



## MEMORANDUM

DATE: July 20, 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

Date and Time	Event	Location
<b>Tuesday, July 23, 2013</b> 6:00 p.m. – Closed Session 7:00 p.m. – Open Session	City Council Meeting	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
<b>No City Council Meetings are scheduled for the month of August.</b>		Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
<b>Tuesday, September 10, 2013</b> 6:00 p.m. – Closed Session 7:00 p.m. – Open Session	City Council Meeting	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547

### PLANNING UPDATES

#### **Appeal of Franklin Canyon/Fernandez Ranch Project Approval**

The Refugio Heights HOA, represented by Kathy Melas, has filed an appeal of the Planning Commission's decision on June 17 to approve the Conditional Use Permit for the Muir Heritage Land Trust's Franklin Canyon/Fernandez Ranch Project. The City Council will hear and consider the appeal at its regular meeting on July 23.

### REAL ESTATE PROJECT UPDATES

**Sycamore North.** Staff continues to work on acquiring necessary easements on "R Alley" that are necessary for emergency access and will enable the completion of the Sycamore North building immediately adjacent to R Alley. Due to delays caused by the Bayside Home Owners Association Board initial refusal to engage in negotiations, staff is recommending a Tenth Amendment to the Purchase Agreement to extend the deadline for close of escrow. The City Council will consider this Amendment on July 23.

**Sala Restaurant.** Staff has delayed recommending a tenant for the former Sala restaurant building at 1991 Railroad Avenue due to discovering personal property tax and IRS liens against the former tenants. Staff is in communication with the former tenant in this regard. Several potential tenants are interested in leasing the building.

**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.

Construction: Evans Brothers, Inc. has completed rough grading for the future John Muir Parkway and Bayfront Boulevards on the east side of Refugio Creek and is ahead of schedule for those activities. They will commence work on the west side of Refugio Creek next week. Final fill placement at the future Transit Loop Drive (Shoreline Loop) will commence after August 9<sup>th</sup> due to the necessary one-month waiting period, but remains on schedule. These vertical faces are located where the future station track will approach the railroad platform and are a good indication of the widened railroad right-of-way necessary for the future rail station.

San Francisco Bay Trail Contract: Meetings were held with Contra Costa Transportation Authority (CCTA), East Bay Regional Park District (EBRPD) and the Federal Highway Administration (FHWA) to resolve direction and set the stage for the City Council to consider award of the San Francisco Bay Trail Contract on Tuesday night. This contract includes the San Francisco Bay Trail from Victoria by the Bay to John Muir Parkway and the Track Preparation retaining walls / grading for the future railroad station track approach from the east.

## **MUNICIPAL SERVICES UPDATES**

### **Building Permits:**

- Number of permits issued-----13
- Building permit fees collected-----\$13,762.52
- Number of inspections-----26
- Code Enforcement inspections-----3

### **Sewer Lateral Inspection Program:**

- Number of application received: 5
- Sewer Lateral Inspection Fees Collected: \$625.00
- Number of Certifications issued: 2
- Number of Deficiency Notices issued: 3
- Number of Condominium Waivers issued: 0

**Other Activities:**

- Wide Load/Transportation Permits Issued: 0
- Encroachment Permits Issued: 0
- Staff continues to work on the State Revolving Loan Fund Application for Pinole/Hercules Wastewater Treatment Plant Upgrade.
- Staff continues to meet with Recyclemore and Richmond Sanitary regarding collection and post-collection contracts.
- Staff continues to meet with Pinole staff to discuss plant upgrades at the Pinole/Hercules Wastewater Treatment Plant.
- Staff continues to work with Ducks Unlimited on Chelsea Wetlands Restoration Project, Phase Two environmental soil borings.
- The back-up generator at the Bayside lift station is disabled for repairs. The bypass pump is in place in case of long term power loss.
- Outer pane of a large upper window was broken at the Library by an unknown cause. Staff removed all hazardous glass and will be working with contractor for replacement.
- Goats from Goats R Us have arrived to complete large area grazing on Lupine.
- Two fountains at Refugio Lake are down for inspection and possible repairs.
- Numerous trip hazards on city sidewalks removed by contractor.
- Large willow tree fell on Sycamore Ave. (Staff cleared street and tree was reported to property owner for removal)

