



# City Manager's Weekly Update

Week ending November 18, 2011

## UPCOMING MEETINGS

- 11/21** Youth Advisory Commission Mixer, 6:00 p.m., Sister Cities Gallery
- 11/21** City Council Meeting, 7:00 p.m., Council Chambers
- 11/24 & 25** **Thanksgiving Day Holiday**, City Offices Closed
- 11/28** City Council Work Session, 7:00 p.m., Council Chambers
- 12/2** Finance Committee Meeting, 8:15 a.m., Sister Cities Gallery
- 12/5** City Council Meeting, 7:00 p.m., Council Chambers
- 12/6** Shoreline-Marina Committee Meeting, **CANCELLED**
- 12/6** Rules and Communications Committee Meeting, 4:30 p.m., Sister Cities Gallery
- 12/8** Business and Housing Committee Meeting, 4:00 p.m., Sister Cities Gallery
- 12/12** City Council Work Session, 7:00 p.m., Helen Lawrence South Offices Conference Rm.
- 12/13** Facilities and Transportation Committee Meeting, 4:00 p.m., Sister Cities Gallery
- 12/16** Finance Committee Meeting, 8:15 a.m., Sister Cities Gallery

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

The Alameda County Transportation Commission (ACTC) Executive Director presented the [Draft Transportation and Expenditure Plan](#) to the Alameda County City Manager's Association this week. ACTC intends to make this presentation to the City Councils in Alameda County in January. Have a great weekend.

## Mark Your Calendar

San Leandro Creek Clean-Up (reminder)

**Saturday, November 19, 9:30 a.m. to 12:30 p.m., Root Park, East 14th and Hays Streets**

- Celebrate International Coastal Cleanup Day tomorrow by removing non-native invasive plants, as well as cleaning debris from San Leandro Creek.
- Long sleeves and long pants, sturdy shoes and gardening gloves are recommended. Plastic gloves, drinks and snacks will be provided.
- Participants under 18 years must have a parent or guardian signature to participate and children under 14 must be accompanied by an adult. Call 577-6069 for more information or visit <http://www.fslc.org>.

Youth Advisory Commission (YAC) Mixer (reminder)

**Monday, November 21, 6:00 p.m. to 7:00 p.m., Sister Cities Gallery**

- On Monday, the City Council and Youth Advisory Commission applicants are invited to an informal gathering that will provide an opportunity for the City Council and applicants to meet. Dinner will be provided.

34<sup>th</sup> Annual Senior Thanksgiving Luncheon (reminder)

**Wednesday, November 23, 11:00 a.m., Senior Community Center and Marina Community Center**

- The Recreation and Human Services Department will be hosting the 34<sup>th</sup> Annual Thanksgiving Luncheon for seniors on November 23. City staff and volunteers will be serving a delicious holiday lunch to 500 seniors at both locations.
- Raffle prizes donated by local organizations, businesses and City employees will be given away at the luncheon. Entertainment will be provided by the San Leandro High School Jazz Ensemble at the Marina Community Center. Singer Joe Sheldon and the Chabot Jazz Combo will entertain at the Senior Community Center. Volunteers are asked to arrive by 11:00 a.m.

## Council Information

### Fairway / I-880 Overcrossing Closure (flyer attached)

- As you know, Kaiser is constructing its new hospital and medical office building project at 2500 Merced Street. When fully operational, this project will increase the amount of traffic on adjacent streets, so Kaiser is upgrading the pavement on the impacted streets. The existing pavement will be removed and replaced with new cement-treated base and new asphalt on Merced Street from Republic Avenue to 500 feet south of Fairway Drive and on Fairway Drive from Miller Street to 200 feet west of Merced Street. Isolated areas will receive deep lifts of asphalt instead of cement-treated base to avoid shallow utilities or to decrease construction time.
- The intersection of Fairway Drive and Miller Street is included in the limits of work described above. This intersection is the western terminus of the Aladdin Avenue-Fairway Drive/I-880 overcrossing. Due to the narrow width of the overcrossing, the bridge was closed and Fairway Drive-Aladdin Avenue traffic detoured while the work was performed. The road was barricaded at the Aladdin Avenue and Teagarden Street intersection and the Fairway Drive and Miller Street intersection for several hours on November 16 and 17. Another one-day closure will be required when the final lift of pavement is installed, which has not been scheduled.
- Miller Drive and Factor Avenue businesses were informed that they will have access to their properties at all times during these periods of construction by traveling east on Fairway Drive from Merced Street. The contractor delivered the attached flyer to these businesses prior to the work.

### Numerous East 14<sup>th</sup> Street Banners to be Removed

- The wind storm earlier this month damaged many of the street banners along the southern end of East 14th Street. A windshield survey of the banners from 143rd Avenue south to 150th Avenue led to the decision that all street banners in this area need to be removed; the banners that would remain would only be visible sporadically along the street, and they are growing faded and worn as well. We have exhausted the inventory of replacement banners for this design series.
- A small number of newer banners on East 14th Street at Castro Street will also be replaced due to wind damage if replacements are available. All of the street banners are maintained by a contract service that originally designed, produced and installed the banners for the City.
- Ideally, it would be good to restore the street banner program and replace all of the banners along East 14th Street. However, that will need to wait for better fiscal times, as a program of that size would likely cost upwards of \$30,000.

### San Leandro Police Department (SLPD) October Crime Statistics (attached)

## Businesses in the News

### Lit San Leandro Featured in SF Business Times (article attached)

- The front page of the November 18, 2011 edition of the *San Francisco Business Times* includes an article titled "CEO Wants 'Dark Fiber' To Light Up East Bay City, A Magnet For Tech Jobs" and photo of Patrick Kennedy.
- The article provides an accurate description of Lit San Leandro and includes a statement from Patrick that "the purpose of this is very definitely to improve the city."
- The article should generate significant interest from businesses, brokers and developers.

### International Council of Shopping Centers (ICSC) Northern California Idea Exchange

- Office of Business Development staff attended the Northern California ICSC conference in San Francisco last week to learn about retail trends and promote the City.
- Members of the panels expressed general optimism that the Bay Area retail market is recovering and noted that deals are taking substantially longer, between 18 to 24 months, to close. The millions of square feet of big box spaces available as a result of Mervyns, Circuit City and Borders closures have mostly been absorbed over the past two years. Less available square footage has resulted in greater activity as retailers looking to expand secure leases before rents increase. San Leandro's Village Marketplace was highlighted in the Retail Leasing and Development Market Update.

- San Leandro had a table at the Deal Making portion of the event to promote Village Marketplace, Lit San Leandro and the proposed Shoreline development and to make some valuable connections.

## **Correspondence from Other Agencies**

Alameda County Fire Department (ACFD) (press release attached)

- The ACFD and the Alameda County Fire Fighters Association (ACFFA) - Local 55 recently received the 2011 Partnership for Success Award from the California Fire Fighters Joint Apprenticeship Committee.

California Police Chiefs Association

- “Cities Win Right To Ban Dispensaries” (article attached)

November 14, 2011

**To: Residents & Businesses on Fairway Drive and Miller Street**

**Re: Fairway Drive Road Closure Between Miller Street and Teagarden Street**

DeSilva Gates Construction will be performing road work at the intersection of Fairway Drive and Miller Street from 6:00 AM on November 16, 2011 through 10:00 PM on November 17, 2011. During this time period, Fairway Drive will be closed to all thru traffic between Miller Street and Teagarden Street. There will be barricades to prevent access to Fairway Drive at the intersection of Teagarden and Fairway. Therefore, all access to your business and / or residence off Fairway will have to be from Merced Street.

