



MEMORANDUM

DATE: June 23, 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

On June 19, the City Council provided final directions to staff regarding the 2012-13 budget. The 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.

CITY CLERK UPDATES

November 6, 2012 General Election - Hercules City Council Candidate Nominations:

On June 12, 2012, the City Council adopted resolutions calling for a municipal election to be held and consolidated with the General Election on November 6, 2012. The purpose of the election is to fill three (3) expiring terms on the Hercules City Council.

Any person who is 18 years of age or older, a citizen of the United States, a resident and registered voter of the City of Hercules is eligible to be elected or appointed to a City Office. City candidates are required to file a Nomination Petition, nominating the individual for candidacy, containing 20 valid signatures of registered voters with the City Clerk. Nomination Petitions will be available from the City Clerk beginning Monday, July 16, 2012. Completed nomination documents must be submitted no later than Friday, August 10, 2012. However, should an incumbent fail to submit a nomination petition for re-election, the deadline for submittal of the nomination petition is extended an additional five calendar days, August 15, 2012.

For further information, please contact the City Clerk's Office at (510) 799-8215.

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. Last minute legal drafting issues have delayed the closing of escrow on the ITC site and other related land to be acquired by the City. Staff still hopes to have escrow close in June.

CalTrans is completing its audit of the City's project management procedures and should publish the results next week. While there are a number of issues with past practices, there is nothing that cannot be almost immediately corrected moving forward.

William Silva and I are scheduled to be in Ontario, California on June 27 for the California Transportation Commission meeting, in which over \$9 million in ITC project funding will be considered.

Sycamore North: This proposed development includes approximately 140 market rate apartments and about 10,000 square feet of retail/restaurant space. 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. Consultants have been retained to conduct CEQA analysis for the project. The developer, Presidio Investment Partners, is scheduled to submit entitlement applications shortly.

Parcel C: The Purchase and Sale Agreement (PSA) for Parcel C with DeNova Homes was executed this week. 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. 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.

Victoria Crescent: A Purchase and Sale Agreement (PSA) with SummerHill for the disposition of Victoria Crescent is scheduled for consideration of the City Council on Tuesday, June 26. 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-----11
- Building permit fees collected-----\$6325.79
- Number of inspections-----20
- Code Enforcement inspections-----5

Sewer Lateral Inspection Program:

- Applications received-----4
- Inspection fees collected-----\$500.00
- Number of Certificates issued-----4
- Number of deficiency notices-----1
- Number of condominium waivers issued-----0

Other Permits:

- Wide-load permits-----0
- Encroachment permits-----2
- 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.
- Staff is working to get Annual Water Consumption Reports EBMUD for commercial sewer assessments.
- Staff researched past reports for inspection of the 24” gravity sewer mainline between Sycamore Avenue and the WWTP in Pinole for future repair work.
- Staff has begun the process of removing damaged homes from Carson Street. All three properties have been posted as “Unsafe to Occupy”. Staff has sent notices to two of the properties with all correspondence being returned as undeliverable from 227 Carson Street. Staff also spoke with the owner of 221 Carson Street who seems to understand the problem and has agreed to meet with staff for discussions about demolition.

- Fire breaks are being cut city-wide.
- Requests for Proposals for street sweeping were sent out and returned by June 15 for consideration. Low bid was \$43,488.00 per year. This is a reduction of \$2736.00 or 10% from the previous fiscal year contract.
- City wide fire breaks have started and will continue through the month of June.
- Staff continues repainting of red curbs city-wide. (Azalea Court completed)
- City-wide weed abatement has started and will continue for the month of June.
- Weeds/dry grass removed from Sycamore North construction site.
- Bypass system tested at Willow Lift station and failed. Staff will resolve.
- Preparations started for landscape contractor changes.

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.

Workshop Thursday, June21, 2012:

We invited all Hercules citizens and users of Parks & Recreation programs who are interested in working to make sure that the several programs & facilities remain open. We will look to establish Friends of the Senior Center, Swim Center, Teen Center and Dog Park. These groups will work to help raise needed funds through both fundraisers and operations of the Centers. The groups will be separate and be able to work with Parks and Rec so they would know what's needed and supply information the groups need.

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

For the 1st week and 2nd week of K-2 camp we had 28 participants #rd -5th grade 1st week and 2nd week of camp we had 50 participants and 6th -9th grade camp had 30 participants.

Aquatics:

Sign up now for our swim lessons next session start 6/25

We currently have 121 registered swimmers for our Hercules Piranhas Swim Team.

Public Swim is from 1:45-4pm M,T,Th,Fri- come out and visit.

New Lap Swim Hours 6/11-8/17 -Monday, Tuesday, Thursday, Friday 9:30am-1:30pm and 4:30pm-6:30pm.

Teens:

Sign up for our SPOT summer camp which 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 started 6/11-6/15 for ages 5-8 years we had 20 participants. For ages 5-8 years we had 6 participants

Now taking registration for the Co-ed Elementary Basketball League for ages 10-13 start 7/16-9/21

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.

