



MEMORANDUM

DATE: May 12, 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

TIMES ENDORSES MAESURE O AND MEASURE N

The Contra Costa Times and West County Times, part of the Bay Area News Group, endorsed both Hercules ballot measures, Measure O and Measure N, earlier this week. The election is set for Tuesday, June 5. Measure O, if passed, will provide an additional ½ cent of sales tax to the City and thus bring Hercules sales tax into parity with Pinole and Richmond for four years. This would provide up to \$500,000 a year to support City services for the four years. Measure N will allow the City to sell the money-losing Hercules Municipal Utility, which could save the City a like amount. Given the \$2 million projected budget deficit, even more drastic cuts to City services will be made if these measures do not pass.

CITY BUDGET

Staff has completed the first draft budget for the 2012-2013 fiscal year, which was presented to the City Council on Tuesday, May 8. The draft budget 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.

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.

TOWN HALL MEETING

Over 100 Herculeans attended a town hall meeting on Thursday, May 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 also included City finances and debts, as well as real estate market realities. The meeting was televised so that more people could be informed on these issues. Special thanks goes out to the all those who attended or watched on television and to our panel of real estate experts, David Greensfelder, Todd Vitzthum and Don LeBuhn, who donated their time to help the community understand the realities of retail site selection and the marketplace.

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.

Grant Applications

Measure J established four countywide capital and maintenance programs, two of which are Transportation for Livable Communities (CC-TLC), and Pedestrian, Bicycle and Trail Facilities (PBTF). In November, two applications were submitted to the Contra Costa Transportation Authority (CCTA), one under each program. The CCTA Board will hear the Programming Plan (including these two grants) on May 16, 2012.

Measure J – Transportation for Livable Communities (CC-TLC): This grant application of \$1,240,000 will fund the Bay Trail Gap Closure Project and will finalize funding for the Bayfront Bridge and the extension of Bayfront Boulevard from John Muir Parkway to the Intermodal Transit Center site. This element was recommended by WCCTAC on March 24, 2012 and by the CCTA Planning Committee on May 2, 2012.

Measure J – Pedestrian, Bicycle and Trail Facilities (PBTF): This grant application of \$600,000 will fund construction of a trail from the current terminus of John Muir Parkway along the edge of the restored Refugio Creek to Shoreline Loop (Transit Loop Drive) as an element of the Refugio Creek Restoration. The Countywide Bicycle and Pedestrian Advisory Committee (CBPAC) and the CCTA Planning Committee have both recommended this Project.

Right – Of – Way Acquisition

Right-Of-Way acquisition is pending finalization of the environmental process, which will be signified by the Record of Decision (ROD). The City released BKF to prepare the ALTA Survey that will be necessary when the City closes on the property.

Environmental Work

The Final Environmental Impact Statement (FEIS) was placed on the Federal Register on April 27, 2012. The Record of Decision (ROD) is anticipated in early June 2012.

Sycamore North: The developer, Presidio Investment Partners, conducted the second and final community meeting on Wednesday May 9. Due diligence under the Purchase and Sale Agreement (PSA) for Sycamore North continues and the developer will soon submit an application to the Planning Department. The proposed development includes approximately 140 market rate apartments and about 10,000 square feet 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 not followed through on the approved term sheet and staff is in discussions with other developers that made offers on the site. These sites were marketed for several months to retail, office/R&D and residential developers, however, only residential offers were received, as the market is only supporting residential development at this location. 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

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 Department:

Number of permits issued-----	20
Building permit fees collected-----	\$6286.78
Number of inspections-----	11
Code Enforcement inspections-----	0

Sewer Lateral Inspection Program:

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

Other Permits:

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

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

- RFP was advertised on Monday, April 16th and 23rd
- 7 RFP Packets have been sold.
- Mandatory meeting was held on April 26th with ten (10) landscape contractors were present.
- Addendum #1 was sent out to all contractors on May 8th.
- Proposals will be received until May 17th.

Clean Water Program:

- “2012 Community Clean Water Initiative” ballots have been tabulated, and results show the initiative failed by approximately a 60% to a 40% margin.

Maintenance:

PG&E streetlight replacement program has started. As of May 8th, thirty streetlights have been replaced in the Country Run neighborhood.

- Pothole patching completed on Willow Ave.
- Staff has repaired numerous streetlights city-wide.
- Staff continues repainting of Red curbs city-wide.

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 10, 2012

Warrant Arrest: On May 3, 2012 at 7:47 a.m. Officers contacted 44 year old Gurpinder Singh Sandhu, of Hercules, in the 100 block of Paradise. Sandhu had an arrest warrant issued by the Sonoma SO for burglary. Sandhu was arrested and transported to MDF. Sandu is also on probation for spousal abuse.

Prisoner Pick-Up: On May 3, 2012 an Officer responded to the Alameda County Jail to pick up 44 year old Demetrius Elejah Trim for an arrest warrant for identity theft and possession of stolen property.

Recovered Stolen Vehicle: On May 3, 2012 at approximately 9:57 a.m. an Officer located a stolen white 2004 Ford Taurus in the 1400 block of Willow. The Ford was reported stolen to Pinole PD today. The owner responded to Willow Ave and took possession of his vehicle.

