



## MEMORANDUM

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DATE: June 9, 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

### **MEASURES O AND N PASS OVERWHELMINGLY**

The people of Hercules overwhelmingly approved Measure O, which provides for a ½ cent increase in the sales tax in Hercules for four years, and Measure N, which allows for the sale of Hercules Municipal Utility. These measures are important steps toward stabilizing the City's finances.

The City Council and staff are humbled by the magnitude of support the community has demonstrated for these measures and the duty with which we have been entrusted. Although the fiscal impact of Measure O, estimated at \$500,000 in additional sales tax for the City, is not very large, the marginal value to the provision of City services is immense. This extra funding means that the City can maintain police services at current levels as well as keep certain recreation programs going, assuming salaries remain frozen.

### **2012-2013 BUDGET**

The City Council and staff continue to work on balancing the 2012-2013 budget. To that end, there was a special meeting on the budget on June 6, and another is scheduled for June 19.

### **CITY COUNCIL AND EMPLOYEE APPRECIATION DAY, MONDAY, JUNE 11**

Anton Jungherr and Lori Chinn are hosting a City Council and Employee Appreciation Luncheon on Monday, June 11 at City Hall and other City work sites. However, City staff is greatly appreciative of the support we have received from all the community volunteers, including Anton and Lori, who have spend many hours helping staff with a number of tasks this spring. We also appreciate everyone that worked on the passage of Measures O and N.

## 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.

Right-Of-Way acquisition is pending finalization of the environmental process, which will be signified by the Record of Decision (ROD). The ROD is expected next week. Once the ROD is published and the Contra Costa Transportation Authority (CCTA) releases funding, escrow can close on the ITC site and related right of way properties.

**Sycamore North:** The due diligence period has been extended by about a month due to a high number of title and survey issues that will take time to address. These items should have been addressed prior to the City taking title to the property. The developer, Presidio Investment Partners, is scheduled to submit entitlement applications shortly. The proposed development includes approximately 140 market rate apartments and about 10,000 square feet of retail/restaurant space.

**Parcel C and Victoria Crescent:** Staff has finalized the Purchase and Sale Agreement (PSA) for Parcel C, which will be considered by the City Council on Tuesday, June 12. Staff has also commenced PSA negotiations for Victoria Crescent based on direction from the City Council. Term Sheets for the sale 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. 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.

## MUNICIPAL SERVICES UPDATES

### Building Department:

Number of permits issued-----	3
Building permit fees collected-----	\$353.02
Number of inspections-----	11
Code Enforcement inspections-----	3

### Sewer Lateral Inspection Program:

Applications received-----	5
Inspection fees collected-----	\$625.00
Number of Certificates issued-----	5
Number of deficiency notices-----	2
Number of condominium waivers issued-----	0

**Other Permits:**

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

**Other Activities:**

Staff is collecting documents for the potential sale or lease of the HMU.

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

- Proposals were opened on May 17<sup>th</sup> at 2pm.
- Six contractors submitted proposals.
- Staff is evaluating proposals.

L&L – Annual Engineer’s Report:

- The annual lighting and landscaping request to initiate engineer’s reports will be brought before the Council on June 12.

Sewer Service Charge:

- A notice will be sent out to all property owners prior to June 1st regarding an increase in their sewer service charge, which will be posted on the County Tax Roll.
- Waiting for Annual Water Consumption Report from EBMUD.

Bayfront Blvd and John Muir Pkwy Improvement Plans:

- Road and utility design is moving forward.

Sanitary Sewer Improvement to abandon the Promenade Lift Station

- Sewer alignment options are being reviewed.
- Geotechnical consultants have completed soil borings along the proposed sewer alignment.

On-going Activities:

- Fire breaks are being cut city-wide.
- PG&E streetlight project completed.
- Last crosswalk at Lupine School striped to make it a high visibility crosswalk.
- Requests for Proposals for street sweeping were sent out and are required to be returned by June 15 for consideration.

**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.

**Facilities**

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.

**Parks & Recreation Activity Guide**

We are now accepting applications to advertise in our upcoming edition of the Parks and Recreation activity guide. If you have specific questions feel free to give Andrea Mendez a call at (510) 799-8290 or email [amendez@ci.hercules.ca.us](mailto:amendez@ci.hercules.ca.us).

**Recreation Classes**

We are now taking registration for many new and exciting summer camps that Hercules Recreation will be offering. Camps include, Incrediflix, Lego Camp, and Jewelry Making Camp. Make sure to register before camps fill up.

**Licensed Before & After School Child Care and Camps**

Sign up now 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

**Aquatics**

Sign up now for our swim lessons starting on June 11<sup>th</sup>.

We currently have 110 registered swimmers for our Hercules Piranhas Swim Team. The summer season will begin on June 11th.