Flaggers will be onsite 24 hours a day at the intersection of Miller and Fairway to direct traffic around the work area.

DeSilva Gates Construction will make every effort to meet the needs of everyone affected by the construction. All work will be staged to make the site as safe and accessible as possible. We apologize for the inconvenience and appreciate your cooperation during this work.

If you have any questions or problems while the work is being performed, please call the following number:

Matt Gates, DeSilva Gates Construction (510) 261-0466

Sincerely,

The Construction Staff of DeSilva Gates Construction

# YEAR-TO-DATE PART 1 CRIME TOTALS

## 2010 & 2011 Monthly Comparisons by Crime Classification

2011	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year to Date	% Change 10-11
MURDER	1	1	1	0	0	0	0	0	0	4			7	75%
RAPE	2	2	4	1	4	1	1	0	1	1			17	88%
ROBBERY	19	17	12	15	21	18	22	22	22	11			179	1%
A. ASSAULT	11	5	12	6	14	4	14	10	14	5			95	-11%
S. ASSAULT	34	34	46	31	38	42	36	34	34	39			368	8%
BURGLARY	68	42	61	45	61	46	44	43	48	63			521	-4%
LARCENY	183	161	156	154	181	160	184	169	158	150			1656	6%
AUTO THEFT	53	48	62	49	51	44	48	49	44	46			494	1%
ARSON	0	1	0	0	1	2	2	1	2	2			11	175%
<b>TOTAL</b>	<b>371</b>	<b>311</b>	<b>354</b>	<b>301</b>	<b>371</b>	<b>317</b>	<b>351</b>	<b>328</b>	<b>323</b>	<b>321</b>			<b>3348</b>	<b>4%</b>

2010	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year to Date	% Change 09-10
MURDER	0	0	0	1	0	0	0	1	0	2	0	0	4	100%
RAPE	1	1	1	1	1	1	1	1	1	0	1	1	11	-50%
ROBBERY	21	11	13	16	20	16	18	19	23	20	13	20	210	-19%
A. ASSAULT	12	8	12	8	15	9	9	11	9	14	8	9	124	-1%
S. ASSAULT	32	39	33	37	33	30	29	29	29	46	29	26	392	5%
BURGLARY	79	49	54	47	41	46	55	53	60	58	49	43	634	15%
LARCENY	160	158	151	156	141	144	160	168	144	181	168	176	1907	-3%
AUTO THEFT	70	52	63	38	41	39	40	58	39	47	59	48	594	-36%
ARSON	0	0	0	2	0	0	1	0	1	0	4	6	14	17%
<b>TOTAL</b>	<b>375</b>	<b>318</b>	<b>327</b>	<b>306</b>	<b>292</b>	<b>285</b>	<b>313</b>	<b>340</b>	<b>306</b>	<b>368</b>	<b>331</b>	<b>329</b>	<b>3890</b>	<b>-8%</b>

2009	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year to Date	% Change 08-09
MURDER	0	0	1	0	0	0	0	0	0	0	1	0	2	100%
RAPE	4	2	1	1	0	3	1	2	0	3	1	4	22	29%
ROBBERY	20	20	29	22	26	15	20	19	18	23	20	28	260	-27%
A. ASSAULT	7	8	13	7	16	20	10	8	9	14	6	7	125	-10%
S. ASSAULT	28	41	43	24	34	30	36	30	33	25	24	24	372	-8%
BURGLARY	51	38	49	45	31	32	44	48	37	60	55	61	551	-15%
LARCENY	162	133	172	191	200	146	170	180	134	150	144	179	1961	-12%
AUTO THEFT	81	59	92	62	88	93	74	79	72	88	78	67	933	-8%
ARSON	0	0	2	1	2	1	0	3	0	0	2	1	12	-29%
<b>TOTAL</b>	<b>353</b>	<b>301</b>	<b>402</b>	<b>353</b>	<b>397</b>	<b>340</b>	<b>355</b>	<b>369</b>	<b>303</b>	<b>363</b>	<b>331</b>	<b>371</b>	<b>4238</b>	<b>-12%</b>

2008	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year to Date
MURDER	0	0	0	1	0	0	0	0	0	0	0	0	1
RAPE	1	2	0	3	2	1	1	1	2	0	2	2	17
ROBBERY	33	28	35	39	35	23	23	23	20	35	30	32	356
A. ASSAULT	10	17	13	16	10	17	9	7	9	8	13	10	139
S. ASSAULT	30	25	36	36	44	33	38	39	32	40	26	27	406
BURGLARY	58	44	65	52	56	75	54	41	52	45	62	48	652
LARCENY	201	214	182	238	186	153	182	164	178	163	162	208	2231
AUTO THEFT	90	133	103	91	72	76	98	58	74	59	69	88	1011
ARSON	1	0	1	2	2	2	3	1	3	1	1	0	17
<b>TOTAL</b>	424	463	435	478	407	380	408	334	370	351	365	415	4830

## YEAR TO DATE DEPARTMENT ACTIVITY

### 3 YEAR COMPARISON

#### Police Activity/Calls for Service & Arrests

				<u>08-09%</u>		<u>09-10 %</u>		<u>10 - 11 %</u>		
		<u>2008</u>	<u>2009</u>	<u>Change</u>	<u>2009</u>	<u>2010</u>	<u>Change</u>	<u>2010</u>	<u>2011</u>	<u>Change</u>
<b>Police CAD Activity</b>	JAN	6103	5647	-7%	5647	6043	7%	6043	7042	17%
	FEB	5905	5140	-13%	5140	5701	11%	5701	5759	1%
	MAR	6292	5786	-8%	5786	6767	17%	6767	6227	-8%
	APR	6310	5765	-9%	5765	6480	12%	6480	6051	-7%
	MAY	6612	6046	-9%	6046	6916	14%	6916	6551	-5%
	JUN	6683	5844	-13%	5844	6815	17%	6815	6502	-5%
	JUL	6827	5996	-12%	5996	6944	16%	6944	6821	-1%
	AUG	6290	5874	-7%	5874	7131	21%	7131	6768	-5%
	SEP	6249	5968	-4%	5968	6696	12%	6696	6470	-3%
	OCT	6189	6323	2%	6323	6590	4%	6590	6842	4%
	NOV	5616	5604	0%	5604	6110	9%			
	DEC	5982	5668	-5%	5668	6357	12%			
	<b>TOTAL</b>		<b>75058</b>	<b>69661</b>	<b>-7%</b>	<b>69661</b>	<b>78550</b>	<b>13%</b>	<b>66083</b>	<b>65033</b>
<b>Arrests (All Crimes)</b>	JAN	340	337	-1%	337	325	-4%	325	297	-9%
	FEB	316	271	-14%	271	302	11%	302	300	-1%
	MAR	314	281	-11%	281	351	25%	351	294	-16%
	APR	307	321	5%	321	287	-11%	287	260	-9%
	MAY	324	297	-8%	297	352	19%	352	303	-14%
	JUN	318	276	-13%	276	298	8%	298	229	-23%
	JUL	384	318	-17%	318	296	-7%	296	268	-9%
	AUG	340	359	6%	359	328	-9%	328	269	-18%
	SEP	325	336	3%	336	302	-10%	302	268	-11%
	OCT	353	251	-29%	251	339	35%	339	265	-22%
	NOV	358	270	-25%	270	252	-7%			
	DEC	347	274	-21%	274	286	4%			
	<b>TOTAL</b>		<b>4026</b>	<b>3591</b>	<b>-11%</b>	<b>3591</b>	<b>3718</b>	<b>4%</b>	<b>3180</b>	<b>2753</b>

