



MEMORANDUM

DATE: May 5, 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 BUDGET

Staff has completed the first draft budget for the 2012-2013 fiscal year, which will be presented to the City Council on Tuesday, May 8. The draft budget, which is heavy on numbers and light on narrative, is based on current approved staffing and shows a deficit of approximately \$2 million. This significant deficit is due to less than budgeted revenues and higher than anticipated legal and unemployment insurance costs in 2011-12. Other costs were well below budget for 2011-12. The implications of such a significant structural deficit are devastating. Cuts in services will be required to balance the 2012-13 budget.

In light of this financial situation, the passage of Measures O, providing for a ½ cent increase in the sales tax, bringing Hercules into parity with Pinole and Richmond for four years, and Measure N, allowing the sale of the money-losing Hercules Municipal Utility, become even more critical to the City's ability to provide basic services.

A special meeting of the City Council is being scheduled for Tuesday, May 15 to conduct a study session on the City budget. It is likely that a second special meeting of the City Council will be needed to finalize City Council direction to staff on May 29 or June 5 so that a budget can be past before the end of June.

Given this tight schedule, I encourage all Councilmembers to schedule an hour or so to meet with the Director of Finance before May 15 in order to review any issues and get questions answered.

TOWN HALL MEETING

A town hall meeting is scheduled for Thursday, May 10 at 7:00 pm at City Hall to discuss the reasons and process for selling surplus real estate, as well as the rationale for the term sheets the City Council approved for the various properties. The discussion will include City finances and debts, as well as real estate market realities.

COMMUNITY AND ECONOMIC DEVELOPMENT UPDATES

ITC - Bayfront Project: This project proposes to develop a 42.36 acre portion of the 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 is scheduled for consideration by the Contra Costa Transportation Authority (CCTA) on May 17. William Silva and I plan to attend, but there should be no need for community attendance.

The State Transportation Improvement Program (STIP) applications for the ITC have been submitted to the California Transportation Commission. Consideration of this funding request has been postponed until June because the Record of Determination (ROD) will not be published in time for the May meeting.

Sycamore North: The developer, Presidio Investment Partners, conducted the first of two community meetings on Wednesday May 2, with the second scheduled for Wednesday May 9 at City Hall at 7:00 p.m. 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.

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 is 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.

PLANNING DEPARTMENT UPDATES

Monday, May 7th Planning Commission Meeting: Although there are no hearings scheduled for the regular Planning Commission meeting on Monday, May 7, we would like to convene so that staff can present to you information about Measures O (proposed sales tax increase) & N (authorization to sell Hercules Municipal Utility). Both measures will appear on the upcoming June ballot. Information on both measures is available on the City web site at:

<http://www.ci.hercules.ca.us/index.aspx?page=675>

Change in office hours: Although City staff still work full-days Mondays–Thursdays, we are adjusting the “counter hours” for the Building and Planning Departments to 8:00 a.m.–1:00 p.m. so that we can have a portion of each day dedicated to catch up on work with fewer interruptions. We recognize the additional inconvenience this may present to people wishing to visit City Hall but feel it is a more efficient way to manage our limited staff and resources. We appreciate the community’s understanding and patience.

MUNICIPAL SERVICES UPDATES

Building Permits:

Number of permits issued-----5
 Building permit fees collected-----\$817.86
 Number of inspections-----14
 Code Enforcement inspections-----0

Sewer Lateral Inspection Program:

Applications received-----3
 Inspection fees collected-----\$375.00
 Number of Certificates issued-----2
 Number of deficiency notices-----1
 Number of condominium waivers issued-----1

Other Permits:

Wide-load permits-----0
 Encroachment permits-----2
 Grading permits-----0

Ongoing activities:

L&L - Request for Proposal (RFP) for Citywide Landscaping Maintenance:

- RFP was advertised on Monday, April 16th and 23rd
- Mandatory meeting was held on April 26th with ten (10) landscape contractors were present.
- Proposals will be received until May 17th
- Work on L&L revenues for FY12/13.

