



MEMORANDUM

DATE: March 16, 2013

TO: Mayor Delgado and City Council Members
City Employees and Members of the Public

FROM: Steve Duran, City Manager

SUBJECT: City Manager's Weekly Report

MEETING SCHEDULE FOR March 18, 2013 through March 31, 2013

Date and Time	Event	Location
Mon., March 18, 2013	Planning Commission Meeting	MEETING CANCELLED
Mon., March 18, 2013 6:30 p.m.	Special City Council Meeting – Legislative Task Force	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
Tues., March 19, 2013 6:30 p.m. - 8:30 p.m.	John McNellis- Market Hall Community Outreach Meeting	Hercules Library - Large Conference Room 109 Civic Drive, Hercules, CA 94547
Wed., March 20, 2013 6:00 p.m.	City Council Public Safety/Traffic Subcommittee Meeting	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
Mon., March 25, 2013 6:30 p.m.	Special City Council Meeting Commission Candidate Interviews	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
Tues., March 26, 2013 6:00 p.m. – Closed Session 7:00 p.m. – Open Session	Regular City Council Meeting	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547

MEASURE “A” TO BE ON JUNE 4th BALLOT

A ballot measure to update and increase the City's Utility Users Tax (UUT) has been placed on the June 4, 2013 ballot. The City Council unanimously declared a fiscal emergency and placed Measure A on the June 4, 2013 ballot for voter consideration. Measure A would update the City's Utility Users Tax to treat all utilities equally, add 2% to the tax for five years and maintain current exemptions for low-income families and seniors. Without the approximately \$1.0 million of additional annual revenue that Measure A is expected to generate, the City will be forced to make devastating cuts to the Hercules Police Department or contract police services to the County. Other community services would also have to be cut.

A Measure A “FAQ” (Frequently Asked Questions) section has been added to the end of this report for your information.

MID-YEAR BUDGET REVIEW AND STRATEGIC PLAN DISCUSSION

There is a projected structural deficit in the City's general fund for FY2013-14 of \$1.2 million. This is not new news. About \$1.2 million of one-time money was used to balance the FY2012-13 budget, and while additional sales tax revenues of about \$250,000 is projected for FY2013-2014 and some costs can be reduced, projected increases in retirement and health care benefit costs will offset those impacts. Since there is only about \$600,000 of unbudgeted general fund cash remaining and any unexpected expenses will further reduce that sum, one time monies will not be available to balance next year's budget and avoid severe cost cutting measures. With retail development and residential development in the cue, it will still be two to three years before a new Safeway and other stores and restaurants can provide additional sales tax and all new development can provide additional UUT.

At the March 12 City Council meeting, the staff and City Council discussed the City's mid-year financials. Revenues are a bit below projections; but expenses are also below projections, so overall, the City is meeting net projections. However, this year's budget was balanced using one-time monies that will not be available in the 2013-2014 budget year. With input received from this discussion, staff is updating the City's strategic plan and working on the 2013-2014 budget. Two budget scenarios will be required due to the uncertainty of \$1 million from the proposed 2% temporary increase in the Utility Users Tax. If Measure A passes, we will be able to maintain our own Police Department and hope to maintain all other services at current levels. If Measure A fails, our Police Department will have to be severely cut or Police Services will have to be contracted out, probably to the County.

PLANNING UPDATES

Planning Commission Recruitments

As of the March 14 deadline, the City has now received more than enough applications for the three Planning Commission seats that will expire on April 1.

REAL PROPERTY PROJECT UPDATES

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.

Negotiations for removal of the deed restriction on a portion of the site are still in progress; but at this point Safeway, PDC and the City are focusing on a podium design for the store on the non-deed restricted portion of the site and PDC is marketing future retail and restaurant space as well as discussing residential options for the Sycamore Avenue frontage, which could be retail or residential depending on site constraints and leasing efforts.

