



## MEMORANDUM

DATE: October 4, 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, October 8, 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>Monday, October 14, 2013</b> 7:00 p.m.	Community and Library Services Commission Meeting	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
<b>Monday, October 21, 2013</b> 7:00 p.m.	Planning Commission Meeting	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547
<b>Tuesday, October 22, 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>Tuesday, October 29, 2013</b> 6:30 p.m.	Joint City Council Finance Subcommittee, Citizens Finance Committee and Measure O Oversight Committee Meeting	Hercules City Hall – Council Chambers 111 Civic Drive, Hercules, CA 94547

### 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 was considered by the City as Successor Agency for the former Hercules Redevelopment Agency on Tuesday, September 10. The Agency Board elected to instruct staff to try to improve the deal for the Agency and bring the final proposed transaction back to the Successor Agency Board on October 8. The Redevelopment Oversight Board will consider the same matter after October 8, at a date to be determined.

**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. The parties have now exchanged offers and the City is hopeful that an agreement can be finalized shortly.

**1991 Railroad Avenue (Civic Arts Building / Sala):** Offers to lease the former Civic Arts Building, and most recently Sala Restaurant, have been considered, staff has received direction from the City Council regarding negotiations, and negotiations are in progress.

**Parcel C:** A Purchase and Sale Agreement (PSA) with Lewis Land Developers for approximately 17 acre Parcel C site on John Muir Parkway in the amount of \$8 million was executed in September. The transaction has now been approved by the state Department of Finance. Community Meetings to get input on design will be scheduled soon.

## **PLANNING UPDATES**

**October 7 Planning Commission Meeting to be Cancelled.** Because there are no hearing items currently pending, we will be cancelling this coming Monday's regular meeting of the Planning Commission. Although we were hoping to review a draft summary report of the planning workshops that were held this summer, we need additional time to draft the report.

**Measure J Update of Growth Management Element.** The Contra Costa Transportation Authority (CCTA) has informed us that in order for the City to receive its share of Measure J Local Street Maintenance and Improvement program funds, the City must revise its Growth Management Element (GME) to comply with Measure J requirements (the City's current GME is written to comply with Measure C, which Measure J replaced in 2009). Because this update is time-critical (actually long overdue) and the funds much needed, we are aiming to hold a hearing on a draft revision of the Growth Management Element at the October 21 Planning Commission meeting, followed hopefully by a City Council hearing on November 12.

**Upcoming Workshop & Hearings to Revise City's Telecommunications Ordinance.** The telecommunications workshop, previously scheduled for October 21st needs to be rescheduled for November 4th due to a schedule conflict for the consultants from the Center for Municipal Solutions. The purpose of the workshop is to solicit input from the Commission and community about any questions, concerns, and goals related to telecommunication facilities and services in Hercules. Staff will then work with the consultants at CMS to draft a legally sound revision to the ordinance that addresses those questions, concerns, and goals expressed at the workshop. Staff will then present the draft revision of the ordinance at a future Planning Commission meeting for consideration and recommendation for Council adoption. The City's current regulations are included in the Municipal Code, Title 10, Chapter 16, "Telecommunications Facilities" (available online at [www.codepublishing.com/CA/hercules/](http://www.codepublishing.com/CA/hercules/)). You may also want to check out CMS's web site at: <http://www.telecomsol.com/home.html>.

**Administrative Permits.** Since the last update in early August, staff has approved the following administrative permit:

Administrative Use Permit 13-14 to permit Melinda Magat and Raechel Magat to operate Raechel's Spa & Salon at 1500 Sycamore Avenue, Unit B8, in a Community Commercial District.

## MUNICIPAL SERVICES UPDATES

**Willow Avenue Work.** CalTrans is doing street repaving near Burger King on Willow Avenue. When they did some freeway work on I-80, CalTrans concluded they were finished and sent a letter to that effect. Staff followed up with CalTrans to insist that they repair damage done to Willow Avenue in the course of their I-80 work. CalTrans is now making the repairs. When they through, they will have added new corner handicap accessible ramps, paved, and rearranged the roadway and striping from just south of Burger King to Hawthorne Street. This is an area where we have received complaints about potholes and poor road conditions. This work will make the road safer and should alleviate the complaints.

