shall serve as Program Manager. The Program Manager shall appoint a Sergeant assigned to the Patrol Division to serve as the Reserve Unit Coordinator.

- §11.3.205: PURPOSE.

The purpose of the Reserve organization is to assist the police department in carrying out its duties and responsibilities.

- §11.3.210: AUTHORITY.

Members of the Police Reserve shall attain all the responsibilities of a regular police officer during an emergency, or while in the performance of, or training for, those functions or duties authorized by the proper authority.

- (a) The above applies only after a Reserve Officer has reported for duty at the police station, and is considered to be on-duty by the Watch Commander, Patrol Sergeant, or other person in charge. On-duty status terminates at the conclusion of the Reserve Officer's tour of duty.

- *ARTICLE 3 GENERAL REQUIREMENTS*

- §11.3.300: MINIMUM SELECTION STANDARDS DESIGNATED BY POST.

The minimum selection standards for a Police Reserve Officer in the State of California are designated by the POST (Police Officers Standards and Training) Administrative Manual.

- (a) A Reserve Officer must never have been convicted of a felony.
- (b) A Reserve Officer must be fingerprinted, and classifiable prints must be submitted to the Department of Justice and the Federal Bureau of Investigation.
- (c) A Reserve Officer must be:

- (1) A citizen of the United States.
 - (2) At least 18 years old.
 - (3) Fingerprinted (as described above).
 - (4) Of good moral character, as determined by a thorough background investigation.
 - (5) A high school graduate, or pass the G.E.D.
 - (6) Found, after examination by a licensed physician or surgeon, to be free from physical, emotional or mental conditions which might adversely affect their exercise of service as a police officer.
- (d) Prior to appointment each Reserve must be interviewed by the Department Head or their representative.
- §11.3.305: ADDITIONAL REQUIREMENT.
- (a) In addition to the requirements designated in the POST Administrative Manual, a Reserve must successfully complete each of the following:
- (1) An oral board examination.
 - (2) A physical agility examination.
 - (3) Module A, B1 and B2 necessary for appointment to Level 2 Reserve Officer as defined in Section 832 P.C.
 - (4) A polygraph examination.
 - (5) A psychiatric examination.
- (b) The guidelines to be used in the selection process based upon these requirements will be determined by the Reserve Program Manager.
- §11.3.310: TELEPHONE.
- A Reserve Officer must have and maintain a telephone.
- §11.3.315: DRIVERS LICENSE.
- A Reserve Officer must possess a valid California Drivers License.
- §11.3.320: FIRST AID CERTIFICATE AND CPR CARD.
- A Reserve Officer must possess a valid Basic First Aid Certificate and a valid CPR card.

- *ARTICLE 4 ORGANIZATION, DUTIES AND RESPONSIBILITIES OF THE POLICE RESERVES*

- *§11.3.400: AUTHORIZED STRENGTH.*

The total authorized strength of the Reserve Unit varies as authorized by the City Council, and generally, includes a Reserve Lieutenant, seven (7) Reserve Sergeants, and a complement of Reserve Police Officers.

- *§11.3.405: DUTIES OF THE RESERVE LIEUTENANT.*

- (a) A Police Reserve Lieutenant shall coordinate the activities of the Unit under the direction of the Patrol Commander and Reserve Coordinator. The Reserve Lieutenant is appointed by the Chief of Police upon recommendation of the Program Manager and the Reserve Coordinator.
- (b) The Reserve Lieutenant shall carry out the orders that are delegated to the Reserve Unit by the Patrol Division Commander or Coordinator.
- (c) The Reserve Lieutenant shall see that the Reserve Sergeants and Officers maintain a high degree of efficiency, integrity and responsibility.
- (d) The Reserve Lieutenant shall conduct all meeting and generally supervise all Reserve activities.
- (e) The Reserve Lieutenant may, with the approval of the Patrol Division Commander and the Coordinator, make changes in the staff, when it is deemed necessary for benefit of the organization.
- (f) The Reserve Lieutenant shall delegate authority to Reserve Sergeants to carry out the objectives of the department and the Reserve Unit.
- (g) The Reserve Lieutenant shall see that all members of the organization have knowledge of, and adhere to, the rules and regulations governing the Police Reserve Unit.

