



MEMORANDUM

DATE: April 14, 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

COMMUNITY AND ECONOMIC DEVELOPMENT UPDATES

ITC - Bayfront Project:

This project will 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.

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. This item has yet to be placed on the Contra Costa Transportation Authority (CCTA) board agenda, so it will most likely be considered in May.

Sycamore North: The Purchase and Sale Agreement (PSA) for Sycamore North was approved by the City Council on March 24. The proposed development will be 120 to 140 market rate apartments and about 10,000 to 12,000 of retail/restaurant space. The developer, Presidio Investment Partners, is planning two community meetings on Wednesday May 2 and Wednesday May 9, both at City Hall at 7:00 p.m.

Parcel C and Victoria Crescent: Term sheets for the disposition of these properties were approved by the City Council on March 27. The Parcel C developer, DeNova Homes, is proposing 350 high-quality, high-amenity residential apartments with a condo map. This transit oriented development will provide support for the Intermodal Transit Center and the planned retail/restaurant node on Bayfront Boulevard adjacent to the ITC. The Victorian Crescent site developer, Union Community Partners, has proposed 60 small lot detached single family homes. These sites have

been marketed for several months to retail, office/R&D and residential developers, however, the market in only supporting residential development at this location. No non-residential offers were received. Retail brokers and developers have expressed much interest in Sycamore Crossing and the Market Hall/Red Barn sites and have advised that the Parcel C and Victoria Crescent site are not competitive retail sites.

Market Hall/Red Barn Site: Staff continues to meet with retail developers interested in purchasing the Market Hall/Red Barn site from the owner. Staff will be 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-----	\$1928.95
Number of inspections-----	16
Code Enforcement inspections-----	0

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-----	2

Other Permits:

Wide-load permits-----	1
Encroachment permits-----	4
Grading permits-----	0

Lighting and Landscaping maps and contracts 85% complete.

Ongoing Activities:

Plan check for Promenade Lift Station Project.

Request for Proposal (RFP) for Citywide Landscaping Maintenance:

- Contract Specifications and district exhibits have been completed.
- RFP will be advertised on Monday, April 16th
- Proposals will be received until May 17, 2012.

PG&E Street Light Replacement Project

- Encroachment Permit issued.
- 383 wooden poles will be replaced with a decorative street light poles and fixtures.
- Scheduled to commence in April and be completed by July.

Ongoing activities:

- Staff has received three bids to replace the wiring from John Muir Parkway to Linus Pauling for approximately \$11,000.00. Work will move forward soon.
- Red curbs are being repainted in various locations.
- Staff sent out Request for Proposals for speed surveys necessary to the Police Department to write speeding tickets with radar. Proposals returned and scheduled for City Council on April 10, 2012.

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 to get more information or to register for classes.

Community Clean Up Day:

Saturday, April 21, 2012, 8:00am-11:00am for Hercules residents only. Must show ID and only one visit per household. Electronic or hazardous waste that is not accepted at the Clean-Up Day drop off site may be dropped off at West County Household Hazardous waste facility at 101 Pittsburg Avenue, Richmond, CA. Open Thursdays, Fridays, and the first Saturday of the month 9:00 am - 4:00 pm, call 1-888-412-9277 for more information Or to schedule an appointment. For more detailed information, call (510) 799-8291 or visit us online at www.ci.hercules.ca.us

Hercules Community Workshop:

Inviting all Community Groups, Non Profits Groups, and Home Owner Associations! The Community & Library Services Commission is hosting an informational on workshop on Monday, April 24th, to discuss the following topics:

- Neighborhood Watch
- National Night Out
- Discussion and collaborations of Community Groups/Non Profits Groups, and their upcoming events
- Measure O
- Measure N

Come out to hear information and let us know what you think.

Sports:

Pee Wee Basketball League- ages 7-9 we are now taking signups. Starts April 23rd – June 29th. The League is designed to be a positive environment for our youths to learn and participate in the game of basketball. Register Now.

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 or call 799-8291 for more information.

P&R Summer Activity Guide:

The Summer Activity Guide came out last week so please review it 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.

Licensed Before & After School Child Care and Camps:

Priority registration has started this past week for Summer Camps, Summer Tiny Tots and Fall Child Care and Tiny Tots, please make sure to register early so you get your space. Open Registration will begin on May 2, 2012. For more information please call 245-4803.

