



MEMORANDUM

DATE: June 16, 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

2012-2013 BUDGET

The City Council and staff continue to work on balancing the 2012-2013 budget and staff will present a final draft of the proposed budget to the City Council for review and final direction on June 19. A final budget will be presented for approval on June 26.

In brief, the budget will be balanced using \$1,050,000 in one time money from discretionary reserves. \$800,000 is to offset anticipated extraordinary costs for legal fees due to the high number of legal issues still in progress and for unemployment insurance due to layoffs over the last year. Another \$250,000 will be used to augment a partial year of the additional ½ cent sales tax to ensure there is an additional \$500,000 available during the fiscal year because the tax does not go into effect until October.

With the passage of Measure O and the use of the one-time money, the Senior Center, Teen Center and Swimming Pool can be kept in service, and police services can be maintained at present levels.

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. The City portion of the project includes the Intermodal Transit Center (ITC) and other public improvements, including the extension of John Muir Parkway and the construction of a major Bay Trail segment.

The Record of Decision (ROD) was issued for the ITC the week. If all goes as expected, escrow on the ITC site and other related land to be acquired by the City will occur next week.

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: The City Council approved the Purchase and Sale Agreement (PSA) for Parcel C with DeNova Homes this week. The proposed development will include up to 350 high-end apartments, with a condo map, and may contain some retail, subject to feasibility. 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 price is \$25,000 per unit and \$16 per square foot land dedicated to retail, which puts the maximum price at \$8,750,000.

Victoria Crescent: Staff has nearly completed negotiations on the Purchase and Sale Agreement (PSA) with SummerHill based on direction from the City Council. The price is set at \$2,350,000 and the proposed project will be detached residential homes. The site was marketed for all uses, including office, R&D, and retail, however, the only interest was for single family and multi-family residential projects. This property, along with Parcel C, is part of the Ambac stipulation, in which the Superior Court attached the property to secure the City's agreed payment to Ambac.

MUNICIPAL SERVICES UPDATES

Building Department:

- Number of permits issued-----10
- Building permit fees collected-----\$7,978.60
- Number of inspections-----31
- Code Enforcement inspections-----4

Sewer Lateral Inspection Program:

- Applications received-----8
- Inspection fees collected-----\$1,000.00
- Number of Certificates issued-----8
- Number of deficiency notices-----2
- Number of condominium waivers issued-----0

Other Permits:

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

Other Activities:

- Staff is collecting documents for the potential sale or lease of the HMU.
- Staff is assisting with responding and gathering information for an on-going Caltrans audit.
- Staff is assisting with drafting the Sanitary Sewer Emergency Response Plan 2012 for the State Water Board.

- 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.
- Street light and tree knocked down by vehicular accident on Refugio Valley Rd. (Streetlight replaced by contractor)
- Street light knocked down on Turquoise at Crystal.
- Staff continues repainting of Red curbs City wide.
- City wide fire breaks have started and will continue for the month of June.
- Hole reported in main gravity sewer line to treatment plant. Repairs are complete.
- Dead tree removed from City Hall.

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.

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 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.

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 11th.

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 15, 2012

Vandalism: On June 07, 2012 at 8:10 p.m., a resident from the 145 block of Paradise Drive reported that someone caused several dings, scratches and chips to the paint on her fiancée's Ford Mustang parked in front of their apartment. The damage reportedly occurred sometime between June 5, 2012 and the time of call.

Driving Under the Influence of Alcohol: On June 07, 2012, at 11:32 p.m. Officers were dispatched to the 3600 block of San Pablo Avenue regarding a possible DUI driver. Officers located an unoccupied vehicle with both driver side tires missing and both rims severely damaged. According to witnesses the driver exited, the vehicle, appeared heavily intoxicated and walked into a business. The driver, identified as 49 year old Jesus Hernandez of Richmond was located inside the business. After a DUI investigation Hernandez was arrested for driving under the influence of alcohol. Hernandez was transported to HPD for the blood test and was later cited and released to his wife.

Outside Assist: On June 8, 2012, at about 1:16 a.m., Hercules Officers responded to the area of the I-80 WB onramp after Contra Costa County Sheriff's Deputies were in pursuit of a black 1992 Honda Civic that crashed under the overpass on Pinole Valley Road. Hercules Officers assisted with the perimeter and taking the driver into custody. Contact CCCSO for incident details.

Petty Theft: On June 8, 2012 at 7:16 p.m. a resident from the 100 block of Goldenrod reported that an unknown male in his 50's entered her home after she let him in believing he was an exterminator she had been expecting. The victim said the male walked around her home for approximately 5

minutes before leaving. The victim said that a few hours later she noticed her Social Security check was missing from her bedroom. A case was taken and is under investigation.

Attempted Burglary: On June 9, 2012 at 1:01 a.m. a resident from the 200 block of S. Wildwood reported that between 11:00 a.m. on May 28, 2012 and 11:00 a.m. on May 31, 2012 an unknown Suspect attempted to gain entry into her townhouse. The victim stated the unknown Suspect attempted to force open her front door and the door to her garage causing damage to the locks.

