



## MEMORANDUM

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DATE: March 30, 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

### **CITY OFFICES CLOSED ON MONDAY, APRIL 2**

As part of the employee furlough program, which was instituted to save money on salaries and benefits, City offices will be closed on Monday, April 2.

### **PLANNING UPDATES**

**Planning Commission Appointments:** The City Council has appointed Planning Commissioners to fill the two open seats. The Council was fortunate to have a slate of well-qualified candidates from which to appoint. Congratulations to incumbent Commissioner Cletia Hart and newly appointed Commissioner Ken Morrison, and a big thank you goes out to Sherry McCoy, who has served on the Commission since 2008, but decided not to seek another term.

**Planning Commission Meeting:** Although Monday, April 2, is an unpaid furlough day for staff (City Hall will be closed during business), the Planning Commission will hold its regularly scheduled meeting at 7:00 p.m. in Council Chambers to swear in the newly appointed Commissioners and to hold a hearing to consider approving a conditional use permit for Hercules CrossFit to operate a gymnasium/fitness center with massage service at 678 Alfred Nobel Dr., Suite 8, in the North Shore Business Park.

**Weekly Car Show at Home Depot Parking Lot:** Staff has notified all property owners within 300 feet of Home Depot of pending approval of a temporary use permit for a classic car show to be held Friday afternoons/evenings at the Home Depot parking lot. This is the second year in a row for the car show, but unlike last year, this year's shows will be weekly (as opposed to semi-weekly), starting April 13 and running through September 28. As one of the co-applicants, Shaw's Texas Style BBQ will be selling food at the event but no alcohol sales are permitted (same as last year). The final day to appeal the approval is Thursday, April 5.

## COMMUNITY AND ECONOMIC DEVELOPMENT UPDATES

**ITC - Bayfront Project:** Escrow has been opened for the purchase of the Intermodal Transit Center (ITC) parcels and the deposits have been wired. Due diligence is proceeding expeditiously so that the purchase can be concluded before June 30.

On March 24, the West Contra Costa Transportation Advisory Committee (WCCTAC) recommended approval of \$1,240,000 of Measure J-TLC funding for a section of Bay Trail construction related to the ITC project. The CCTA Board will consider approval of the funding at its April meeting, which is scheduled for Wednesday, April 18<sup>th</sup> at 6:00.

**Sycamore North:** The Purchase and Sale Agreement (PSA) for Sycamore North was approved by the City Council on March 27. The buyer, Presidio Development Partners, was chosen from several qualified buyers due to their responsiveness to the city's financial obligations and a quick close of escrow. Presidio has requested to change most of the ground floor to residential uses, which will require Planning Commission approval, at least at the design review level. The requested change was requested because the site is not considered a prime retail site in comparison with the competition, including the Market Hall/Red Barn site and Sycamore Crossing, which are the City's two best remaining retail sites. The increase in residential units also makes the project more economically viable and financeable. Community meetings to provide information and field questions on the project will be scheduled shortly.

**Parcel C:** A term sheets for the disposition of this property was approved by the City Council on March 27 with DeNova Homes. Staff will be negotiating a Purchase & Sale Agreement to be considered by the City Council within 60 days. Parcel C is on the north side of John Muir Parkway west of San Pablo Avenue and will be sold for approximately \$8,750,000 based on a 350 unit high-end apartment complex. Given the shape of the approximately 17 acre site and the need to use 2 acres for wetlands, the site should accommodate approximately 350 units. The proposed product is an interior walk-up product, with built-in garages, granite counter tops and other luxury appointments. The proposed project will require a zoning change, CEQA review and design review, so the sale will be subject to approval of entitlements. The City will make no warranty that the project will be approved, as it is subject to the normal planning process.

**Victoria Crescent:** A term sheets for the disposition of this property was approved by the City Council on March 27 with Union Community Partners (UCP). Staff will be negotiating a Purchase & Sale Agreement to be considered by the City Council within 60 days. UCP was the highest bidder for the Site, proposing 60 detached single family homes for the Site. UCP was formed in 2008 by its parent company, PICO Holdings, Inc. (NASDAQ: PICO), and has offices in San Jose. UCP has demonstrated an excellent understanding of how to develop smaller subdivisions with quality homes in a challenging market. The proposed project will require a zoning change, CEQA review and design review, so the sale will be subject to approval of entitlements. The City will make no warranty that the project will be approved, as it is subject to the normal planning process.

**Market Hall/Red Barn Site:** Staff met last week with a potential retail developer interested in purchasing the Market Hall/Red Barn site from the owner and will meet with another developer next week in this regard. Staff is involved in discussions regarding development concepts and

business terms for moving forward with development entitlements for this site, which is encumbered by a Disposition and Development Agreement to which the Successor Agency to the Hercules Redevelopment Agency is a Party.