June 11th is the opening day for weekday Public Swim from 1:45-4pm M, T, Th, Fri. Please come out and visit!

**Teens:**

Our SPOT summer camp is filling up fast! We have great trips planned this summer including Trips to A's games, Discovery Kingdom and Water World in Concord!

**Seniors**

Programs include: Art Class, Card Club, Ping Pong, Tai Chi, Zumba Gold, Low Impact Exercise Classes, Dance Club, and a Hula Dance Fundraiser.

**Sports**

Sign up now for our Summer Basketball camp that start 6/11-6/15 for ages 5-8 years old from 9a-12pm. Now taking registration for the Co-ed Elementary Basketball League for ages 10-13 start 7/16-9/21

## **WEEKLY POLICE REPORT (Partial List) AS OF JUNE 7, 2012**

**Warrant Arrest:** On May 31, 2012 at 7:51 p.m. Hercules Officers arrested Jonathan Bossi inside his garage located at 139 Aster Court. Bossi had an outstanding Misdemeanor Warrant for DUI. Bossi's Warrant was a mandatory appearance and he was transported to MDF.

**11377 (a)/11364 H&S:** On May 31, 2012 at 9:33 p.m. an officer stopped a Red '95 Honda Accord for traffic violations in the 1400 block of Partridge Drive. The driver, Roman Washington of Hercules was found to be an unlicensed driver and on CDC Parole for burglary. Officers conducted an inventory search of the Accord and located a glass Meth pipe where passenger Sikand had been seated. Officers questioned Sikand about the Meth pipe and she admitted to possessing Methamphetamine. Sikand handed over a small plastic coin baggie of Methamphetamine (Later weighed .1 gram) that was concealed inside her bra. Sikand was arrested and transported to HPD. Washington was cited and released. The Accord was towed.

**Unlicensed Driver:** On June 1, 2012, at approximately 4:31 a.m. an officer stopped a gray 2006 Honda Civic (6JRG183) for a vehicle code violation. The driver, Alonso Ayala of Pittsburg was unlicensed. He was cited and released.

**Recovered Stolen Vehicle/Possession of Burglary Tools:** On June 1, 2012, at approximately 4:39 p.m. an officer located an occupied stolen blue 1996 Honda Accord at 3600 San Pablo Ave. The driver and lone occupant, Leonard Green Jr. of Richmond was taken into custody without incident. Green had two shaved keys in his pant pocket and he is on active probation for Auto Theft. The Honda was reported stolen to Vallejo PD on 5/21/12. Green was transported to HPD for interviewing. After Green was interviewed, he was transported to MDF.

**Unlicensed Driver:** On June 2, 2012 at 1:12 a.m. An officer stopped a Silver '00 Honda Civic (CA LP# 5BQC897) for weaving on W/B I-80 near Hercules. The driver was identified as Fernando Hernandez of Sacramento. Hernandez was found to be an unlicensed driver with an index number. He was cited and released.

**Suspended License:** On June 2, 2012 at 3:47 a.m. an officer was driving through Village Parkway when he saw a green '96 BMW 318i driving in a manner in which he felt the driver was trying to avoid contact. The driver, Cedric Calub of Hercules stopped his car near 85 Glenwood and exited his vehicle and put his hands up. The officer recognized the driver was Calub and knew he had a suspended or revoked driver's license. Calub was cited and released. The 318i was towed by Civic Center Tow.

**243 (a) PC/417 (a) PC:** On June 2, 2012 at 7:46 p.m. Hercules officers were dispatched to 139 Heather Avenue for a report of a fight between a Mother and her Daughter. Dispatch advised us the Daughter was armed with a knife. While responding dispatch advised that the Daughter had fled in a dark colored SUV with tinted windows. Officers contacted the victim Erica Henderson of Hercules. Henderson had a cut to her right knee that was bleeding. Henderson's daughter, Dijane Thompson of Hercules was identified as the Suspect who fled. Henderson told us Thompson got upset at her after she was confronted about having an unknown male spend the night in her house.

Thompson assaulted Henderson and brandished a kitchen knife. Henderson sustained the cut to her right knee after Thompson slammed her to the ground. Henderson was treated by Fire & AMR. Henderson declined prosecution against Thompson.

**Auto Theft:** On June 2, 2012 at 8:17 p.m. An officer was dispatched to 162 Seaway Court to take a report for a stolen vehicle. The victim believes he may have left the car keys inside the vehicle. He also told the officer that his Granddaughter might have taken the vehicle. The Focus was entered into SVS.