Bayfront Blvd and John Muir Pkwy Improvement Plans:

- Utility coordination meeting is scheduled on May 2nd.

Sanitary Sewer Improvement to abandon the Promenade Lift Station:

- No progress

Clean Water Program:

- Submitted Subcommittee Meeting assignments for FY12/13 to program staff.
- Comments from Regional Water Board staff for FY10/11 Annual Report for Provision C.9 have been received.

- Tabulation of “2012 Community Clean Water Initiative” ballots is scheduled to be completed on May 7th and is tentatively scheduled on the June 5th CCC Board meeting.

Maintenance:

- Streetlight wiring on San Pablo between John Muir and Linus Pauling cut and or stolen. Staff has received quotes from three contractors and is awaiting approval to move forward.
- PG&E repaired numerous streetlights around town.
- Staff continues to repair streetlights city-wide.
- Staff continues repainting of red curbs city-wide.
- Door glass at Foxboro Community Center broken by vandals. (Glass replaced)
- Completed pre-bid meeting for lighting and landscaping bids.

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.

Aquatics

Sign up now for youth and adult swim lessons or the Piranhas and EBSD swim teams. We have something for everyone, check us out at www.ci.hercules.ca.us.

Sports

Sign up now for upcoming leagues, camps and classes:

Adult Softball League

Adult Golf League

Tennis classes and camps

Soccer Camp

Adult Co-ed Kickball League

Adult Co-ed Dodgeball League

Tiny Tot Sport- Ages 3-6

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.

Licensed Before & After School Child Care and Camps

Now taking registration for Summer Camps, Summer Tiny Tots and Fall Child Care and Tiny Tots, please make sure to register early so you get your space. 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

WEEKLY POLICE REPORT (Partial List) AS OF MAY 2, 2012

Embezzlement: On April 25, 2012 at 1:19 p.m., 28 year old Jonathan Bernardez of Vallejo came to Hercules Police to provide a statement regarding his embezzlement case that was reported on April 10, 2012. Bernardez was interviewed and then placed under arrest and transported to Martinez Detention Facility.

Vandalism: On April 25, 2012 at 5:10 p.m., a resident from the 200 block of Manzanita reported that someone scratched two of her vehicles with a key like object sometime between midnight and 6:00 a.m. this morning. The victim estimated that the total damage to both vehicles was \$9,500.

Domestic Violence: On April 25, 2012 at 6:25 p.m., a woman from the 100 block of Manzanita called to report that she had just been assaulted and then disconnected. Officers found that the victim had been battered by her boyfriend and that he had left about 10 minutes prior to calling Police. The suspect is identified as 26 year old Gregory Dwayne Barnes, of Baypointe. This case is under investigation.

Warrant Arrest: On April 25, 2012 at 9:07 p.m. Officers contacted 41 year old Jerrold McMurry of Hercules at his residence, in the 700 block of Turquoise. McMurry had an outstanding arrest warrant for reckless driving. McMurry was arrested and transported to Martinez Detention Facility.

Fraud: On April 26, 2012 at 8:03 a.m., an Officer was dispatched to a lobby detail. A resident from the 400 block of Falcon reported that an unidentified person used her name to file state income taxes in North Carolina. A case was taken.

Stolen Vehicle: On April 26, 2012 at 8:15 a.m., an Officer was dispatched to the 100 block of Cinnabar for a report of a stolen vehicle. The victim said that between April 24th at 10:30 p.m. and time of call, someone stole his vehicle from in front of his residence. All keys are accounted for and there is no suspect information. A case was taken and the vehicle was entered into the stolen vehicle system. On April 27, 2012 at 12:34 a.m., Contra Costa County Sheriff's Office located the vehicle unoccupied in the parking lot of Walgreens, near Montalvin Manor. A Hercules Officer responded to assist with the recovery. The registered owner responded to take possession of the vehicle.