Two community meetings have been held, on March 14 and March 16, to provide a status on the site planning and get input on same. This more contemporary "new urbanist" two story approach

has been very well received by the community. Safeway wants to be on Sycamore Crossing because it is large enough to create a shopping center that has other complimentary retailers. That synergy will increase the retail activity for Safeway as well as the other retailers. This corner anchor two-story approach will provide a very attractive gateway to the waterfront communities and, with Safeway as the anchor, many retailers that would want to share a center with Safeway that would not otherwise come to Hercules will be part of a new vibrant center.

Since PDC/Safeway is now proposing a podium or roof-top parked store on the non-deed-restricted 3.5 acre parcel on the site, right at the corner of Sycamore and San Pablo Avenue, they are asking for, and staff will be recommending to the City Council, an extension of the existing Purchase and Sale Agreement (PSA) to June 30, 2013 to provide time to negotiate a substantive amendment to address several issues, including but not limited to: the increased cost of podium or roof-top parking construction versus a one story store; and impacts of AB 1484 that affect the project timeline due to required state Department of Finance approvals that were not required when the PSA was negotiated.

Market Hall/Red Barn Site: Palo Alto based McNellis Partners, led by John McNellis, has purchased the Market Hall/Red Barn Site bordered by Interstate 80, Highway 4, San Pablo Avenue and Sycamore. This approximately 6.5 acre site is one of two premier retail sites in Hercules, the other being Sycamore Crossing. McNellis is a well regarded developer of retail centers and is one of several developers that were vying for this site. A second community outreach meeting is scheduled for Tuesday, March 19 at 6:30 p.m. at the Hercules Library.

Parcel C: An Amendment to the Purchase and Sale Agreement (PSA) was approved by the City Council on December 4th to extend the Feasibility Period under the PSA to February 1, 2013 in order to provide time to craft a second, more substantive amendment to deal with bureaucratic delays caused by AB 1484. However, the City and the buyer/developer were not able to come to mutually acceptable terms due to delays created by AB1484 and the need to restructure debt encumbering the property. Therefore, staff is working on restructuring the existing debt and has commenced discussions with a number of potential buyers. On February 12, in closed session, the City Council directed staff to have the brokers commence another Request for Proposals process and cast a wide net for potential uses and buyers. The site will again be marketed for office, research and development, retail and residential uses by CBRE and Cushman & Wakefield.

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 as well as with other potential lenders to restructure the debt.

Victoria Crescent: City Ventures, the Victoria Crescent buyer/developer, held its second community outreach meeting on Saturday, March 16 at the Hercules Senior Center. The Feasibility period for the Buyer/Developer to decide whether or not to move forward is March 31, 2013.

Town Centrale: Presidio Development Partners proposes to finish construction on the Sycamore North project, now called Town Centrale, as a mixed-used project 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. All entitlements are in place and Presidio was scheduled to close in February; however, asked for additional time to deal with recent cost estimates that significantly exceed budget. On February 26, the City Council approved an amendment to the Purchase and Sale Agreement to extend the close of escrow until March 15 and on March 12, the City Council approved another, more substantive, amendment to deal with the cost issues and extend the close of escrow to July 19, 2013.

Sala Restaurant Site: The City has possession and is finalizing a termination agreement with the former tenant. The restaurant was losing money and unable to meet its financial obligations. On February 26, the City Council directed staff to select an appropriate real estate broker to market the space for lease. Once a broker is appointed, a community kick-off meeting will be held at the property so that the community can provide input directly to the broker and inform the request for proposals (RFP) and marketing efforts.

Bayfront – ITC 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.

Efforts to advance and finalize permitting efforts for the ITC Project continue. Union Pacific Railroad (UPRR) issued the permit for the Track Preparation Package concluding the coordinated effort with UPRR in Omaha. The City met with Bay Conservation and Development Commission (BCDC) on March 13th and resolved the remaining technical permit issues with the exception of additional clarification required for BCDC’s policy adopted in 2012 on climate change and the affects of Sea Level Rise. The focus of the additional clarification is for the Union Pacific Railroad bridge and station platform. BCDC will require that Regional Water Quality Control Board (RWQCB) issue their permits prior to finalizing the BCDC Permit.