**Hercules Municipal Utility Activities:**

- Visual inspection(s) = 107
- Meter read(s) = 1
- Meter Reinstall(s) = 0
- Meter Pull(s) = 0
- Post Red Tag(s) = 0
- Pump vault(s) = 7
- Inspection(s) = 3

**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.

**Aquatics:**

- **Public Swim**
  - Sat 1:30-5pm 6/1/13-8/18/2013
  - Sun 12:30-4pm 6/2/13-8/18/2013
  - M/T/TH/Fri 1:45-4pm 6/10/13-8/18/2013
  - Closed on Wednesday's

- **EBSD Summer Seasonal Membership- 20 enrolled**
  - Dates: 6/10/13-9/27/13
  - Spinners: M-TH, 6:30-7pm  
Intermediate: M-F, 5-6:15pm  
Advanced: M-F, 5-6:30/7pm
- **EBSD Year Round Membership- 79 Enrolled**
  - Dates: 10/1/12-9/31/13
  - USA Registration fee: Year Round Swimmer \$80 (made payable to EBSD)
  - Code: 52200-G-L
  - Spinners: M-TH, 6:30-7pm, \$66  
Intermediate: M-F, 5-6:15pm, \$83  
Advanced: M-F, 5-6:30/7pm, \$94

**Lap Swim/Water Walking:**

- Ages: 14+
- Days: M-F
- Times: 9:30am-12:30 and 8pm-9pm
- Fees: Resident- Youth & Senior \$4/Adults \$5  
Non-Resident- Youth & Senior \$5/Adults \$6
- **Swim Passes:**
  - 10 Visit Swim Pass      Resident- \$40 Adults/\$30 Youth      Non-Resident-\$50 Adults/\$40 Youth
  - 25 Visit Swim Pass      Resident- \$100 Adults/\$75 Youth      Non-Resident- \$125 Adults/\$100 Youth
- **Hercules Piranhas-**
  - 117 enrolled
- **MONTHLY ZUMBA CLASSES AND PASSES INCLUDE:**
- Fees: \$45 Residents / \$50 Non-Residents
- Drop in: \$10 per class
  - Zumba (Mondays, 7-8pm)
  - Zumba Gold (Wednesdays, 9:30am-10:30am)
  - Aqua Zumba (Wednesdays, 7-8pm)
  - Zumba Sentao (Fridays, 5:45pm,-6:45pm)
  - Zumba (Fridays, 7-8pm)
  - Zumba Toning (Sundays, 9-10am)
  - Aqua Zumba Gold (Starting in June, Sundays, 11am-12pm)

**SWIM LESSONS!!!!**

- **Individual, Semi-Private, Group, Adult, and Aqua Tot Swim Lessons:**
  - Ages: 6 months +

- Prices:
  - Individual Lessons: Resident \$158/Non-Resident \$172
  - Semi-Private Lessons: Resident \$121/Non-Resident \$139
  - Group Lessons: Resident \$80/Non-Resident \$93
  - Adult Lessons: Resident \$93/Non-Resident \$107
  - Aqua Tot Lessons: Resident \$80/Non-Resident \$93
- Days: M/T/TH/F (2 weeks/8 classes)
- Dates: 7/22-8/2 Times: Morning/Afternoon/Evening
- Dates: 8/5-8/16 Times: Morning/Afternoon/Evening

### **Aquatics Training Classes:**

- Title 22: The purpose of this course is to meet the specialized First Aid training requirements of the California Administrative Code which is required for Lifeguards, Police Officers, and Fire Fighters. This course will provide these First Responders with the knowledge and skills they will need to help to sustain life until more advanced medical help arrives.  
Pre-requisites: Current certification in CPR/AED for the Professional Rescuer, First Aid, and Lifeguard Training for the Professional Rescuer.
  - Location: Swim Center
  - Dates: 8/5-8/13
  - Days: M,T,F
  - Ages: 15+
  - Times: 6-9pm
  - Code: 21210- C
  - Fees: Resident \$168/non-Resident \$182
- Revenue: \$6,542 in revenue for this week

### **Teens:**

Sign up for our Summer Camp for grades 6<sup>th</sup> -9<sup>th</sup>. Currently have an average of 32 participants. Also make sure to sign up for the Fall SPOT Before and After school program.