### Building Activity:

- Number of permits issued-----10
- Building permit fees collected-----\$2283.37
- Number of inspections-----46
- Code Enforcement inspections-----1

### Sewer Lateral Inspection Program:

- Number of application received: 2
- Lateral Inspection Fees Collected: \$250.00
- Number of Certifications issued: 3
- Number of Deficiency Notices issued: 0
- Number of Condominium Waivers issued: 0

### Other Activities:

- Wide Load/Transportation Permits Issued: 1
- Encroachment Permits Issued: 2
- Bay Trail/Path-to-Transit – Site Preparation Project – Closeout. Project 63001 E.
- ITC SF Bay Trail Project No. 63001A, Preconstruction meeting.
- West Bay Trail – Site Preparation Project 63001F–Preconstruction meeting.
- Staff continues to meet with Siemens to ensure we receive our promised energy savings as outlined in their contract.
- Pavement Maintenance Project –Drafting bid documents.
- 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.
- 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.
- Staff is working with EBMUD and the Belleterre HOA to resolve a water leak located on Lookout Court. EBMUD replaced two lines in the street but the problem continues to occur. We will continue to try and get EBMUD to resolve this issue.
- Both primary pumps at Bayside lift station are being repaired. Station is operating on backup pump and a rental pump.

- Staff met with A-Plus Tree Service to review tree trimming that has begun in Refugio Valley Park.
- LED lighting has been ordered for the Victoria by the Bay subdivision.

#### **Hercules Municipal Utility Activities:**

- Meter read(s) = 10
- Meter reinstalls = 3
- Meter Pull(s) = 3
- Post Red Tag(s) = 6
- Pump vault(s) = 1
- Inspection(s) = 20
- Visual inspection(s) = 170
- Equipment identification/markings in twenty locations

#### **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.

Total revenue for the department \$63,062

#### **Aquatics:**

- **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 Fall Seasonal Membership: 21 enrolled**  
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: 10/1/12-9/30/13  
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: 53 enrolled**  
Fees: \$45 Residents / \$50 Non-Residents

Drop in: \$10 per class  
Aqua Zumba (Wednesdays, 7-8pm)  
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: 9/23/13-10/4/13
- **High School Swim Team Conditioning:**  
Ages: 14-18 years  
Dates: 1/6/14-1/31/14 (M-F)  
Times: 5-6:30pm  
Fees: \$100
- \$3,963 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](mailto:amendez@ci.hercules.ca.us). \$355 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 53 participants registered at Hanna, 31 at Lupine and 33 at Ohlone Child Cares

\$28,489 in revenue for this week

**Teens:**

Our goal is to provide programming that will foster human development, promote health and wellness, and increase cultural unity with life experiences. As our youth grow into teens, we want to give them a sense of belonging to the community and ownership. Come out and enjoy the programs and activities at the new Teen Center "T.H.E. S.P.O.T." (Teens of Hercules Empowering through Spirit, Perseverance, Outreach, & Teamwork) located at 2007 Refugio Valley Road.

Sign up for the Fall SPOT Before and After school program.

- Currently we have 32 participants registered
- \$8,882 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.

- \$2779 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](http://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](#)
- \$533 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](#)
- \$2,421 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 Learner which are all full!  
\$12,336 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.

