



City Manager's Weekly Update

Week ending January 20, 2012

UPCOMING MEETINGS

- 1/23** City Council Special Meeting, 5:00 p.m., Council Chambers
- 1/26** Rules and Communications Committee Meeting, 4:30 p.m., Sister Cities Gallery
- 1/27** Disaster Council, 8:30 - 10:00 a.m., Senior Community Center
- 1/30** City Council Ethics Training, 6:00 p.m., Dave Karp Room, Main Library
- 2/2** CC/SLUSD Liaison Committee Meeting, 4:00 p.m., Sister Cities Gallery
- 2/3** Finance Committee Meeting, 8:15 a.m., Sister Cities Gallery
- 2/6** City Council Meeting, 7:00 p.m., Council Chambers
- 2/7** Shoreline-Marina Committee Meeting, 4:00 p.m., Sister Cities Gallery
- 2/9** Business and Housing Development Committee Meeting, 4:00 p.m., Sister Cities Gallery
- 2/13** **Lincoln's Birthday Holiday, City Offices Closed**
- 2/14** Facilities and Transportation Committee Meeting, 4:00 p.m., Sister Cities Gallery
- 2/14** City Council Work Session, 7:00 p.m., Helen Lawrence South Offices Conf. Room

To: City Council
From: Lianne Marshall, Interim City Manager

We had a good discussion at the Alameda County City Managers' Meeting this week about the dissolution of Redevelopment Agencies. All cities are moving forward to dissolve their RDAs, establish their replacement agencies and determine the painful impacts on their organizations and projects. There are, of course, still many unanswered questions and much frustration. As you know, we will be discussing this topic at our Special Meeting on Monday evening.

Mark Your Calendar

Energy Upgrade California (reminder)

Thursday, January 26, 6:30 p.m. to 8:00 p.m., Main Library Lecture Hall, 300 Estudillo Avenue

- The City is co-sponsoring a free San Leandro Home Energy Forum next week on January 26 where homeowners can learn about Energy Upgrade California, which is a new statewide collaboration of governments and utilities that provide a one-stop shop for home improvement projects that will save homeowners money by lowering energy use and making their home healthier and more comfortable. Homeowners can get up to \$4,000 back in rebates when they make their home more energy efficient. Also, homeowners can receive a \$300 rebate on a comprehensive energy assessment through February 2012.
- For more information, go to www.energyupgradeca.org; to RSVP please go to <http://sanleandroenergyforum.eventbrite.com>.

Council Information

Financial Update

- After the City Council approved the resolution on December 19, 2011, the Finance Department proceeded in processing the \$6,000,000 loan from the Water Pollution Control Plant Fund to the General Fund. On January 4, 2012, payment in this amount was forwarded to CalPERS and the Safety Side Fund obligation was reduced from \$23.7 million to \$17.7 million. There was an immediate reduction of 5.984% in the overall Safety Plan's employer rate. The current employer rate for monthly payments (combined Side Fund and Risk Pool rates) to CalPERS is now 40.692%.
- Meanwhile, regarding conclusion of the POB validation process necessary for issuance of the bonds, the Bond Counsel has been informed by the court that due to the holidays, together with lays offs and reduced funding, we should expect another month of waiting for the judgment.

Lateral Relocation Agreement and Reimbursement - Dowling Triangle (staff report, letter and agreement attached)

- Nine properties on Dowling Boulevard and Beverly Avenue were previously notified that their back yard sewer main will be abandoned and that they are responsible for reconnecting to the new sewer main. Because the City is eliminating an existing active main, in accordance with the municipal code the City is offering to reimburse owners the cost of reconnection.
- In accordance with the process outlined in Title 8 Chapter 11 of the San Leandro Administrative Code, the City will offer to reimburse property owners the costs of reconnection. The attached letter and agreement provide property owners with the procedure for reconnection and reimbursement.