The City met with Federal Highway Administration (FHWA) on March 7th to resolve remaining comments on the SF Bay Trail Package. In the City Council Meeting on March 12th, the City authorized HDR to incorporate the revisions resolving FHWA and RWQCB comments into the plan set so that the drawings can be issued for bid by the end of March.

The City met with the Water Emergency Transit Authority (WETA) on March 15th to coordinate and update information on the ITC Project related to the Ferry element and to discuss a potential alternative for consideration when the environmental work resumes on the Ferry Terminal Project. The identified alternative would significantly reduce dredging requirements and costs for both initial and long term maintenance. The City will continue to coordinate with Contra Costa Transpiration Authority’s (CCTA’s) – Contra Costa Ferry Working Group and WETA to confirm this solution.

MUNICIPAL SERVICES UPDATES

Building Permits:

- Number of permits issued-----15
- Building permit fees collected-----\$2,493.05
- Number of inspections-----24
- Code Enforcement inspections-----4

Sewer Lateral Inspection Program:

- Number of application received: 3
- Sewer Lateral Inspection Fees Collected: \$375.00
- Number of Certifications issued: 4
- Number of Deficiency Notices issued: 0
- Number of Condominium Waivers issued: 1

Other Activities:

- Staff continues to work on the State Revolving Loan Fund Application for Pinole/Hercules Wastewater Treatment Plant Upgrade.
- L&L District - Salaries and Utility Cost review.
- Mass Grading for SF Bay Trail & Track Preparation Project
- HMU – Assets dedication documents.
- Title VI program development.
- Staff met with HDR regarding mass grading plans.
- Staff met with the Bay Conservation and Development Commission (BCDC) regarding sea level rise and to address comments to proposed plans.
- A large tree in Refugio Valley Park damaged by recent winds was overhanging the main play equipment area and was a threat to park goers. It was removed by our contractor after being observed by public works employee Eric Wright. Great job identifying the hazard avoiding a potentially dangerous situation.
- A streetlight was knocked down on Iris Road in a single car accident. Reported to PG&E for replacement.
- Wide Load/Transportation Permits Issued: 0
- Encroachment Permits Issued: 4

Hercules Municipal Utility activities:

- Performed visual inspections of equipment: 171
- Pumped water out of vaults: 8
- Meter reads: 0
- Meters installed: 2
- Meters pulled: 2
- Red tag postings for non-payment: 2
- Staff conducted temperature readings on transformers: 3
- Installed bolts on underground transformers: 14

Outside Agency Activities:

- PG&E is currently working on Hercules Avenue near Santa Fe and the other is on Sycamore Avenue at Redwood Road. The location is part of PG&E's redundancy program that will allow them to feed neighborhoods from both directions, if necessary, to reduce outage times.
- ARB Construction is working at the freeway overcrossing at Sycamore Avenue and behind Home Depot. They are contractors for Chevron repairing the coating on Chevron's pipeline in previously identified locations. The work may encroach into Sycamore Avenue so arrangements have been made for traffic control and designated times of work to avoid morning and afternoon commutes and school traffic.

NOTICE OF PLANNED ELECTRIC SERVICE INTERRUPTION

PG&E will be removing and installing new underground equipment which will impact one or more of your supply sources. Please be prepared to be without service on the following date (weather permitting) and for the estimated times indicated:

DATE: Monday, March 18th
TIME: 6:30 AM to 7:00 AM

DATE: Monday, March 18th
TIME: 3:00 PM to 5:00 PM

AFFECTED SERVICE:

111 CIVIC DR, HERCULES

It is important to note the following:

- **If you are a landlord or property owner with tenant(s) in the mentioned area on a common meter and the PG&E bill is in your name, it is your responsibility to notify the tenant(s) of the planned service interruption.**
- **If unsafe weather conditions or an unforeseen emergency force us to cancel work at the last minute we will do our best to contact customers. However, there may be circumstances when we will not be able to notify you of the cancellation. All customers will be contacted and advised of the rescheduled date and time.**
- **Safety Warning: If you plan to use a generator during the service interruption, you must isolate your generator from PG&E's system. Failure to do so will not only damage your generator, but can cause serious injury to our electric crew personnel. For more information visit: <http://www.pge.com/generator/>.**

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.