**Driving under the influence:** On June 2, 2012 at 9:28 p.m. an officer stopped a yellow '73 Oldsmobile Delta 88 (CA LP# 855HLH) on San Pablo Avenue at Victoria Crescent West for speeding and a brake light out. The driver, Leonard Gordon Jr. of Pinole did not pull to the right, instead stopped in the #2 lane of N/B SPA at VCW. He was contacted while seated in the driver's seat and talking on his cell phone. Gordon Jr. was found to be on Federal Probation for possession of Cocaine. Gordon Jr. consented to a search and displayed objective symptoms of DUI. Gordon Jr. performed SFST's and blew into the PAS device twice with results of .09% & .10%. Gordon Jr. was placed arrested. The person Gordon Jr. was talking on the phone to, Deanzer Clark of Hercules arrived on scene. Clark was also found to be on Federal Probation for possession of Methamphetamine. Both Gordon Jr. and Clark are validated Project Trojan Gang Members. The vehicle was towed by Oliver's Tow. Gordon Jr. was transported to Pinole P.D. for the breath test and he blew .09% & .09%. He was later cited and released from HPD.

**Driving with a Suspended Driver's License:** On June 3, 2012 at 7:38 a.m. an officer stopped a '02 Honda CRV for expired registration. The driver, Justin Ray Maron, of El Sobrante was found to be driving with a suspended license. A citation was issued and the vehicle towed without incident.

**False Registration Tab:** On June 3, 2012 at 10:54 a.m. an officer contacted John Rodriguez as he sat parked at the Shell Gas Station in a '05 Nissan Titan Truck displaying a 2012 registration tab. DMV records show that the registration expired in 2011. The vehicle was subsequently towed.

**DUI:** On June 3, 2012 Rener Santos of Fremont was stopped for making an illegal-turn at San Pablo Ave. at Sycamore Ave. During the contact the officer learned that Santos was drinking earlier in the evening and he agreed to perform SFST's. At the conclusion of the test's he was placed under arrest with a pas result of .13. He submitted to a blood test and was cited and released.

**Runaway Juvenile:** On June 3, 2012 Counselor Anyafula of Hawks Place reported a run-a-way juvenile. The Counselor said that the juvenile had permission to leave but he was now in violation of curfew rules since he did not return by 9:p.m. Counselor Anyafula believes that the juvenile is staying in Oakland with friends.

**Petty Theft:** On June 4, 2012 at approximately 11:33 a.m., a resident from the 100 block of 118 Aster Ct. came to the HPD lobby to report that his Fast Trak device was taken from his vehicle.

**Suspended Driver:** On June 4, 2012 at approximately 12:15 p.m. an officer stopped a vehicle on Redwood near Chestnut for expired registration. The driver, Robert T. Walton II of Hercules was

found to be driving with a suspended license. He was issued a citation.

**Misc. Investigation:** On Monday June 4, 2012 at 7:p.m. Gregory Lyons of Richmond came into HPD to report that during his child custody exchange IFO the Hercules Police Department The mother of his children grabbed his neck leaving a small laceration. He stated he did not want to press charges but would like the incident documented for future court proceedings. Approximately an hour later Brown, Schraya of Vallejo came into the Police Station to provide her account of the incident. Case taken for documentation only.

**Possession of a false driver's license:** On June 4, 2012 at 10:23 p.m. Ofc. Collard conducted a consensual encounter at the 76 gas station on Willow Ave. He contacted Kenneth Scarbough of San Francisco was found to be in possession of a fake driver's license and three credit cards in the same name. Scarbough is on County Parole out of San Francisco for burglary. Scarbough was arrested and transported to MDF.

**14601.1 CVC:** On June 5, 2012 at 12:32 p.m. Shawn Gatison of Berkeley was stopped for not having a front License Plate affixed to his car. During the contact it was determined that Gatison was driving on a suspended license. He was cited and released.

**Warrant Arrest/Transfer:** On June 5, 2012 at approximately 8:10 a.m. Reserve Officer Miller responded to Alameda County Jail in Dublin to pick up inmate Dushawn Myzel Waters of Hercules and transfer him to Contra Costa County Jail in Martinez. Waters had a \$50,000 warrant for burglary in connection with a Hercules case.

**Grass Fire:** On June 5, 2012 at approximately 10:44 a.m. Hercules Police and Rodeo/Hercules Fire were dispatched to the area of Interstate 80 and Hwy. 4 for a report of a grass fire. The fire was located to the rear of 235 Newbury. It was about one-half acre in size and was quickly extinguished by Fire. The origin was directly below power lines that apparently sparked when an underground transformer failed on Newbury. P.G.& E. arrived while Fire was still on scene and began working to restore power in the area. Officers assisted with notifying residents in the area and directing traffic.

**Suspended Driver:** On June 5, 2012 at approximately 3:16 p.m. an officer saw Omar Akbar from 139 Montego driving at Park Lake Plaza. The officer had prior knowledge that Akbar's license is suspended. He stopped Akbar and issued him a citation for 14601.1(a) CVC. The vehicle he was driving was towed.

