



MEMORANDUM

DATE: November 2, 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

SALE OF HERCULES MUNICIPAL UTILITY (HMU)

On September 12, 2013, staff released a Request for Qualifications to solicit interest in the sale of the Utility. A number of Statements of Interest from qualified purchasers, with financial capacity and experience to purchase the utility, were received by the October 31 deadline. Release of a Request for Proposals to these firms is scheduled for November 14 and the tentative due date for final proposals has been set for January 9, 2013.

REAL PROPERTY PROJECT UPDATES

Town Centrale: On October 23, the City Council approved a set of entitlement actions for the Town Centrale project, which were previously approved on October 8 by the Planning Commission. The second reading of the Development Agreement Ordinance is scheduled for the City Council meeting of November 13. These approvals allow the developer to resume and complete construction of the former Sycamore North project. As part of a purchase and sale agreement approved earlier this year by the City Council, Presidio Development Partners proposes to finish construction on the project as a pair of mixed-used buildings with approximately 140 apartments, four live-work units, and approximately 12,000 sq. ft. of ground-floor retail space, with 166 on-site parking spaces. If all goes well, escrow should close by year end, with construction re-commencing in February.

Sycamore Crossing: A Purchase and Sale Agreement (PSA) was entered into with Property Development Centers (PDC) in January. PDC is a wholly owned subsidiary of Safeway and plans to build a 55,000 to 65,000 Safeway store and gas station near San Pablo Avenue, with another junior anchor, restaurant and shop space to compliment the supermarket.

Staff and legal counsel continue to work on removal of the deed restriction and the court has ordered the parties to enter into mediation to be completed in late November. A mediation session is scheduled for November 15. However, City legal counsel and PDC legal counsel concur that the deed restriction does not impact the smaller 3+ acre portion of the site on the east

side of the creek at the corner of San Pablo and Sycamore, which is a separate parcel. Thus, PDC is developing an alternative plan for the site. One plan is for a traditional one story Safeway close to Tsushima Drive and the other is for a more urban Safeway in either a podium style or roof-top parking style on the corner three acre site that is not subject to the deed restriction. With the podium style, the store is on the second level with parking at street level below the store. With the roof-top parking style, parking is on the roof with the store on the first level off a smaller parking lot on the ground level. If the deed restriction can be removed, the traditional store provides more flexibility for leasing, but either plan will work for Safeway.

Final site plans will be influenced by the status of the deed restriction, key tenants, and the design review and entitlement process. DPC is actively seeking tenants that will compliment the Safeway supermarket. Two or three story residential units on Sycamore facing Sycamore North are being considered for the site, but there is a potential for a 100% retail project.

Sala Restaurant Site: Under ABx26, assets of the former Redevelopment Agency not used for civic purposes and not under contract for a redevelopment project must be sold and the proceeds used to pay obligations of the former Redevelopment Agency. The City as Successor Agency is required to move expeditiously to dispose of such assets. AB 1484, however, does provide for a property management plan that could include transferring qualifies assets to the City for Civic Uses. 1991 Railroad Avenue, the Civic Art Building, which is leased to Sala Restaurant, is an asset of the former Redevelopment Agency that the City as Successor Agency will have to determine a use for, subject to the approval of the Redevelopment Oversight Board and the State Department of Finance.

As directed by the City Council, a tentative date of November 15 has been set for a community meeting to get input of the future use of the Sala Restaurant site and building. Ideas expressed to date include selling the property, continuing to lease it as a restaurant and returning the property to a civic use.

ITC - Bayfront Project: This project will 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 Water Board has requested additional information to supplement the application submitted on September 7, 2012 for water quality certification of the ITC plans. In order for the Water Board to issue waste discharge requirements and water quality certification, they must (1) verify that impacts to wetlands and other waters have been avoided to the maximum extent possible, (2) verify that the proposed mitigation design is sustainable and that it provides adequate compensation for the impacts, and, (3) ensure that storm water runoff impacts have been addressed. While the application submitted provided a substantial amount of information, the Water Board has requested more specific detail on some elements of the plan in order to make these determinations.

Upcoming significant milestones:

- Obtain water quality certification.
- Advance and finalize construction permitting efforts for the ITC Project.
- Finalize design for the initial ITC construction bid packages.