Parks & Recreation Expo April 28, 2013 10:00am -2:00pm @ Community/Swim Center:

Come to this free event and take a look at all of the programs and services that the Hercules Parks & Recreation will be offering for Summer 2013! Meet summer day camp and aquatics staff, plus a variety of specialty instructors and get your questions answered in person. Receive 10% *of this day only for classes, camps and services paid in full. *Offer excludes Jazzercise and passes. For more information call 510-799-8291 or visit www.ci.hercules.ca.us .

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.

Attendance:

Monday 21 CC Café 25 and for classes

Tuesday 19 CC Café and 25 for classes

Wednesday 36 CC Café 25 and for classes

Thursday 21 CC Café and 30 for classes

Friday 28 CC Café and 30 for classes EST

130 participants were served lunch and we made Revenue \$273 in CC Café

125 people participated in classes for a total of \$87.05 in revenue for classes the week.

Total of \$360.05 in revenue for this week

Licensed Before & After School Child Care

Sign up for 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

Hanna site:

Total K-5th grade Child Care Children Served this week: = 230

Lupine Site:

Total K-5th grade Child Care Children Served this week: = 180

Ohlone site:

Total K-5th grade Child Care Children Served this week: 160

Total Child Care Number three sites: 570

Aquatics:

- **The Daily Attendance:**
 - Week of March 11th – March 22nd 2013
- 3/11/13- 80
- 3/12/13- 90
- 3/13/13- 90
- 3/14/13- 85
- 3/15/13- 90

EBSD Fall Swim has ended and went very well. We are now offering the following programs:

- **EBSD Year Round Membership**
 - Dates: 10/1/12-9/31/13
 - USA Registration fee: Year Round Swimmer \$80 (made payable to EBSD)
 - Code: 52200-D-L
 - Spinners: M-TH, 6:30-7pm, \$66
 - Intermediate: M-F, 5-6:15pm, \$83
 - Advanced: M-F, 5-6:30/7pm, \$94

- **EBSD Monthly Swim Clinics**
 - Ages: 5-18
 - Days: M/W/F
 - Fees: \$65
 - Dates: 4/4-4/30 Code: 52202-D

- **Lap Swim/Water Walking: Swim Passes are available!**
 - Ages: 14+
 - Days: M-F
 - Times: 6-7pm (until 4/30 then times will change)
 - Fees: Resident- Youth & Senior \$4/Adults \$5
 - Non-Resident- Youth & Senior \$5/Adults \$6

- **Swim Passes:**
 - 10 Visit Swim Pass Res- \$40 Adults/\$30 Youth Non-Res-\$50 Adults/\$40 Youth
 - 25 Visit Swim Pass-Res- \$100 Adults/\$75 Youth Non-Res- \$125 Adults/\$100 Youth

Programs coming up:

- **Hercules Piranhas**
 - Registration Period: 3/4/13-6/21/13
 - Spring Season (4/30-6/9) Minimum: 21 Swimmers/Summer Season (6/11-8/12) Minimum 85 Swimmers
 - Beginners: Spring Season Hours: M-TH, 6:30-7pm
Summer Hours: M-TH, 6:30pm-7:15pm
 - Intermediate: Spring Season Hours: M-F, 5:15-6:30pm
Summer Hours: M-F, 7:15-8:45pm
 - Advanced: Spring Season Hours: M-F, 5-7pm
Summer Hours: M-F, 7-9pm

- **Aqua Zumba:**
 - Ages: 8+
 - Dates: 4/3-4/24
 - Days: Wednesdays
 - Times: 7-8pm
 - Fees: \$40/\$52
 - Drop-in Fee: \$15/class
 - Codes: 51333-J
 - Instructor: Nannette Vides

Teens:

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

AM

Monday - 2

Tuesday - 4

Wednesday - 6

Thursday - 3

Friday - 5

PM

Monday - 15

Tuesday - 18

Wednesday - 19

Thursday - 19

Friday - 13

Total Teens Served = 104

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, Gymnastics, Belly Dance, Guitar, Karate, Ab Lad, Zumba & Jazzercise. Make sure to register early before they fill up or get canceled for low enrollment.