## MUNICIPAL SERVICES UPDATES

### Building Department:

Number of permits issued-----	6
Building permit fees collected-----	\$4871.86
Number of inspections-----	17
Code Enforcement inspections-----	1

### Sewer Lateral Inspection Program:

Applications received-----	4
Inspection fees collected-----	\$500.00
Number of Certificates issued-----	2
Number of deficiency notices-----	2
Number of condominium waivers issued-----	0
Wide-load permits-----	0
Encroachment permits-----	3
Grading permits-----	0

Lighting and Landscaping maps and contracts 90% complete.

### Ongoing Activities:

- Staff has received three bids to replace the wiring from John Muir Parkway to Linus Pauling. Staff will work will move this project forward.
- The storm drain outfall on San Pablo Avenue was plugged during the storm. The drain was cleared by Roto-Rooter.
- Two sanitary sewer “hot spots” were cleaned. This is the result of grease being poured down residential drains. Staff wants to remind everyone that this creates problems for our sewer system and creates an unnecessary financial burden. Please dispose of grease in a sealed container or take it to Recyclemore in Richmond to recycle it.
- Staff installed two “15 miles per hour when children are present” signs on Lupine Road and Sequoia Road before the Lupine Hills Elementary School.

## 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.

**Egg Hunt:** Come out this March 31<sup>st</sup> for the 6th Annual Spring Egg Hunt .This community Egg Hunt will be held at the Hercules Senior Center, located at 111 Civic Drive. Children will enjoy timeless spring activities such as: arts and crafts, face painting, music and everyone's favorite, an egg hunt! Bring your favorite egg basket and come join us for this Hercules tradition! Admission: \$5.00. For more information please call: 510.799.8291

**P&R Summer Activity Guide:** Look for the Summer Activity Guide to come out this week and register now, we have something for everyone -Licensed Spring & Summer Camps, Aquatic Programs, Basketball Camps/Clinics, Zumba Classes, Licensed Child Care, Tiny Tots Sports, Softball Leagues, Art Classes, Lego Camps and so much more [www.ci.hercules.ca.us](http://www.ci.hercules.ca.us).

**Spring Camp grades K-6<sup>th</sup> grade - April 9<sup>th</sup> –April 13<sup>th</sup>:** Have your child join us for “Hercules Idol” camp during the school break. This camp will allow each camper to let their inner rock star to shine. Our talented and licensed staff will provide the ultimate challenge in recreational activities. Activities includes Rock Star Hair Day, dress up like a rock star, karaoke, arts & crafts, sports and making new friends. Now taking registration!

**Licensed Before & After School Child Care and Camps:** What are the benefits of our licensed programs?

- Provides a safe and nurturing environment
- Provides qualified and matured staff
- All lead Staff have training in school age programming through accredited colleges
- Provides a 1 staff to 14 ratio, not to exceed 28 children per classroom
- All staff have passed a Livescan/Background check

#### **Sports:**

- **The Elementary Basketball league** playoffs started Tuesday. All teams are finishing up this great season off with some exciting playoff games.
- **Basketball Clinics** for ages 10-12 from April 2<sup>nd</sup> –April 21<sup>st</sup>. Have your child join us for an Intermediate M/W/F 4:45p-6:45p or Advance T/Th 4:45p-6:45p/Sat10a-12p. This conditioning and basketball clinic is designed to reinforce the primary skills learned during league play and also challenge your child’s existing skill set, through conditioning and positive repetition for their age group. Register Now.
- **Pee Wee Basketball League-** ages 7-9 we are now taking signups. Starts April 23<sup>rd</sup> –June 29<sup>th</sup>. The Pee Wee Basketball League is designed to be a positive environment for our youths to learn and participate in the game of basketball

**Facility Rentals:** Are you looking for a hall to rent to hold a party, wedding reception, graduation, birthday, retirement and baptisms. Check out our many facilities we have to offer by going online to [www.ci.hercules.ca.us](http://www.ci.hercules.ca.us) or call 799-8291 for more information.

**Still hiring for the following part-time positions:**

Lifeguard  
Sr. Guard  
Swim Instructors  
Recreation Leader  
Basketball Coach/Referee/Scorekeeper  
Children Program Leaders  
Children Program Aides

Should you have any questions regarding the positions listed, please contact the Personnel Department at (510) 799-8214.

**WEEKLY POLICE REPORT (Partial List) AS OF MARCH 28, 2012**

**Recovered Stolen Automobile:** On March 22, 2012, at 7:16 p.m., an officer saw a suspicious, unoccupied vehicle parked on Viewpointe near Seascape. The vehicle had been reported stolen to Emeryville earlier on this date.