Parcel C: Nothing new to report. The property will be transferred and the Purchase and Sale Agreement with DeNova Homes will be assigned to the City as Successor Agency to the Hercules Redevelopment Agency. DeNova is proposing up to 350 high-quality, high-amenity residential apartments with a condo map and is considering the feasibility of some retail on the site. Two to three acres of the site will be used for a bio-retention area and a sewer lift station. 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 Agreement is currently in its due diligence phase. Staff and legal counsel are working to remove and modify certain outdated easements that encumber this property and other properties, including a number of Bayfront-ITC parcels, and to deal with impacts of AB 1484, which places additional administrative burden on the disposition of former redevelopment agency properties. Parcel C and Victoria Crescent are the two properties being sold under a court approved \$6.5 million writ of attachment to settle the Ambac lawsuit, so time is of the essence in order to fulfill the requirements of the court sealed settlement to pay Ambac, as well as to pay Oliver & Company nearly \$2 million secured by Parcel C. The Oliver payment is due by March 31, 2013. Staff is in discussions with Oliver to renegotiate the schedule.

Victoria Crescent: The City Council has directed staff to negotiate a Purchase and Sale Agreement with City Ventures, which has proposed detached residential homes for the site. SummerHill has decided not to go forward with the purchase of this property. Negotiations are nearing completion and a Purchase and Sale Agreement should be ready for City Council consideration on November 13.

PLANNING UPDATES

The regular Planning Commission meeting for Monday, November 5, will be cancelled because there are no agenda items that will be ready in time for hearings.

Additionally, the second regular meeting of the month is scheduled for Monday, Nov. 19, the same week as Thanksgiving. Because a couple Commissioners have already mentioned that they will be unavailable and would prefer to reschedule, we will hold hearings at the next regular meeting scheduled for December 3.

Upcoming Hearings:

We anticipate the following project hearings at the Planning Commission meeting on Dec. 3:

- **Proposal to enclose a 239-sq.-ft. second-story deck at 136 Hemlock.**
At the Design Review Subcommittee meeting on Tuesday, Oct. 30, Commissioner Bowermaster recommended the project for full Planning Commission consideration, without changes or additional conditions. (Commissioner Mitchell recused himself due to work-related relationships with both the applicant and the applicant's representative.)

- **Proposal to relocate “Aguirre Fitness” to 718 & 720 Alfred Nobel Dr. (North Shore Business Park)** from its current location at 1581 Sycamore Ave. (Creekside Shopping Center).
- **Proposal by Verizon Wireless to install antennas to the existing PG&E lattice tower on the open space land south of the intersection of the Falcon Way & Refugio Valley Road.**

The Design Review Subcommittee reviewed the plans this week, but without the project representative present. The project is contingent on Verizon agreeing to the City’s lease terms for installing ground-based equipment on City-owned land (\$2,000/month, similar to an existing lease agreement with AT&T for the same location).

Housing Element:

The State requires that the Housing Element of every City’s General Plan be updated every five years. Two years ago (Sept. 2010), the City submitted its [*Preliminary Draft of the Housing Element Update for 2009-2014*](#) to the [California Department of Housing and Community Development](#) (HCD) for 60-day public review of compliance with state laws. However, due to various uncertainties (elimination of redevelopment, disposition of City-owned properties, turnover in leadership and staff, resource limitations, etc.), the City has not—until now—followed up on certifying the Housing Element. To achieve HCD certification, and thus ensure the legitimacy of the City’s General Plan and to remain eligible for certain funding opportunities, we anticipate completing the Housing Element Update along this schedule:

- Staff to finish revising the Housing Element to respond to prior HCD comments and to address policy and development changes that have occurred over the past two years (mid-November);
- Present the revised Housing Element to the Planning Commission and City Council (late Nov./early December);
- Resubmit by December the revised Housing Element to HCD for 60-day review;
- Complete the requisite CEQA review for the Housing Element by January 2013;
- Anticipate receiving from HCD by February 2013 a letter with Finding of Substantial Compliance;
- Adopt the Housing Element in March 2013;
- Send the adopted Housing Element back to HCD for final certification in April 2013;

CARSON SLIDE

The City has been monitoring the Carson Street Slide for many years. Over the past 18 months, both 221 and 227 Carson have become severely damaged and contain large amounts of mold. They have also become an attractive nuisance to local kids and squatters, and have been sprayed with graffiti. Based on the City’s Chief Building Officials professional analysis, the homes are beyond repair and must be removed. The City Council has approved a contract for the demolition of the two homes rendered uninhabitable by the Carson Slide. Staff was not able to go to court on this matter this week and plans to go to court next week to obtain inspection warrants so that the houses can be demolished and removed.