- *§11.3.410: DUTIES OF RESERVE SERGEANTS.*

- (a) There will be seven (7) Reserve Sergeants, one (1) Sergeant in charge of a squad of Reserves each night of the week. These Sergeants are appointed by the Reserve Lieutenant with the approval of the Program Manager and Reserve Coordinator.
- (b) The Reserve Sergeants shall be selected and appointed according to ability, interest, availability and willingness to accept responsibility, as determined by the Reserve Lieutenant, Patrol Commander and Coordinator. A Reserve Sergeant must be a Level I Reserve Officer (Refer to §11.3.425).

- (c) In addition to their line responsibilities as squad leaders, the Reserve Sergeants shall also have staff responsibilities in the area of supplies and equipment, attendance and records, processing of new applications, planning and training or other such areas designated by the Coordinator.
- (d) When acting as squad leader, the Reserve Sergeant shall be responsible for Reserve Officers reporting on time and properly assigning the officers.
- (e) The Reserve Sergeant shall see that the officers are in proper uniform and are properly groomed in accordance with the Uniform Rules and Regulations of the department.
- (f) The Reserve Sergeant shall assign officers to work details and special assignments.
- (g) The Reserve Sergeant shall see that pertinent information is disseminated to the Reserve Officers.
- (h) The Reserve Sergeant shall forward to the Reserve Lieutenant and/or Coordinator, notice of any violation of Departmental or Reserve rules and regulations committed by any Reserve Officer.
- (i) The Reserve Sergeant shall forward through the chain of command any requests, needs, problems of Reserve Officers of their squad.

§11.3.415: DUTIES OF RESERVE OFFICERS.

- (a) All members will familiarize themselves with, conform to, abide by the San Leandro Police Policies, Special Orders, Rules and Regulations.
- (b) In addition, all Reserve Officers will be familiar with, conform to, and abide by the rules and regulations of the Police Reserve Organization.
- (c) It will be the responsibility of the Reserve Officer to carry out the lawful orders of the superior officers of the Police Reserve Unit, the Reserve Coordinator, and all regular officers of the department.
- (d) The primary duty of the Reserve Officer is to assist the regular officers of the department in the performance of their duties. The Reserve Officer is, at all times, subordinate to the regular officer.
- (e) All Reserve Officers will be assigned a “ride night.” The Reserve Officer will report for line-up training at either swing shift or “B” shift on that ride night. The Patrol Sergeant and Reserve Sergeant will make assignments (which may include assignments other than patrol duty) consistent with POST requirements for Level I and Level II Reserve Officers.
 - (1) The transport van will be of primary concern when assignments are made.

- (2) Each Reserve Officer reporting for duty at any time other than "B" shift, will notify the Reserve Sergeant scheduled for duty via the green log sheet.
 - (3) A Reserve Officer may ride additional nights as long as permission is received from the Reserve Coordinator or Patrol Sergeant.
 - (4) Reserve Officers may ride on day shift or midnight shift only with the approval of the Reserve Coordinator.
- (f) When reporting for duty, the Reserve Officer will be properly attired and neatly groomed in accordance with ~~departmental Operations Directive~~ Department Policy and departmental Uniform Specifications.
- (g) It will be the responsibility of each Reserve Officer to:
- (1) Maintain a uniform.
 - (2) Maintain all issued equipment.
 - (3) Maintain a locker in a secure manner with a lock.
- (h) If a uniform item is rendered unserviceable, the Reserve Officer will notify the supply sergeant for replacement.
- (i) If any departmental equipment becomes lost or stolen, it shall be immediately reported to the Reserve Sergeant in writing. The Reserve Sergeant shall notify the Reserve Coordinator as soon as possible.
- (j) While on patrol with a regular officer, Reserve Officers will observe and assist when necessary. They will follow the regular officer's directions at all time. The Reserve Officer will:
- (1) Not use the car radio unless specifically requested to do so by the regular officer. Be familiar with the numerical radio code and keep communications brief and concise. Use the radio in accordance with the departmental Radio Procedure Manual.
 - (2) If the regular officer requests it, keep an accurate log of activity, time, address, nature of call, arrival time and departure time.
 - (3) Not interrupt interrogations or volunteer information to subjects. If there is something the Reserve Officer feels is important to the situation, it should be communicated to the regular officer in a confidential manner away from the general public.
 - (4) Be aware that all records, communications and incidents pertaining to the police department are **confidential** and not to be discussed outside the department.

