



MEMORANDUM

DATE: September 7, 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
Monday, September 9, 2013 7:00 p.m.	Community and Library Services Commission Meeting	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
Tuesday, September 10, 2013 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
Wednesday, September 11, 2013 7:00 p.m. – Open Session	Redevelopment Oversight Board Meeting	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
Monday, September 16, 2013 7:00 p.m.	Planning Commission Meeting	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
Tuesday, September 24, 2013 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

THE HERCULES POOL WILL REOPEN MONDAY SEPTEMBER 9, 2013. IT HAS BEEN CLOSED FOR REPAIRS.

REAL ESTATE PROJECT UPDATES

Sycamore Crossing: An Amended and Restated Purchase and Sale Agreement (PSA) with Property Development Centers (PDC) for the disposition of the approximately 11.5 acre Sycamore Crossing site will be considered by the City as Successor Agency for the former Hercules Redevelopment Agency on Tuesday, September 10. The Redevelopment Oversight Board will consider the same matter on September 11. PDC is a wholly owned subsidiary of Safeway. The proposed development now envisions a rooftop parked Safeway, a Safeway gas station and other retail development.

Sycamore Crossing is considered by retail developers and brokers as one of two prime retail sites remaining in Hercules; the other being the site commonly referred to as Market Hall, at the northwest corner of Sycamore Drive and San Pablo Avenue. The Sycamore Crossing site is zoned planned commercial residential and more specifically governed through the zoning ordinance by a

form based code. While the proposed uses are allowed, the City's Planning Department has advised that a revision of the zoning ordinance may also be required.

In January 2012, a PSA was entered into with Property Development Centers (PDC) with the condition that a deed restriction on the larger of the two parcels comprising the site would be removed by the Successor Agency in order to enable PDC to develop a Safeway anchored shopping center with a one story suburban style store to be located on the larger, deed restricted, parcel. Staff and legal counsel worked with PDC staff and their legal counsel to remove the deed restriction, but were not successful. Therefore, PDC and Safeway reconsidered the development of the site with a rooftop parked Safeway on the smaller parcel, which is not deed restricted.

Staff is recommending the proposed Amended and Restated PSA in consideration of all of the costs and benefits of the proposed project.

Parcel C: A Purchase and Sale Agreement (PSA) with Lewis Land Developers for approximately 17 acre Parcel C site on John Muir Parkway will be considered by the City as Successor Agency to the former Hercules Redevelopment Agency on Tuesday, September 10. The Redevelopment Oversight Board will consider the same matter on September 11. The original deal for the sale of this site fell through when the Agency and former buyer could not come to terms on how to deal with new Department of Finance approval requirements under AB 1484.

In the second round of marketing by CBRE, multiple proposals from residential developers were received and Lewis Land Developers was deemed to be the highest and best offer. As with the first round of marketing, the site was marketed for retail, office, research & development, as well as residential, but only residential developers made offers. Retail brokers and developers have consistently advised that this site is not a good retail site.

Staff is recommending the proposed PSA as it will, subject to entitlement approvals, provide residential units with walking distance of the proposed Intermodal Transit Center (ITC) and will also support a planned retail node at the ITC on Bayfront Boulevard.

Sycamore North: On August 20, the City Council unanimously approved a Resolution of Necessity, which is a necessary step in taking a public easement on R Alley. This easement is necessary to eliminate blight by providing for the construction and maintenance of the project on the Sycamore North site and also will ensure emergency access to the Alley. Outside legal counsel is moving expeditiously to obtain possession of the public access easement. Even so, we have reached out to the Bayside Home Owners Association Board in hopes of finally finding some modicum of reasonableness from them in the negotiation of a less encompassing easement. A response from the Bayside HOA, which was expected this week has not been received.