Parks & Recreation Activity Guide & Banner Programs:

We are accepting applications to advertise in the next edition of the Parks and Recreation activity guide which will come out at the end of March 2013. For the Banner Program we have a few spots open for February 2013. If you have specific questions feel free to give Andrea Mendez a call at (510) 799-8290 or email amendez@ci.hercules.ca.us.

Sports:

We have started our Co-Ed 10-13 Junior Warriors Elementary Basketball League. The league will run from January through March, 6 days per week with practices being held Monday through Thursday and games on Fridays and Saturdays. We currently have 98 kids enrolled.

- We are offering a Fundamentals Basketball Clinic on Tues & Thursdays ages 10 and under. We have 20 kids registered in that program.
- Offering the following Adult leagues for this upcoming Spring:
2 Basketball Leagues of 3 on 3 (a 35 & older league and a 6 foot and under league).
- Softball Leagues in conjunction with the City of Pinole at Fernandez Park 7 Men's teams Mondays 7 Co-Ed teams for Tuesday Nights
- Golf League at Franklin Canyon (Potentially Wednesday late afternoon). For More Information please call 799-8293.

Attendance:

Monday 60

Tuesday 60 (4 teams for league plus Coach Louis Clinic had 20)

Wednesday 60

Thursday 60 (4 teams for league plus Coach Louis Clinic had 20)

Fri & Sat 100 kids (5 games)

Total in attendance 400

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).

- Total Pre-K & Little Learner Child Care Children Served = 136

WEEKLY POLICE REPORT – Week ending March 14, 2013

Recovered Stolen Vehicle: On March 7, 2013, at 8:22 am, an Officer was dispatched to the Carbon Way to recover a stolen vehicle. The black 1989 Isuzu Trooper (2PPY532) was reported stolen to Emeryville PD on March 3, 2013. The vehicle was processed before being towed by Civic Center towing and removed from the stolen vehicle system.

Stolen Vehicle: On March 8, 2013, at 6:13 am, a resident of Hercules reported that her white, 1989, Toyota Camry (CA 5YBS641) was stolen from the parking lot of Paradise. The Toyota was parked in the parking stall just north of her apartment in the unmarked spaces. The Toyota was taken some time between 3/07/13, at 5:45 pm, and 3/08/13 at 6:13 am. The passenger side tail light was broken, and the plastic trim on the driver's side of the vehicle just under the rear driver's side door was hanging down. All the keys are accounted for and the vehicle was locked. The Toyota was entered into the stolen vehicle system.

Warrant Arrest: On March 8, 2013, at 7:10 am, Officers were dispatched to the 600 block of Windsor regarding a disturbance there. The caller, 22 year old Aledrianna Sherett Weaver, of Bay Point, told dispatch that the father of her child, 22 year old Rashan Hill of Hercules, took her purse and left the residence about ten minutes prior to her calling the police. Weaver told officers that her and Hill were arguing before he left with her purse. An area check was conducted for Hill with negative results. During a records check on Weaver, it was determined that she had a \$5,000 citable warrant for a failure to appear for a misdemeanor theft case. Weaver was cited for the warrant and released. Weaver's purse was located on the roof of a parking stall and retrieved by Public Works. The contents of the purse were found strewn about the parking lot.

