



## MEMORANDUM

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DATE: January 28, 2012

TO: Mayor Romero and City Council Members  
City Employees  
Members of the Public

FROM: Steve Duran, City Manager

SUBJECT: City Manager's Weekly Report

### **SWEARING –IN OF CHIEF GOSWICK**

On Tuesday, January 31 from 10:00 a.m. to 12:30 p.m., Bill Goswick will be sworn in as the Chief of Police for the City of Hercules.

### **COMMUNITY AND ECONOMIC DEVELOPMENT UPDATES**

**ITC - Bayfront Project:** This project seeks to move the City toward the ultimate goal of building an inter-modal transit (ITC) center and to provide the Bayfront developer with development entitlements for medium to high density transit oriented development. This project proposes to develop a 42.36 acre portion of the City of Hercules Waterfront District master Plan (WDMP) area with the "Hercules Bayfront Project," a transit-oriented, mixed-use neighborhood that includes a variety of dwelling unit types with businesses, an associated system of walkable streets, pedestrian interconnections, and public plazas with bay views.

The last official action on this project was December 20, when the City Council approved funding and contracts related to finishing the National Environmental Protection Act (NEPA) process forward. The Implementation Agreements, Tentative Map and Waterside Purchase and Sale Agreement are yet to be finalized and the approved Landside PSA, which the owner/developer has refused to execute until the other documents are approved, will require modification due to delays in funding.

On January 27, the West Contra Costa Transportation Advisory Committee (WCCTAC) unanimously recommended that the Contra Costa Transit Authority (CCTA) approve a revised funding plan for the ITC that will move regional Measure J funds from phase 2 to phase 1 for land acquisition and improvements related to the ITC. This item will be scheduled for CCTA board consideration on Wednesday, March 21. City staff, consultants and attorneys also conferred with the Bayfront developer an attorney Friday afternoon regarding the timing of funding, which will require revising the Purchase and Sale Agreements (PSAs) prior to execution. The City Attorney, Mr. Long,

Mr. Silva and I plan to meet with the owner/developer team on Wednesday, February 1 in Los Angeles to finalize key provisions of the PSAs and the Implementation and Vesting Development Agreements. At this point, the restructuring of project funding is the key to finalizing the development agreements, as without this funding, the City will have no cash available for site acquisition and future funding would also be delayed.

**Sycamore Crossing:** The Purchase and Sale Agreement (PSA) for Sycamore Crossing was approved by the Council on January 24 and the PSA has been executed. Contingencies to closing will include removal of a deed restriction, mutual approval of design, and City approval of entitlements. The buyer, Property Development Centers, is a wholly owned subsidiary of Safeway and plans to build a 55,000 to 65,000 Safeway store and gas station near the southwest San Pablo Avenue edge of the site, with restaurants at the corner of San Pablo Avenue and Sycamore, and two or more story residential units on Sycamore facing Sycamore North. Staff will be engaging the Planning Commission ad hoc design review sub-committee throughout the design phase of the project.

**Sycamore North:** The Purchase and Sale Agreement (PSA) for Sycamore North should be ready for City Council consideration on February 14. There will be a few contingencies to be met before closing, related to some proposed changes on the ground floor that the buyer is currently finalizing and costing out. The buyer is hiring the original project architect to complete the design work and is in negotiations with the original contractor to complete the building. The winterization is complete.

**Parcel C and Victoria Crescent:** These properties are being actively marketed and offers have been received on both properties. Staff anticipates updating the City Council and discussing real property negotiations on February 14.

**MUNICIPAL SERVICES UPDATES**

**Building Permits:**

Number of permits issued-----	10
Building permit fees collected-----	\$1,851.66
Number of inspections-----	19
Code Enforcement inspections-----	2

**Sewer Lateral Inspection Program:**

Applications received-----	1
Inspection fees collected-----	\$125
Certificates issued-----	1
Deficiency notices-----	0
Condominium waivers issued-----	2
Encroachment Permits Issued-----	4
Wide load permits-----	0

## **On Going Activities:**

Staff is preparing the Notice of Completion for the Corporation Yard pond closure.