## Part 1 by Crime

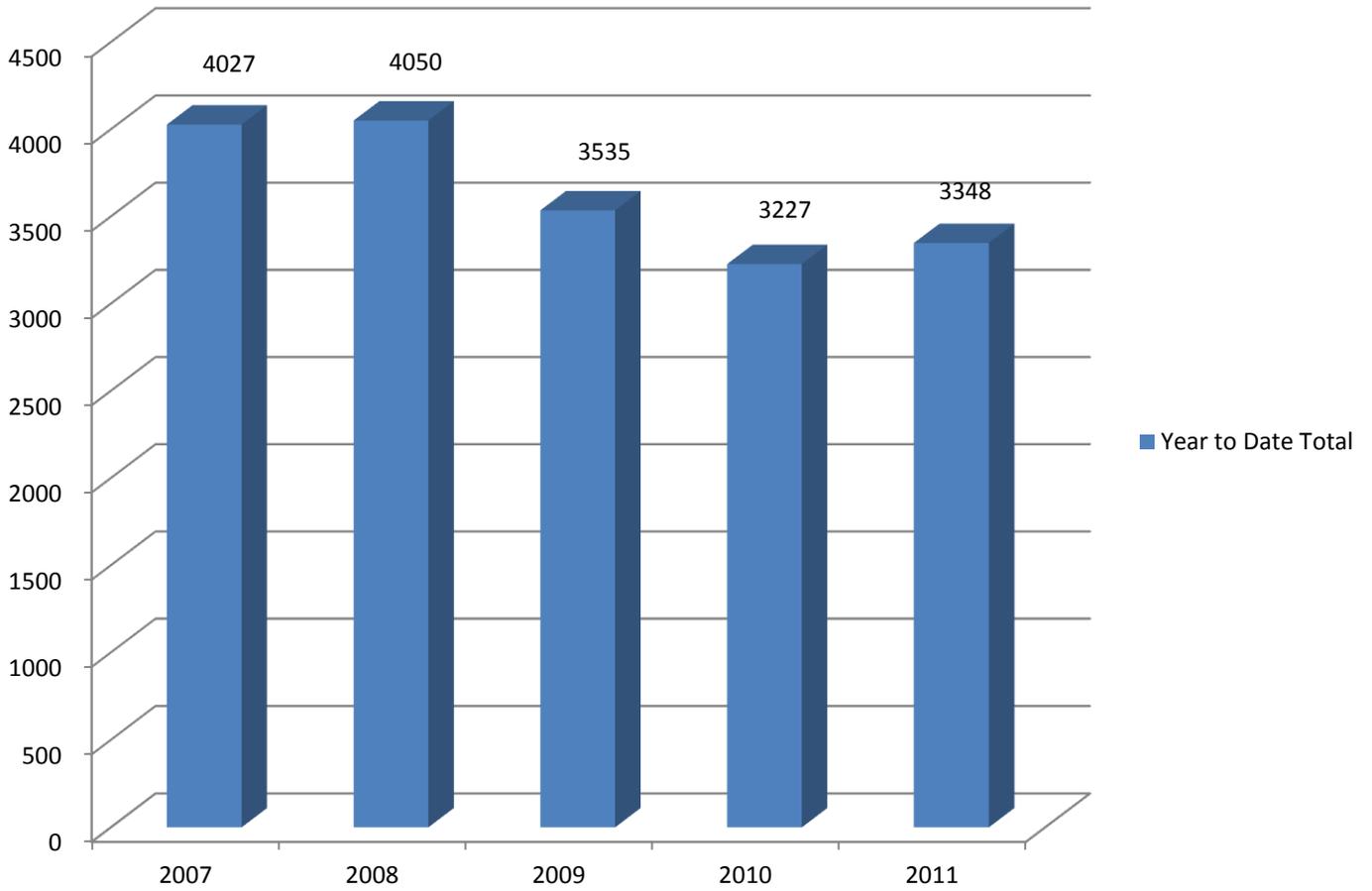
2011	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Year to Date	% Change 10-11
Adult Arrest - Felony	102	112	93	79	94	78	98	120	126	123			1025	-11%
Adult Arrest - Misdemeanor	165	170	178	168	181	126	146	131	121	124			1510	-14%
Juvenile AR - Felony	13	6	15	5	12	16	10	7	11	5			100	-16%
Juvenile AR - Misdemeanor	17	12	8	8	16	9	14	11	10	12			117	32%
Robbery (Gun)	7	7	7	8	13	3	8	10	8	5			76	31%
Robbery (Strong Arm)	8	8	4	7	6	12	12	10	9	4			80	-9%
Robbery (Others)	2	2	1	0	2	2	1	0	2	1			13	-24%
CarJacking	2	0	0	1	1	1	1	1	2	1			10	25%
DVR Related Cases	25	27	31	29	22	27	33	23	33	23			273	4%
Aggravated Assault (Firearm)	2	0	1	1	2	1	2	2	0	0			11	37%
Aggravated Assault (Knife)	0	2	1	0	3	0	1	2	3	2			14	-22%
Aggravated Assault (Other Weapon)	5	3	4	1	7	1	7	4	9	2			43	-24%
Aggravated Assault (Hands, Feet)	4	0	6	4	2	2	4	2	2	1			27	0%
Simple Assault	34	34	46	31	38	42	36	34	34	39			368	9%
Burglary (Residential)	42	30	35	28	33	34	32	21	30	38			323	-4%
Burglary (Commercial)	26	12	26	17	28	12	12	22	18	25			198	-3%
Larceny (from Vehicle)	83	77	62	60	79	69	77	66	67	63			703	17%
Larceny (Shoplifting)	59	52	49	56	47	59	60	54	45	52			533	13%
Larceny (Others)	41	30	45	36	53	32	47	49	46	35			414	-15%
Stolen Vehicles	53	48	62	49	51	44	48	49	44	46			494	2%
Stolen Local/Recovered Local	10	13	15	6	12	10	7	13	11	15			112	-21%
Stolen Local/Recovered Other	33	26	25	33	39	33	19	34	30	35			307	-1%
Stolen Other/Recovered Local	17	12	15	12	23	19	18	24	21	25			186	0%