**12500 CVC:** On June 5, 2012 at 7:42 p.m. an officer stopped Michael Sales of Hercules for a malfunctioning tail lamp on Willow Ave. at Palm. During the traffic stop the officer determined that Sales was an unlicensed driver. Sales was cited and released on scene.

**Identity Theft 530.5 PC:** On June 5, 2012 at 7:57 p.m. Jacqueline Cotton called to report being the victim of identity theft. Cotton reported that in the last two days she has been contacted by Lowes, Toys "R" us, and Wells Fargo regarding purchases made in her name that she did not make. She did

not have any suspect information but stated that she recently refinanced her mortgage with Wells Fargo. She did not know how else someone could have got her personal information.

**Vehicle Stored:** On June 6<sup>th</sup> at approximately 1320 hours, Officer Tellez towed a white 1996 Nissan Maxima (6HHP221) from the area of Railroad and Park St. for expired registration.

**Restraining Order Received:** On June 6<sup>th</sup> at approximately 1648 hours, HPD records issued a case number for a restraining order that was received. The reporting party was Angela Ferguson from 169 Iris Rd. There is also a connection to 2000 Alfred Nobel. No further information is in the incident. (H12-7340)

**Suspicious Subjects:** On June 6, 2012 at 7:29 p.m. Hercules Officers were dispatched to 11 Tarn Court for a report of a group of teenage males smoking Marijuana in the backyard. Upon our arrival, we found the front door open and heard two people talking in an upstairs bedroom. We entered the residence and found there was no electricity/power. In an upstairs bedroom we contacted Timothy Romero of Richmond and Sheryl Sturch also of Richmond. The upstairs of the residence smelled of Gas and Sturch told us she found a stove burner turned on when she returned from Lucky. She told us she found Romero intoxicated and semi-conscious. The interior of the residence appeared to be a “flop house” with numerous person’s living/staying there. Romero was found to be on Felony Probation for 69 PC. Sturch was found to be on Misdemeanor Probation for 23152 (b) VC. Fire & AMR responded and Romero was transported by AMR for a complaint of pain to his back. Sturch told us she was visiting and that the residence is possibly in the beginning stages of Foreclosure. Sturch left on foot and we secured the residence. The neighbors at 12 Tarn told us there have been a lot of people coming and going from the home recently.

**148 (a) (1) PC:** On June 6, 2012 at 7:32 p.m. an anonymous citizen reported that a WFA, 40’s, wearing a blue sweat suit, was hitting an elderly female on her arms and hands as she was pushing the elderly female in an adult stroller along the walking path of Refugio Valley Park. Officers located the pair on the walking path on RVR near Lavender. The WFA was found pushing an elderly WFA in a green adult stroller. The female was later identified as Annmarie Emmons of Pinole and the elderly mother was identified as Maria Emmons also of Pinole. Annmarie was uncooperative and confrontational with the officers. When the officers tried to interview Maria, Annmarie interfered in the officer’s investigation. Annmarie was arrested for obstructing after she refused repeated verbal commands from the officers. Maria was found to have severe Alzheimer’s and complained of pain to her back. Officers were unable to substantiate any elder abuse. AMR/Fire responded and ultimately transported Maria to Doctor’s Hospital, San Pablo. Annmarie was later cited and released from HPD.

**Trespassing:** On June 6, 2012 at 7:49 p.m. Hercules Officers were dispatched to 227 Dartford Street for a report that an unknown person parked a vehicle on the side yard and closed the gate to the vacant house. Due to other priority calls for service officers were unable to respond to this address until late in the evening. Upon arrival officers didn’t find a vehicle. They did find the front door appeared to have been forced open and other exterior doors unsecured. Officers checked the interior but didn’t find anyone inside. There appeared to be “new” clothing and property as well as bedding inside the house. This house is vacant and squatters have been previously arrested from this residence. The residence was previously “red tagged” by code enforcement.

**Runaway Juvenile:** On June 6, 2012 at 11:11 p.m. Hawk's Place Boy's Group Home (109 Hawk Court) called to report a runaway juvenile. The juvenile was last seen today at 4:30 p.m. wearing a White Hollister Shirt. The juvenile was entered into MUPS. This is the second call for the same juvenile this week.

**1203.2 PC/11364 H&S:** On June 7, 2012 at 3:13 a.m. an officer saw Melvin Russell of Rodeo hanging out near the mini-mart of the 76 Gas Station, 828 Willow Avenue. Russell walked away as soon as the officer attempted to make contact with him. The officer stop and contacted Russell near the SW corner of the mini-mart. Russell displayed objective symptoms of being under the influence of a CNS Stimulant. A Meth pipe was found partially concealed near a rodent trap where Russell had been standing. Russell was arrested for violating his Formal Felony Probation for 496 (a) PC and for drug paraphernalia. Russell later admitted placing the Meth pipe near the rodent trap in an attempt to conceal it. Russell was transported to MDF.