- (k) Each Reserve Officer shall, as soon as possible, and in no case later than three (3) days, notify their squad leader and the Coordinator of any change in address or telephone number.
- (l) Reserve Officers shall not use the police station to loiter or congregate, except in conjunction with a pending assignment or upon the occasion of a bona fide meeting.
- (m) A Reserve Officer shall not use their position, their badge, or their identification card to gain special consideration to obtain credit for themselves~~himself~~ or others, or to gain free admission, discount or any gratuities.

- **§11.3.420: NEW RESERVE OFFICER.**

Upon appointment, a new Reserve Officer shall be assigned to a Reserve Field Training Officer for a minimum of 200 hours, to meet POST requirements. While in training the Reserve Officer shall ride only with the assigned Field Training Officer, except as otherwise directed by the Patrol Sergeant, Reserve Coordinator, or Program Manager.

New Reserve Officers must qualify with the regulation sidearm and shotgun prior to riding.

- **§11.3.425: LEVEL I AND LEVEL II CLASSIFICATIONS.**

The minimum requirements for Level I and Level II designations are listed below. Any Level II Officer who has completed the minimum requirements and wishes to attain Level I status, should advise the Reserve Coordinator in writing. The Reserve Coordinator will then determine whether or not the officer has met the **minimum** requirements for Level I status, **and** if the Reserve Officer's record is consistent with the responsibilities given Level I officers.

- (a) **POST Requirements for Non-Designated Level I.** Reserve Officers must have achieved the minimum training requirements as defined in POST Administration Manual Section H-1-2(a). Prior to being assigned to duties, which include the exercise of police officer powers, Level I Reserve Officers shall satisfactorily complete training requirements of the Regular Basic Course or its equivalents (POST Administrative Manual Section D-1-3).
- (b) **POST Requirements for Level II.** Reserve Officers must have achieved the minimum training requirements as defined in POST Administration Manual Section H-1-2(b). Prior to being assigned to duties, which include the exercise of police officer powers, Level II Reserve Officers shall satisfactorily complete the POST-certified two-part Reserve Level III Module and the Level II Module (POST Administrative Manual Section D-1-3).
- (c) **New Level I Officers.** New Level I Officers will be assigned to ride with a senior Level I Officer for 40 hours of training.

- **ARTICLE 5 MINIMUM DUTY REQUIREMENTS AND ASSIGNMENTS**

- §11.3.500: MINIMUM ATTENDANCE STANDARDS.

Of the fifty-two (52) weeks in a year, a Reserve Officer may miss no more than eight (8) scheduled ride nights. Of these, no more than three (3) may be unexcused. The hourly requirement is a minimum of twenty (20) hours per month or two-hundred and forty (240) hours per year. The hourly minimum does not exclude the **maximum** allowable number of ride nights missed.

- (a) An unexcused absence occurs when a Reserve Officer does not notify their Reserve Sergeant, the Patrol Sergeant or the communications center (in that order) that he/she/they will be unable to ride as scheduled.
- (b) If a Reserve Officer knows in advance that he/she/they will be unable to ride on their scheduled night, he/she/they may arrange for another Reserve Officer to act as a replacement with no penalty. The Reserve Officer actually reporting for duty must notify the Reserve Sergeant who he/she/they ~~are~~is replacing ~~are replacing~~.

- §11.3.505: MINIMUM TRAINING STANDARDS.

A Reserve Officer may miss no more than three (3) of the twelve (12) monthly training meetings which are scheduled for the last Thursday of each month.

- §11.3.510: MINIMUM EXTRA DUTY ASSIGNMENTS (SPECIAL DETAILS).

Part of the Reserve function is to assist the department with other tasks such as parades, ball games and other special details as they arise.

- (a) The Reserve Coordinator will appoint a Special Details Sergeant from the Reserve staff. The Special Details Sergeant will assign Reserve Officers to special details on a rotating basis from the Reserve roster. As much advance notice as is possible, will be given. Once the assignment is made, it is the responsibility of the assigned Reserve Officer to see that the detail is handled. If for some reason the assigned Reserve Officer is unable to fulfill the responsibility of the detail, a replacement officer must be found and the Special Details Sergeant notified. A Reserve Officer may turn down no more than two (2) special detail assignments per year.

- §11.3.515: {RESERVED}.

Legislative History: Repealed by Order 5/83

- §11.3.520: EQUIPMENT AND UNIFORMS.

