



## MEMORANDUM

DATE: March 22, 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 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
Tues., April 9, 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

### CONGRESSMAN MIKE THOMPSON SCHEDULED FOR MARCH 26, 2013 CITY COUNCIL MEETING

U.S. Representative Mike Thompson will be updating the City Council at the March 26, 2013 City Council Meeting. He became our Congressman after the most recent redistricting.

Mike Thompson represents California's 5th Congressional District. The district includes all of Napa and parts of Contra Costa, Lake, Solano and Sonoma Counties. He was first elected in 1998. Prior to serving in Congress, Rep. Thompson represented California's 2nd District in the California State Senate where he chaired the powerful Budget Committee. He is a member of the House Committee on Ways and Means and the House Permanent Select Committee on Intelligence, where he serves as Ranking Member of the Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence.

Thompson is the co-founder and co-chair of the bipartisan Congressional Wine Caucus, which consists of over 215 U.S. Senators and House members. He is also a member and former co-chair of the Congressional Sportsmen's Caucus. He is also a member of the Blue Dog Coalition, which is composed of moderate Democrats committed to bipartisan problem solving.

## **MEASURE A – UTILITY USER TAX “FAQ”**

The City of Hercules Fiscal Accountability/Services Protection Measure will be Measure A on the June 4, 2013 Special Election ballot. This measure is an update and temporary 2% increase in the City’s Utility Users Tax for five years. If passed, the funds generated will be adequate for the City to balance its annual budget and maintain our own Police Department. For a list of frequently asked questions and the answers, check the City website or e-mail the City Manager at [sduran@ci.hercules.ca.us](mailto:sduran@ci.hercules.ca.us). Also, if you would like to have someone answer questions at your HOA, club or other group setting, please e-mail the City Manager.

## **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 was held by McNellis on Tuesday, March 19 at 6:30 p.m. at the Hercules Library.

**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 (PSA) 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. The Buyer is asking for additional changes to the PSA and staff will discuss next steps with the City Council in closed session on March 26.

**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. Our project manager met with Union Pacific Railroad and various regulatory agencies this week. 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 13<sup>th</sup> 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 the Water Emergency Transit Authority (WETA) on March 15<sup>th</sup> 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-----16
- Building permit fees collected-----\$4874.87
- Number of inspections-----13
- Code Enforcement inspections-----2

### 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.
- Title VI program development.
- Staff met with Union Pacific Railroad regarding track realignment.
- Wide Load/Transportation Permits Issued: 0
- Encroachment Permits Issued: 4

### Hercules Municipal Utility activities:

- Performed visual inspections of equipment: 164
- Pumped water out of vaults: 5
- Meter reads: Whole system
- Meters installed: 1
- Meters pulled: 0
- Red tag postings for non-payment: 4
- Weed abatement at seven facilities

### Outside Agency Activities:

- ARB Construction is continuing their work 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.
- EBMUD responded to an on-going complaint of water at old Railroad Avenue. After conducting their inspections it was determined that their line was and has been leaking for quite some time. Repairs were made and residual water should dissipate soon.

## **PARKS AND RECREATION UPDATES**

Currently the Park & Recreation Department offers a wide variety of recreation classes and programs that cater to all ages and help to promote a healthy lifestyle. The classes & programs provide a great opportunity to have fun and exercise while interacting with others in a safe environment. You can go online to [www.ci.hercules.ca.us](http://www.ci.hercules.ca.us) to get more information or to register for classes.

### **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](http://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.

Total of \$360.05 in revenue for this week for the nutrition Café and classes

### **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

### **Aquatics:**

### **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 6<sup>th</sup> -9<sup>th</sup>.

**Spring Egg Hunt**

Date: 3/30/2013 9:30 AM - 12:30 PM

Cost: \$5.00

The Hercules Teen Youth Council (T.Y.C) is bringing you the 7th Annual Spring Egg Hunt! This community Egg Hunt will be held at the Hercules Senior Center, located at 111 Civic Drive. Children will enjoy timeless spring activities such as: arts and crafts face painting, music and everyone's favorite, an egg hunt! Bring your favorite egg basket and come join us for this Hercules tradition! For more information please call: (510) 799-8291

**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](http://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.

\*Look for a new monthly Zumba Pass \$45.00 Res/ \$50.00

**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](mailto: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.

- Offering a Basketball Leagues of 3 on 3 with 6 teams on Thursday night.
- Softball Leagues in conjunction with the City of Pinole at Fernandez Park 7 Men's teams Mondays 6 Co-Ed teams for Tuesday Nights
- Golf League at Franklin Canyon (Potentially Wednesday late afternoon). For More Information please call 799-8293.

**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.

## **WEEKLY POLICE REPORT – Week ending March 22, 2013**

The Hercules Police Department conducted safety training for the middle and high school faculty. The training consisted of the implementation of a school lock down, weapons on campus and preparedness.

**Stolen Vehicle:** On March 14, 2013, at 4:30pm, an Officer was dispatched to Hercules Police Department Lobby for a report. The reporting party said his white 2002 Acura RSX was stolen sometime between 3/10/13 at 9:00pm and 3/11/13, at 5:00am. The vehicle had been parked at the corner of Santa Fe and Railroad.

**Vandalism:** On March 14, 2013, at 9:55am, an Officer contacted the manager of the apartments in the 100 block of Paradise. The reporting party said that an unknown suspect(s) shattered two windows of one of the complex's laundry rooms. The windows appeared to have been shot with BB's.

