



## MEMORANDUM

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DATE: October 28, 2011

TO: Mayor Myrna de Vera and City Council Members  
City Employees  
Members of the Public

FROM: Steve Duran, City Manager

SUBJECT: City Manager's Weekly Report

**SPECIAL MEETING OF THE HERCULES CITY COUNCIL.** A special meeting of the Hercules City Council is tentatively scheduled for Wednesday, November 2 at 6:00 pm for confidential closed session real estate negotiation items to be discussed. An Agenda will be posted on Monday, October 31, 2011.

**NATIONWIDE EMERGENCY ALERT SYSTEMS TEST.** FEMA, in coordination with the Federal Communications Commission (FCC) and the National Oceanic and Atmospheric Administration (NOAA), will conduct the first nationwide Emergency Alert System (EAS) Test on November 9, at 11:00 a.m. Pacific time.

The Test may look like regular, local EAS tests that most people are already familiar with, but there will be some differences in what viewers will see and hear. The audio message will repeat "This is a test." The video message scroll may not indicate "This is a test." The message will last for approximately three and a half minutes and then regular programming will resume.

The purpose of the Test is to assess the readiness and effectiveness of the EAS and identify incremental improvements to better serve our communities in the preservation of life and property. Although the EAS is frequently used by State and local governments to send weather alerts and other emergencies, there has never been a national activation of the system. This event also serves as a reminder that everyone should establish an emergency preparedness kit and emergency plan for themselves, their families, communities, and businesses.

For more information about the National EAS test, visit:  
[http://www.fema.gov/emergency/ipaws/eas\\_info.shtm](http://www.fema.gov/emergency/ipaws/eas_info.shtm)

For more information about Contra Costa's Community Warning System visit:  
<http://cws.cccounty.us>

**FUNDRAISER FOR THE FAMILIES OF THE BRAVO FIRE.** The spaghetti feed fundraiser at the Hercules Swim Center to help the families that were affected by the fire at the Bravo neighborhood on October 22nd was a great success. Over 100 people attended, including the entire City Council, and about \$4,000 was raised.

**HELP LIBRARY GALA, 5th ANNIVERSARY DINNER DANCE.** The Hercules Emergency Library Project (HELP), as part of its community-wide fundraising campaign to ensure that the Library remains open 40 hours a week, hosted a wonderful dinner-dance event at the swim Center on October 23rd. In addition to the Mayor and a number of Council Members, U.S. Congressman Mike Thompson, State Senator Loni Hancock and County Supervisor Federal Glover joined over 200 Herculeans at this event. So far, HELP has raised about \$37,000 of their \$50,000 goal.

## **PROJECT AND DEPARTMENT UPDATES**

**Bayfront Project:** The City Council voted unanimously to certify the “Hercules Bayfront Project” Final Environment Impact Report (EIR) on Tuesday night, October 11, 2011. This project also requires a General Plan Amendment, Zone Text Amendment, Zone Change, Amendments to existing Waterfront Initiative Development Agreement, and adoption of a Mitigation Monitoring Program, Statement of Overriding Considerations, and Findings of Facts. A Special Planning Commission public hearing is tentatively scheduled for Monday November 7, 2011, at 7:00 p.m. to hear these items.

The updated ITC/Bayfront approval schedule is as follows:

November 7: Planning Commission acts on development agreement, tentative map and land use application.

November 8: City Council acts on purchase and sale agreements.

November 22: City Council acts on development agreement, tentative map and land use application.

December 6: Special Council meeting for second reading for ordinance on development agreement.

**Sycamore North:** Staff updated the City Council in closed session on October 25 under confidential negotiations and continues to vet the offers. It is hoped that business terms, which will form the basis of a purchase and sale agreement, can be approved in November.

**Yellow Freight Site:** Negotiations and contract documents for the sale of the “Yellow Freight” site are nearly complete and a transaction should be finalized within about a week.