MUNICIPAL SERVICES UPDATES

Building Activity:

- Number of permits issued-----21
- Building permit fees collected-----\$6711.62
- Number of inspections-----12

- Code Enforcement inspections-----3

Sewer Lateral Inspection Program:

- Number of application received: 2
- Lateral Inspection Fees Collected: \$250.00
- Number of Certifications issued: 1
- Number of Deficiency Notices issued: 2
- Number of Condominium Waivers issued: 0

Other Activities:

- Wide Load/Transportation Permits Issued: 1
- Encroachment Permits Issued: 4
- Bay Trail/Path-to-Transit – Site Preparation Project – Punch List.
- ITC SF Bay Trail Project No. 63001A.
- West Bay Trail – Site Preparation Project – Advertised project.
- Staff attended the East Bay Regional Park District meeting in Pinole to discuss the Bay Trail. Also discussed was a revitalization initiative by Supervisor Federal Glover regarding the waterfront between Pinole and Martinez and a presentation on the Rodeo Marina plans.
- Pavement Maintenance Project – Plans, Specifications & Estimates.
- Annual Clean Water Report filed with the Clean Water Program for fiscal year 12/13.
- 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. Most items have been resolved and staff will be presenting the outcome and asking for direction at a future City Council meeting.
- Staff continues to meet with Pinole staff to discuss plant upgrades at the Pinole/Hercules Wastewater Treatment Plant. Staff met with Echologics staff to discuss testing for the integrity of the land outfall line.
- Staff continues to work with Ducks Unlimited on Chelsea Wetlands Restoration Project. An RFP was issued for the work and awarded to WRA. Work will commence in approximately six months.
- Numerous trip hazards on city sidewalks were removed by contractor.
- Staff repaired numerous street lights within the City.
- Two fountains at Refugio Lake were down for repairs and are now functional.

Hercules Municipal Utility Activities:

- Visual inspection(s) = 215
- Meter read(s) = 2
- Meter Reinstall(s) = 1
- Meter Pull(s) = 2
- Post Red Tag(s) = 3
- Pump vault(s) = 7
- Inspection(s) = 5

Various maintenance activities were conducted including painting equipment.

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.

Total revenue for the department \$51,168

Community and Library Services Commission:

Meeting 9/9/2013- 6:30 workshop / 7:00pm regular meeting

Aquatics: THE HERCULES POOL WAS CLOSED FOR REPAIRS FROM 8/31/13-9/8/13. IT SHOULD BE OPEN ON Monday, 9/9/2013.

- **Lap Swim:**
M/T/TH/F- 7-8pm
Ages: 14+
Fees: Resident- Youth & Senior \$4/ Adult \$5
Non-Resident- Youth & Senior \$5/ Adult \$6
- **EBSD Summer Seasonal Membership- 20 enrolled**, ends on 9/27
- **EBSD Fall Seasonal Membership:**
Ages: 5-18
Dates: 9/30/13-12/20/13
Registration Fee: \$295
USA Registration Fee: \$55 (check made payable to EBSD)
- **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
- **Monthly Zumba Classes and Passes Include: 65 enrolled**
SKIP DATES FOR AQUA ZUMBA: 9/1/13, 9/4/13, 9/8/13
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 (Sundays, 11am-12pm)

- **Swim Lessons:**
Individual Lessons: Resident \$158/Non-Resident \$172
Days: M/T/TH/F (2 weeks/8 classes)
Session: 9/9/13-9/20/13-8 enrolled
- **High School Swim Team Conditioning:**
Ages: 14-18 years
Dates: 1/6/14-1/31/14 (M-F)
Times: 5-6:30pm
Fees: \$100
- \$1957 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 December 2013. For the Banner Program we have a few spots open for September 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.

- \$1,200 in revenue for this week

Licensed Before & After School Child Care and Seasonal Camps:

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
- Currently we have 54 participants registered at Hanna, 27 at Lupine and 37 at Ohlone Child Cares
- \$28,852.59 in revenue for this week

Teens:

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

- \$6,701.80 in revenue for this week
- Currently we have 30 participants registered

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.

- \$1,366.50 in revenue for this week

Recreation Classes:

We are now taking registration for many new and exciting recreation classes that cater to all ages and helps to promote a healthy lifestyle. Our classes provide a great opportunity to have fun 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.