- (a) The department will furnish each Reserve Officer with regularly issued uniforms and equipment.
- (b) The department shall pay for cleaning and alterations of uniforms and shall replace those items issued which become unserviceable. Each Reserve Officer will be allowed one (1)

uniform per month to be cleaned at expense of the San Leandro Police Department. Reserve Sergeant approval is necessary if additional cleaning is required.

- (c) A Reserve Officer **shall not** wear any part of the uniform off-duty, except that the badge and/or identification card may be carried.
- (d) A Reserve Officer shall report in writing any damage to their uniform or lost or stolen equipment, immediately to the Reserve Sergeant who, in turn, shall notify the Coordinator as soon as practical.
- (e) All police property issued to the Reserve Officer shall be returned promptly to the department upon the resignation or termination of a Reserve Officer.

- §11.3.525: FIREARMS.

Reserve Officers shall follow ~~the~~ San Leandro Police Department ~~Operations Directive 88-07~~ Policy regarding uniform regulations. Any Reserve Officer disregarding this regulation is subject to immediate dismissal and criminal charges.

- §11.3.530: USE OF CHEMICAL AGENTS AND THE BATON.

- (a) Only personnel who have successfully completed the approved chemical training course will be allowed to carry chemical agents.
- (b) Chemical agents shall not be used as follows:
 - (1) On a subject already under restraint
 - (2) As punishment

- §11.3.535: PRISONER TRANSPORT.

Since Reserve Officers are frequently called upon to transport prisoners, a thorough understanding of the proper procedures to be utilized when carrying out this important function is necessary.

- (a) The transporting vehicle will be carefully searched before and again immediately after a prisoner transport, for possible contraband, which, if found, will be turned over to the arresting officer who may request a written report explaining the circumstances.
- (b) Subjects will be searched before they are placed in the police unit for transport, and shall be handcuffed behind the back.
- (c) If the transporting vehicle is not equipped with a diving protective screen or glass, the second officer should sit behind the driver with the prisoner on their right.
- (d) It is the responsibility of the transporting Reserve Officer to complete the arrest report for any prisoner transported to the San Leandro jail.

- (e) When going to another jurisdiction for a prisoner pickup, in addition to the above, four (4) additional procedures should be followed.
 - (1) Even though the prisoner being picked up may have been in custody for some time, search the prisoner carefully before handcuffing.
 - (2) If the prisoner has property, sign for it after an inventory and give the prisoner a new receipt upon booking at San Leandro.
 - (3) Prior to departure, telephone the arresting agency to confirm that the arrestee is still in custody and ready for pickup.
 - (4) Coordinate the transportation detail with the Patrol Sergeant.

- **§11.3.540: EMERGENCY VEHICLE OPERATION.**

- (a) Although Reserve Officers drive police vehicles equipped with emergency response equipment, they shall refrain from driving Code 3 or in any manner which violates traffic laws unless specified below:
 - (1) Code 3 responses shall be limited to those situations where the Reserve Officer is assigned to drive Code 3 by the watch commander, patrol sergeant, regular officer, or Communications Center.
- (b) Reserve Officers shall not become involved in pursuit operations unless so assigned by a Watch Commander, Patrol Sergeant, or Communications Center.
- (c) At all time obey all traffic laws. Remember, the public views your actions as those of the department. Drive only in a manner which will bring credit upon the department.
- (d) Vehicles will be searched thoroughly at the beginning and end of each shift worked, and again after each prisoner transport.

- **§11.3.545: TRAFFIC STOPS.**

Reserve Officers shall avoid making traffic stops **unless** one (1) of the following circumstances exists:

- (a) A serious traffic violation occurs in their presence.
- (b) They on-view a criminal offense.
- (c) They are so directed by any regular officer.

- **§11.3.550: SCHOOL AND PARK PATROL.**

Reserve Officers assigned to “R” units shall patrol the schools and parks when not engaged in prisoner transports or other assigned details.

- (a) Schools and park buildings shall be checked on foot, Code 10.
- (b) As many schools and parks as possible should be checked and logged.

- **§11.3.555: SUBPOENA SERVICE.**

It is the responsibility of the on-duty reserve sergeant to distribute civilian subpoenas for service. Service or attempted service shall be documented on the blue subpoena service form.