Stolen Vehicle: On March 8, 2013, at, 8:24 am, an Officer was dispatched to the 1000 block of Rock Harbor for a report of a stolen vehicle. The resident said sometime between 3/7/13 at 6:00 pm and time of call someone stole her white 1989 Honda Prelude (5TQM892) from in front of her residence. All keys accounted for and the Honda was entered into the stolen vehicle system.

Vandalism: On March 8, 2013, at 9:15 am, an Officer responded to the 600 block of Alfred Noble for a report of vandalism. The reporting party reported that an unknown suspect damaged the parking signs in the parking lot of the complex. A case was taken for investigation.

Runaway Juvenile: On March 8, 2013, an Officer was dispatched to the 100 block of Agate Way for a report of a runaway juvenile. Fourteen year old female was last seen on 3/7/13 at 12:00 pm. She has runaway in the past but the parents did not report it. She is believed to be somewhere in Fairfield with a male friend. She was entered into the missing persons system. She was later located at her grandparents' house.

Possession of Methamphetamine: On March 8, 2013, at 9:44 pm, an officer contacted Cedric Calub walking in the 1600 block of Swallow. Calub admitted to having methamphetamine on his person. Calub consented to a search of his person, and a white crystalline substance believed to be methamphetamine was found on his person. Calub was taken into custody and transported back to HPD. Calub was subsequently released pending laboratory results.

Possession of Marijuana While Driving / Driving with a Suspended License: On March 9, 2013, at 7:44 pm, an officer stopped a white Cadillac 4-Door in the 1500 block of Sycamore. The officer smelled the odor of Marijuana coming from inside the vehicle and searched the vehicle. The driver, 32 year old Hugo Hernandez of Hercules was found to have a suspended driver's license. Hernandez was issued a citation for driving with Marijuana in a vehicle, and driving with a suspended driver's license.

Suspicious Circumstance: On March 10, 2013, at 5:21 am, officers were dispatched to Hawk Court for a report of someone trying to break into the rear of the residence. The reporting party and resident updated dispatch while officers were driving to the address that someone was now inside the residence. Officers arrived on scene and found the garage door open. The resident walked out the front door. Officers searched the residence, but no one was located inside the residence. There were empty alcohol bottles all over the house, and a strong odor of an alcoholic beverage coming from the resident. A case was taken for a suspicious circumstance.

Fire: On March 9, 2013, at about 5:53 pm, Officers were dispatched to the 1900 block of Redwood for a reported structure fire. Officers arrived on scene first and located an old Christmas tree on the side of the house that was on fire. Officers were able to put out the fire with an extinguisher and determined that an eight year old resident started the fire while playing with matches. The child was admonished by Officers.

Driving Under the Influence Collision: On March 9, 2013, at about 6:05 pm, Officers responded to the 100 block of Poppy Ct for a report of vehicle that collided into the fence. Upon arrival, 19 year old Christopher Yambao of Hercules was found frantically attempting to get back into his 1989 Honda CRV that had collided into the rear fence, just missing a resident that was watering the flowers in the backyard. The Honda also sheared a light post from its base prior to colliding into the fence. Yambao sustained about a six inch laceration on his left forearm and was treated by paramedics. While being treated by Paramedics, Yambao displayed objective symptoms of being under the influence of an alcoholic beverage and arrested. Yambao was transported by AMR to Doctor's Hospital in San Pablo and a Phlebotomist was requested for a blood draw. Yambao was later released from custody at the hospital for medical reasons. The DUI case is being processed.

Vandalism to a Vehicle: On March 10, 2013, at about 10:37 am, a 1994 Honda was found parked on Turquoise at Aquamarine Court with the driver side window shattered. The damage appears to have been made by a BB. The Officer was unable to locate the victim and a notification card was left on the vehicle. The victim called later and reported that the incident occurred sometime this morning between 12:30 am and 10:37 am. An area check for additional victim vehicles was conducted with negative results. A case was taken for vandalism.