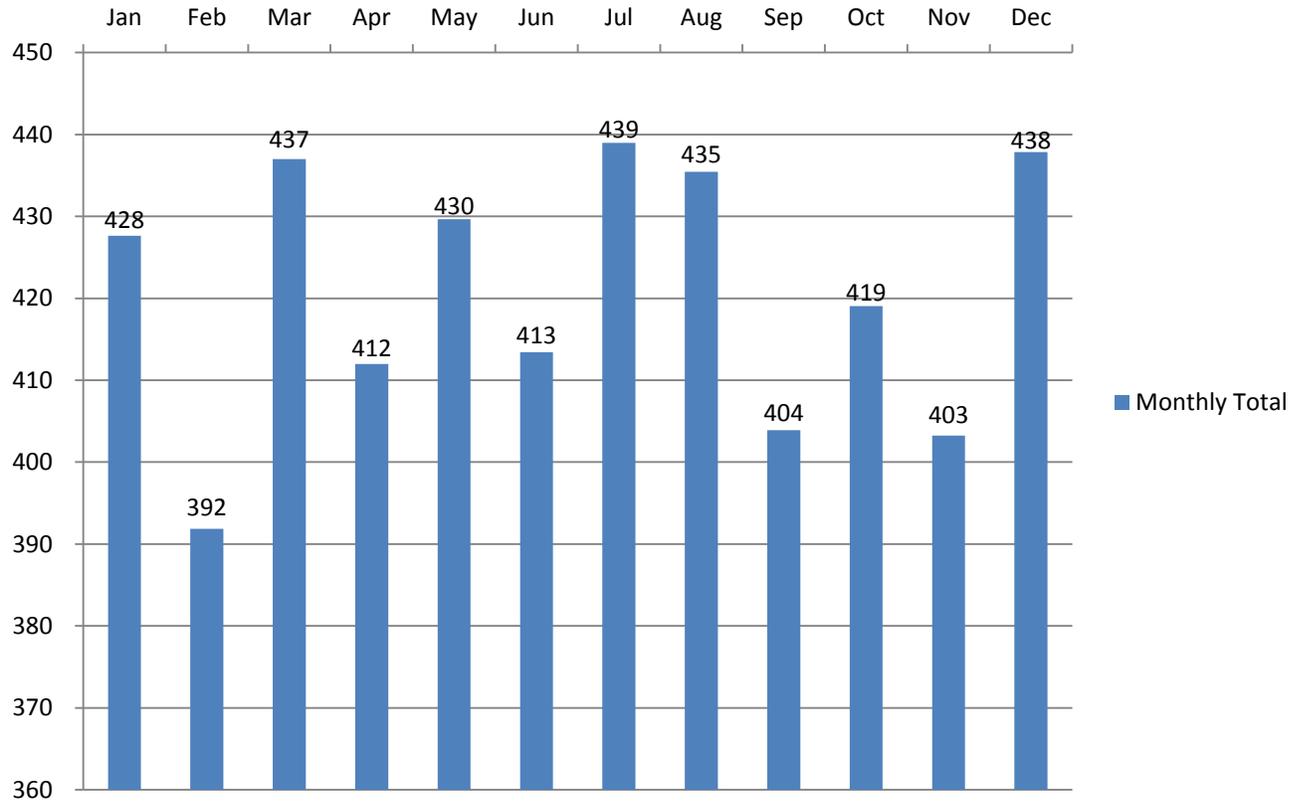
2010	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Year to Date	% Change 09-10
Adult Arrest - Felony	198	102	114	81	117	103	104	118	107	103	105	98	1350	15%
Adult Arrest - Misdemeanor	110	168	210	183	193	148	166	191	174	199	120	168	2030	-2%
Juvenile AR - Felony	5	18	6	5	22	23	6	12	7	15	11	7	137	-27%
Juvenile AR - Misdemeanor	12	14	21	18	20	23	20	7	14	22	16	13	200	20%
Robbery (Gun)	6	1	6	7	4	2	7	9	10	6	8	12	78	-23%
Robbery (Strong Arm)	12	6	5	5	15	9	9	9	10	8	3	7	98	-13%
Robbery (Others)	2	2	0	2	0	3	1	1	2	4	2	1	20	-43%
CarJacking	0	1	1	1	1	1	1	0	0	2	1	0	9	-18%
DVR Related Cases	33	25	29	23	18	27	26	29	15	37	26	22	310	14%
Aggravated Assault (Firearm)	0	1	1	3	0	0	0	0	3	0	0	1	9	0%
Aggravated Assault (Knife)	1	0	2	1	3	2	2	4	2	0	1	1	19	-5%
Aggravated Assault (Other Weapon)	9	5	7	3	7	7	3	6	3	5	6	4	65	16%
Aggravated Assault (Hands, Feet)	2	2	2	1	6	0	4	2	1	7	1	3	31	-23%
Simple Assault	32	39	33	38	32	30	28	29	29	46	29	26	391	5%
Burglary (Residential)	46	27	28	32	27	32	33	29	42	42	30	20	388	15%
Burglary (Commercial)	33	22	26	15	14	14	23	24	18	16	19	23	247	18%
Larceny (from Vehicle)	61	75	63	59	59	50	58	61	55	61	82	76	760	-15%
Larceny (Shoplifting)	51	30	55	47	39	44	54	52	41	60	46	57	576	8%
Larceny (Others)	48	53	33	49	43	51	49	57	46	61	40	43	573	28%
Stolen Vehicles	70	52	61	37	41	39	39	58	39	47	59	48	551	-40%
Stolen Local/Recovered Local	26	19	14	12	8	13	13	18	9	9	13	8	162	-35%
Stolen Local/Recovered Other	41	30	45	22	31	17	33	24	30	29	41	34	377	-36%
Stolen Other/Recovered Local	16	23	31	17	14	25	17	16	11	15	28	21	234	-28%

2009	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Year to Date
Adult Arrest - Felony	104	94	96	113	103	106	101	124	91	69	84	94	1179
Adult Arrest - Misdemeanor	191	152	165	185	165	146	198	199	194	157	157	159	2068
Juvenile AR - Felony	15	18	8	12	24	17	14	17	25	10	22	6	188
Juvenile AR - Misdemeanor	27	7	12	21	5	7	5	19	26	15	7	15	166
Robbery (Gun)	5	9	15	5	15	5	7	5	8	9	4	14	101
Robbery (Strong Arm)	11	8	9	11	8	7	7	9	6	11	13	13	113
Robbery (Others)	4	3	3	2	2	2	5	4	3	3	3	1	35
CarJacking	0	0	2	4	1	1	1	1	1	0	0	0	11
DVR Related Cases	20	24	34	27	24	28	18	20	23	18	16	21	273
Aggravated Assault (Firearm)	1	1	0	1	0	1	2	1	0	2	0	0	9
Aggravated Assault (Knife)	1	1	3	0	3	4	0	1	2	4	0	1	20
Aggravated Assault (Other Weapon)	2	3	8	4	5	7	6	2	6	6	5	2	56
Aggravated Assault (Hands, Feet)	3	3	2	2	8	8	2	4	1	2	1	4	40
Simple Assault	28	41	43	24	34	30	36	30	33	25	24	24	372
Burglary (Residential)	20	23	36	33	18	20	26	21	21	45	34	39	336
Burglary (Commercial)	31	15	13	12	13	12	18	27	10	15	21	22	209
Larceny (from Vehicle)	72	59	88	103	88	74	77	70	45	76	60	86	898
Larceny (Shoplifting)	54	31	48	43	57	27	42	64	46	32	44	44	532
Larceny (Others)	36	43	36	45	61	44	51	25	25	27	21	33	447
Stolen Vehicles	81	59	92	62	88	93	64	77	72	87	78	67	920
Stolen Local/Recovered Local	22	13	18	20	23	15	22	24	19	30	16	26	248
Stolen Local/Recovered Other	46	41	41	37	55	60	42	53	57	59	56	39	586
Stolen Other/Recovered Local	21	17	34	20	24	35	25	28	34	28	32	25	323