REDEVELOPMENT HOUSING ASSETS

As mentioned in recent reports, on September 20, 2012, staff met with officials from the State Department of Finance (DOF) in Sacramento to get clear direction regarding a number of issues related to the statewide dissolution of redevelopment agencies.

Regarding the housing assets of the former Redevelopment Agency, the DOF has ordered the Contra Costa Housing Authority accept these housing assets and administer them. Four Housing Authorities, including Contra Costa, have previously refused to take on this responsibility, which is required under ABx26. They also advised that it would be problematic for the City to act as an “interim” or “temporary” successor for housing assets, because once the assets are transferred, the City as successor Agency would own them. Therefore staff is recommending that the City not act as interim or temporary successor agency for housing assets of the former RDA. This issue is scheduled to be on the Housing Authority Board of Commissioners agenda for their November 13 meeting, which is scheduled for 1:30 pm in Martinez in the Board of Supervisors Chamber.

In the mean time, we did consult with outside legal counsel and the City Attorney regarding the idea of simply approving subordination agreements and grant deeds on behalf of the dissolved Redevelopment Agency until the assets are transferred to a Successor Agency. Since we are still in a transition period, I will be approving certain documents if the title companies will accept my approval. I will approve subordination agreements for refinances in which the principal amount of the senior debt is not increased and I will approve grant deeds when the Redevelopment loan is paid in full.

MUNICIPAL SERVICES UPDATE

Building Permits:

- Number of permits issued-----12
- Building permit fees collected-----\$2,189.73
- Number of inspections-----33
- Code Enforcement inspections-----2

Sewer Lateral Inspection Program:

- Applications received-----2
- Inspection fees collected-----\$250.00
- Number of Certificates issued-----2
- Number of deficiency notices-----0
- Number of condominium waivers issued-----0

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

Other Activities:

- A sewer overflow occurred on Lavender Court allowing a small amount of sewage to enter the storm drain. The proper reports were filed with the State Water Board advising them of the overflow.
- City wide landscape mulching continues by Contractor.
- Staff repaired numerous streetlights within the City.
- Staff continues repainting of red curbs city-wide.
- Staff has been working on the Bayfront lift station removal documents.
- Staff has been working on the John Muir Parkway extension and Bayfront Bridge documents.
- Staff has completed drafting a Request for Proposal and Technical Specification documents for a needed sanitary sewer mainline video inspection project. Will be sent out for bid in two weeks.
- Staff continues to work on documents for the Bay Trail.
- Staff has been working to establish addresses for Town Centrale.

The following repairs to the library are being done and will continue through the fall:

Wavy Wall – Awaiting architect to provide details to repair the exterior. Entry canopy and cap flashing complete.

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. Currently the Senior Center has 140 members.

Seniors/50+:

Come to the Senior Center Programs to enjoy: CC Café, Art Class, Card Club, Ping Pong, Tai Chi, Zumba Gold, Low Impact Exercise Classes, Dance Club, and a Hula Dance. Become a Member for \$20.00, your membership gives you access to over 30 classes and programs at a discounted rate.

- Hercules Senior Center Hula Luncheon was a great success they raised over \$1,000. Thank you to all the volunteers and the Hula Halaw Lehua Dancers.

Aquatics:

- CRAB FEED!! January 19th, 2013. Buy your tickets NOW!!
- EBSD All Year Round Membership! Taking sign-ups NOW!!
- Swim Passes available for Lap Swim/Water Walking (Monday-Friday 6-7pm)
- Water Polo Conditioning starts on 11/5/12-2/1/13, Time: 5-6:30pm, Days: Monday-Friday, Fees: \$200, Ages 5-18
- EBSD Swim Clinics starts on 1/2/13-1/31-13, Times: 5-6:30pm, Days: Monday-Friday, Fees: \$60, Ages 5-18

Teens:

Sign up for our SPOT Before and After school program for grades 6th -9th.