Warrant Arrest: On March 10, 2013, at about 2:42 pm, an Officer initiated a pedestrian stop on Justin Kemal on Refugio Valley Road and Sycamore Avenue. Kemal was determined to have an active no-bail warrant in JAWS for a stolen vehicle and possession of stolen property. Kemal was placed under arrest and transported to Martinez Detention Facility.

Mental Health Evaluation: On March 10, 2013 at 10:15 pm Hercules Police received a call from the 100 block of Poppy regarding an out of control juvenile. Prior to arrival the juvenile fled the residence. Responding Officers located the juvenile and determined to him be in need of a mental health evaluation. He was transported to Contra Costa Regional Medical Center.

Mental Health Evaluation: On March 11, 2013 at 3:02 am Hercules Police received a welfare check from CHP regarding a cell phone 911 hang up from a residence in the 100 block of Brighton. Upon arrival Officers contacted a 24 year old female who stated that she was off her psych meds and wanted to hurt herself. She was determined to be in need of a mental health evaluation. She was transported to Contra Costa Regional Medical Center.

Attempted Commercial Burglary: On March 11, 2013, at about 10:36 am, an Officer responded to a business in the 3000 block of San Pablo Avenue for an attempted burglary report. Fresh pry marks were located on the rear door but no entry was made. The attempt occurred sometime between March 6th at 9:00 am and the 10th at 11:00 am.

Miscellaneous Information: On March 11, 2013, at about 11:39 am, a citizen reported that subjects associated with a white 1987 Ford pickup truck parked in the 300 block of Grissom possibly engaging in sexual activity inside the truck. Upon arrival, the subjects were fully clothed and standing outside the truck. One of the subjects was identified as 24 year old male and he was accompanied by a 16 year old girl who resides in the area. Both denied any sexual activity and none was witnessed per the reporting person. The juvenile's mother was contacted and informed of the reason for contacting her daughter. The male was admonished and instructed not to have any further contact with the 16 year old.

Warrant Arrest: On March 11, 2013, at about 6:10 pm, Officers responded to the 100 block of Dockside Bay regarding a warrant service for 50 year old Terri Joyce Demmon, who had an active warrant in JAWS for possession of a controlled substance and evading police. Demmon was taken into custody and transported to Martinez Detention Facility.

Public Intoxication: On March 12, 2013 at 12:03 am Hercules Police was dispatched to the front of a business in the 1500 block of Sycamore for a subject loitering with an open alcohol container. Upon arrival 55 year old Jonathan Costello of Hercules was located sleeping on the curb near the pay phones. Costello was extremely intoxicated and needed assistance to stand up. He was arrested and transported to Martinez Detention Facility.

Threaten Police Officer Possession of a Loaded and Concealed Firearm: On March 12, 2013 1:23 pm Officer Chan from the Department of Employment and Human Development called the Hercules PD to report an incident which occurred earlier in the day at 118 #6 Paradise. Chan stated he arrived at the residence and contacted the resident to conduct a home inspection regarding the possible issuance of funds for child care. Jones allowed Chan to enter the residence and to conduct his inspection. Chan entered Jones' bedroom and saw a male subject, later identified as 46 year old Romon Calhoun of Richmond, sitting on the edge of the bed watching TV or playing video games. Calhoun was in possession of a handgun and Officer Chan felt threatened and left the residence. Calhoun was contacted by Hercules Police as he left the residence. He was identified as the responsible and arrested. Calhoun was also charged with carrying a concealed loaded firearm, which Calhoun possessed as he left the residence.

Spousal Battery: Officers were dispatched to the 2000 block of Redwood Road for a domestic battery between a 36 year old female and her 29 year old husband. Upon contacting the victim she stated her husband has been physically abusing her over the last two years. Today while at her parents' residence, her husband barged into the house and became verbally abusive towards her and demanding items which she did not have. The female told her husband to leave and he assaulted her. Due to the altercation she sustained moderate abdominal pains, due to her being pregnant. He was arrested and transported to Martinez Detention Facility. An Emergency Protective Order was obtained and he was served.