Part 1 Crime Totals In San Leandro  
5 Year Comparison  
October 2007-2011



## MONTHLY AVERAGE/Part 1 Crimes 1980 to Present



## SAN LEANDRO PART 1 CRIME TOTALS 1980 THROUGH 2010 TO DATE

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
<b>Year</b>													
1980	430	429	468	389	396	421	380	465	398	418	382	452	5028
1981	435	489	496	436	403	405	465	476	415	431	466	498	5415
1982	443	405	437	438	440	406	404	468	334	410	413	463	5061
1983	361	376	402	366	321	369	379	379	317	395	350	375	4390
1984	388	330	371	371	346	404	391	400	404	382	384	486	4657
1985	409	407	420	401	439	393	450	427	355	346	337	426	4810
1986	424	380	438	389	426	474	501	485	442	413	426	504	5302
1987	463	445	499	462	504	482	526	483	383	441	416	473	5577
1988	420	475	476	398	451	429	493	459	449	463	433	379	5325
1989	445	448	472	429	484	445	494	444	407	408	407	409	5292
1990	381	365	376	322	373	357	361	403	382	388	426	422	4556
1991	422	357	421	361	407	403	445	468	447	511	439	470	5151
1992	444	417	544	426	467	513	413	439	447	446	451	423	5430
1993	482	463	515	574	513	498	475	647	576	543	487	564	6337
1994	565	422	512	493	618	512	651	570	472	549	528	520	6412
1995	558	491	580	479	499	539	577	578	519	516	458	497	6291
1996	520	469	526	506	518	454	451	475	450	451	418	477	5715
1997	469	393	514	464	451	417	446	431	466	405	412	445	5313
1998	406	351	404	384	427	411	450	419	388	421	357	395	4813
1999	441	373	387	375	381	394	389	333	373	339	376	365	4526
2000	378	320	350	392	410	375	388	375	266	326	331	400	4311
2001	374	328	369	360	402	442	472	413	450	478	407	448	4943
2002	392	355	379	458	409	406	481	510	400	453	415	415	5073
2003	399	392	473	454	421	401	437	404	403	438	414	434	5070
2004	414	382	434	341	421	405	427	378	447	382	323	385	4739
2005	428	370	413	458	452	350	399	378	398	415	407	484	4952
2006	477	365	410	377	488	423	462	436	413	426	398	440	5115
2007	393	349	380	442	415	379	413	420	422	414	412	409	4848
2008	424	463	435	478	407	380	408	334	370	351	365	415	4830
2009	353	301	402	353	397	340	355	369	303	362	331	371	4237
2010	375	318	327	306	292	285	313	340	306	368	331	329	3890
2011	371	311	354	301	371	317	351	328	323	321			3348
<b>Average</b>	428	392	437	412	430	413	439	435	404	419	403	438	

# YEAR-TO-DATE PART 1 CRIME BY BEAT 2011

Beat 1	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
Murder	0	0	0	0	0	0	0	0	0	0			0
Rape	0	0	1	0	0	0	0	0	0	0			1
Robbery	3	3	2	1	3	5	2	6	5	3			33
A. Assault	1	2	3	0	1	0	5	2	2	0			16
S. Assault	1	2	5	3	3	2	3	1	4	4			28
Burglary	6	7	3	4	8	11	9	2	4	5			59
Larceny	13	20	9	11	25	11	25	10	14	20			158
Auto Theft	6	5	7	5	5	7	4	4	7	8			58
Arson	0	0	0	0	0	0	0	0	2	1			3
<b>TOTAL</b>	<b>30</b>	<b>39</b>	<b>30</b>	<b>24</b>	<b>45</b>	<b>36</b>	<b>48</b>	<b>25</b>	<b>38</b>	<b>41</b>			<b>356</b>

Beat 2	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
Murder	0	0	0	0	0	0	0	0	0	1			1
Rape	0	0	1	0	2	0	0	0	0	0			3
Robbery	6	8	3	4	7	4	4	2	2	2			42
A. Assault	0	1	1	2	3	1	1	4	0	1			14
S. Assault	6	5	8	4	9	6	9	5	4	9			65
Burglary	10	3	12	3	13	11	10	9	11	9			91
Larceny	18	14	14	19	22	8	23	20	19	11			168
Auto Theft	7	8	6	6	7	11	7	10	3	5			70
Arson	0	0	0	0	0	0	1	0	0	0			1
<b>TOTAL</b>	<b>47</b>	<b>39</b>	<b>45</b>	<b>38</b>	<b>63</b>	<b>41</b>	<b>55</b>	<b>50</b>	<b>39</b>	<b>38</b>			<b>455</b>

Beat 3	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
Murder	0	0	0	0	0	0	0	0	0	3			3
Rape	1	1	0	0	0	0	0	0	0	0			2
Robbery	1	0	1	2	2	1	1	1	3	1			13
A. Assault	6	0	0	1	1	2	4	0	2	2			18
S. Assault	8	8	9	5	4	3	2	1	5	3			48
Burglary	9	6	9	7	9	5	5	8	4	7			69
Larceny	22	24	27	15	20	23	23	22	22	22			220
Auto Theft	8	12	10	4	8	7	6	6	6	6			73
Arson	0	0	0	0	0	1	0	0	0	0			1
<b>TOTAL</b>	<b>55</b>	<b>51</b>	<b>56</b>	<b>34</b>	<b>44</b>	<b>42</b>	<b>41</b>	<b>38</b>	<b>42</b>	<b>44</b>			<b>447</b>

Beat 4	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Total
Murder	0	0	0	0	0	0	0	0	0	0			0
Rape	0	0	1	0	1	0	0	0	0	0			2
Robbery	4	3	1	3	1	1	3	3	5	1			25
A. Assault	0	1	1	1	1	0	1	1	2	0			8
S. Assault	2	5	1	1	6	11	2	3	2	5			38
Burglary	12	7	12	6	8	2	7	2	7	13			76
Larceny	33	23	23	27	27	22	42	40	37	40			314
Auto Theft	8	6	9	10	8	6	8	11	3	8			77
Arson	0	0	0	0	1	0	0	0	0	0			1
<b>TOTAL</b>	<b>59</b>	<b>45</b>	<b>48</b>	<b>48</b>	<b>53</b>	<b>42</b>	<b>63</b>	<b>60</b>	<b>56</b>	<b>67</b>			<b>541</b>

<u>BF</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Total</u>
Murder	0	0	0	0	0	0	0	0	0	0			0
Rape	1	0	0	0	0	0	0	0	0	0			1
Robbery	0	0	1	1	1	0	0	2	0	0			5
A. Assault	1	0	0	1	1	0	2	1	0	0			6
S. Assault	1	0	1	1	0	1	2	1	1	1			9
Burglary	0	0	1	1	4	0	1	6	1	1			15
Larceny	32	30	36	37	33	46	32	30	26	19			321
Auto Theft	0	0	2	4	1	0	4	5	2	5			23
Arson	0	0	0	0	0	0	0	0	0	1			1
<b>TOTAL</b>	<b>35</b>	<b>30</b>	<b>41</b>	<b>45</b>	<b>40</b>	<b>47</b>	<b>41</b>	<b>45</b>	<b>30</b>	<b>27</b>			<b>381</b>

<u>Beat 5</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Total</u>
Murder	1	1	0	0	0	0	0	0	0	0			2
Rape	0	0	0	0	0	0	0	0	0	1			1
Robbery	3	2	1	2	2	2	4	1	4	1			22
A. Assault	0	0	3	0	2	0	0	1	2	0			8
S. Assault	6	7	6	7	9	3	2	4	6	5			55
Burglary	3	4	3	8	3	3	4	4	5	9			46
Larceny	23	18	8	8	11	14	16	13	14	11			136
Auto Theft	7	5	7	9	4	5	5	3	7	3			55
Arson	0	0	0	0	0	0	0	0	0	0			0
<b>TOTAL</b>	<b>43</b>	<b>37</b>	<b>28</b>	<b>34</b>	<b>31</b>	<b>27</b>	<b>31</b>	<b>26</b>	<b>38</b>	<b>30</b>			<b>325</b>