Vandalism: On June 9, 2012 at 1:12 a.m. a WCCUSD employee reported three incidents of vandalism that occurred at the Ohlone Elementary School construction site, 1616 Pheasant Drive. These incidents occurred between May 31, 2012 and June 8, 2012. The unknown Suspect(s) used black spray paint and black permanent marker to deface the construction chain link fencing, cloth tarps, a door, and the walkway near the playground.

Recovered Stolen Property: On June 9, 2012, at 9:59 a.m., a resident contacted Police to return a laptop he bought using eBay last week. Once receiving the laptop he checked the hard drive and found personal information from the previous owner (not the seller). He contacted the owner of the computer who told him he reported the laptop stolen to the Pittsburg, PA Police Department (Unknown date of take). This case is under investigation.

Mental Evaluation: On June 10, 2012, at 9:53 a.m., Officers were dispatched to the 900 block of Devonwood for a report of a physical altercation between sisters, both who are in their mid 70s. One of the sisters punched and kicked the other after she refused to give her money to go to the casino. The aggressive sister has mental health issues and was sent to Contra Costa County Regional Medical Center for a mental health evaluation.

Vandalism: On June 10, 2012, at 4:00 p.m., an Officer was dispatched to the 500 block of Turquoise Dr for a report of vandalism. The resident said sometime during the night, an unknown suspect shattered one of the windows to his house.

Driving Under the Influence of Alcohol: On June 10, 2012 at 9:38 p.m., officers responded to the 1200 block of Willow Avenue for a report of a drunk driver. The witness stated he saw the driver collide twice into the concrete center median. Officers contacted 26 year old Matthew Hirschman of El Cerrito. Hirschman's vehicle sustained moderate damage to the driver's side rims and tires. After an investigation Hirschman was placed under arrest for DUI. Hirschman's blood was drawn at HPD and he was later released with a citation to a responsible friend.

Stolen Vehicle: On June 11, 2012 at 7:10 a.m. a resident from the 2100 block of Pheasant reported her vehicle stolen. The car, a 4D, blue, '00 BMW 328e, 6TAW016, was parked on 6/10/2012 at 10:00 p.m. She discovered the vehicle stolen the following morning. The vehicle was entered in to the stolen vehicle system.

Identity Theft: On June 11, 2012 at 12:22 p.m., a resident from Worchester Court reported being the victim of identity theft. The victim reported that a fraudulent checking account was opened with Washington Mutual in 2007 using her identity. The victim thought she resolved the matter with WAMU at about that time. The victim recently discovered that her name is still flagged in the check system and needed to make a police report to help clear her name.

Vandalism: On June 11, 2012 at 1:08 p.m., an Officer was dispatched to the Hercules Middle/High School for a report of vandalism. A school administrator reported that someone used a sharp object to scratch writing on the hood of her vehicle. The incident occurred last June 8, 2012 between 08:00 a.m. and 3:00 p.m. while the vehicle was parked in the faculty lot.

Lost Property: On June 11, 2012 at 1:42 p.m., a resident in the 200 block of Newbury reported losing her Samsung Galaxy Note cell phone last Friday evening while commuting home from work on BART and the bus. A case was taken for documentation.

Identity Theft: On June 11, 2012 at 2:52 p.m., a citizen that previously resided at 700 block of Windsor reported being the victim of identity theft. The victim recently discovered that a fraudulent checking account had been opened with Bank of America in 2010 using her identity.

Misdemeanor Warrant Citation: June 12, 2012 at 6:08 a.m. Officers conducted a pedestrian stop on 54 year old Barnett Moss of San Rafael, in the 4000 block of San Pablo Avenue. Moss was found to have a citable misdemeanor failure to appear warrant for possession of a switch blade knife. Moss was cited and released at the scene with a new court date.

Fraud: On June 12, 2012 at 1:36 p.m., a resident from Puyallup Washington reported being a victim of fraud. One of the victim's credit accounts was used to make fraudulent charges in Hercules and Oakland. The charge in Hercules occurred yesterday at a business in the 800 block of Willow Avenue.

Robbery: On June 12, 2012 at 7:13 p.m. A male adult called dispatch and reported being a victim of a strong-arm robbery on Hercules Ave at Skelly Court at approximately 6:15 p.m. The victim reported that his gold bracelet was grabbed from his wrist by a male between the ages of 25-30. The suspect was seated in the rear seat of an older black 4 door Toyota Camry or Corolla that had a front license plate but not a rear license plate. The suspect was driven by at least one other male who was occupying the front. No weapons were seen and the victim was not injured.

Intoxicated Subject: On June 12, 2012 at 11:26 p.m. Hercules units were dispatched to the 200 block of Apollo for a report of a male kicking a sliding glass window and attempting to gain entrance into the residence. The male subject was determined to be the son of the resident. The male subject was on a private property but Mom had decided she could not care for him due to his intoxicated state, which was .30 BAC. He was transported to Contra Costa Regional Medical Center for treatment.

Fraudulent Vehicle Registration: An Officer located an unoccupied Toyota Camry displaying fraudulent registration tabs parked on Mesquite Court. The vehicle was towed for fraudulent and expired registration.