**Warrant Service:** On March 14, 2013, at 9:15 p.m., HPD officers went to the 400 block of Turquoise Ave to serve a No Bail Warrant. 54 year old Merlina Reyes was arrested on the warrant which was issued by Contra Costa Sherriff's Department. Reyes was transported to the Martinez Detention Facility.

**DUI:** On March 15, 2013, at 3:26 a.m., an officer stopped a black Honda Civic at San Pablo Avenue, and Linus Pauling, for traffic violation. The driver displayed objective signs of being under the influence of alcohol. 22 year old John Soukkhamthat, of Rodeo, was arrested for driving a motor vehicle while being under the influence of alcohol. Soukkhamthat was issued a citation and released to a responsible party.

**Warrant Arrest:** On March 15, 2013, 1:42pm, a Reserve Officer responded to San Mateo County Jail and took 25 year old Abraham Vaesau, of San Francisco, into custody for a no bail warrant issued for a case originated by this agency. Vaesau was transported to the Martinez Detention Facility

**Driving Under the Influence of Alcohol:** On March 16, 2013 at 1:49 a.m. an Officer made a traffic stop on a Gray '90 Acura Integra. The vehicle was stopped on Pheasant Dr, at Partridge Dr., for a right front passenger side headlight out. The driver displayed objective signs and symptoms of being under the influence of alcohol. 42 year old Gustavo Eran, of Alameda, was arrested for Driving a Vehicle While Under the Influence of Alcohol. Eran was transported to the Martinez Detention Facility.

**Vandalism:** On March 16, 2013, at 10:26am, an Officer was dispatched to the 2100 block of Pheasant. The reporting party said, sometime between 3/16/13 at 12:00am and time of call, unknown suspect(s) hit his vehicle with eggs causing minor damage. Several other cars in the area were also hit with eggs.

**Outside Assist:** On March 16, 2013, at 10:48am, an Officer was dispatched to HPD for a lobby detail. A Hercules Resident wanted to report a sexual assault (of a relative) which occurred, in the

city of Benicia, yesterday. The Officer confirmed the location of the alleged crime and contacted Benicia PD. Benicia requested the resident respond to their agency for the report.

**Residential Burglary:** On March 16, 2013, at 10:54pm, Officers were dispatched to the 1100 block of South Shelter Bay. The resident reported her residence had been burglarized, within the previous five hours (between 5:00pm and time of call). Entry was made by removing the screen from an open ground floor window.

**Hit and Run Collision:** On March 17, 2013, at 3:17am, an Officer located a damaged vehicle in the 1700 block of Pheasant Dr. The Officer contacted the owner, who said the vehicle was not damaged when he parked it. Two other parked vehicles also received minor damage. The suspect fled the area and did not attempt to contact the owners of the vehicles.

**Possession of a Controlled Substance:** On March 18, 2013, at 2:17am, an Officer stopped a vehicle, on Vaqueros at Hawthorne, for expired registration. The Officer contacted the driver and determined she was driving on a suspended driver's license. The Officer asked the driver if there was anything illegal in the vehicle and she told him "Marijuana". The Officer did a pre-tow inventory search of the vehicle and found two small zip lock bags, believed to contain a controlled substance; approximately 8 ounces of Marijuana; drug paraphernalia; and a counterfeit \$20 bill. 53 year old Victoria Martinez, of San Pablo, for Possession of a Controlled Substance, and Possession of More than an Ounce of Marijuana. She was transported to the Martinez Detention Facility.

**Outside Assist:** On March 19, 2013, at about 12:52 pm, Officers responded to the 2000 block of Tsushima to attempt to locate a Missing Juvenile, from Oakland. The juvenile's mother came to HPD earlier and stated that she believed juvenile was living with a sister, on Tsushima. The juvenile was located and returned to the mother.

**Identity Theft:** On March 18, 2013, at 9:19pm, and Officer responded to the 300 block of Lagoon. The reporting party stated someone had opened up at least one credit card in her name, without her permission.

**Residential Burglary:** On March 18, 2013, at 9:35pm, Officers were dispatched to the 100 block of Stone Pine Ct for a residential burglary alarm. When Officers arrived they discovered the rear slider had been shattered.

**Domestic Violence:** On March 20, 2013, at 9:19am, Officers were dispatched to the 1300 block of Willow. The reporting party said the involved parties were on one of the West Cat buses inside the Bart Transfer lot. Officers contacted an adult married couple sitting in the back of the bus. At the conclusion of the investigation, it was determined the husband grabbed the wife by the collar and tried to drag her off the bus. 36 year old Xavier Pittman, of Rodeo, was arrested for misdemeanor spousal battery and transported to The Martinez Detention Facility.

**Stolen Vehicle:** On March 20, 2013, at, 1:04pm, an Officer was dispatched to the 600 block of Windsor. The reporting party said someone stole his 1997 Honda Accord. from a parking stall near his residence, fifteen minutes prior to the time of call.

**On Line Report - VANDALISM TO VEHICLE:** On March 13, 2013, a Hercules resident reported that her 2006 Pontiac Grand Prix was scratched. The vandalism occurred sometime between March 2, 2013 between at 8:00 and 10:00 p.m. The location was at the park and ride, or her residence on Emerald.