Vandalism: On May 3, 2012 at approximately 10:00 a.m. an Officer responded to Paradise Apartments to contact the property manager regarding vandalism. The property manager told the officer that sometime over the weekend someone vandalized some of the washing machine inside one of the complex's laundry rooms. Five machines had the coin boxes broken into. This case is under investigation.

Mental Evaluation: On May 3, 2012 at approximately 11:25 a.m. an Officer responded to the walking path on Redwood near Fir for a report of a female possibly having a seizure. A 17 year old female from Hercules High School was located. She was evaluated by an officer and was determined to meet the criteria for a mental health treatment. The juvenile was transported to Contra Costa Regional Medical Center by ambulance.

Fraud: On May 4, 2012 at 5:09 a.m. a resident from the 100 block of Bluebird received a fraudulent check in the mail purportedly from Mills College for \$2,850.00. The resident recently advertised a room for rent at her home on Craigslist. She then received a text message asking if she got a check in the mail to pay for the room for rent & furniture. The fraudulent check and fraudulent

shipping label on the envelope are poor quality. Mills College confirmed the check was fraudulent. The resident received another text message from the unknown suspect telling her to deposit the check in her bank account and to then send a portion of the check back to the suspect. The transaction was not completed.

Mental Evaluation: On May 4, 2012 at 7:59 a.m. Officers responded to the 100 block of Skelly regarding a verbal argument between a 32 year old male and his mother. During the argument the male threaten to kill his mother. The male was evaluated by an officer and was determined to meet the criteria for a mental evaluation for treatment. He was transported to Contra Costa County Regional Medical Center by ambulance.

Attempt Residential Burglary: On May 4, 2012 at 1:42 p.m. Officers were dispatched to an audible alarm at 1084 Craftsman. When units arrived on scene they located a shattered rear sliding door. An interior check was conducted and no suspects were located. The suspect(s) appear to have been scared off by the alarm and no property was taken.

Outside Assist: On May 4, 2012 at approximately 5:10 p.m. Officers responded to assist Pinole PD in an Officer Involved Shooting. Pinole Officers responded to this location to cover a lone CHP Officer during a car stop. HPD Officers assisted with the incident until 7:45 p.m. Contact Pinole PD for additional details.

Driving Under the Influence of Alcohol: On May 5, 2012 at 1:34 a.m. an Officer made a traffic enforcement stop in the 1000 block of Refugio Valley Road. The driver was identified as 49 year old Melanie Wagstaff of Hercules. Wagstaff was arrested for DUI and transported to Hercules Police. After a blood draw she was cited and released.

Driving Under the Influence of Alcohol: On May 5, 2012 at 3:39 a.m. an Officer made a traffic enforcement stop on E/B SR-4 at Christie Road. The driver was identified as 35 year old Latisha Caldwell of Brentwood. Caldwell was arrested for DUI and transported to Hercules Police. After a blood draw she was cited and released.

Driving Under the Influence of Alcohol: On May 5, 2012 at 6:01 p.m. an Officer stopped 54 year old Steven Anthony Virgin of San Francisco. Steven was arrested for DUI and transported to Hercules Police. After a blood draw he was cited and released.

Felony Battery and Resisting Arrest: On May 6, 2012 at 12:42 a.m. an Officer conducted a pedestrian stop on an intoxicated male subject in the 800 block of Willow Avenue. The intoxicated subject was identified as 29 year old Matthew Wathen of Hercules. Wathen had been in a verbal argument with his live-in girlfriend. Officers determined no crime had occurred and no further assistance was requested. Wathen and his girlfriend left on foot, but a short time later the girlfriend walked back over to Hercules Officers who were still in the area. The girlfriend had fresh visible injuries to her face and arm. The female told Officers Wathen had just punched her causing her to fall to the ground. Hercules Officers searched the area for Wathen and located him in the 1400 block of Chelsea. Wathen disobeyed verbal commands and was taken to the ground by Cpl. Vasquez. When Wathen resisted arrest he was subdued with the use of a Taser and handcuffed. Wathen was arrested for felony battery and resisting arrest. After being medically cleared he was transported to Martinez Detention Facility.

Driving Under the Influence of Alcohol: On May 6, 2012 at 5:51 a.m., Officers were dispatched to the 100 block of Glenwood for a male seen lying on the ground between parked cars. Officers checked the area and saw the male driving a White '08 Dodge Charger before he quickly parked in the 200 block of Glenwood. Contact was made with 31 year old Earnest Jones Jr., of Walnut Creek. Jones was heavily intoxicated and had an injury to his right knee and cuts to both knees. Jones stated he fell after leaving his cousin's condo and crawled to his Charger. Jones was arrested and transported by ambulance to Contra Costa County Regional Medical Center for his injuries. A blood draw for DUI was done at the hospital. Jones will be released pending charges, due to the severity of his right knee injury.