- We currently have 30 participants signed up for the Before and After school program.
- Halloween Kids Workshop on 10/27/2012 at the Hercules Teen Center was a great success kids came out in there costume had their face painted, decorated a pumpkin, created their own scary mask, and so much more! Thank you to the TYC volunteers who help put on the event.

Facilities:

Are you looking for a hall to rent to hold a meeting, party, wedding reception, graduation, birthday, retirement or 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.

Recreation Classes:

We are now taking registration for many new and exciting classes. Classes include Tutoring, Math Tutoring, Oil Painting, Chinese, Dog Obedience, Ballet:7 participants, Gymnastics:17 participants; Belly Dance, Guitar, Karate: 19 participants, Ab Lad, Zumba: 71 participants & Jazzercise. Make sure to register early before they fill up or get canceled for low enrollment.

- Beginning signups for the next session of gymnastics
- Zumba gold had 13 signups for the month of October
- For the month of October Zumba had 65 participants. Starting a new Zumba pass- 12 visit (valid for 2 months) for \$75res/\$85nres currently has 14 people signed up for the pass thus far

Parks & Recreation Activity Guide & Banner Programs:

We are accepting applications to advertise in the next edition of the Parks and Recreation activity guide which come out December. If you have specific questions feel free to give Andrea Mendez a call at (510) 799-8290 or email amendez@ci.hercules.ca.us.

- Preparing the guide to be released by the end of November staff brought in \$1,488.00 in advertisements

Licensed Before & After School Child Care

Sign up for Fall Child Care, 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

Currently for the school year child care we have 70 participants at Hanna, 36 for Lupine and 48 for Ohlone.

Sports:

We are now taking registration for many new and exciting sports classes and programs that we are offering: Pee Wee Basketball, Tennis, Adult 3 on 3 basketball, Youth Flag Football, Gymnastic, Tiny Tot Sports: 10 participants, Functionally Fit, Table Tennis: 5 participants, Co-ed Adult Dodge ball, Co-ed Kick Ball. Make sure to register early before they fill up or get canceled for low enrollment.

- Open Gym Basketball Mondays/Tuesday/ Thursdays from 8:15pm-10:15pm \$5res/\$6nres

Tiny Tots & Little Learners:

A great introduction to your child's "First Learning Experiences". They will have fun making their first school friends, learning through play, games, arts, crafts, and healthy snacks. Our loving and qualified staff will guide them with socialization and self-help skills. Children have so much fun, they do not realize they are learning! Our program runs along with the school year from September-June. Come see what keeps our children smiling! Children must be completely toilet trained (no pull-ups).

- We are currently full. Tiny Tots has 2 classrooms running at Hanna with a total of 48 for MWF and one class for T/Th with 24 participants.

WEEKLY POLICE REPORT - As of November 1, 2012

Recovered Stolen Vehicle: On October, 25, 2012 at 9:58 a.m., an Officer was dispatched to a report of a suspicious vehicle, parked inside the Forest Run condo complex. The Officer located a green 1998 Mercedes C280, parked in the carport, covered with white paint. The Mercedes was reported stolen to Richmond PD on 8/28/12.

Vandalism: On October, 25, 2012 at 10:57 a.m., an Officer was dispatched to Hercules Police Department for a lobby detail. The victim reported he parked his car in the 1600 block of Partridge. Sometime between 10:00pm on 10/22/12 and 8:00am on 10/23/12, and someone "keyed" it.

Lost Property: On October, 25, 2012 at 4:07 p.m., An Officer responded to the Hercules Police Department for a lobby detail. The reporting party stated he lost his cell phone in the 1600 block of Sycamore Avenue sometime today. The phone was entered into Automated Property System.

Vandalism: On October 26, 2012, a resident who lives in the 100 block of Civic Dr. reported that someone slashed her brand new tires on her vehicle sometime last night.

Identity Theft: On October 26, 2012, at 4:08 p.m., an Officer was dispatched for a lobby detail. The resident reported four accounts were on his credit reports that he did not open or authorize anyone to open.