- **§11.3.560: RESPONSIBILITIES OF RESERVE OFFICERS.**

Level I Reserves, while working patrol division assignments, shall be primarily responsible for manning the transport van. Their duty assignment, in descending order of importance, shall consist of prisoner transports, school and park patrol, civilian subpoena service, and assisting regular officers as assigned. Level II Reserves will only be assigned to ride with regular officers, unless otherwise assigned by the watch commander or patrol sergeant.

- **ARTICLE 6 LEAVES OF ABSENCE, SUSPENSION, AND TERMINATION**

- **§11.3.600: LEAVES OF ABSENCE.**

If an extended leave of absence (more than a month) is needed, a request shall be made in writing. If approved, the reserve shall turn in their badge and identification card to their sergeant. These items will be returned upon their return to service.

- (a) If the absence will extend past a three (3) month period, a resignation will be requested. The reserve shall turn in all issued uniforms and equipment. The Reserve Officer may then reapply for admission to the Reserve Unit at such time ~~hethey~~ feels ~~they~~he may again meet the requirements and may be accepted if there are openings in the organization at that time.
- (b) Not more than one (1) leave of absence may be requested a year.

- **§11.3.605: TERMINATION OF SERVICES.**

Reserve officers serve at the absolute pleasure of the Chief of Police and have no right whatsoever to continued service in such position. The Chief of Police may, at any time, with or without cause, and in their sole discretion, determine, with respect to any person otherwise qualified to act in the capacity of reserve officer, that such person shall no longer be called upon to render services to the City in such capacity.

Editor's Note:

This Chapter was first codified administratively in 1982.

Legislative History:

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 11 POLICE

Resolution No. 2005-156, 11/21/2005 [§§11.3.300, 11.3.425, 11.3.525]

- Chapter 4 Abatement of Weeds and Grass

- §11.4.100: SCOPE.

This Chapter specifies the height limitations for weeds and grass on vacant lots and grass on improved property for purposes of Title 3, Chapter 2 of the San Leandro Municipal Code. Except as provided herein there are no height or other limitations applicable before abatement can be required under Title 3, Chapter 2.

- §11.4.105: VACANT LOTS.

When weeds or grass on vacant lots reach a height of eighteen inches (18") or more they will be subject to abatement pursuant to the provisions of San Leandro Municipal Code, Title 3, Chapter 2.

- §11.4.110: IMPROVED PROPERTY.

When grass on improved property reaches a height of eighteen inches (18") or more, it will be subject to abatement pursuant to the provisions of San Leandro Municipal Code, Title 3, Chapter 2.

Editor's Note:

Former Title 12, Chapter 7, Public Works: Abatement of Weeds and Grass, was editorially renumbered to be Title 11, Chapter 4, Police: Abatement of Weeds and Grass, during the 2005-06 republication. Former Title 12, Chapter 7 was first codified administratively in 1982.

Legislative History:

Resolution No. 2005-156, 11/21/2005 [§§11.4.100-11.4.110]

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 12 INFORMATION TECHNOLOGY

Chapter 1 {Reserved}

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 12 INFORMATION TECHNOLOGY

Chapter 2 {Reserved}

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 12 INFORMATION TECHNOLOGY

Chapter 3 {Reserved}

Chapter 4 POLICY GOVERNING USE OF COMPUTER SYSTEMS, E-MAIL AND INFORMATION SECURITY.**12.4.100 POLICY GOVERNING USE OF COMPUTER SYSTEMS, E-MAIL AND INFORMATION SECURITY.**

City computer systems are made available to employees, public officials, and in some cases consultants to improve efficiency, communications and productivity when providing services to the community. City computer systems are defined to include any City provided computer hardware (personal computers, laptops, personal digital assistants [PDAs], smart phones, mobile digital terminals, host systems and related devices, printers and other production peripheral equipment, scanners, the City's network), computer software, remote access, electronic mail (e-mail) and Internet connection tools used to provide City services. Use of City provided computer systems are for official City purposes only. This policy is established to protect the City's investment in information technology; safeguard the information contained within City computer systems; and assist in the efficient delivery of City services.

All City computer systems provided in accordance with this policy remain the property of the City. Users of City computer systems have no right to or expectation of privacy or confidentiality in any activity using the City computer systems, equipment, or networks. Any electronic files, documents, or records (as that term is defined in the California Public Records Act) stored, accessed, or transferred on the City's computer systems are not private to the user and are potentially disclosable under the California Public Records Act.

(a) E-Mail System.