WEEKLY POLICE REPORT (Partial List) AS OF JUNE 21, 2012

Petty Theft: On June 14, 2012, at 1:07 p.m. a business in the 1500 block of Sycamore Avenue reported a petty theft. The business reported that someone stole 480 pounds of used cooking oil from the rear of the business sometime between 12:00 a.m. and 1:00 a.m. on June 4, 2012.

Fraud: On June 14, 2012, at 1:48 p.m. a Marin resident reported fraud by phone. The reporting party said someone used fraudulent checks with his personal information at several locations, including Hercules. The reporting party lives in Marin but was referred by his Police Department to report the incidents to each individual Police Department.

Warrant Arrest: On June 14, 2012, at 3:02 p.m. an Officer contacted 50 year old Barbara Byrd of Hercules to inform her that she had a citable misdemeanor warrant for failure to comply with the terms of her probation. Byrd was cited and released with a new court date.

Stolen License Plate: On June 14, 2012 at 8:34 p.m. a resident from the 1800 block of Redwood Road reported a lost or stolen front license plate. The resident reported that sometime between June 11th at 7:30 p.m. and June 13th at 6:00 a.m. the front license plate was taken.

Driving Under the Influence of Alcohol: On June 14, 2012 at 8:48 p.m. Hercules Officers were dispatched to an anonymous report of drunk driver last seen leaving the area of Village Parkway near Forest Run in a Blue Pontiac. An Officer located a vehicle matching the description and leaving the area. DUI indicators were observed and a traffic enforcement stop was done in the 4000 block of San Pablo Avenue. The driver was identified as 26 year old Alfredo Gatica of San Pablo. After a DUI investigation, Gatica was arrested and transported to Hercules Police Department for a blood draw. He was later cited and released to a friend.

Petty Theft: On June 14, 2012 at 9:06 p.m. a citizen reported having her wallet stolen from a business in the 1500 block of Sycamore Avenue. The victim inadvertently left her wallet on the cashier counter after making a purchase. When she returned to look for her wallet it was gone.

Theft and Possession of Stolen Property: On June 15, 2012 at 12:00 a.m. an Officer was driving through the parking lot in the 1500 block of Sycamore Avenue doing a security check. at 12:01 a.m. The Officer saw a male standing between two parked trucks, one belonging to a closed business. The male had a plastic gas can lying on the ground next to the open gas door of the delivery truck. Spilled gas was visible on the ground next to the gas can and 35 year old Brian Patterson of Crockett was detained. Patterson stated, "I was just trying to get some gas to go home." Other evidence of stealing gas was located in Patterson's truck. Patterson was arrested and was transported to Martinez Detention Facility.

Stolen Vehicle: On June 15, 2012 at 6:08 a.m. a resident from the 200 block of Napoli Court called to report their vehicle stolen. The victim reported his Maroon '93 Infiniti J30t was stolen sometime between 6:00 p.m. on June 14th and 5:40 a.m. On June 16, 2012 at 7:52 p.m. the vehicle was recovered unoccupied in the 100 block of Beechnut Drive.

Warrant Arrest: On June 15, 2012, at 12:09 p.m. Marin County SO provided a courtesy dropped off of 24 year old Deon Desmond Linds of San Francisco to Hercules Police. Deon had a DUI warrant that was issued for a Hercules arrest. Linds was transported to Martinez Detention Facility.

Violation of Court Order: On June 15, 2012, at 3:26 p.m. a resident reported a child custody issue. The reporting party stated the father of her baby was not following the custody order and requested it be documented. A case was taken for the investigation.

Fraud: On June 15, 2012, at 4:46 p.m. a resident reported that her husband used her ATM card without her permission. The reporting party said her husband is not on her account and she wanted prosecution against him. A case was taken for the investigation.

Warrant Arrest: On June 15, 2012 at 9:15 p.m. an Officer stopped a Maroon '99 Jeep Grand Cherokee in The 1200 block of Willow Avenue. The passenger was contacted and identified as 29 year old Jesse Lusk of Richmond. Lusk was arrested for a spousal battery warrant and transported to Martinez Detention Facility.

Domestic Battery: On June 15, 2012 at 10:38 p.m. Officers were dispatched to the 300 block of Porthole Court regarding a Domestic Disturbance. Both parties were contacted at the residence and told varying stories of what occurred. An argument had occurred over setting the thermostat and parties pushed each other. A case was taken to forward to the District Attorney's Office for review.

Driving Under the Influence of Alcohol: On June 16, 2012 at 2:11 a.m. an Officer stopped a vehicle in the 3000 block of San Pablo Avenue. The driver, 26 year old Timothy Ratliff of Pinole displayed objective symptoms of being intoxicated. A DUI investigation was done and Ratliff was arrested for DUI and transported to Hercules Police Department for the blood draw. Ratliff was later issued a citation and released.