## **Parks and Recreation Upcoming Events:**

### Hercules Halloween Fest

Date: 10/29/2011 2:00 PM - 4:00 PM

Cost: Residents: \$7/person, \$21 for a family of 4 + \$5 for an additional member Non-Residents: \$8/person, \$24 for a family of 4 + \$5 additional member

Location: Hercules Teen Center, 2007 Refugio Valley Road Hercules, California 94547

On Saturday, October 29, 2011 come and participate in our fun and exciting Halloween Fest. Come to Halloween Fest dressed up in your best costume and enjoy a non-scary tour of the haunted house, followed by arts and crafts, activities, games, and more. Recommended for ages 4-7 but all goblins welcomed! All proceeds of this event will go to the Hercules Teen Youth Council (T.Y.C.)

Hercules House of Horrors

Date: 10/21/2011 - 10/22/2011 6:00 PM - 9:00 PM

Cost: Residents: \$7/person, \$21 for a family of 4 + \$5 for an additional member Non-Residents: \$8/person, \$24 for a family of 4 + \$5 additional member

Location: Hercules Teen Center, 2007 Refugio Valley Road Hercules, California 94547

On Friday, October 28 and Saturday, October 29, 2011 from 6-9 pm. Come down to the House of Horrors and dare to be scared. Come on down to the Teen Center dressed in your costume and experience the screams for yourself. All proceeds of this event will go to the Hercules Teen Youth Council (T.Y.C.)

Annual Hot Roasted Garlic Crab Feed Fundraiser

Tickets are now on sale for the annual Hot Roasted Garlic Crab Feed Fundraiser. Save the date for the City of Hercules East Bay Silver Dolphins & Hercules Piranhas annual Hot Roasted Garlic Crab Feed Fundraiser for Saturday, January 21, 2012. Tickets now available for purchase at the Community Swim Center, 2001 Refugio Valley Road, Hercules during business hours Monday-Thursday from 10am-6pm; adults 18+ are \$45, children 12 years & under are \$25, and parties of 6 adults is \$260. Doors open at 5pm for silent auction review and bidding, with dinner being served at 6:30pm; come early, our silent auction ends at 6:30pm. Tickets include hot roasted garlic crab, pasta, salad, and bread; drinks will be available for purchase at our bar, please no outside beverages. This is a fundraiser for our two City swim teams; come and support our teams and enjoy an evening filled with good food, family, and friends!

Hercules Senior Center Pancake Fundraiser

Date: 11/7/2011 7:30 AM - 10:00AM

Cost: \$6.00/person

Location: Hercules Senior Center 111 Civic Drive, Hercules, CA 94547

On Monday November 7, 2011 from 7:30-10am The Hercules Senior Center Pancake Breakfast Fundraiser is to raise funds for the Hercules Senior Center for equipment, supplies, arts, crafts, and games. HOW TO GET TICKETS: Call the Hercules Senior Center 111 Civic Drive 510-799-8219 Hercules Community Center 2001 Refugio Valley Road 510-799-8291.

**Building Department Summary:**

Number of permits issued-----	6
Building permit fees collected-----	\$2,172.58
Number of inspections-----	25
Number of rental inspections-----	0
Code Enforcement inspections-----	7

**Public Works Maintenance Summary:**

- As discussed previously, the City experienced a wastewater overflow at the Victoria Lift Station. Andre’s Mechanical has brought the station back into service and other than some minor continuing problems appears to have it fixed. The cost to repair the lift station so far is approximately \$19,000.00 with more billings to come. A meeting has been scheduled between staff

and Andre's Mechanical to discuss the cause of the overflow and to prevent any future occurrences at this lift station or any of the others.