**Monday 9/30:**

Tai Chi – 22  
Low Impact – 13  
Lunch – 38  
Cards – 5  
Hula – 13  
Computers – 2  
Total – 93

**Tuesday 10/1:**

Tai Chi – 12  
Art – 8  
Computers – 4  
Tap – 7  
Ballroom Dance – 3  
Lunch – 31  
Wills & Trust – 2  
Total - 67

**Wednesday 10/2:**

Zumba – 23  
Lunch – 33  
Beads & Things – 3  
Computers – 4  
Therapeutic Exercise – 13  
Yuen Ji And Dance – 12  
Total – 88

**Thursday 10/3:**

Chi Kong – 14  
Bingo – 9  
Lunch – 29  
Cards – 3  
Computers – 1  
Total – 57

**Friday 10/4:**

Tai Chi – 27  
Advance Tai Chi – 14  
Low Impact Exercise – 15  
Lunch – 46  
Computers – 3  
Goodie Store – 20  
Senior Citizens Club -25  
Total – 150

**Grand Total = 455** \$462 in revenue for this week

## **WEEKLY POLICE REPORT – Week ending October 3, 2013**

**Grand Theft:** On September 21, 2013, at 10:14am, an officer was dispatched to the 900 block of Valley Run for a report of a theft. The reporting party said someone stole several thousand dollars worth of jewelry from her residence. The jewelry was last seen around August 8<sup>th</sup>.

**Fraud:** On September 21, 2013, at 3:57pm, a resident from the 100 block of Dogwood submitted an online report for identity theft. The victim reported they were contacted, by American Express, about their credit card being used in Pennsylvania. The victims have the card in their possession and did not authorize any charges in Pennsylvania.

**Vandalism:** On September 26<sup>th</sup> 2013, at 7:29PM, Officers were dispatched to the 100 block of Cardinal Way. The reporting party stated someone just shot a BB/pellet gun at a rear window of the residence. The upstairs bedroom window was shattered and a second window had an impact mark consistent of a BB/pellet. Officers were unable to determine where the shot had come from.

**Petty Theft:** On September 26<sup>th</sup> 2013, at 11:46PM, Officers were dispatched to 76 Gas Station, in the 800 block of Willow Ave, for a theft that had just occurred. The reporting party stated a Hispanic male adult, wearing a black sweatshirt, black hat, and blue jeans; attempted to buy an 18 pack of Budweiser. When his credit card was declined, the suspect walked out of the store without paying for the case of beer. He was last seen, on foot, toward Rodeo. An area check was conducted but the suspect was not located.

**Vandalism:** On September 27, 2013, at 11:51am, an officer was dispatched to McDonalds, in the 1500 block of Sycamore Ave. The reporting party said, sometime last night, someone ripped the netting from the “Play Land” play structure. Because the “Play Land” had the same damage in the past, the reporting party believes the damage was intentional.

**Hazardous Waste:** On September 27, 2013, at about 9:00am, HPD officers were notified there was some kind of substance speared all over the front door of City Hall. The substance appeared to be feces. Public Work responded and was able to clean the doors.

**Driving Under the Influence of Alcohol:** On September 28, 2013 at 2:57am, Officers were dispatched to the area of Victoria Crescent West, at Trellis Bay. The reporting party said there was a silver vehicle parked in the middle of the roadway. Officers located a silver 2013 Hyundai Accent, parked along the north curb of Victoria Crescent West. 27 year old Christopher Fonseca, of San Pablo, was standing next to the driver’s seat. He admitted to being the driver of the vehicle. Fonseca displayed the objective symptoms of being under the influence of alcohol. He was arrested for Driving Under the Influence of Alcohol and was later cite/released to his brother.

**Hit and Run Collision:** On September 28, 2013, at 2:03pm, an officer was dispatched to the 1100 block of Chelsea. The reporting party said, sometime during the night, an unknown driver, of an unknown vehicle, hit the bumper of her 2003 silver Honda Civic causing minor damage

**Battery** On September 28<sup>th</sup>, 2013 at 745PM Officers were dispatched to the 200 block of Skelly Way, for a possible battery. Officers contacted two subjects, an adult male and female, of Richmond. The situation was determined to be mutual combat and neither party desired prosecution.