- \$4,337 in revenue for this week

### **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.

- \$2,261 in revenue for this week

### **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.

- \$2,122 in revenue for this week

### **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 in July 2013. For the Banner Program we have a few spots open for May 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 7-10 Junior Elementary Basketball League. The league will run from July, through September, 6 days per week with practices being held Monday through Thursday and games on Fridays and Saturdays. We currently have 100 kids enrolled.

- Softball Leagues at Fernandez Park on Monday and Tuesday Nights with (6) teams each night.
- Basketball clinic started this week has 25 participants enrolled
- Golf League at Franklin Canyon has 10 teams enrolled
- Volleyball camp had 23 enrolled
- \$4,055 in revenue for this week

### **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.

- For next Fall our Tiny Tot program has a 5 day Jr. Kindergarten program, A MWF Pre K program and a T/TH Little Learner which are full already!

### **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.

- \$567 in revenue for this week for the nutrition Café, donation and classes.

### **Licensed Before & After School Child Care and Seasonal Camps:**

Sign up for Child Care and Summer Camp, 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

\$ 7,279 in revenue for this week child care programs.

Enrollment: K-2 =avg. 27; 3<sup>rd</sup> -5<sup>th</sup> =avg. 40

### **WEEKLY POLICE REPORT – Week ending July 17, 2013**

**Possession of Stolen Property, Possession of Illegal Drugs:** On July 11, 2013 at 9:45 a.m. an officer made a traffic stop, in the area of Home Depot, on a '13 Hyundai Genesis. The stop was for seat belt violations. The right front female passenger admitted to being possession of a “controlled substance”; and it was determined the left rear male passenger was on searchable parole. Officers searched the vehicle and found a sizable amount of stolen mail; a substance believed to be “controlled; and drug paraphernalia. The male passenger was released at the scene. The driver was arrested for Possession of Stolen Property; then released pending further investigation. 30 year old Susan Elias, of Alameda, was arrested for Possession of a Controlled Substance and Possession of Stolen Property (mail).

**Residential Burglary:** On July 11, 2013 at 3:02 p.m. an officer was dispatched to the 800 block of Orion. The reporting party said she noticed her \$1100 Cannondale bicycle missing, from her garage, on July 9, 2013. She last rode the bike on June 26, 2013. A neighbor said she noticed the garage door was open on July 2, 2013, but did not inform the victim until two days later.

**Commercial Burglary:** On July 11, 2013 at 4:40 p.m. officers responded to an in-progress theft at Home Depot. The male and female suspect, were in the store and headed to the garden center. In the garden center they were confronted by an employee. The suspects continued outside to an older red car, parked off to the side, near the Sycamore entrance/exit. The suspects struggled to load the merchandise into to the car. They left behind a \$900 wet saw. The loss appeared to be a smaller wet saw, and tool kit.

**Theft:** On July 11, 2013 at 6:05 p.m., a theft report was taken via an HPD lobby detail. A resident from the 100 block of Halsey Ct. requested a police report documenting the theft of her jewelry. She believes the property was taken, by her ex-husband, sometimes between the years of '02-'04. At the time they were going through a divorce but still living together.

**Identity Theft:** On July 11, 2013 an online Bobcop report was received regarding an identity theft. A Hercules resident reported someone opened multiple unauthorized accounts using his name. Included were two home mortgages totaling \$1,161,626. The accounts were opened between 2006 and 2013. The investigation is continuing.

**Identity Theft:** On July 11, 2013 an online Bobcop report was received regarding an identity theft. The Hercules resident reported someone opened a Comcast Cable account using his information. The account was opened on March 1<sup>st</sup> of.

**Identity Theft:** On July 11, 2013 an online Bobcop report was received regarding an identity theft. The Hercules Resident reported someone opened multiple AT&T cable account using her information. The account was opened sometime between December of 2011 and February of 2012.