<u>Beat 6</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Total</u>
Murder	0	0	0	0	0	0	0	0	0	0			0
Rape	0	0	0	1	0	0	0	0	0	0			1
Robbery	1	0	1	0	1	2	3	4	1	2			15
A. Assault	1	0	2	1	4	0	0	0	4	1			13
S. Assault	3	2	4	3	2	7	4	5	4	5			39
Burglary	19	10	13	9	7	6	2	8	9	12			95
Larceny	20	11	17	13	19	16	10	13	8	13			140
Auto Theft	8	6	7	2	5	1	4	2	10	4			49
Arson	0	1	0	0	0	1	1	0	0	0			3
<b>TOTAL</b>	<b>52</b>	<b>30</b>	<b>44</b>	<b>29</b>	<b>38</b>	<b>33</b>	<b>24</b>	<b>32</b>	<b>36</b>	<b>37</b>			<b>355</b>

<u>Beat 7</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Total</u>
Murder	0	0	1	0	0	0	0	0	0	0			1
Rape	0	0	1	0	1	1	1	0	1	0			5
Robbery	1	1	2	2	3	3	5	3	2	1			23
A. Assault	2	0	2	0	1	1	1	1	1	1			10
S. Assault	7	6	12	7	5	8	12	14	8	7			86
Burglary	9	5	8	7	9	8	6	4	7	7			70
Larceny	22	21	22	24	23	20	13	21	17	12			195
Auto Theft	9	6	14	9	13	7	10	8	6	7			89
Arson	0	0	0	0	0	0	0	1	0	0			1
<b>TOTAL</b>	<b>50</b>	<b>39</b>	<b>62</b>	<b>49</b>	<b>55</b>	<b>48</b>	<b>48</b>	<b>52</b>	<b>42</b>	<b>35</b>			<b>480</b>

<u>Outside</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>	<u>Total</u>
Murder	0	0	0	0	0	0	0	0	0	0			0
Rape	0	1	0	0	0	0	0	0	0	0			1
Robbery	0	0	0	0	1	0	0	0	0	0			0
A. Assault	0	0	0	0	0	0	0	0	1	0			0
S. Assault	0	0	0	0	0	1	0	0	0	0			0
Burglary	0	0	0	0	0	0	0	0	0	0			0
Larceny	0	0	0	0	1	0	0	0	1	2			0
Auto Theft	0	0	0	0	0	0	0	0	0	0			0
Arson	0	0	0	0	0	0	0	0	0	0			0
<b>TOTAL</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>			<b>1</b>

# YEAR-TO-DATE PART 1 CRIME BY COUNCIL DISTRICT 2011

<i>Dist 1</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Total</i>
Murder	0	0	0	0	0	0	0	0	0	1			1
Rape	0	1	1	0	1	0	0	0	0	0			3
Robbery	3	3	4	2	5	5	3	3	1	1			30
A. Assault	4	1	0	2	2	0	3	1	2	1			16
S. Assault	10	4	9	5	6	3	7	5	5	5			59
Burglary	12	6	10	4	7	11	6	8	12	14			90
Larceny	29	25	19	26	36	21	20	24	27	17			244
Auto Theft	7	4	11	10	4	7	9	6	4	6			68
Arson	0	0	0	0	0	0	1	1	0	0			2
<b>TOTAL</b>	<b>65</b>	<b>44</b>	<b>54</b>	<b>49</b>	<b>61</b>	<b>47</b>	<b>49</b>	<b>48</b>	<b>51</b>	<b>45</b>			<b>513</b>

<i>Dist 2</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Total</i>
Murder	1	1	0	0	0	0	0	0	0	0			2
Rape	0	0	0	0	1	0	0	0	0	1			2
Robbery	6	3	1	7	6	2	6	3	6	1			41
A. Assault	0	2	3	1	3	3	1	3	0	0			16
S. Assault	12	9	11	12	8	11	10	5	8	12			98
Burglary	9	8	15	10	15	11	11	10	9	12			110
Larceny	29	25	15	16	15	21	30	28	14	15			208
Auto Theft	13	14	10	11	10	14	9	9	10	6			106
Arson	0	0	0	0	0	1	0	0	0	1			2
<b>TOTAL</b>	<b>70</b>	<b>62</b>	<b>55</b>	<b>57</b>	<b>58</b>	<b>63</b>	<b>67</b>	<b>58</b>	<b>47</b>	<b>48</b>			<b>585</b>

<i>Bf</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Total</i>
Murder	0	0	0	0	0	0	0	0	0	0			0
Rape	1	0	0	0	0	0	0	0	0	0			1
Robbery	0	0	1	1	1	0	0	1	0	0			4
A. Assault	1	0	0	1	1	0	2	1	0	0			6
S. Assault	1	0	1	1	0	2	2	1	1	1			10
Burglary	0	0	1	1	4	0	1	7	1	1			16
Larceny	31	30	36	37	33	46	33	26	30	19			321
Auto Theft	0	0	2	4	1	0	4	4	2	5			22
Arson	0	0	0	0	0	0	0	0	0	0			0
<b>TOTAL</b>	<b>34</b>	<b>30</b>	<b>41</b>	<b>45</b>	<b>40</b>	<b>48</b>	<b>42</b>	<b>40</b>	<b>34</b>	<b>26</b>			<b>380</b>

<i>Dist 3</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Total</i>
Murder	0	0	0	0	0	0	0	0	0	3			3
Rape	1	0	1	0	0	0	0	0	0	0			2
Robbery	2	3	1	1	3	2	1	1	2	1			17
A. Assault	3	0	3	0	2	0	3	1	5	1			18
S. Assault	2	8	7	2	10	7	4	4	7	3			54
Burglary	8	6	9	8	8	3	6	7	4	11			70
Larceny	29	23	28	21	22	18	20	20	19	25			225
Auto Theft	8	15	15	2	10	5	7	5	6	4			77
Arson	0	0	0	0	0	0	0	0	0	0			0
<b>TOTAL</b>	<b>53</b>	<b>55</b>	<b>64</b>	<b>34</b>	<b>55</b>	<b>35</b>	<b>41</b>	<b>38</b>	<b>43</b>	<b>48</b>			<b>466</b>

<i>Dist 4</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Total</i>
Murder	0	0	0	0	0	0	0	0	0	0			0
Rape	0	0	0	1	0	0	0	0	0	0			1
Robbery	1	0	1	0	1	2	3	4	1	1			14
A. Assault	1	0	1	1	3	0	0	0	3	1			10
S. Assault	2	3	4	3	2	2	4	5	1	4			30
Burglary	16	8	6	7	5	3	2	6	6	8			67
Larceny	20	9	13	10	16	14	7	12	5	10			116
Auto Theft	4	1	2	3	4	0	3	1	9	4			31
Arson	0	1	0	0	0	1	1	0	0	0			3
<b>TOTAL</b>	<b>44</b>	<b>22</b>	<b>27</b>	<b>25</b>	<b>31</b>	<b>22</b>	<b>20</b>	<b>28</b>	<b>25</b>	<b>28</b>			<b>272</b>