- [Ballet Classes](#)
- [Tap Classes](#)
- [Zumbatomic](#)
- [Piano Class](#)
- [Writing Class](#)
- [Dog Obedience Training](#)
- [Guitar Class](#)
- [Oil Painting](#)
- [Karate](#)
- [Gymnastics Class](#)
- [Math Tutoring- Basic](#)
- [Geometry/Algebra/Pre-Calculus](#)
- [Public Stargazing](#)
- \$1,179 in revenue for this week

Sports:

We offer sports and other positive leisure activities for patrons of all ages. Our recreational programs help promote a healthy lifestyle, while providing an environment in which people can enjoy themselves. Whether it is recreation team sports you are seeking, or an individual leisure activity/hobby, the City of Hercules is proud to offer it.

- [Flag Football Camp](#)
- [Table Tennis](#)
- Basketball Leagues
- Basketball Clinics and Camps
- [Tiny Tot Sports](#)
- [Tennis Lessons](#)
- [Gymnastics](#)
- [Karate](#)
- [Open Gym Basketball & Volleyball](#)
- \$2,251 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.

- Tiny Tot program has a 5 day Jr. Kindergarten program, A MWF Pre K program and a T/TH Little Leaver which are all full!
- \$10,814.90 in revenue for this week

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.

- \$370.50 in revenue for this week

- **Monday 9/4:**
Holiday-Closed

- **Tuesday 9/3:**
Art = 6
Tai Chi = 7
Lunch =23
Computers=1
Tap=5
Ballroom Dance =4
Total =46

- **Wednesday 9/4:**
Beads and Things = 3
Lunch = 28
Computers=2
Therapeutic Exercise= 9
Yuen Ji Dance = 12
Zumba = 24
Total =78

- **Thursday 9/5:**
Chi Kong = 14
Bingo=10
Lunch=30
Cards=4
Computers=0
Total=58

- **Friday 9/6:**
Tai Chi=21
Low Impact Exercise=17
Lunch=43
Advance Tai Chi=15
Computers=3
Goodie Store=22
Senior Citizens Club=20
Total=141

- Had over 323 participants for classes and programs

WEEKLY POLICE REPORT – Week ending August 25, 2013

Vehicle Collision: August 29, 2013, at 7:30am, there was a non-injury, two vehicle, accident at the intersection of San Pablo Ave, and John Muir Pkwy. There was moderate damage to both cars. Officers assisted the parties with the Information exchange.

Domestic Violence: On August 29th 2013, at 11:20 pm Officers were dispatched to the 300 block of Atlas. The reporting party stated that his wife had bit him. The wife was reportedly upset with the victim about money and they got into a verbal argument. While the victim was talking to dispatch his wife bit him twice on the left forearm. 22 year old Elizabeth Descovich was placed under arrest for Domestic Battery, and transported to the Martinez Detention Facility

Outside Assist: On August 30th 2013 at 1:00am, HPD Officers were advised Vallejo PD was in pursuit, W/B I-80, of a vehicle possibly related to a shots fired call. The vehicle, a Ford pick-up, exited Willow Ave and headed southbound. The vehicle then turned around and started to head northbound on Willow Ave. The vehicle came to a stop in the 600 block of Parker Ave, in Rodeo. The two occupants, of the vehicle, were taken into custody by Vallejo PD

Outside Assist: On August 30th 2013 at 2:35am, HPD Officers responded to the 1100 block of Tara Hills Ave, to assist Pinole PD with a double homicide. HPD units assisted with securing the crime scene, and responded to high priority calls.

Felony Driving Under the Influence of Alcohol/Probation Violation On August 30th 2013 at 3:08am HPD Officers were dispatched to the 1300 block of Pinole Valley Rd (while covering calls for Pinole PD) The reporting party said a subject was slumped over the steering wheel of a vehicle. Officers located a red Nissan Quest and an adult male subject was just exiting the vehicle. The subject displayed the objective symptoms of being under the influence of alcohol. 51 year old Terry Kelley, of El Cerrito, was placed under arrest for Driving Under the Influence of Alcohol. Kelley had four prior convictions, for Driving Under the Influence of Alcohol, in the last ten years; and is currently on probation. He was transported to the Martinez Detention Facility. Due to the multiple convictions Kelley was charged with a Felony.

