



MEMORANDUM

DATE: June 10, 2011

TO: Mayor Joanne Ward and City Council Members
City Employees
Members of the Public

FROM: Fred Deltorchio, Interim City Manager
Special Thanks to Anton Jungherr and Lori Chinn for Assisting with this Report

SUBJECT: Interim City Manager’s Weekly Report

Overview of Report: The following topics are included in this week’s update:

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Budget: The Ad Hoc Citizens Finance Subcommittee met on June 8, 2011 and reviewed the proposed fiscal year 2011/12 budgets for the Redevelopment Agency, Master Fee Schedule, Professional Services and Maintenance Agreements, Chelsea Wetlands Grant and Lighting and Landscaping District.

Steve Kirby, Chairman of the Community and Library Services Commission, gave a presentation in support of continued city funding of library staff for Sundays. Other interested residents and library staff members also spoke on this issue. The Ad Hoc Citizens Finance Subcommittee previously directed the Acting Parks Director, Pedro Jimenez, to present a budget neutral plan for the coming fiscal year. Based on the city’s current financial crisis continued subsidies to the library are at risk.

During the discussion of Professional Services and Maintenance Agreements it should be noted that Senior Building Official, John McGuire and Maintenance Manager, Jeff Brown, are requesting all service providers to the city reduce their fees by 10%. Thus far

they have achieved over \$100,000 in savings on contracts for the coming year. A great job by John and Jeff!

Bayfront Intermodal Transit Center Project (ITC): HDR Engineering, Inc. (HDR) indicates the Final Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) for the Intermodal Transit Center are nearing completion. Final EIR/EIS contains a Responses to Comments section, and changes to EIR/EIS as a result of comments submitted to the Draft EIR/EIS. HDR indicates they may have the Final EIR/EIS completed next week. We are then required to send the Final EIR/EIS to responsible agencies and interested parties for a 10-day review, required by the California Environmental Quality Act (CEQA).

Planning Commission: The following items were heard at the June 6, 2011 meeting:

Outdoor Dining at Biryani Restaurant: Outdoor seating for 8-12 customers was approved by the Commission. Beer and wine may now be served to outdoor patrons.

Time Extension for Administrative Use Permit (AUP) 09-37, Market Hall: The new applicant for a time extension request of AUP 09-37 is Jerry Klima, ABC Tree Farms. Red Barn indicated they are not a part of the time extension request for the AUP. The requested time extension was approved for 6 months only beginning June, 2011. The request was for limited days, Thursday to Sunday, and limited hours, 10:00 a.m. to 9:00 p.m. Mr. Klima has no tenants for the Market Hall portion at this time. Klima's proposed events include:

1. Farmer's Market on Saturdays only from 2:30 p.m. to 7:30 p.m. The Farmer's Market request was submitted to the State and County for certification. The request may get approved within one week.
2. Kid's Summer Fun Zone will operate on weekends only from Friday through Sunday.
3. Pumpkin Festival Event from Thursday, October 13 to Sunday, October 16, 2011. Pumpkin Patch from September 30, 2011 to October 31, 2011.
4. Coordinating with Hercules Recreation Department to utilize local teen actors and teen youth group to assist with the operation of the Haunted House. The proceeds from the Haunted House event will be donated to Recreation programs.
5. Tree Lighting Ceremony the weekend of December 3, 2011, in conjunction with the Community Craft's Festival. Booths offered at no charge for local non-profit organizations that benefit the community.
6. Christmas Tree sales from Thanksgiving Day through December 24, 2011.

Earth Moving at Parcel "C" (former Walmart site) and Concrete Crushing at Hill Town Site: Approved, with conditions, by the Planning Commission. Approximately 225,000 cubic yards of dirt current exists on the Parcel C site. No authorization was given for this stockpiling. The Planning Commission limited the hours of operation for the trucks to operate during the proposed removal of dirt from 9:00 a.m. to 4:00 p.m. (Commission thought dirt moving created dust that would interfere with Market Hall events.) Approximately 100 truck trips per day for 4 months. The dirt is going to the city of

Emeryville. Existing concrete from Emeryville (Sherman-Williams site) is proposed to be trucked to Hercules Hill Town site for crushing. Concrete crushing will be done in the southern portion of Hill Town closest to the State Route 4 and San Pablo Avenue intersection, not the existing residential neighborhood. The Planning Commission focused on the concrete crushing operation and was concerned about noise and dust created as a result of the operation. The Commission also sought assurances that contaminated concrete was not being transported from Emeryville to be crushed and stored on the Hill Town site.

Citizens' Ad Hoc Committee – Legal Issues: The next meeting is scheduled for Wednesday, June 15, 2011, 7:00 p.m.

Carson Slide: The K Rail barricades have been removed from the street and there has been no additional movement of the hillside.

Sycamore North: City negotiators continue to work with a potential buyer to finalize a purchase agreement. We hope to have a completed proposal for the City Council to review by their June 28, 2011 meeting.

Housing Sales: The residence at 16 Amber Court was sold for \$170,000. All monies from this sale are required to be returned to the City's Redevelopment Agency Affordable Housing Fund.

Public Safety Activities:

Residential Burglary: On June 3, 2011 at 10:17 a.m., a resident in the 100 block of Manzanita reported finding the front door of his house kicked in. An undisclosed amount of cash, a TV and other items were stolen from the residence. A neighbor said he heard a loud boom at about 10:00 p.m. last night while the victim was away.

Residential Burglary: On June 3, 2011 at 3:02 p.m., a resident in the 100 block of Opal reported finding the upstairs of his residence ransacked. Some jewelry was stolen from the residence. The rear sliding glass door was found open and the side garage door was found unlocked.

Possession of a Controlled Substance: On June 4, 2011 at 10:53 p.m., an officer stopped a vehicle in the 1500 block of Sycamore. As the vehicle came to a stop, the passenger door opened and an unknown object was discarded from the vehicle. One of the passengers, Eric Staudinger, from Concord, was on parole for burglary. A search of the vehicle where Staudinger had been seated disclosed two syringes containing heroin. Staudinger was arrested and transported to county jail.

Possession of a Controlled Substance: On June 5, 2011 at 2:18 a.m., an officer conducted a pedestrian stop on two subjects at the Shell station after the subjects were observed acting suspiciously. Raymund Lacsamana, of Hercules, attempted to discard two small baggies containing suspected methamphetamines. The other subject, Gary

Surges, of Crockett, also attempted to discard a baggy containing suspected cocaine. Both subjects were transported to county jail.

Warrant Arrest: On June 7, 2011 at 9:30 a.m., an officer attempted to stop a vehicle near the Shell station. The driver failed to yield and continued driving towards Sycamore. The driver finally yielded on Sycamore at Forest Park and the passenger fled on foot toward Forest Park. Officers gave chase and subsequently arrested Ricky McClinton, of Hercules. McClinton was found to be a wanted parolee at large. The driver, Daniel Lemelle, also of Hercules, was arrested for evading a Peace Officer and driving with a suspended license. McClinton and Lemelle were transported to county jail.