Annual Publication of Industries in Significant Non-Compliance with Pretreatment Standards (staff report and public notices attached)

- Under the Environmental Protection Agency (EPA) General Pretreatment Regulations, the City of San Leandro is required to annually publish a list of Significant Industrial users (SIUs) that, during the previous 12 months, were in Significant Non-Compliance (SNC) with applicable pretreatment standards.
- The annual publication of the SNC list serves as a deterrent for pretreatment violations. Those companies wishing to avoid publication will take steps to maintain consistent compliance.
- The City has an approved enforcement response plan for all pretreatment violations, whether or not the company is in SNC, with the goal of bringing the company back into compliance as quickly as possible.
- The public notification is also a vehicle for assuring our citizens that the City is meeting its obligation to protect the community and environment.



in Alameda County



Energy Upgrade California

Energy Upgrade California is a new statewide collaboration of governments and utilities that provides:

- Over \$4,000 in energy efficiency rebates
- A one-stop shop for homeowners to find contractors and rebates
- Low-interest financing options

www.EnergyUpgradeCA.org

San Leandro Home Energy Forum

Learn how to **get up to \$4,000** in rebates on a home energy efficiency upgrade

WHEN: Thursday, January 26
6:30–8:00 p.m.

WHERE: San Leandro Main Library, Lecture Hall
300 Estudillo Rd., San Leandro, CA

This event is FREE and open to all Alameda County homeowners. Refreshments will be provided.

Please RSVP to this event online, or call 510-891-6528
<http://sanleandroenergyforum.eventbrite.com/>

Participating Contractors who are trained and ready to work on your home will be there to answer your questions.

Now your home energy upgrade can raise money for local schools!

Learn how a new program called Energize for the Prize will donate to local schools when you get an energy upgrade. San Leandro Education Foundation, a co-sponsor of this event, can earn more than \$5,000 through this program.



For more information, please contact Edie Irons at (510) 891-6528 or info@energyupgradeac.org



CITY OF SAN LEANDRO

MEMORANDUM

DATE: January 17, 2012

TO: Lianne Marshall, Interim City Manager
City Manager's Office

FROM: Uche Udemezue, Director
Engineering and Transportation Department

BY: Ken Joseph, City Engineer
Engineering and Transportation Department

SUBJECT: LATERAL RELOCATION AGREEMENT & REIMBURSEMENT -
DOWLING TRIANGLE

SUMMARY AND RECOMMENDATION

Nine properties on Dowling Boulevard and Beverly Avenue were previously notified that their back yard sewer main will be abandoned and that they are responsible for reconnecting to the new sewer main. Because the City is eliminating an existing active main, in accordance with the municipal code the City is offering to reimburse owners the cost of reconnection.

This is for information only, and no action is required.

BACKGROUND AND DISCUSSION

The sewer main serving these properties is approximately 100 years old and is severely distressed. Repair and replacement of the damaged pipeline was not feasible due to obstructions, including structures built over the sewer main. New sewer mains were installed within the public right of way in front of the affected properties, and it is time for the property owners to connect their private sewer laterals to the new sewer mains.

In accordance with the process outlined in Title 8 Chapter 11 of the San Leandro Administrative Code, the City will offer to reimburse property owners the costs of reconnection. The attached letter and agreement provide property owners with the procedure for reconnection and reimbursement. The letter also indicates the schedule for abandoning the distressed main and provides an opportunity for owners to discuss this process with City staff.

City of San Leandro
Civic Center, 835 East 14th Street
San Leandro, California 94577



**RE: Notice of Sanitary Sewer Abandonment and Re-Routing of Building Lateral Address
APN: 076 ...**

Dear Property Owner:

As stated in the City's letter dated February 23, 2011, the existing sewer main serving your property is distressed beyond reasonable repair and will be removed from service. To maintain sewer service to your residence, a new main was installed in the street fronting your property. Your plumbing system may now be connected to the new main.

Pursuant to San Leandro Municipal Code section 3-14-640, property owners are responsible for the maintenance of the connection from their properties to the sewer main line. However, because the City is abandoning its own sewer main, and in accordance with the municipal code the City will reimburse the costs to re-connect your sewer lateral to the new main. The City is offering to install the lower lateral (portion within the public right-of-way) at no cost to you and to reimburse you for your cost to install the upper lateral (portion within your private property).