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

Still hiring for the following part-time positions:

Lifeguard; Sr. Guard; Swim Instructors; Recreation Leader; Basketball Coach/Referee/Scorekeeper; Children Program Leaders; and 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 APRIL 12, 2012

Annoying Child: On April 4, 2012 at 5:08 p.m. a resident in the 1000 block of Chelsea reported their 14 year old daughter was receiving sexual text messages from a 20 year old male. This case is under investigation.

Death Threats: On April 4, 2012 at 8:33 p.m. a resident reported his 11 year old son was threatened during school last week, at Lupine Hills Elementary. The 11 year old and other student was involved in an argument which ended the other student allegedly saying he was going to bring a gun to school and shoot him. The parent notified the school of the incident prior to contacting Police. The case is under investigation.

Warrant Arrest: On April 5, 2012 at 10:09 a.m. a juvenile was arrested on a no bail warrant. The juvenile was also wanted for questioning in connection to the robbery and attempted murder case from last month. The juvenile was transported to Juvenile Hall.

Mental Health Evaluation: On April 5, 2012 at 11:40 a.m. Officers responded to a residence in the 1500 block for a subject acting irrational. The subject was determined to be in need a mental health evaluation and transported by ambulance to Contra Costa Regional Medical Center.

Vandalism: On April 5, 2012 at 2:05 p.m. an Officer responded to the 2000 block of Refugio Valley Road for a report of vandalism to a storage container. It appeared someone had attempted to gain entry into the storage container.

Theft with Priors: On April 5, 2012 at 2:09 p.m. a business in the 1600 block of Sycamore called to report a theft that just occurred. Officers responded and arrested 60 year old Donald Wyatt of Richmond. Wyatt is on parole and is a sex registrant. Wyatt has prior theft convictions and was transported to Martinez Detention Facility.

Domestic Disturbance: On April 5, 2012 at 4:00 p.m. Officers responded to a residence on Ben Lomond for a 9-1-1 disconnect. Upon arrivals Officers determined a domestic fight had taken place at the residence. Neither party wanted prosecution nor had injuries. Statements were taken from the involved parties and the case is being forwarded to the District Attorney's Office for review.

Warrant Arrest: On April 5, 2012 at 4:42 p.m. Officers contacted 26 year old Perla Hernandez, of San Jose, at a residence on Ben Lomond. She was released with a citation for a Work Alternative Program warrant.

Stolen License Plate: On April 5, 2012 at 8:16 p.m. a resident from the 100 block of Watermark Terrace called to report the license plate from their vehicle had been stolen. A report was taken and the license plate was entered into the stolen vehicle system.

Grand Theft: On April 7, 2012 at 7:02 a.m. Officers were dispatched to the 1600 block of Pheasant for a report of a grand theft that occurred sometime after 8:00 p.m. last night. Five industrial type copper power cords valued at \$600 each were stolen.

Suspicious Device: On April 7, 2012 at 1:11 p.m. Officers were dispatched to a report that a resident in the 400 block of Sparrow had discovered a hand-grenade in his front yard. Officers responded and located the device. The resident did not have any explanation for how the object ended up on his property. Sparrow Way between Starling and Tanager was closed until approximately 3:30 p.m. Several homes immediately surrounding were evacuated and others were sheltered in place. The Walnut Creek Bomb Squad responded and was unable to determine if the device was armed or a surplus curio. Rodeo/Hercules Fire stood by while the Bomb Squad sandbagged and detonated the device in place. The bomb squad determined that although someone had plugged the bottom with lead, the device did not contain any explosives. The remnants of the device were collected as evidence. A report was taken for suspicious circumstances.

Witness Intimidation: On April 7, 2012 at 2:18 p.m. Officers responded to a business in the 1500 block of Sycamore for a report that a subject had just threatened the business owner with a gun and left the store. The business owner was the victim of last month's robbery and attempted murder. The suspect was located in the 200 block of Scotts Valley and identified as 37 year old Shawn Maurice McFallin, of Oakland. Mc Fallin is the older brother of one of the robbery suspects. It was

later determined there was no firearm involved and that the suspect had pointed a finger at the victim and made a hand gesture simulating a firearm as he verbally threatened him. McFallin was placed under arrest for felony intimidation of a witness. McFallin was transported to Martinez Detention Facility.