**Stolen Automobile:** On March 23, 2012, at 7:06 a.m., a resident in the 1000 block of Promenade reported hearing his vehicle start at 6:15 a.m. He got in another vehicle and attempted to chase the stolen one. He lost sight of it on Sycamore and San Pablo. The victim was advised to call PD sooner if something similar happens again.

**Commercial Burglary:** On March 23, 2012, at 7:38 a.m., a citizen flagged down an officer regarding a theft just occurred at a business in the 1600 block of Sycamore. A subject matching the suspect's description was located on Sycamore and Dutch Elm. Store employees identified 23 year old Jordan Desouza from Rodeo as the subject observed stealing items in the business. Desouza, who was also on probation for bringing a controlled substance into a jail, was arrested and transported to County Jail.

**Possession of a Controlled Substance:** On March 23, 2012, at 1:47 a.m., an officer stopped a vehicle in the 1500 block of Sycamore and arrested 29 year old Justin Kemal from Hercules for possession of a controlled substance.

**Stolen Automobile & Evading Peace Officer:** On March 23, 2012, at 7:41 p.m., a resident in the 500 block of Athena reported her boyfriend took her car without permission. An officer saw the vehicle being driven reckless on San Pablo and Sycamore. Pinole PD officers attempted to stop the vehicle on I-80 near Highway 4 and the driver refused to pull over. Officer chased the vehicle until they lost sight of it at I-80 near Carlson. A CHP helicopter was able to track the vehicle and 39 year old Gerard Stubbs from Hercules was arrested after he collided with a center divider barrier. Stubbs, who was also on parole for Domestic Violence, was transported to County Jail.

**Recovered Stolen Automobile:** On March 23, 2012, at 3:08 a.m., an officer saw a suspicious, unoccupied vehicle parked on Lotus near Heather. The vehicle had been reported stolen to CHP the day before.

**Driving Under the Influence, Possession of a Switchblade Knife & Warrant Arrest:** On March 25, 2012, at 3:14 a.m., an officer stopped a vehicle in the 800 block of Willow and arrested 23 year old Calvin Anderson from San Francisco for DUI and possession of a switchblade knife. One of Anderson's passengers, 20 year old Luis Bermudez from San Francisco, was arrested for a vandalism warrant and a trespassing warrant.

**Recovered Stolen Automobile:** On March 26, 2012, at 9:31 a.m., an officer saw a suspicious, unoccupied vehicle parked in the 400 block of Violet. The vehicle had been reported stolen to Brentwood PD on 3/24/12.

**Commercial Burglary:** On March 26, 2012, at 10:36 a.m., an employee at a business in the 1600 block of Sycamore reported an attempted fraud had just occurred. Officers detained the suspect near the business and determined he had attempted to purchase over \$1,300.00 in merchandise using an account belonging to another person. Thirty seven year old Walter Johnson from Antioch, who was also on parole for possession of a controlled substance was arrested and transported to County Jail.

**Residential Burglary:** On March 27, 2012, at 12:51 p.m., officers responded to a residence in the 100 block of Abalone Cove for a burglary alarm activation. On arrival, officers found the main garage door wide open. They checked the interior of the residence and nothing appeared to have been disturbed. Officers secured the residence and responded to the below alarm at Dockside Bay. At 3:25 p.m., a resident arrived home at the Abalone residence and reported the side garage door had been pried open. Nothing appeared to be missing at the time of the report. The suspect(s) may have been scared off by the alarm.

**Residential Burglary:** On March 27, 2012, at 1:04 p.m., officers responded to a residence in the 100 block of Dockside Bay for a burglary alarm activation. On arrival, officers found the main garage door had been damaged and was rolled up about two feet. Officers checked the residence finding that no one was inside. The homeowner arrived home and confirmed that a burglary had occurred. There did not appear to be anything missing at the time of the report. The suspect(s) were probably scared off by the audible alarm.

**Residential Burglary:** On March 27, 2012, at 4:32 p.m., a resident in the 1000 block of Victoria Park reported the front door of his residence had been forced open. A handgun was missing from the residence. It occurred between 1:00 p.m. and time of call.

**Animal Complaint:** On March 28, 2012, at 10:49 a.m., officers responded to the 200 block of Pepperwood for two loose aggressive dogs in the area. The owner was contacted and issued a citation for the animals being at large.

**Warrant Arrest:** On March 28, 2012, at 7:11 p.m., officers responded to a call of subjects jumping out in front of vehicles in the roadway in front of the Hercules Middle School. Twenty-three year old Jeremy Mouton from Antioch was arrested for a Narcotics violation warrant. He was transported to County Jail.