Fireplace at the library was fixed by Jeff Brown with donated help from Kelaire Heating and Air. Thanks to Kelaire for their continued support.

Fencing has been removed from two historical buildings. Staff has determined that the fencing was not preventing trespassing and after consultation with Risk Management it was determined that the fencing could be removed and signs put in their place.

Sidewalk replacement program has identified five sidewalks that are in need of repair. Repairs should be completed by the end of the month.

## **PARKS AND RECREATION UPDATES**

Currently the Park & Recreation Department offers a wide variety of recreation classes and programs that cater to all ages and help to promote a healthy lifestyle. The classes & programs provide a great opportunity to have fun and exercise while interacting with others in a safe environment. You can go online to [www.ci.hercules.ca.us](http://www.ci.hercules.ca.us) to get more information or to register for classes. Current sign-ups include: Dog Obedience training; Driver's Ed; Math Tutoring; and Gymnastics.

### **Hot Roasted Garlic Crab Feed Fundraiser**

The East Bay Silver Dolphins and the Hercules Piranhas hosted their 8th annual Hot Roasted Garlic Crab Feed this past Saturday, January 21, 2012. The event which sold tickets for 240 people and had community members from many other cities as well as Hercules. The crab feed brought in \$10,000.00 and had a net profit of approximately \$4,000.00. Make sure to join us January 2013 for the next amazing Hot Roasted Garlic Crab Feed!

### **Elementary Basketball League- Ages 10-12**

Started Monday January 23<sup>rd</sup> and we have 80 participants.

### **President's Camp**

Have your child join us for camp during the school break. Activities includes arts & crafts, sports and making new friends. Opens to the public January 23<sup>rd</sup> until February 2<sup>nd</sup> and late registration until Feb. 9<sup>th</sup>.

### **Hercules Senior Center Valentine's Day Pancake Fundraiser**

Date: Tuesday, February 14, 2012

Time: 7:30am - 10am

Ticket Fee: \$6.00 per person, tickets will be sold at the Hercules Senior Center.

Tickets on sale now thru Thursday, February 9, 2012!

Supported by: Hercules/Rodeo Fire Department & Rotary Club of Hercules

## **WEEKLY POLICE REPORT (Partial List) AS OF JANUARY 26, 2012**

**Residential Burglary:** On January 19, 2012 at 12:43pm a resident in the 200 block of Ben Lomond returned home, from being gone for 45 minutes, to find their residence had been burglarized. Entry appears to have been made through a downstairs window. Items taken include a computer monitor, jewelry, and a digital camera.

**Warrant Arrest:** On January 19, 2012 at 9:30pm Officers contacted 41 year old Jerrold McMurry, of Hercules, in the 700 block of Turquoise. McMurry had a DUI warrant for his arrest and was released with a citation.

**Armed Robbery:** On January 19, 2012 at 5:35pm a restaurant in the 800 block of Willow Avenue was robbed by gun point. A lone gunman entered the restaurant armed with a shotgun and jumped over the service counter and stole money from the cash registers. The suspect then fled the restaurant to a waiting vehicle, which was occupied by two other subjects. This investigation is ongoing.

**Auto Burglary:** On January 21, 2012 at 5:14pm an auto burglary was reported at a business parking lot on Highway 4. An unknown suspect smashed a vehicle window to gain entry and steal a laptop computer. The theft occurred between 12:00pm and 5:00pm.

**Warrant Arrest:** On January 21, 2012 at 11:51pm Officers contacted 37 year old Michael Magee, of Sacramento, in the 800 block of Willow Avenue. Magee had a parolee at large warrant for his arrest. He was arrested and transported to Martinez Detention Facility.

**Warrant Arrest:** On January 22, 2012 at 2:47am an Officers stopped 40 year old Jerald Bucher, of Concord, in the 1200 block of Willow Avenue. Bucher had a transportation of controlled substance warrant for his arrest. He was arrested and transported to Martinez Detention Facility. He was also cited for driving with a suspended license.