Stolen Vehicle: On March 13, 2013 a resident in the 1200 block of Promenade reported their vehicle was stolen. The 1999 Jeep Cherokee (5WQK162) was taken between the 12th at 8:15 pm and the 13th at 7:00 am. The Jeep was entered into the stolen vehicle system.

Court Order Violation: On March 13, 2013, at 7:29 pm, an officer was dispatched to the 3000 block of San Pablo Avenue for a Court Order Violation. A 41 year old father from San Pablo was supposed to pick up his children at 7:00 pm in front of the business. The children's mother from Rodeo never showed up with the children. Through the investigation Officers determined she was accusing the father of physical abuse. She was referred to the proper agency to report the abuse. A case was taken to document the court order violation.

Petty Theft from a Vehicle: On March 14, 2013, at 5:50 am, an officer was dispatched to the 1000 block of Regatta Point for a theft from a vehicle. The victim parked her white Lexus ES300 in her driveway, and went inside for the evening without locking the vehicle. When she returned to the vehicle she found that someone had taken approximately \$120.00 in US Currency, and her house keys from the vehicle. The theft occurred sometime between 9:45 pm and the time of call.

Frequently Asked Questions *About Measure A*

Q: Why was Measure A put on the ballot?

A: The Hercules City Council has declared a Fiscal Emergency due to a budget deficit of over \$1,000,000, affecting our ability to provide public safety and other services our community relies on. This budget deficit was caused by State money grabs, and previous administrations' failures and mismanagement.

Under new staff and City Council leadership, the City has taken drastic measures to balance the City budget and keep the City out of bankruptcy. Over the last two years, 40% of the City's workforce has been laid off, salaries and benefits for remaining employees have been dramatically cut, all City special events have been canceled and many basic services have been reduced. Despite these measures, the City is simply running out of money to fund essential City services and maintain the Hercules Police Department.

Q: What is Measure A?

A: Without additional funding, our City must seriously consider dissolving its local police department and contracting out public safety services to the County. Measure A will

ensure we can maintain our local Hercules Police Department, keeping our neighborhoods safe. Measure A restores Hercules to financial stability by providing temporary funding with a temporary 2% increase to the existing utility users tax, which is legally required to expire in 5 years. Measure A also updates the outdated ordinance to require equal treatment of all taxpayers, regardless of technology used.

Q: How does Measure A impact my local services?

A: If adopted by voters, Measure A will help:

- ✓ Protect and maintain essential city services
- ✓ Maintain our local Hercules Police Department, without needing to contract out public safety to the County
- ✓ Continue the effort to restore financial stability to our City and make Hercules fiscally accountable

Hercules is a place where people desire to live and raise families. But if we are forced to continue cutting basic city services, the character of our community and our quality of life will decline. Measure A is needed to protect and maintain essential services that make this community a safe, well-maintained place to live and keep our police force local.

Q: What happens if Measure A is not enacted?

A: Without additional funding, our City will have no choice but to consider dissolving our local police department and contracting out public safety services to the County.

Q: Will Measure A funds be managed properly by the City? What are the fiscal accountability provisions in Measure A?

A: Past corruption and mismanagement drove our City to the brink of bankruptcy, which is completely unacceptable. New city staff and city council members have implemented tough reforms which include eliminating cronyism, improving transparency, and aggressively pursuing legal action against those responsible for past mismanagement. To ensure accountability and further transparency, Measure A requires oversight of all funds by an Independent Citizen's Committee and annual, independent audits of Measure A funds.

Q: Can Measure A funds be taken by Sacramento?

A: No. By law, Measure A funds can only be used for local Hercules services. Not a penny can be taken by the State or the County.

Q: Does Measure A have any exemptions?

A: Yes, Measure A will maintain the current exemptions to low-income individuals, seniors, and families for the current technologies for which the exemption applies.

Q: When is the election?

A: Tuesday, June 4, 2013.

Q: How can I find out more factual information about Measure A?

A: For the full text of Measure A, visit <http://www.ci.hercules.ca.us/> or call 510-799-8200 for more information.