<i>Dist 5</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Total</i>
Murder	0	0	0	0	0	0	0	0	0	0			0
Rape	0	0	1	0	1	1	1	0	0	0			4
Robbery	5	6	2	1	4	6	5	6	6	5			46
A. Assault	1	2	5	0	2	0	5	3	2	1			21
S. Assault	5	5	9	7	6	7	5	6	7	8			65
Burglary	8	7	4	6	9	13	14	3	7	5			76
Larceny	16	23	15	17	31	14	33	14	26	24			213
Auto Theft	10	7	9	7	8	10	6	10	10	10			87
Arson	0	0	0	0	0	0	0	0	2	1			3
<b>TOTAL</b>	<b>45</b>	<b>50</b>	<b>45</b>	<b>38</b>	<b>61</b>	<b>51</b>	<b>69</b>	<b>42</b>	<b>60</b>	<b>54</b>			<b>515</b>

<i>Dist 6</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Total</i>
Murder	0	0	1	0	0	0	0	0	0	0			1
Rape	0	0	1	0	1	0	0	0	1	0			3
Robbery	2	2	2	3	0	1	4	4	6	2			26
A. Assault	0	1	0	1	1	1	0	1	1	1			7
S. Assault	2	6	5	1	6	9	4	8	5	6			52
Burglary	15	7	16	9	13	5	4	2	9	12			92
Larceny	29	26	30	27	27	26	41	45	36	38			325
Auto Theft	11	7	13	12	14	8	10	14	3	11			103
Arson	0	0	0	0	1	0	0	0	0	0			1
<b>TOTAL</b>	<b>59</b>	<b>49</b>	<b>68</b>	<b>53</b>	<b>63</b>	<b>50</b>	<b>63</b>	<b>74</b>	<b>61</b>	<b>70</b>			<b>610</b>

<i>Outside</i>	<i>Jan</i>	<i>Feb</i>	<i>Mar</i>	<i>Apr</i>	<i>May</i>	<i>Jun</i>	<i>Jul</i>	<i>Aug</i>	<i>Sept</i>	<i>Oct</i>	<i>Nov</i>	<i>Dec</i>	<i>Total</i>
Murder	0	0	0	0	0	0	0	0	0	0			0
Rape	0	1	0	0	0	0	0	0	0	0			1
Robbery	0	0	0	0	1	0	0	0	0	0			1
A. Assault	0	0	0	0	0	0	0	0	1	0			1
S. Assault	0	0	0	0	0	1	0	0	0	0			1
Burglary	0	0	0	0	0	0	0	0	0	0			0
Larceny	0	0	0	0	1	0	0	0	1	2			4
Auto Theft	0	0	0	0	0	0	0	0	0	0			0
Arson	0	0	0	0	0	0	0	0	0	0			0
<b>TOTAL</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>			<b>3</b>

## Part 1 Crime Totals in San Leandro by Month 5 Year Comparison

	Year to Date Total	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2007	4027	393	349	380	442	415	379	413	420	422	414	412	409
2008	4050	424	463	435	478	407	380	408	334	370	351	365	415
2009	3535	353	301	402	353	397	340	355	369	303	362	331	371
2010	3227	374	318	326	305	292	286	313	340	306	367	331	329
2011	3348	371	311	354	301	371	317	351	328	323	321		

# **CEO Wants ‘Dark Fiber’ to Light Up East Bay City, A Magnet for Tech Jobs**

Premium content from San Francisco Business Times by Patrick Hoge, Reporter Reporter - *San Francisco Business Times*

Email | Twitter: @PatrickHoge

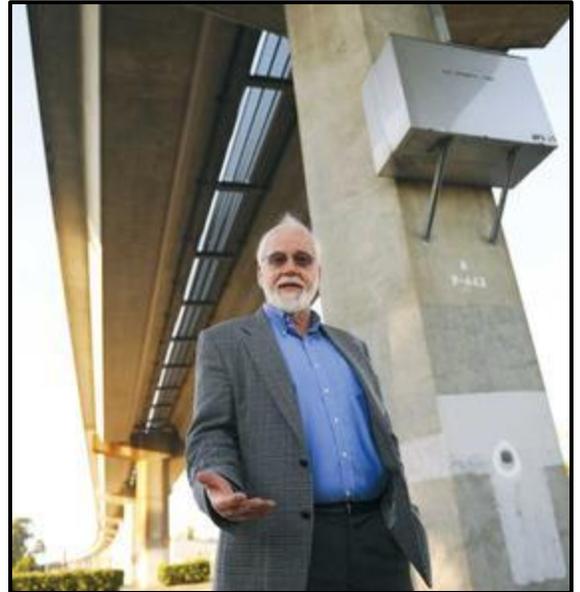
Date: Friday, November 18, 2011, 3:00am PST

Photo: Spencer Brown

## ***No speed limit: J. Patrick Kennedy offers San Leandro a fiber link to the world.***

J. Patrick Kennedy has grown **OSIsoft** LLC into one of San Leandro’s largest employers over the last three-plus decades, with 750 employees.

Now Kennedy wants to help the city where he lives and works reinvent itself and attract tech jobs. He is spending several million dollars of his own money to run more than 10 miles of fiber optic cables capable of transmitting mind-boggling amounts of data at incredible speeds through a municipal conduit that rings the city.



It is very costly to dig up the ground to lay fiber cables, and key to Kennedy’s plan is accessing a conduit through which the city controls street lights and cameras — something the city has already approved.

“The purpose of this is very definitely to improve the city,” said Kennedy, who has formed two companies, SL Dark Fiber LLC and Lit San Leandro LLC, to install the network of glass strands as well as the optical networking equipment to “light up” some portion of the network.

“Cities are out of money. It’s very hard for them. This just seemed like something that a private company should do,” said Kennedy, who is CEO, chairman and co-founder of OSIsoft, a maker of software used to monitor and manage equipment and processes in a wide variety of industrial applications, including oil and gas production, manufacturing, electricity distribution and running of data centers.

While fiber optic cables are not uncommon, they are typically owned by large telecommunications and cable companies and, in the rare cases they do extend all the way to the end user, are shared by many customers, with the result being high costs and compromised capacity and speeds, Kennedy said.

Some cities have networks run through their power utilities, but most are relatively small, Kennedy said.

Palo Alto and Santa Clara have large municipal dark fiber networks. Santa Clara’s serves a major concentration of more than 25 data centers. There are also private fiber providers in the city that provide the optical networking services to private parties, which Santa Clara does not.

“Fiber is the future, and the requirement for bandwidth is growing very rapidly now — the kind of bandwidth that only fiber can supply,” said Larry Owens, a manager of customer services at Santa Clara’s electric utility.

Kennedy said the network he plans to install would have few users and thus allow for enormous capacity and speed.

To get an idea of how powerful fiber optic lines can be, Kennedy in a letter to the city cited a recent experiment by the Karlsruhe Institute in Germany clocking 26 terabits of data transmitted a second — enough to move the contents of the **Library of Congress** in 10 seconds — on a single strand.

Kennedy is planning to install 288 fibers — the same number Santa Clara has. Of those, 30 would be given to the city. Some would be used by OSIsoft, a heavy user of information systems which is expanding into a new building across Davis Street from its global headquarters, effectively doubling in size.

Kennedy said some large data users may want their own strands, and he also may light up some cables for Internet and telecommunications companies to use for providing services, but he will not be getting into the services business himself.

Ed Miller, president and CEO of **Cal Coast Development**, which is leading a massive San Leandro development that includes up to 250,000 square feet of office space, a hotel, conference center, restaurants and residences, is interested in what Kennedy’s plan can do for his project.

“We’d love to see him make that product available to us,” Miller said.

Businesses that could benefit include radiologists, photography studios, 3-D printers, laboratories, software developers, web-based firms, architects and engineers, or any company that might need a data center, said Cynthia Battenberg, San Leandro’s business development manager.