Hit and Run Collision: On October 26, 2012 at 8:54 p.m. an Officer was dispatched to Willow Avenue under I-80 for a report of a Hit & Run collision. Officers found a White '90 Toyota

Corolla stopped facing S/B on Willow near the guardrail just north of 828 Willow Avenue. The Suspect vehicle, a Silver '02 Dodge Stratus (CA LP# 4TAX084) was found parked in the Willow Avenue Park & Ride across from 828 Willow Avenue. The driver of the Stratus was not on scene. The victim stated he was travelling S/B Willow Avenue when the driver of the Stratus collided into the rear of his vehicle. The driver of the Stratus had his family help him push his vehicle into the Park & Ride. The driver then left with his family and failed to provide him any of his personal information or insurance information. Officers attempted to contact the driver of the Stratus, at his residence. Officer spoke to the driver's family. This case is still under investigation.

Domestic Disturbance: On October 26, 2012 at 9:23 p.m. Hercules Officers responded to the 100 block of Pearce Street for a report of a Domestic Disturbance. The resident called to report that she just arrived home and found the front door locks changed and the rear of the house boarded up. She said her husband was inside the house and was threatening her. Officers arrived to find the wife inside the house. The husband called Dispatch and stated he was parked on Skelly Way waiting to speak to an Officer. The wife told Officers her husband was upset with her and changed the front door locks and boarded up the rear sliding glass door without her consent. She was able to force entry into her house and her husband then left the house. Officers provided advise and the husband let the residence for the night.

Spousal Battery: On October 26, 2012 at 9:24 p.m. Hercules Officers were dispatched to the 2000 block of Tsushima Street for a Domestic Disturbance with the Fire department staged. Officers arrived and contacted a 37 year old female. The 37 year old male fled prior to Officers arrival. The female told Officers that the male had pushed her down the stairs after they had an argument regarding Disability paperwork. She complained of back pain and a swollen left hand and she was transported to Kaiser Richmond. An Officer spoke to the male via telephone and he denied pushing her down the stairs. Prosecution was desired against the male and an Emergency Protective Order was obtained.

Possession of Stolen Vehicle/Possession of Stolen Property/Auto Burglary: On October 27, 2012, at 10:17 a.m., Officers were dispatched to the area of Glenwood Apartments suspicious activity. The caller described two males, 20-30 years old, who were looking into cars. The caller stated the subjects left the area in a dark or black Chevy Blazer (6VTG248). An Officer located a black blazer unoccupied with the windows rolled down in Glenwood. The Officer contacted the registered owner who told him nobody had permission to drive or take his vehicle and wanted the responsible person(s) prosecuted. While checking the Blazer, responding officers contacted 19 year old Nickelas Scanlan, of Concord, and 23 year old Matthew Danska, of Walnut Creek, in the complex. An in-field show-up was conducted and the reporting party positively identified Scanlan as the driver of the blazer. Scanlan was arrested for the stolen vehicle. Stolen items inside the Blazer were also identified as well as owner information. Scanlan was booked into Martinez Detention Facility vehicle theft, possession of burglary tools, and possessing stolen property. Danska was released pending further investigation.

Occupied stolen vehicle and warrant arrest: On October 27, 2012 at 9:15 p.m. an Officer stopped a silver 2010 Camaro in the 1500 block of Sycamore. During the stop the Officer learned the vehicle was reported stolen and that the registered owner was the suspect. It appears the vehicle was purchased via fraudulent means in southern California by the driver 25 year old

Million Mays of Hercules. Mays also had a felony warrant for burglary and grand theft. He was transported to Martinez Detention Facility.

Residential Burglary: On October 29, 2012, at about 3:57 pm, Officers were dispatched to the 100 block of Fawcett for a possible burglary in progress. The home owner said the side garage door was forced in, and the suspects fled in an unknown direction. The victim told Officers that someone had rung the doorbell but she did not answer the door. Instead, she looked out the upstairs window and saw an unfamiliar smaller white SUV type vehicle parked in front of her residence. Shortly afterward she heard a noise coming from the side of the house. She said it sounded like someone had entered, through the interior garage door, into the house. The homeowner yelled in an attempt to scare away the possible intruder. The side garage door showed signs of being forced open. There was no loss and the suspects had fled prior to Officers' arrival.