**Driving Under the Influence of Alcohol:** On July 12, 2013, at 1:22AM, an Officer made a traffic stop, for multiple violations, on a black 1998 Mercedes CLK320. The stop occurred at Sycamore Ave and Lupine Rd. The driver, 27 year old Yadvinder Singh Khahera of Hercules, displayed objective symptoms of being under the influence of alcohol. Khahera was placed under arrest for Driving Under the Influence of Alcohol and transported to the Martinez Detention Facility.

**Grand Theft:** On July 12, 2013 at 11:12 p.m. an officer was sent to the 500 block of Rosewood Lane for a theft of a catalytic converter. The theft occurred between 7/9/13, 4:00 p.m. – 7/11/13, 10:00 a.m. The converter was taken from a '02 Toyota Sequoia parked on Dutch Elm.

**Hit and Run:** On July 12, 2013 at 2:52 p.m. a report was taken for a hit-and-run that occurred between 7/6/13, 8:00 p.m. – 7/12/13, 7 a.m., on Village Pkwy north of Mission Springs. The victim's vehicle was a Lexus E350.

**Emergency Protective Order:** On July 12, 2013 at 5:07 p.m. officers responded to the 400 block of Olympus for a dispute between a mother and daughter. An officer determined there was sufficient cause to obtain an Emergency Protective Order for one of the parties.

**Stolen Vehicle:** On 07-12-13 at 11:03pm an Officer was dispatched to the 100 block of Cypress. The reporting party stated he parked his burgundy 1991 Toyota Camry in front of his residence on 07-11-13 at 7:00pm. He last saw the vehicle on 07-12-13 at 4:30am as he was heading to work. The victim observed that the vehicle was missing on 07-12-13 at 2:30pm when he returned home from work.

**Mental Health Evaluation:** On July 13, 12:19 at 11:12 p.m. a Hercules resident told officers she was not taking her medication and wanted to hurt herself. The adult female met the criteria for a Mental Health Evaluation. She was transported, by ambulance, to the County Regional Health Center.

**Missing Person:** On July 15, 2013, at 1:34 p.m. an officer was dispatched to HPD lobby for a Missing Person report. The reporting party lives in the 2100 block of Redwood and reported his 20 year old son has been missing since July 11, 2013. The son has no mental health issues, and no prior history of being a missing person. The subject was entered into Missing and Unidentified Persons System.

**Collision:** On July 15, 2013, at 1:48 p.m. an officer was dispatched to Jack in the Box located, at 3800 San Pablo Avenue, for a vehicle collision. An adult female was driving a tan Mazda sedan and hit a silver Mercedes SUV, while trying to park in the parking lot. The driver of the Mazda had a suspended license, and was issued a citation. There were no injuries.

**Stolen Vehicle Recovery:** On July 15, 2013, at 2:02 p.m. a resident from, the 100 block of Cypress, called to report he located his stolen maroon, 1991, Toyota Camry. The vehicle was reported stolen on July 12, 2013 and located on Craftsman and Sweetgum, in Hercules, just around the corner from his home.

**Prowling:** On July 15, 2013 at 9:49 PM Hercules units were dispatched to a suspicious circumstance call in the 1700 block of Redwood. The reporting party said three unknown subjects were knocking on her front door. She then reported the subjects left her porch and parked their car across the street, before running to the side of her house. The reporting party secluded herself, in the master bedroom, and called the police. Officers located three male juvenile, and one adult male, subjects in a white Toyota Camry in front of the reporting party's residence. The subjects' stories, and reason for being in the area, did not match. The subjects admitted knocking on the reporting party's door, but said they wanted to ask for directions. The reporting party's house was the only house in this area that appeared unoccupied. The suspects were arrested for Prowling. The juvenile suspects were released to their parents. 26 year old Jesus Maciel, of Richmond, originally identified himself as Luis, Antonio. When he was finger printed he was identified as Maciel. Maciel had an outstanding warrant. Maciel was arrested, for Prowling and the warrant, and transported to the Martinez Detention Facility.

**Non Injury Hit and Run Collision:** On July 16, 2013, at 11:01 a.m. an officer was dispatched to the 100 block of Bonaire for the report of a hit and run collision. The collision occurred between at 3:00a.m., and 11:00 a.m. The vehicle is a 2010 Volkswagen Jetta which was parked on the street, in front of the reporting party's residence. The vehicle sustained damage to the rear driver's side.