San Leandro officials are excited, and they are already marketing the anticipated amenity to property owners and developers, as is Kennedy. The city council recently approved a lease for use of its conduit.

“We thank OSIsoft for partnering with us and look forward to assisting a new set of businesses in leveraging San Leandro’s assets to become industry leaders in the data revolution,” said Mayor Stephen Cassidy.

Groundbreaking for the project is imminent, and Kennedy said he hopes the network will be complete in the first quarter of next year.

This month, the dark fiber will be connected to fiber optic lines maintained in the Bay Area Rapid Transit District’s right-of-way, Kennedy said.

Kennedy’s plan is to recover his costs through fees charged to users that will be tied to properties or ownership of SL Dark Fiber. Fees would not be tied to bandwidth usage, Kennedy said, as that would be counterproductive to economic growth.

As a result of the project, OSIssoft, a \$225 million a year concern, could save money, and Kennedy does own some property that could increase in value from the project, but principally he says he just wants San Leandro to thrive.

“San Leandro is known to be relatively under-served with broadband,” he said. “To me, it’s not only a requirement for attracting new businesses, but also for retaining old businesses.”



# Alameda County Fire Department **NEWS**

**FOR IMMEDIATE RELEASE**

November 17, 2011

**CONTACT: Aisha Knowles**

ACFD Information Officer  
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## *ACFD & ACFFA Receive 2011 Partnership for Success Award*

*The Alameda County Fire Department and Alameda County Fire Fighters Association are Recognized by the California Fire Fighters Joint Apprenticeship Committee*

Cathedral City, CA—On Wednesday, November 9, 2011, the Alameda County Fire Department (ACFD) and the Alameda County Fire Fighters Association (ACFFA) International Association of Fire Fighters (IAFF)-Local 55 received the 2011 Partnership for Success Award at the California Fire Fighter Joint Apprenticeship Committee (CFFJAC) Conference.

In 2001, the CFFJAC, created the Partnership for Success Award, to recognize fire departments and local unions that demonstrate a commitment to work together to provide the training and education needed to ensure firefighter safety and effectiveness on the front lines.

Honorees are identified for their collaborative relationship to enhance existing training programs and their commitment to working together on issues of common interest, including the safety of firefighters on the job. The Award is presented every two years at the biennial CFFJAC Conference. Past winners have included the City of Davis, Vallejo, Ventura County and, in 2009, CAL FIRE.

“Training is the cornerstone for every fire department,” said CFFJAC Chair Dan Terry. “The successful labor-management partnership of Alameda County Fire and Alameda County Firefighters-Local 55 exemplifies their dedication to their front line firefighters and integrity to their profession.”

The CFFJAC is co-sponsored by the California Professional Firefighters, AFL-CIO, representing labor, and the Office of the California State Fire Marshal, representing management. The ACFD and the ACFFA are the first fire department and fire fighter association within Alameda County to receive this distinguished honor.

A video produced by the California Professional Firefighters’ online video news service, CPF Firevision, highlighting the 2011 Partnership for Success Award, and the labor-management partnership between the ACFD and the ACFFA may be viewed at [www.cpfvision.org](http://www.cpfvision.org).

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## **CITIES WIN RIGHT TO BAN DISPENSARIES**

Several significant state court decisions have been issued by the California Courts of Appeal over the past few weeks dealing with the issues of medical marijuana. On October 4, 2011, the Second District Court of Appeal ruled, in the case of Pack v. Superior Court of Los Angeles County (City of Long Beach), that cities can ban medical marijuana dispensaries but cannot authorize them by issuing business licenses and permits.

As we noted in our Client Alert, Vol. 26, No. 23, published on 10/12/11, the Pack Court found that Proposition 215 does not, in and of itself, violate federal law. *“The CUA simply decriminalizes (under state law) the possession and cultivation of medical marijuana; it does not attempt to authorize the possession and cultivation of the drug. The City’s ordinance, however, goes beyond decriminalization into authorization.”* The Court noted further that, the *“City of Long Beach has enacted a comprehensive regulatory scheme by which medical marijuana collectives within the City are governed”* and, *to the extent that the City’s ordinance permits collectives, it is preempted by federal law.*

The Pack decision appears to have created concern amongst those who still want to permit and regulate such facilities. Despite that concern, the federal Department of Justice is increasing its efforts to shut down dispensaries by, among other things, notifying the owners of buildings renting to dispensaries, that they face the potential of the federal government seizing those properties since the owners are allowing tenants to engage in activity prohibited by federal law.

### **Two New Decisions**

The Fourth District Court of Appeal issued two opinions on November 9, 2011 upholding the right of cities and counties to ban dispensaries, ruling that such action is not prohibited by state law.

In cases arising out of the City of Riverside (involving the Inland Empire Patient’s Health and Wellness Center) and the City of Upland (involving the G3 Holistic collective), the Court reinforced the legal right of cities to ban dispensaries. The Riverside case is a published decision, whereas the Upland case is not.

It is likely that in one or both of these cases, the dispensaries will petition the California Supreme Court for review. The City of Long Beach has already petitioned the Court for review since it is the City’s position that, as the City Attorney is quoted as saying, *“(t)here is no clarity and consistency.”*

In the Riverside case, the Court of Appeal said that *“the key issue in determining whether Riverside’s zoning ordinance is legally enforceable is whether state medical marijuana statutes, such as the CUA and MMP, preempt Riverside’s zoning ordinance banning MMD’s [medical marijuana dispensaries]. If the local ordinance is not preempted by state law, the ordinance is valid and enforceable.”* The Court then held that such zoning ordinances are *not preempted* by the state law.

The Court notes that the *“CUA is narrow in scope. It provides medical marijuana users and care providers with limited criminal immunity for use, cultivation, and possession of medical marijuana. The CUA does not create a constitutional right to obtain marijuana, or allow the sale or nonprofit distribution of marijuana by medical marijuana cooperatives.”*

Furthermore, states the Court, *“the CUA and MMP do not expressly mandate that MMD’s shall be permitted within every city and county, nor do the CUA and MMP prohibit cities and counties from banning MMD’s.”* Additionally, *“the MMP does not restrict or usurp in any way the police power of local governments to enact zoning and land use regulations prohibiting MMD’s.”*

### **HOW THIS AFFECTS YOUR AGENCY**

During this past year we have seen much activity involving medical marijuana and, in particular, dispensaries and industrial size marijuana cultivation.

JONES & MAYER has issued several Client Alert Memos addressing these issues including, "U.S. Attorney Warns Oakland About Allowing Large Scale Cultivation of Marijuana" (2/4/11); "U.S. Attorney Warns Cities Against Permitting Industrial Marijuana Cultivation Facilities" (7/26/11); "Court Upholds City's Ban on Dispensaries" (8/22/11); and "Cities May Ban Medical Marijuana Dispensaries But Cannot Permit Them" (10/12/11).

JONES & MAYER has been involved in successfully prosecuting several cases, for cities in which we serve as the City Attorney, which resulted in the shutting of illegally operated dispensaries. We have also been involved in many of the appellate cases taken to the California Courts of Appeal, the California Supreme Court, and the U.S. Supreme Court as counsel to the party or as counsel to associations submitting amicus curiae briefs supporting the efforts of the various cities to ban such operations.

As it stands right now, the Pack decision is unchallenged and clearly states that cities and counties cannot authorize that which is prohibited by federal law. And now, the Riverside decision reinforces the rights of cities and counties to impose outright bans on dispensaries using their zoning regulations.