- The retention Pond at the Corporation Yard continues to be drained into the concrete holding tanks on site. The City of Pinole has taken samples to test for heavy metals. If the tests come back clean, the water will be disposed of in the concrete tanks to make room for the rest of the water in the pond that could be contaminated the closer we get to the bottom. Once that water is tested, next steps will be determined. Carone and Company has been advised to be ready to start back up with the pond closure. Once the pond is closed, all of the remaining fencing that surrounds it can be removed. This will be a huge improvement in the appearance of the yard.
- When Duck Pond Park was built the contractor installed a portable shaker next to the Corporation Yard at Willet and Sycamore to extract the fines. When he was done he left all of the remaining material on the site. This has created an eyesore attributable to the Corporation Yard that should not be. Staff has asked the contractor to come back, remove the materials, and grade the lot. Due to equipment failure, this has been delayed, but work will commence soon.
- The City continues to experience wire theft in its streetlights. Staff is working to fix this problem and as soon as a tried and true method has been identified, wire replacements efforts can move forward. Right now, the thefts are being paid for out of Lighting and Landscaping funds that are not designated for such use and will undoubtedly cause some accounts to be over budget. Staff is in the process of bidding the work on San Pablo Avenue and on John Muir Parkway. Citizens are asked to be alert and report any suspicious activities.
- The Sewer Relocation Project has been inspected and a punch list has been forwarded to the contractor. Contractor has completed punch list items and is asking for re-inspection to be scheduled next week. The Notice of Completion will be brought to Council in the near future.
- Two large tree branches fell requiring Public Works crews to remove them. One was located at the Refugio Valley Tennis Facility and damaged the tennis court fence. The other was located in Refugio Valley Park. An arborist was contacted to ascertain the condition of the trees, develop removal and/or trimming schedules and to develop a computer generated program that will allow staff to track all trimming and removal of trees within the two parks. It is estimated that there are 300 trees in the two parks and the work to develop a comprehensive plan is quoted at \$1200. Staff has been directed to move forward with this proposal. If necessary, additional parks could be reviewed at \$4.00 per tree. Actual trimming and removal costs will be quoted once the plan has been developed.
- Industrious thieves dismantled a table at Ohlone Park and moved it approximately 400 yards to a new secure location for their activities. Police were alerted by a concerned citizen. Public Works staff moved it back to its original location and secured it with heavier bolts.
- Graffiti has been removed from numerous locations around town and is an ongoing process.
- Staff continues to use the Work Alternative Program for litter control and weed abatement.
- Staff is preparing to install a new sign at Frog Pad Park. The foundation is curing and will be ready for the new sign on Monday.

## **POLICE REPORT (Partial List)**

**Driving Under the Influence/ Hit & Run:** On October 22, 2011 at 1:30 p.m. officers responded to San Pablo Ave. and John Muir for a possible drunk driver in the area. Officers arrested 59 year old Darrell Veal from Vacaville for DUI and Hit & Run after a witness saw Veal's vehicle go over a center median and knock down a traffic sign. Veal was transported to County Jail.

**Driving Under the Influence:** On October 24, 2011 at 2:25 p.m. an officer stopped a vehicle in the 1500 block of Sycamore and arrested 49 year old Fidencio Gonzalez from San Pablo for DUI.

**Child Abuse Investigation:** On October 24, 2011 at 7:14 p.m. a 16 year old juvenile from Hayward reported her father punched her and choked her last night while they were at her uncle's residence in the 100 block of Bedford.

**Burglary:** On October 26, 2011 at 10:22 a.m. a resident in the 1000 block of Partridge reported sometime during the night someone entered his open garage and stole a pair of sunglasses from a car.

**Directed Patrol: Pedestrian Right-of-way Awareness:** In a continuous effort to improve pedestrian safety, the Hercules Police Department is increasing cross walk enforcement within the city. Section 21950 (a) of the California Vehicle Code states that the driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any mark crosswalk or within any unmarked crosswalk at an intersection.

### **A Hercules Police and Public Works Department Bulletin:**

The City of Hercules needs your help to catch the copper thieves! The City of Hercules is preparing to re-install wiring to provide power to street and landscape lights throughout the city. Thieves have stolen the original and replacement wire during the past couple of years. When copper recycling prices are high, we are at a greater risk for theft due to the increased value. To increase the likelihood of catching and convicting these thieves while their committing the theft, we are asking for the help of our citizen's to report any suspicious behavior on walking paths or near light poles during the hours of darkness. The thieves will use tools and flashlights to commit these thefts. If you notice the lighting suddenly go off when it is normally on, see a person acting suspiciously (loitering, ducking down, kneeling in an area where wires may be underground) or hear noise that is unusual to your area please call our Police dispatch at 510 724-1111.