**Domestic Violence:** On January 22, 2012 at 11:20am Officers responded to the 100 block of the Paradise Apartments for a domestic disturbance. It was determined that during a child custody exchange 28 year old Dajon McNeally, of Rodeo, struck his ex-girlfriend, who used pepper spray to defend herself. During the incident McNeally also kicked in the front door. McNeally was located in the area and arrested for the incident. He was transported to Martinez Detention Facility.

**Driving Under the Influence of Alcohol:** On January 22, 2012 at 9:37pm an Officer stopped 54 year old Jose Alvarez, of Richmond, in the 4200 block of San Pablo Avenue. Jose Alvarez was arrested for driving under the influence of alcohol. After submitting to a blood draw for the DUI he was released with a citation.

**Petty Theft:** On January 23, 2012 at 3:10pm two juveniles entered a business in the 3000 block of San Pablo Avenue and stole the tip jar off the business counter. The juveniles appear to be the same juveniles contacted for causing a disturbance at a business in the 1500 block of Sycamore Avenue. The juveniles were indentified during that contact and the investigation continues.

**Physical Fight:** On January 23, 2012 at 5:29pm Officers responded to a report of a physical fight involving five subjects. Upon Officers arrival the fight had dispersed, but witnesses and a portion of

the involved parties were contacted. The fight stemmed over a previous altercation several years ago. Involved in the fight was 19 year old Tino Wilson, of Hercules, and Robert Sowell, of Antioch. Tino Wilson did not desire prosecution and Robert Sowell was gone on arrival.

**Grand Theft:** On January 23, 2012 at 7:07pm a resident in the 100 block of Vierra reported numerous items stolen from the residence, which is currently under construction. Items taken include purses and jewelry.

**Under the influence of Narcotics:** On January 23, 2012 at 11:36pm an Officer contacted 43 year old Vince Trujillo, of San Leandro, in the 500 block of Parker Avenue. Vince Trujillo was arrested for being under the influence of narcotics. He submitted to a blood test and transported to Martinez Detention Facility.

**Petty Theft:** On January 24, 2012 at 648am a resident reported a theft of a bicycle from the parking garage in the 1500 block of Sycamore. Surveillance video shows a Hispanic male in his 20's to early 30's climb over a gate to enter the garage area. The male appeared to be checking for unlocked vehicles prior to stealing the woman's purple Schwinn. Another bicycle was located in the garage damaged. The bicycle had been locked to a bike rack and the damage occurred possible while trying to steal the bike.

**Stolen Vehicle:** On January 24, 2012 at 12:18pm A resident in the 100 block of Woodfield reported their blue 1994 Toyota Corolla stolen. The theft occurred sometime between the evening of January 21, 2012 and time of call.

**Parole Warrant/Possess Controlled Substance:** On January 25, 2012 at 1:08am an Officer stopped 37 year old Darrell Barnes, of Pittsburg, in the 3000 block of San Pablo Avenue. Darrell Barnes had a no bail parole warrant for his arrest. During the booking process .2grams of methamphetamine was located on Darrell Barnes.

**Driving without a license:** On January 25, 2012 at 3:34am an Officer stopped 36 year old Jose Perez, of Richmond, in the 4000 block of San Pablo Avenue. Jose Perez was cited for driving without a license.

**Warrant Arrest:** On January 25, 2012 at 8:45pm Officers contacted 20 year old Savvas Tercosta, of Hercules, in the 100 block of Sunflower Court. Savvas Tercosta was arrested for a theft arrest warrant and transported to Martinez Detention Facility.

**Driving with a suspended license/False ID to Police:** On January 25, 2012 at 9:10pm an Officer stopped 27 year old Justin Kemal, of Hercules, in the 1500 block of Sycamore Avenue. Justin Kemal falsely identified himself as another individual. Justin Kemal was arrested for false identification to a Police Officer and driving with a suspended license. He was transported to Martinez Detention Facility. A passenger in the vehicle was identified as 22 year old Jonathan Amey, of Hercules. Jonathan Amey was arrested for theft warrant and also transported to Martinez Detention Facility.