Residential Burglary: On October 29, 2012, at about 5:39 p.m., the residents from the 1000 block of White Birch Lane reported their residence was burglarized sometime between 10:00 am and 5:00 pm on Sunday. The point of entry was an open front living room window. Loss was electronic equipment.

Mental Health Evaluation: On October 29, 2012 at 7:14 p.m. Hercules Officers were dispatched to the 800 block of Willow Ave. The reporting party said a white male was attempting to sell jewelry to customers and attempting to open doors to vehicles. Officers contacted a 28 year old male, of Concord. The male said he was attempting to locate his vehicle. The male was determined to meet the criteria for a Mental Health Evaluation and was transported, by ambulance.

Petty Theft: On October 30, 2012, at about 10:14 am, an employee from the Shell gas station, in the 3900 block of San Pablo Ave, reported a theft of two beers. The theft occurred about five minute prior to the call. The suspect was described as a white male in his 50's, wearing a red shirt; and was last seen heading northbound on San Pablo Ave. The suspect was riding a BMX type bicycle and had a cast or brace on his leg.

Solicitation Without a Peddlers Permit: On October 30, 2012 at 11:20 p.m. two Officers saw a subject walking along the fence in the 2100 block of Pheasant Dr. They contacted the subject and found that the he was a member of a group of Kirby vacuum solicitors attempting to sell vacuums in the area. The subject stated his manager was in the residence in the 2100 block of Pheasant. The Officers made contact and identified 29 year old Ryan Fulkerson, of Newark. Fulkerson is the lead salesman and did not have a solicitors permit for the City of Hercules (a violation of the Municipal Code). Fulkerson was cited and released on scene.

Warrant Arrest: On October 31, 2012 at 9:22am Officers responded to the 1500 block of Swallow for a report of a suspicious subject. Officer Sanchez contacted a male subject that was sleeping underneath a vehicle in a resident's driveway. The male was identified as 43 year old Jimmy Louis Gwin of Sacramento. Gwin had a felony warrant issued by Concord PD for robbery and theft. Gwin was transported to Martinez Detention Facility. Gwin was determined to also be responsible for the theft of beer on October 30th.

Mental Evaluation: On October 31, 2012 at 5:50pm, Officers were dispatched to 3700 San

Pablo Ave for a report of an elderly male who stated he was lost. Officers contacted an 87 year old male from Vallejo inside of the business. The male was disoriented and stated he had been away from home "a long time." Unsuccessful attempts were made to contact his family. Due to his mental status, he was sent to Contra Costa County Regional Medical Center for treatment.

Armed Robbery: On October 31, 2012 at 8:27 p.m. Hercules Officers were dispatched to the area of Victoria Park for a report of an armed robbery that occurred within the last 15 minutes. Dispatch advised us that 2 male juveniles armed with silver colored handguns robbed a juvenile of his iPhone. Dispatch advised the juvenile had used the find my iPhone feature and tracked the cell phone to the area of Victoria Park. Officers did an area search for the suspects but were unable to locate them. There were large groups of juveniles in the area due to Halloween. An Officer contacted the 14 year old victim at his home on Regatta Point. The victim stated he was standing with 3 of his friends when approached by the two suspects who asked them if they wanted to buy Marijuana. After the victim told the two suspects he didn't want to buy Marijuana the two suspects robbed him and his 3 friends of cell phones and an iPod. The victim said both suspects were wearing dark colored hoodies and fled the area on foot in an unknown direction. The other 3 juveniles could not provide any other information on the two suspects.

Spousal Battery: On October 31, 2012 at 10:25 p.m. Hercules Officers were dispatched to the 1100 block of Waverly Circle for a report of a 24 year old male having difficulty breathing and possibly unconscious. Upon Officers arrival they determined that the 24 year old male was having difficulty breathing as a result of intervening between his two parents fighting. The 58 year old male and 48 year old female were both pulling each other's shirt collar while shoving each other back and forth. The male got a cut to his lip as a result of the shoving match. Neither wanted prosecution and a case was taken for review by the District Attorney's office.