Attempted Residential Burglary: On April 26, 2012 at 11:26 a.m., Officers responded to the 600 block of Silver Maple for a report of two males seen in the back backyard of the residence. When the suspects saw the resident inside the house, they ran to a waiting vehicle and fled the area. The vehicle was described as long and white and a partial plate was provided. An investigation disclosed a 2004 white Mitsubishi Gallant, #6JMG397, as a possible match. The Gallant was reported stolen to Oakland CHP on July 22, 2011. This case is under investigation.

Violation of a Court Order: On April 26, 2012 at 11:31 a.m. an Officer responded to 811 Dover for a report of a violation of a court order. The protected party reported 33 year old Lavella Allen violated a restraining order. Lavella Allen was not located on scene. This case is under investigation.

Recovered Stolen Vehicle: On April 26, 2012 at 12:18 p.m., an Officer located an unoccupied stolen 1997 Acura TL (6HKU589) parked John Muir Parkway. The Acura was reported stolen to Fairfield PD on April 19, 2012. The Acura was recovered and removed from the stolen vehicle system.

Runaway Juvenile: On April 26, 2012 at 2:58 a.m., an Officer responded to the 100 block of Camellia for a report of runaway juvenile. The resident said yesterday he was assigned a 14 year old foster child to his care. Today, the juvenile left the residence and is believed to be going to his mother's house in Berkeley. On April 29, 2012 the juvenile was arrested by San Francisco Police.

Warrant Arrest: On April 26, 2012 at 8:21 p.m., Hercules Officers attempted a warrant service for 29 year old Jonathan Bossi of Hercules at his residence in the 100 block of Aster. Bossi was contacted and released with a citation for a failure to comply with his Probation related to a DUI arrest.

Fraud: On April 27, 2012 at approximately 8:34 a.m., a resident from the 2000 block of Lupine reported he was the victim of a "money order" scam. He received several money orders in the mail and was instructed to deposit them into his account, withdraw the funds, keep \$200 and send the rest to the person listed on the instructions page. A few days later the reporting party was notified by his bank that the money orders were fraudulent.

Mental Health Evaluation: On April 27, 2012 at approximately 9:24 a.m., an employee from the psychiatric department at a hospital called and requested a welfare check of a patient who had been seeing a Psychiatrist for Paranoia. Officers contacted the patient at his residence in the 1500 block of Sycamore. The patient met criteria for a mental health evaluation and was subsequently transported to Contra Costa County Regional Medical Center.

Theft of Utilities: On April 27, 2012 at approximately 12:14 p.m., Officers responded to the 200 block of Dartford for a report of individuals trying to break into the electrical box at the residence. The power had been previously disconnected by PG&E due to theft of services. Upon arrival Officers detained and identified 41 year old Emmanuel Sanchez of Oakland and 40 year old Jacques Del Cruz of El Sobrante. PG&E arrived they determined that the electrical meter had been tampered with (for the second time in less than three weeks) and that electrical power had been restored to the residence. Thirty seven year old Kathryn Marshall lives at the residence. She was contacted by Officers and through an investigation determined to be responsible for theft of utilities. Marshall was transported to HPD where she was interviewed before she was transported to Martinez Detention Facility.

Medical: On April 27, 2012 at 3:49 p.m., Officers responded to the 500 block of Turquoise for a report of a person who was not breathing. Officers were the first emergency personnel to arrive on scene and located a 65 year old male who was not breathing. Officers started CPR until paramedics arrived. The male was later transported to Doctor's Hospital for further medical assistance.

Grand Theft: On April 27, 2012 at 4:15 p.m., an Officer responded to 3500 Franklin Canyon Rd for a report of a stolen Catalytic Converter. The victim said the theft occurred between 12:30 p.m. and 12:45 p.m. while his vehicle was parked in the parking. A theft report was taken and is under investigation.