Hit and Run Collision: On April 7, 2012 at 9:36 p.m. Officers were dispatched to a reported hit and run that just occurred in the 800 block of Willow Avenue. The suspect vehicle was a white 2005 Chrysler with a black top and was last seen turning right onto Willow Avenue from the shopping center. The Chrysler struck a parked car, causing minor damage, before fleeing the area. A license plate was provided and the case is under investigation.

Trespassing: On April 8, 2012 at 10:22 a.m. Officers responded to 200 block of Nutmeg Court for a report of suspicious circumstances. A neighbor reported seeing a teenaged male in the back yard of the home approximately 15 minutes earlier. The concern was that the home has been vacant and there should not be anyone around. Officers found that the side garage door was open. 23 year old Lejuan Thomas, of Pinole, and 31 year old Jessica Green of Hercules were found inside and appeared to be squatting. Officers contacted the home owner who requested that the subjects be advised to leave, but did not want to prosecute at this time.

Recover Stolen Vehicle: On April 9, 2012 at 12:46 a.m. an Officer located a 1991 Honda Civic which was reported stolen to the Oakland Police Department on January 29, 2012. A traffic stop was conducted at Vaqueros and 3rd. Officers arrested 38 year old Heshimu Anderson, of Fremont and a passenger. After an investigation the passenger was released without charges. Anderson was charged with possession of the stolen vehicle and transported to Martinez Detention Facility.

Stolen Vehicle: On April 9, 2012 at 9:44 a.m. Officers were dispatched to the 500 block of Falcon regarding an auto theft that occurred sometime after 11:00 p.m. last night. The vehicle was taken was a dark blue 1991 Acura Legend (2YKL064). It was later recovered (unoccupied) in the afternoon by Richmond Police.

Stolen Mail: On April 9, 2012 at 7:04 p.m. a resident in the 1800 block of Lupine reported someone located open mail at Woodfield Park. The subject brought the mail to her to turn over to Police. The mail was addressed to several addresses in Hercules. This case is under investigation.

Recovered Stolen Vehicle: On April 9, 2012 at 11:08 p.m. An Officer located an unoccupied stolen vehicle in a parking stall of a vacant Glenwood Apartment. The vehicle had been reported stolen to Hercules Police in February 2012.

Embezzlement: On April 10, 2012 at 10:31 a.m. a bank investigator reported an ongoing theft by a bank employee in the 1500 block of Sycamore. The employee had stolen money from the bank and the bank desires prosecution for the theft. The suspect was identified as 29 year old Jonathan Bernardez, of Vallejo. This case is under investigation.

Auto Burglary: On April 10, 2012 at 3:33 p.m. an Officer was dispatched to the 700 block of Devonwood for a report of an auto burglary that occurred last Thursday night. An IPAD, IPOD, GPS unit, wireless mouse and a Cannon Power Shot were taken from the victim's pickup. The vehicle was locked, but a window was left partially open.

Auto Theft: On April 11, 2012 at 8:06 a.m. an Officer was dispatched to the 1400 block Partridge for an auto theft report. The victim's white 1995 Acura Integra (3LAG922) was taken between 8:00 p.m. last night and 8:00 a.m. this morning. The vehicle was entered in to the stolen vehicle system.

CITY ATTORNEY UPDATES

City Attorney, Patrick Tang, has provided the following summary of the City's legal state on the occasion of completing the first six months of his tenure as City Attorney. Mr. Tang notes that during this period, city officials have made significant progress in resolving specific legal issues. Not intended as a complete list, but the City Attorney notes the following:

- avoiding Chapter 9 by conclusion of a settlement with Ambac
- the sale of the Yellow Freight property
- the signing of a PSA with Safeway prior to the February 1 date dissolving the City's RDA
- the development of a plan to handle affordable housing requirements for Sycamore North
- preventing multiple lawsuits by contractor and subs related to a local development project
- the Bayfront agreement (despite recusals resulting from Political Reform Act conflicts)
- the effort to sell or lease HMU
- the placement of a Sales Tax measure on the June ballot
- near completion of a Nepotism and Cronyism policy
- negotiation of the PSA for Sycamore North