Emergency Protective Order: August 30, 2013, 9:21am. HPD officers responded to Park Lake Plaza, in the 1500 block of Sycamore Ave. CHP officers were handling a domestic dispute which occurred on Interstate 80 between. The reporting party stated she and her boyfriend had been arguing since last night; and it started up again this morning. The suspect rammed his Chevy p/u against the victim's car as they traveled eastbound on I-80. There was moderate/severe damage to the victim's car; and she was able to drive to Park Lake Plaza and call the CHP on her cell phone. The victim was not injured and declined medical attention. CHP took a, Assault with a Deadly Weapon, report. Hercules officers assisted, the CHP, by securing an Emergency Protective. HPD officers also checked the victim's home, on Bristol, which she shared with the suspect.

Public Intoxication: On August 30th 2013 at 9:47pm Officers were dispatched to the 300 block of Turquoise Dr. The reporting party said a possible intoxicated subject was pushing a vehicle toward Lucky. Officers located an adult male, pushing a black 1998 Nissan Maxima, northbound on Turquoise Dr. It was determined the subject got into an argument with his mother and decided

not to leave the vehicle at her house. He was trying to push the Maxima to the Lucky's parking lot. 30 year old Otis Stewart displayed objective symptoms of alcohol intoxication. He was placed under arrest for Public Intoxication, and transported to the Martinez Detention Facility.

Outside Assist: On August 31st 2013 at 1:09am, Vallejo PD was following, an occupied stolen, vehicle w/b on I-80. VPD requested HPD assistance until more of their own units could catch up. The vehicle exited Willow Ave and a short pursuit ensued. A VPD unit was able to stop the vehicle in the 1200 block of Willow Ave. HPD units assisted in taking the two occupants into custody.

Civil Standby: On August 31st 2013 at 1:48am Officers were dispatched to the 500 block of Bristol for a civil standby. The requesting party was a victim, of an assault with a deadly weapon, on the I-80 on August 30th (a CHP case); and requested HPD assistance while she retrieved some personal items from the house

Accidental Discharge of a Firearm/Mental Health Evaluation: On September 1, 2013 at 3:53 a.m. Hercules Officers were dispatched to the 500 block of Black Walnut Ct. for a report of a female who accidentally shot herself in the foot. When officers arrived they found six teenagers/young adults standing in front of the house; and the husband had just he exited the house. All the subjects were detained until officers could determine what happened. Officers found an adult female, sitting on the floor, in the upstairs master bedroom. She had a gunshot wound to her right foot. The female was transported to a local Hospital. An apparent suicide note, that appeared to have been written by the husband, was found inside the master bedroom. 3 firearms were taken as evidence from the residence.

All six teenagers/young adults, and the husband, were interviewed. A Detective interviewed the female, at the hospital. She stated she and her husband struggled, with a gun, after he told her to shoot him. She accidentally shot herself, in the foot, during the struggle. It was determined the husband met the criteria for Mental Health Evaluation. He was transported by ambulance, to the County Regional Health Center.

Warrant Arrest: On September 1, 2013, at 11:25 am, an officer made a traffic stop on a 98 Cadillac. The driver; 31 year old Miguel Vazquez of Richmond, was arrested for an outstanding no bail warrant. .

Auto Burglary: On September 1, 2013, at 3:05 pm, an officer was dispatched to 3500 Franklin Canyon Golf Course. A Hayward resident said he parked his vehicle, a 05 Ford, at the golf course at 10:00 am. When he returned at 3:00 pm, he saw that the driver side window was smashed. Freon, and a detector, was taken from inside the vehicle.

Mental Health Evaluation: On September 1, 2013 at 9:51 p.m. Officers responded to the 1600 block of Swallow Way, for the third time, regarding an intoxicated adult female. Officers had responded earlier when the subject, who lives in Folsom, attempted to take her car keys from family members. She said she intended to drive herself, and her 10 year old daughter, home. Officers contacted the subject and determined she met the criteria for a Mental Health Evaluation. She was transported, by ambulance, to the Regional Medical Center.