Vandalism: On June 16, 2012 at 12:15 p.m. a resident in the 100 block of Eucalyptus Knoll reported vandalism. The resident reported that his 2000 Honda Accord was vandalized between 10:00 p.m. on May 16th and 3:00 a.m. on May 17, 2012. Both sides of the vehicle were scratched with a sharp instrument.

Outside Assist Pinole Police: On June 16, 2012 at 8:18 p.m. an Officer responded to Tarn Court to look for a suspect, who was involved in an assault with a deadly weapon in Pinole. The vehicle and driver were located leaving the area and stopped. Pinole Police responded and took over the investigation. Contact Pinole Police Department for additional details.

Driving Under the Influence of Alcohol: On June 17, 2012 at 12:15 a.m. an Officer stopped a Silver '05 Ford Mustang in the 1500 block of Sycamore Avenue. The driver was identified as 28 year old Ruben Segura of Madera. Segura displayed objective symptoms of being intoxicated. After a DUI investigation Segura was arrested and transported to Pinole P.D. for a breath test. Segura was later issued a citation and released.

Found Property: On June 17, 2012, at 8:41 a.m. A citizen had turned in two wallets to the Fire Department that were found on the jogging path on Refugio Valley Road. An Officer responded and took a case for found property.

Suspicious Circumstances: On June 17, 2012, at 2:33 p.m. Officers were dispatched to the vacant home in the 200 block of Dartford regarding suspicious circumstances. The front door was completely off the hinges and both rear sliding doors were open. No one was located at the property. Public Works assisted with securing the residence.

Grand Theft: On June 18, 2012 at 11:36 a.m. a resident from the 1300 block of Turquoise reported the theft of his three-section tonneau cover from his 2008 Ford truck. The cover was taken sometime between June 17th at 9:30 p.m. and 6:30 a.m.

Attempted Auto Burglary: On June 18, 2012 at 6:03 p.m. a resident in the 1000 block of Devonwood reported someone had tampered with her vehicle. The resident discovered that her keys would no longer fit the door locks on her vehicle. She believes they were damaged by someone attempting to gain entry. This occurred between June 1st and time of call. A case was taken for investigation.

Possession & Use of Fraudulent Access Cards: On June 18, 2012 at 8:08 p.m. 26 year old Paris Ross of Oakland was stopped on Black Walnut at Silver Maple. Ross is on Parole for drug offenses. During a search of his vehicle 22 fraudulent Citibank MasterCard and Visa cards were located in this vehicle and wallet. Receipts were located showing the recent use of the fraudulent credit cards. Ross was arrested and transported to Martinez Detention Facility.

Mental Health Evaluation: On June 19, 2012 at 12:41 p.m. Officers received a call of a family disturbance in the 1000 block of Cottage Lane. The reporting party said her son is in need of psych help and currently does not take medication. The son was contacted and he began rambling, stating everybody was against him and wanted him to commit suicide. He was placed on a mental health hold and transported to Contra Costa County Regional Medical Center.

Registrant: On June 19, 2012 at 2:09 P.M. HPD records issued a case number for a new registrant under 290 P.C. The registrant is John Stuart (6/22/76) at 124 Brenner. Mr. Stuart moved here from Texas. (H12-7959)

Warrant Arrest and Possession of Crystal Methamphetamine: On June 19, 2012 at 8:14 p.m. 21 year old Omar Akbar was contacted as a passenger in a vehicle during a security check of Azalea Court. Akbar has been staying on Azalea Court with a friend. The Officer saw Akbar in the passenger seat and knew he had three outstanding warrants. Akbar was arrested on his warrants and during a search a wrapper containing crystal methamphetamine was located on his person. Akbar was transported to Martinez Detention Facility.

Spousal battery: On June 20, 2012 at 2:18 a.m. Hercules Police responded to a domestic violence call at 218 Coronado. Upon arrival 35 year old Daniel Brown was gone. The victim girlfriend stated that Brown left driving his Maroon 97 Mitsubishi Galant. The victim stated she was punched in the forehead by Brown. This case is under investigation.

Mail Theft and Unauthorized Use of Access Card Information: On June 20, 2012, at 7:18 p.m., a resident from the 2000 block of Pheasant Drive reported mail being taken from his mailbox. The theft occurred while the resident was on vacation sometime between June 11th and June 16th. A Discover award check and his daughter's bank statement were taken. His daughter was recently informed of two unauthorized transactions from her account. A case was taken and is currently under investigation.

Residential Burglary: On June 20, 2012 at 8:46 p.m., a resident from the 100 block of Fog Cutter Cove reported being a victim of a residential burglary that occurred sometime between 10:00 a.m. and 8:20 p.m. Point of entry was through a downstairs bathroom window that was smashed. Items taken include Chinese currency, U.S. currency, 2-laptops, 1-Wii and 1-Playstation 2 video game console, personal checks, and a backpack containing a passport. The resident reported seeing an unfamiliar black Ford F-350, occupied by a male about 40 years old, parked along the east curb of Fog Cutter Cove this morning at about 9:20 a.m. A case was taken and is currently under investigation.