Auto Burglary: On June 13, 2012 at 7:27 p.m. a customer in the 800 block of Willow Avenue called to report an auto burglary that occurred approximately 30 minutes prior. An unknown suspect smashed out the left rear passenger window of a Green '12 Toyota Sequoia that was parked in the open parking in the center of the shopping center. Stolen were 2 pieces of luggage, a backpack, cash, and a US Passport.

Petty Theft: On June 14, 2012, at approximately 1:07pm HPD received an online report regarding a petty theft. The RP reported that someone stole 480 pounds of use cooking oil from the rear of Taco Bell sometime between 12:00am and 1:00am on 6/4/12. The oil's estimated value is \$196. No suspect info. (H12-7725)

Registrant: On June 14, 2012, at approximately 1:22pm HPD's Records Division requested a case number for drug offender Paul Antonio Pena's registration. Pena lives at 2373 Redwood Rd. (H12-7726)

Outside Assist/ Fraud: On June 14, 2012, at approximately 1:48pm an officer responded to HPD for a telephone detail regarding a report of fraud. The RP reported someone used fraudulent checks with his personal information at several locations in Hercules. The RP lives in Marin but was told he needed to report the incident here.

Warrant Arrest: On June 14, 2012, at approximately 3:02pm an officer contacted Barbara Byrd Hercules to inform her that she had a \$15000 citable misdemeanor warrant for failure to comply with the terms of her probation. The officer arranged for Byrd to come to HPD where she was cited and released with a new court date.

Attempt Warrant Service: On June 14, 2012 at 8:08 p.m. Hercules Officers went to 145 Montego Drive to attempt to serve a Warrant. Alexander Mason has an outstanding Misdemeanor No Bail Warrant for an FTA for our 273.5 (a) PC. Mason was not at the house and his Mother told us she kicked him out two months ago.

Lost/Stolen License Plate: On June 14, 2012 at 8:34 p.m. an officer responded to the 1800 block of Redwood Road to take a report for a lost or stolen front license plate. Jeff Whitson reported an unknown Suspect removed the front license plate from his '02 BMW 540i (CA LP# 6UWA549) sometime between 06/11/12 and 06/13/12. The front license plate was entered into SVS.

23152 (a) & (b) VC: On June 14, 2012 at 8:48 p.m. Hercules Officers were advised of a drunk driver last seen leaving the area of Village Parkway near Forest Run in a Blue Pontiac. The anonymous caller stated the driver was very drunk and described him as a HMA wearing a white t-shirt and blue jeans. Officers responded to the area and saw the Blue '96 Pontiac Grand Prix (CA LP# 6ALY955) turning onto Hercules Avenue from Village Parkway. An officer made a u-turn and caught up to the Grand Prix on N/B San Pablo Avenue. The officer observed the driver of the Grand Prix weave within the #1 & #2 lanes of N/B San Pablo Avenue. A traffic enforcement stop was done on the Grand Prix on N/B San Pablo Avenue south of Linus Pauling Drive. The driver was identified as Alfredo Gatica of San Pablo. Gatica had an empty 24 ounce can of Tilt Malt Liquor (12% Alcohol) lying on the right rear passenger seat. Gatica displayed objective symptoms of being intoxicated. Gatica agreed to perform SFST's and was unable to blow into the PAS device. Gatica was arrested and transported to HPD for a blood draw. He was later cited and released to a friend. The Grand Prix was towed per 22651 (H) VC by Bay Area Tow.

488 (a) PC, 466 PC, 496 (a) PC: On June 15, 2012 at 12:00 a.m. an officer was driving through the parking lot of Creekside Shopping Center to do a Security Check. At 12:01 a.m. the officer drove to the rear of Round Table Pizza and saw a WMA standing between a parked Grey '89 Ford

Ranger and a parked White '97 Chevy S10. The S10 is a Round Table Pizza delivery truck. The WMA had a red 5 gallon plastic gas can lying on the ground next to the open gas tank of the Round Table Pizza delivery truck. Spilled gas was visible on the ground next to the gas can. The officer contacted the WMA at gunpoint after he began walking away. The WMA was detained and identified as Brian Patterson of Crockett. Patterson made a spontaneous statement stating, "I was just trying to get some gas to go home." The red 5 gallon plastic gas can contained approximately 1 Quart of stolen gasoline from the delivery truck. The following items were found in the bed of the Ranger Patterson had been driving: the damaged locking gas cap to the delivery truck, plastic tubing with a squeeze bulb, the nozzle to the gas can, and two other empty red 5 gallon plastic gas cans. Inside the Ranger a pair of bolt cutters was found on the passenger floorboard. Patterson was arrested and transported to HPD for booking. He declined to provide a statement and was transported to MDF. The Ranger was towed per 22651 (H) VC by Bay Area Tow. Patterson has two recent local arrests for drugs and stolen vehicle.

Stolen Vehicle: On June 15, 2012 at 6:08 a.m. an officer responded to 268 Napoli Court to take a report for a stolen vehicle. Derrick Campbell reported his Maroon '93 Infiniti J30t stolen on 06/14/12. The J30t was entered into SVS. An area check for evidence was done. However, nothing was found.