**Vehicle With False Registration Tab:** On September 29, 2013 at 2:52 p.m. an officer stopped a Silver '02 Honda Accord for expired registration (August 2013), and having a 2014 year tab affixed to the rear license plate. The driver, of Brentwood, admitted to placing the tab on her license plate to avoid paying her vehicle's registration fees. She was cited and released.

**Residential Burglary:** On September 29, 2013 at 9:21 PM, a resident, from the 300 block of Newbury, called to report the burglary of his residence. Officers determined access to the residence was made through a rear window. The suspect(s) only appear to have ransacked the master bedroom before setting off an alarm. A neighborhood check was completed with negative results. The loss includes cash, and jewelry

**Marijuana seized for destruction:** On September 30, 2013 at 1:39 AM an officer stopped a vehicle, on San Pablo Ave. at Tsushima, for an inoperable brake light. During the stop the officer could smell the odor of marijuana coming from the car. During a probable cause search of the vehicle the officer found marijuana in the center console. The marijuana was taken for destruction as the subject stated he did not have a medical marijuana recommendation.

**Mental Health Evaluation:** On October 1, 2013 at 2:18 p.m. Hercules Officers were dispatched, to the 100 block of Sheppard St, for a report of a subject "that wanted to turn himself in" for a crime committed several years ago. The caller told Dispatch he is currently taking medication and has slept for several days. The adult male subject agreed to voluntarily go to HPD for an interview. During the interview the subject stated he wanted to hurt himself. The subject was determined to meet the criteria for a Mental Health Evaluation and was transported, by ambulance to the County Regional Medical Center. A follow-up will be done to attempt to verify any potential criminal activity committed by the subject.

**Suspicious Circumstance:** On October 2, 2013, at 11:39am, an officer was dispatched to 3500 Franklin Canyon Road for a report of an auto burglary. An employee of the golf course located a white Toyota pickup, registered out of Stockton, with the passenger window shattered. The officer attempted to locate the owner of the Toyota with negative results. When the officer returned to the parking lot the Toyota was gone. As of the completion of this log, the registered owner of the Toyota has not contacted the police.

**Auto Burglary:** On October 2, 2013, at 1:16pm, an officer was dispatched back to 3500 Franklin Canyon Road regarding another auto burglary. The reporting party said he parked his red 2006 Toyota Tundra in the east parking lot of the golf course about 8:30am this morning. At about 1:00pm this afternoon he was notified, by one of the course employees, that the passenger side window of his pickup had been shattered. The victim was unable to determine if anything was stolen at this time.

**Motor Vehicle Theft:** On October 2, 2013, at 1:50pm, while an officer was taking the above listed case, another victim reported his red two door Honda Civic had been stolen from the east parking lot of the golf course. The victim said his wife parked the vehicle there last night due to engine problems. The Honda was later located on Cummings Skyway at HWY 4.

**Warrant Arrest:** On October 2, 2013, at 2:23pm, an officer stopped a white 1995 Toyota for a traffic violation. The driver was unlicensed and issued a citation. The passenger in the vehicle was determined to have an outstanding, non-citable arrest warrant. 34 year old Cynthia Marie Belton, of Richmond, was arrested and transported to the Martinez Detention Facility.

**Driving Under the Influence of Alcohol:** On October 3, 2013, at 6:09 pm, officers were dispatched to the area of San Pablo Ave for a reckless driver. Dispatch received three calls regarding a blue Jeep SUV. The callers reported the vehicle was speeding and weaving in and out of traffic. One of the callers followed the vehicle until it entered the shopping center at 3600 San Pablo Ave. Hercules officers found the vehicle, in the drive through, at the Jack in the Box. The driver, 34 year old Juan Murillo, of Hercules, said his driver license was suspended. Officers could smell a strong odor of alcohol coming from Murillo and he displayed objective systems of intoxication. Murillo was arrested for Driving Under the Influence of Alcohol. He was determined to be on probation for DUI He was transported to the Martinez Detention Facility.