Mental Health Evaluation: On September 2, 2013, 6:00 pm, an officer was dispatched, to the 300 block of Lilac, for an out of control female juvenile. It was determined the female met the criteria for Mental Health Evaluation. She was transported, by ambulance to the County Regional Medical Center.

Driving Under the Influence of Alcohol: On September 2nd 2013, at 9:13 pm, Officers were dispatched to Rite Aid, in the 1500 block of Sycamore, for an intoxicated subject, stumbling around the parking lot. Dispatch advised that the subject got into a maroon colored hatchback and was driving out of the parking lot. An Officer observed a maroon Hyundai hatchback, leave the parking lot, and head northbound onto Turquoise Dr. The vehicle was stopped in the parking lot of Lucky. The driver, 65 year old David Reiser of Hercules, displayed the objective symptoms of intoxication. Reiser was arrested for Driving Under the Influence of Alcohol. He was cited and released to a responsible party.

Driving Under the Influence of Alcohol: On September 3rd 2013 at 12:02AM an Officer conducted a traffic stop, on a silver 2006 Acura MDX, for running a stop sign in the 1300 block of Willow Ave. The driver, 21 year old Victoria Shartzer of Danville, displayed the objective symptoms of intoxication. She was arrested for Driving Under the Influence of Alcohol, and cite released to a responsible party.

Embezzlement: On September 3, 2013, at 3:00 pm, an officer was dispatched to the Lucky's store, in the 1500 block of Sycamore. Loss Prevention Officers stated a known employee stole two carts, filled with meat, from the store. The theft occurred on September 2, 2013, while the employee was on working. The approximate value of the loss is \$700.00. 46 year old Roger Curlee, of Hercules, was arrested for Embezzlement; and transported to the Martinez Detention Facility.

Auto Burglary: On September 4, 2013 at 8:04am, an officer was dispatched to 4000 Alfred Nobel for a theft report. The victim reported that sometime between 4:00pm yesterday and 7:00am this morning, someone entered her unlocked vehicle and stole her Caltrans Fast Track device.

Suspended/Revoked Driver: On September 4, 2013 at 12:05pm, an officer stopped a red 1991 Buick (DP 142AF) for a vehicle code violation. The driver, 28 year old Alfred Darnell Burks of Baypoint was driving with a suspended/Revoked license. Burks was cited and released in the field.

Embezzlement: On September 4, 2013 at 1:05pm, an officer was dispatched to HPD regarding a lobby detail. The Security Manager for Bio-Rad reported that one of their employee's gas cards was used multiple times, in the same day, for gas at the Hercules Shell Station. The Manager suspects the card is being misused by a current employee. A case was taken and is under investigation.

Domestic Violence/Criminal Threats: On September 4, 2013 at 2:39pm, an officer was dispatched to the 300 block of Shipwatch for a report of an assault. The victim said at about

1:00pm she was walking home from 151 Linus Pauling (Social Services) when her and the father of her child got into a heated argument. The victim was pushing a stroller carrying their 6 mo. old son. The male told the victim he was associated with a criminal street gang that knew where she lived and would, with his urging, "shoot up the house" and everyone living with her. The victim said she was in fear of the male and believed he could and would carry out his threats. The child was not injured or endangered during this incident. During the argument the male grabbed the victim by the arm and stood in front of her. When he let go the victim continued walking. As she was passing him, the male pushed her so hard her head snapped back and she immediately felt pain that shot up her neck to the bottom of her skull. The male was arrested. When asked about threatening her, he admitted to making the threats and he also has gang ties. An Emergency Protective Order was granted and the male was transported to Martinez Detention Facility.

Warrant Arrest On September 4th 2013 at 9:21pm officers arrested 22 year old Jermaine Joshua Harrison of Hercules, at his residence. Harrison had two no bail warrants and was transported to Martinez Detention Facility.