Public Intoxication: On May 6, 2012 at 9:56 p.m., Officers conducted a pedestrian stop of a male subject on Sycamore Avenue at Palm. The subject had just been involved in a physical altercation and the responsible person was walking away towards Highway 4. The subject responsible for the assault was contacted and he identified himself verbally as 24 year old Michael Llamas of Martinez. The two subjects were friends and no prosecution was desired. During the contact Llamas was determined to be intoxicated. Llamas was arrested and transported to Martinez Detention Facility.

Mail Tampering: On May 7, 2012 at 11:10 a.m., an Officer was dispatched to the 300 block of Falcon for a report of mail tampering. A neighbor found opened mail addressed to the victim in their trash can. A report was taken for petty theft and the case is under investigation.

Vehicle Tampering: On May 7, 2012 11:12 a.m., a resident from the 100 block of Glenwood submitted an online report for vehicle tampering that occurred between 7:45 a.m. on May 6th and 8:30 a.m. this morning. The victim discovered damage to the screen on the navigation system in his Toyota Highlander and believes someone might have tried to take it.

Commercial Burglary: On May 7, 2012 Officers were dispatched to a business in the 1600 block of Sycamore for a report of a theft that occurred approximately 10 to 15 minutes earlier. The information was received third hand and no further information was available. Officers found that a male had attempted to leave the store with a cart containing approximately \$1,300 in merchandise. An employee grabbed the cart just outside the front door. The suspect released the cart and then hit the employee landing a glancing blow on the top of his head as he left. The employee was not injured. The suspect got into a dark green 1990's model Lexus 300 four door with paper plates that read "Carson City Nevada." Another male was waiting in the passenger seat of the vehicle.

Found Property: On May 7, 2012 3:58 p.m., an Officer was dispatched to the 100 block of Newbury for a report of a suspicious Tupperware container in the gutter. He found that it contained a small amount of Marijuana and drug paraphernalia. No identification was found with the item. The item was taken for destruction.

Identity Theft: On May 8, 2012 at 2:43 p.m., an online report was received from a resident from the 100 block of Crosswind regarding identity theft. The resident received a notice from a collection agency regarding an overdue AT&T account that she did not open. The account was active between 1998 and 2007. The resident had been a victim of fraud in the early 1990's and believes the recently discovered AT&T account is connected to that.

Identity Theft: On May 9, 2012 at approximately 8:23 a.m., a resident from 121 Cardiff Court came to the HPD lobby to report identity theft. The victim discovered that someone opened an account with Wal-Mart using her identity. Officer Tellez contacted her for the report.

Fire: On May 9, 2012 at approximately 8:45 a.m., Rodeo/Hercules Fire, Hercules P.D., and AMR were dispatched to the Samara Terrace senior housing facility for a report of a fire in an apartment on the second floor. Fire requested that HPD handle evacuation of residents from the first and third floors while they handled the situation on the second floor. All residents were evacuated across the lot to the Senior Center. The fire was caused by a resident that dropped a cigarette in an upholstered chair and was contained within that unit. Once the building was cleared of smoke and the fire sprinklers were reactivated, residents were allowed to return to their homes. A resident from the apartment that had the fire was transported by AMR to a local hospital and treated for smoke inhalation.

Identity Theft: On May 9, 2012 at approximately 11:50 a.m., a resident from 704 Turquoise came to Hercules P.D. to report identity theft. The victim reported that someone had used his social security number to file income taxes. Corporal Baisas contacted him for the report.

Identity Theft: On May 9, 2012 at approximately 1431 hours, an online report was received from a resident at 271 S Wildwood regarding identity theft. The victim reported that someone use his social security number to file State income taxes.

Fraud: On May 9, 2012 at approximately 2:34 p.m., an online report was received from a resident from 151 Beechnut regarding fraud. The victim runs an online wig store. Someone ordered a wig valued at \$464.30 using a stolen credit card and tried to have it shipped to an address in Seattle Washington. The victim was able to stop the shipment and recover her property.

Outside Assist: On May 9, 2012 at approximately 4:16 p.m. Officers were dispatched to the area of Alfred Nobel and Linus Pauling for a report of a solo roll-over traffic accident. The vehicle was reported to be a silver SUV that CHP had just pursued and lost on Interstate 80. Officer Tellez located a male and female that had just fled from the vehicle at 551 Linus Pauling. The male was identified as Anthony Burgos Torres of Rohnert Park. Torres was found to have a \$20,000 felony warrant for burglary in Sonoma County and a second warrant for \$250,000 held by Sacramento County for 10851 CVC. The female was identified as Yiselle Hernandez (5/25/81) LKA in Hayward. CHP took custody of Torres. Hernandez was interviewed and released. CHP towed the vehicle for 22655.3 CVC. The suspect had driven the vehicle onto parcel C and rolled it from the top of a soft pile of dirt.

Assault on P.D. Volunteer: Volunteer Parking Enforcement Officers were in the process of towing a vehicle from the area of 277 Dartford for expired registration when a resident arrived home. The resident (later identified as Cassaundrah Mitchellowens, 5/17/65) went to the vehicle to attempt to retrieve property. She became upset with one of the officers and punched him on the left forearm. When patrol officers arrived on scene Mitchellowens refused to cooperate with the officers. She was placed under arrest for transported to Hercules P.D. She was later cited and released.