(1) The E-Mail System shall be used for the transmission of communications and documents only and shall not be used for the storage of information or records. The E-Mail System is provided by the City to Users as a convenient and efficient method for rapidly communicating transitory information in an electronic format.

(2) The forwarding of E-Mails from City computer systems or through City provided E-Mail accounts by employees or public officials to any personal or other E-Mail account that is not a City provided email account that belongs to, or is managed by the employee or public official is strongly discouraged. Users are cautioned that any E-Mail sent or forwarded from a City

computer system or email account to a personal email account may subject that entire personal account to disclosure pursuant to a public records request. An email sent from a personal email account to a City email account or City computer system is a public record subject to disclosure under the California Public Records Act.

(3) No User shall attempt to disguise the origin of any E-Mail, unless authorized by the Chief of Police for a criminal investigation.

(4) E-Mail messages located in a User's Inbox, Sent Items and Deleted Items folders will be automatically deleted by Information Technology from all computer devices and systems on the 120th day after sending or receipt, whether deleted by the User or not. All email will be archived and retained for 24 months.

(5)

E-Mail messages that must be retained in accordance with the City's Records Retention Schedule or by law should be moved to a User's Outlook Cabinet or saved and placed in the appropriate subject file, either electronically or in hard copy.

(b) Use.

(1) City employees and public officials are responsible for the care, security and appropriate use of City computer systems and any related equipment. Inappropriate uses may include, but are not limited to, obscenity, harassment, slander, defamation, commercial or for-profit activities, and political or campaign activities.

(2) City computer systems are for use by employees, public officials, and City Manager designated persons only. Contractors, vendors and other non-City users may be granted access to City computer systems with approval from the Information Services Manager. Contractors, volunteers, and other non-City users accessing the City of San Leandro's computer systems are subject to the same policies and guidelines as any City employee or public official.

(3) City computer hardware and software will be installed, configured and supported by the City Manager's Office, Information Technology Division only.

(4) All Users shall respect copyright and license agreements and shall not distribute or download programs or materials without the legal right to do so.

(5) Any City-owned computer systems provided to or used by employees and public officials of the City should be returned to the City Manager's Office immediately upon request.

(c) **Unacceptable Uses.** City computer systems shall not be used for:

(1) Personal gain or political activity.

(2) Outside business activities, fundraising, or charitable activity without the express authorization of the City Manager.

(3) Libelous, offensive, or harassing statements, documents or images, including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs.

(4) Sending or soliciting sexually oriented messages or images; accessing internet sites which are "adult-oriented" in nature, or which require the user to be over the age of 18 years, or which offer gambling services, or which contain obscene content of any nature. Employees of the Police Department are exempt when performing duties that require him or her to perform these prohibited activities.

(5) Impersonation of any person or communication under a false or unauthorized name.

(6) Inappropriate mass mailing or "spamming."

(7) Knowingly or maliciously introducing any invasive or destructive programs (i.e. viruses, worms, Trojan Horses) into City computer systems or networks.

(8) Attempting to circumvent local or network system security measures.

(d) **Information Security.**

(1) City employees and elected officials access City computer systems with a unique identification and password. In order to protect City equipment and information, the City issued identification and passwords should not be shared or easily accessible to anyone but the individual user.

(2) All devices used to connect to the City's computer systems must be continually executing approved virus-scanning software with a current virus database. Users shall not disable any

anti-virus software installed nor download any files which trigger a warning from the anti-virus software.

(3) The Information Technology Division of the City Manager's Office will backup files stored on the City's computer networks according to the City's network backup policies. Users shall utilize network resources to store their data files to the fullest extent possible to protect the City's data resources. Users are responsible for ensuring that critical data not stored on network servers is backed up and stored in a safe location.

(e) **Public Disclosure.** The disclosure or exemption from disclosure of "public records" (which generally means any writing, whether electronic or paper, that contains information relating to the conduct of the public's business) is governed by the California Public Records Act and its exemptions (California Government Code §§ ~~6250-7920.000~~ *et seq.*). It is City policy to exempt from disclosure all records that may be exempted pursuant to specific provisions of the California Public Records Act, unless specifically waived by the City Council, or City Manager.

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SAN LEANDRO ADMINISTRATIVE CODE

TITLE 12 INFORMATION TECHNOLOGY

Chapter 5 {Reserved}

SAN LEANDRO ADMINISTRATIVE CODE

TITLE 12 INFORMATION TECHNOLOGY

Chapter 7 {Reserved}