To take advantage of this program, the property owner(s) must agree to all of the conditions in the enclosed New Lateral Agreement. You may also elect to proceed at your own cost to install both the upper and lower lateral without any City financial assistance. However, please note that after the existing main is abandoned **failure to connect your plumbing to the active public sewer system will be in violation of the California Plumbing Code and could lead to serious health and safety implications.**

We understand that you might have questions regarding your responsibilities and/or the New Lateral Agreement process. Please call me at (510) 577-3494 to schedule a meeting to discuss this matter. Thank you for your understanding and cooperation.

Sincerely,

John O'Driscoll, Associate Engineer
Engineering & Transportation Department
jodriscoll@sanleandro.org

Enclosures: New Lateral Agreement

cc: K. Joseph, A. Osakwe



NEW LATERAL AGREEMENT

The City will install the lower lateral (portion within the public right of way) at no cost to the property owner and will reimburse installation costs for the upper lateral (portion within private property) provided that:

1. Property owner(s) executes this agreement on or before March 9, 2012;
2. Property owner(s) cooperates with City staff and provides access onto the property to establish a suitable location for the new lateral;
3. Property owner(s) agrees to allow the City to install a sewer cleanout on the private property immediately behind the property line;
4. City installs lower lateral and provides a connection point for the building lateral;
5. On or before April 20, 2012, property owner(s) provides to the City a minimum of three (3) independent written proposals prepared by contractors licensed to perform such work. The City reserves the right to query and reject any unreasonable proposals;
6. The property owner(s) shall be responsible for obtaining and paying all building permits and fees associated with constructing private sewer facilities;
7. Upon review and approval of the proposals, property owner(s) shall be notified of authorization to proceed with upper lateral relocation. Upper lateral work shall be completed within 60 days of such notice;
8. If during the course of the work site conditions require additional work, the property owner(s) will submit a request for additional authorization detailing the need for additional work and a copy of the proposal for additional work from the contractor. Approval of the additional work is at the sole discretion of the City, which shall not be unreasonably withheld;
9. Within 45 days of receiving final building permit inspection approval, the property owner(s) shall submit written receipts for the work performed and a copy of the final building permit;
10. The City will reimburse costs the property owner(s) incurs up to the limit of the lowest submitted proposal, including building permit fees and any approved additional authorizations within 30 days of the property owner(s) submitting all required documents;
11. Upon connection of the upper lateral to the lower lateral in the City's right of way, ownership and maintenance responsibility of the lower lateral automatically transfers to the property owner(s) being served by that lateral.

Agreed by: _____ Date: _____
Property Owner 1

Agreed by: _____ Date: _____
Property Owner 2

CITY OF SAN LEANDRO

STAFF REPORT

Date: January 19, 2012

To: Lianne Marshall, Interim City Manager

From: Michael Bakaldin, Public Works Services Director

By: John Camp, Environmental Services Supervisor

Subject: ANNUAL PUBLICATION OF INDUSTRIES IN SIGNIFICANT
NON-COMPLIANCE WITH PRETREATMENT STANDARDS

SUMMARY AND RECOMMENDATION

As required by federal law and SLMC, the Environmental Services Section annually publishes a list of companies that had a wastewater violation in the past year, which met the criteria for Significant Non-Compliance (SNC). A combination of enforcement and technical assistance by City staff results in most discharge violations returning to compliance quickly; in most cases less than 60 days. This report is for information only, and no action is required.

BACKGROUND

Under the Environmental Protection Agency (EPA) General Pretreatment Regulations, the City of San Leandro is required to annually publish a list of Significant Industrial Users (SIUs) that, during the previous 12 months, were in Significant Non-Compliance (SNC) with applicable pretreatment standards. Certificate of Publication of the SIU list is a required reporting element of the City's annual Pretreatment Report. In addition, per the San Leandro Municipal Code (SLMC), non-SIU dischargers that were in SNC during the previous 12 months are also published. The SNC publication covers the reporting period from January 1 to December 31 of the previous year. The attached lists will be published in a local newspaper of general circulation in late January in order for the certificate of publication to be included in the Pretreatment Annual Report submittal to State and Federal oversight agencies due February 28th.