Runaway Juvenile: On April 28, 2012 at 12:04 a.m., an Officer responded to a group home on Hawk Court to take a report for a juvenile who had left the residence without permission. The twelve year juvenile was last seen at 8:30 p.m. and his location is not known. This case is under investigation and the juvenile was entered into the missing person's system.

Recovered Stolen Vehicle: On April 28, 2012 at 12:13 p.m., an Officer located a stolen white 1991 Honda Accord in the 1100 block of North Shelter Bay. The Honda was reported stolen to Oakland Police on April 14, 2012. The vehicle was recovered and removed from the stolen vehicle system.

Driving Under the Influence of Alcohol: On April 29, 2012 at 2:14 a.m., an Officer stopped 26 year old Durell Coleman, of Oakland, in the 3600 block of San Pablo Avenue. It was determined Coleman had been drinking and was arrested for DUI. He provided a blood sample and was released with a citation to a sober adult. His vehicle was towed.

Grand Theft: On April 29, 2012 at 12:43 p.m., a resident in the 100 block of Eucalyptus Knoll called to a report of grand theft. A Mac Book laptop computer was taken from the residence between 12:00 p.m. yesterday and 10:00 a.m. this morning. The resident suspects that someone from his housekeeping service might be responsible.

Commercial Burglary: On April 30, 2012 at 6:54 a.m., an Officer was dispatched to the Ohlone Elementary School construction site regarding a commercial burglary that occurred between Saturday, 4/28, and 6:30 a.m. this morning. The suspect(s) forcibly entered three storage containers and took approximately \$13,000 in tools and building supplies.

Domestic Violence: On April 30, 2012 at 3:48 p.m., an Officer was patrolling Sycamore near Willet when a silver Lexus with a smashed windshield drove partially into on-coming traffic in order to waive him down. The adult female driver of the Lexus shouted that a subject in a black Infiniti just ahead of her was crazy and had a gun. The black Infiniti was last seen travelling E/B on Sycamore toward San Pablo Ave. A Hercules officer located the Infiniti on San Pablo Avenue near Tennent and with the assistance of Pinole Police conducted a traffic enforcement stop. The female driver and male passenger were detained and identified as Forty eight year old Tommy Lee Lacy and his 19 year old daughter, Tyler Paige Lacy. After further investigation, Tommy Lacy was arrested for spousal battery, threats, and vandalism. The violence occurred in the garage and alley area in the 1000 block of Promenade and stemmed from an on-going dispute over control of daughter Tyler's trust fund. No gun was located in the Infiniti. Tommy Lacy was booked at Martinez Detention Facility and served with an emergency protective order.

Petty Theft: On May 1, 2012 at 3:25 p.m. a resident in the 2100 block of Redwood reported multiple packages stolen from her mailbox between 4/17/12 and 4/27/12. The packages contained approximately \$838.95 worth of jewelry. Included in the jewelry were 3 rings, 3 necklaces, and 2 pairs of earrings. USPS confirmed that the items were delivered.

Residential Burglary: On May 2, 2012 at 3:22 p.m. an Officer responded for report of a residential burglary which occurred in the 100 block of Bobolink. The RP said the burglary occurred sometime today between 9:00 a.m. and time of call. Take was a small flat screen television and a video game.

Spousal Abuse and Possession of Firearm: On May 3, 2012 at 3:35 a.m. Hercules Officers were dispatched for an outside assist to the Fire Department for a medical call at 38 Crystal Circle. The Fire Department was requesting our assistance due to a possible altercation at the residence. Upon our arrival we located 25 year old Robert Mallard of Hercules and a female from Pittsburg in the driveway. The female is 8 months pregnant with Mallard's child and she had visible injuries. After an investigation Mallard was arrested for spousal battery and child endangerment. During a search of Mallard's bedroom a loaded Glock 23 Semi-Auto Pistol was located. An investigation into the firearm is ongoing.