**Missing Person Locate:** On July 16, 2013, at 1158 a.m. a father came to the Hercules Police Department to report his 20 year old son had been located. The adult male was reported missing on 7/15/13.

**Stolen Vehicle/Recovered Stolen Vehicle:** On July 16, 2013, at 1:53 p.m. an officer was dispatched to Franklin Canyon Golf Course for the report of a stolen vehicle. A Gray 2002 Toyota Camry was taken on between 7:45 a.m. and 12:00 p.m. The Officer checked a white, 2001 Honda CRV, which was parked in the victim's parking space. The Honda came back stolen out of San Francisco on 7-15-13.

**Residential Burglary:** On July 16, 2013, at 2:57 p.m. Officers were dispatched to the 100 block of Tidewater for a residential burglary. The reporting party said, at approximately 2:45 p.m., he noticed a muddy shoe print on the floor in the family room, and the couch. He also noticed the screen, to the window of the family room, was leaning against the sliding glass door on the balcony, and the window was wide open. The reporting party went to sleep at approximately 3:00 a.m. and all the door and windows were closed. The loss appears to be small electronic and personal items.

**Suspended Driver/Warrants:** On July 16, 2013, at 4:36 p.m. an officer stopped a silver Honda on Malibu, on Lighthouse, for a brake light not working. The driver, 33 year old Abdullah Abassi of Hercules, had a suspended driver's license, and an outstanding warrant out of Santa Clara

County. A second warrant was located out of Los Angeles County. Abassi was arrested and transported to the Martinez Detention Facility.

**Recovered Stolen Vehicle and Stolen License Plates:** On July 16, 2013 at 11:38 PM a stolen white F250, reported stolen to Vallejo PD on June 3<sup>rd</sup>, was located in the Home Depot lot in the 1600 block of Sycamore Ave. The vehicle had two license plates, attached to the vehicle, which had been reported stolen to San Rafael PD on July 12, 2013.

**Sexual Registrant Compliance Check:** Hercules Police Officers conducted a compliance check for 21 subjects listed as sexual registrants, by the California Department of Justice, and living in Hercules. Ten subjects were contacted and found to be in compliance with the terms of their registration requirements. There was “no response” at seven of the listed addresses and those subjects will be contacted at a later time. Four subjects were confirmed as no longer living in the City of Hercules.

**Lost License plate:** On July 17, 2013, at 2:18 p.m. a resident from the 1100 block of Waverly Circle came to HPD to report he lost his dealer license plate. The last time the license plate was seen was on 6/20/13.

**Auto Burglary:** On July 17, 2013, at 4:02 p.m. an officer was dispatched to the Park and Ride parking lot located at 800 Willow Avenue for an auto burglary. The reporting party parked his 2008 Ford Mustang at the Park and Ride lot at approximately 6:00 a.m. When he returned at 4:00 p.m. he observed the passenger side window was broken. The loss was personal items and a small amount of cash.

**Residential Burglary:** On July 17, 2013, at 6:51PM Officers were dispatched to the 100 block of Starling Way for a residential burglary. The incident occurred between 10:30AM and 6:50PM. The reporting party arrived home and saw her front door had been pried open. The loss was jewelry, small electronics, and cash.

**Warrant Arrest/Possession of a Controlled Substance:** On July 17, 2013, at 7:24PM Officers were dispatched to the area of Bayfront and Railroad. The reporting party indicated two vehicles were parked there, possibly illegally dumping items. The two vehicles were located, unoccupied. Officers conducted an area check toward the railroad tracks, and the waterfront. A man made shack was located, on the waterfront, and two adult subjects were contacted inside. The male subject was determined to be the owner of one of the two vehicles, but there was no evidence of the male being involved in criminal activity. He was released at the scene. 38 year old Jasmine Anne Cote, of San Francisco was determined to have a no bail warrant out of Martinez PD. Cote claimed ownership of two coin purses located in the “shack”. A substance, believed to be a methamphetamine, was located in one of the purses. Cote was arrested for the warrant and Possession of a Controlled Substance. She was transported to the Martinez Detention Facility.