The criteria for determining if a pretreatment violation places a company in SNC is codified in the SLMC and is identical to the federal definition established by EPA. For a company to be in Significant Non-Compliance its wastewater discharge must exceed federally defined limits; cause upset or interference with the City's collection or treatment system; or endanger health, property or the environment. In addition, an industry would be in SNC for failing to meet a compliance date 90 days past the due date; failing to submit a report 45 days past the due date; or failing to report non-compliance or any other violation or group of violations that the City determines as significant.

DISCUSSION

The City has an approved enforcement response plan for all pretreatment violations; whether or not the company is in Significant Non-Compliance (SNC); with the goal of bringing the company back into compliance as quickly as possible. When a company is determined to have a violation, staff issues a Notice of Violation that gives the company 15 days to explain the cause of the violation; the actions necessary to correct the violation and to prevent reoccurrence; and a statement certifying that the actions were completed or a proposed time line for completion. Once the company has completed the identified actions, staff performs violation follow-up monitoring to verify that the corrective actions were successful and that the industry's discharge has returned to compliance. The company is charged a violation follow-up monitoring fee to fund added enforcement activities and to deter future violation. If the violation persists, staff would escalate enforcement up to and including civil or criminal penalties.

Of the sixty-five facilities active in the pretreatment program during 2011 there were eight in SNC. This is an 88% compliance rate for the pretreatment program during this reporting period. Of the eight to be published; seven have returned to compliance as of this date. The one remaining facility, Fleetwash, had a discharge violation at the year's end and is expected to return to compliance quickly.

CONCLUSION

The annual publication of the SNC list serves as a deterrent for pretreatment violations. Those companies wishing to avoid publication will take steps to maintain consistent compliance. The public notification is also a vehicle for assuring our citizens that the City is meeting its obligation to protect the community and environment.

Attachments

PUBLIC NOTICE

CITY OF SAN LEANDRO NOTICE OF NON-COMPLIANCE with Pretreatment Standards for Discharge to the Sanitary Sewer System

Per Environmental Protection Agency (EPA) General Pretreatment Regulations (40 CFR 403.8), the City of San Leandro's Environmental Services Section, the control authority for the San Leandro Water Pollution Control Plant, is required to publish annually a list of Significant Industrial Users that, in the previous 12 months, were in Significant Non-Compliance with applicable pretreatment standards. [40 CFR 403.8 (f) (2) (viii)] The dischargers are listed below.

Facility: PCC Structurals
Pollutant: Silver
Current Status: Compliance

Facility: Safeway Milk Plant
Pollutant: Slug Load
Current Status: Compliance

PUBLIC NOTICE

CITY OF SAN LEANDRO NOTICE OF NON-COMPLIANCE with Pretreatment Standards for Discharge to the Sanitary Sewer System

Per San Leandro Municipal Code §3-14-825, the City of San Leandro's Environmental Services Section, the control authority for the San Leandro Water Pollution Control Plant, is required to publish annually a list of non-Significant Industrial Users that, in the previous 12 months, were in Significant Non-Compliance with applicable pretreatment standards. The dischargers are listed below.

Facility: Stericycle Inc.
Pollutant: Zinc
Current Status: Compliance

Facility: Concentra Medical Ctr.
Pollutant: Silver
Current Status: Compliance

Facility: Coast Crane Co.
Pollutant: Oil & Grease
Current Status: Compliance

Facility: Fleetwash.
Pollutant: Zinc
Current Status: Non Compliance

Facility: Cummins West Inc.
Pollutant: Copper
Current Status: Compliance

Facility: Peterson Power Systems
Pollutant: Zinc
Current Status: Compliance