



# City of Hercules

111 Civic Drive  
Hercules, CA 94547

## Meeting Minutes

### City Council

*Mayor Alex Walker-Griffin*  
*Vice Mayor Dan Romero*  
*Council Member Dion Bailey*  
*Council Member Chris Kelley*  
*Council Member Tiffany Grimsley*

*Dante Hall, City Manager*  
*Patrick Tang, City Attorney*  
*Eib leis Melendez, Acting City Clerk*

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Tuesday, January 24, 2023

6:30 PM

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**In-Person in Council Chambers or**

**Zoom ID: 844 4190 4880**

**Zoom Passcode: 817288**

**Zoom Phone Number: 1-669-444-9171**

#### **I. CLOSED SESSION – CALL TO ORDER-ROLL CALL[6:30 P.M]**

**Present:** 4 - Vice Mayor D. Romero, Council Member D. Bailey, Council Member C. Kelley, and Council Member T. Grimsley

**Absent:** 1 - Mayor A. Walker-Griffin

**1A CONSIDER AND TAKE ACTION ON ANY REQUEST FROM A COUNCIL MEMBER TO PARTICIPATE IN A MEETING REMOTELY DUE TO JUST CAUSE OR EMERGENCY CIRCUMSTANCES PURSUANT TO AB2449**

**1B SPECIAL MEETING- CLOSED SESSION**

#### **II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS**

NONE

#### **III. CONVENE INTO CLOSED SESSION**

The Hercules City Council will meet in Closed Session regarding the following:

1. [22-437](#) Pursuant to Government Code Section 54956.8, Conference with Real Property Negotiators: Property Address: 1991 Railroad Ave, Hercules, CA 94547; Real Property Negotiator: Dante Hall, City Manager  
Meeting went into Recess- Approximately 6:33pm

Meeting Reconvened: 7pm

**IV. REGULAR MEETING – RECONVENE TO OPEN SESSION-ROLL CALL [7:00 P.M.]**

**Present:** 5 - Mayor A. Walker-Griffin, Vice Mayor D. Romero, Council Member D. Bailey, Council Member C. Kelley, and Council Member T. Grimsley

**V. REPORT ON ACTION TAKEN IN CLOSED SESSION**

City Attorney, Patrick Tang, Reported on actions in closed session. No final or reportable action at this time.

**VI. PLEDGE OF ALLEGIANCE**

Council Member Romero lead the Pledge of Allegiance

**VII. MOMENT OF SILENCE**

Mayor Walker-Griffin requested a moment of silence for the tragic events that took place in Monterey Park(LA County) and Half Moon Bay.

**VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS**

1. [22-432](#) Raven SR Project Presentation

**Attachments:** [Presentation-Raven SR - Hercules City Council 01.24.2023](#)

Matt Murdock, CEO and founder, of Raven SR presented. Questions and Comments from Council Members followed the presentation.

**IX. AGENDA ADDITIONS/DELETIONS**

Postponement of two Items:  
Consent Calendar Item #3 22-422 Lot Line Adjustment for Sycamore Crossing  
Discussion and /or Action Item #1 22-429 Sycamore Crossing Developer Update  
Developer is sick and would like to present in person. He is proposing to come to the February 14th, City Council Meeting.

**X. PUBLIC COMMUNICATIONS**

NONE

This time is reserved for members of the public to address issues not included in the agenda. In accordance with the Brown Act, Council will refer to staff any matters brought before them at this time, and those matters may be placed on a future agenda.

Individuals wishing to address the City Council are asked to complete a form indicating the name and address of the speaker and the general topic to be addressed. Speakers must make their comments from the podium and will be allowed 3 minutes to discuss their concerns. All public comments are recorded and become part of the public record. A limit of 30 minutes will be devoted to taking public comment at this point in the agenda. If any speakers remain at the conclusion of the initial 30 minute period, time will be reserved at the conclusion of the meeting to take the remaining comments.

**XI. PUBLIC HEARINGS**

NONE

**XII. CONSENT CALENDAR**

**MOTION:** A motion was made by Council Member Kelley, to approve items on the Consent Calendar with the exception of item #3 which is being removed, seconded by Council Member Grimsley, to adopt this . The motion carried by the following vote:

**Aye:** 5 - Mayor A. Walker-Griffin, Vice Mayor D. Romero, Council Member D. Bailey, Council Member C. Kelley, and Council Member T. Grimsley

**Aye:** 5 - Mayor A. Walker-Griffin, Vice Mayor D. Romero, Council Member D. Bailey, Council Member C. Kelley, and Council Member T. Grimsley

1. [22-438](#) Meeting Minutes for January 10th, 2023

**Attachments:** [Meeting Minutes for January 10th, 2023](#)

APPROVED

2. [22-434](#) Annual Update Regarding the Following Matters:  
1) Anti-Nepotism and Anti-Cronyism Ordinance;  
2) Hercules Ethics Policy.  
Recommendation: Accept report; provide direction to staff if any.

**Attachments:** [2023 Staff Report - Nepotism Ethics Update Council](#)

[Attach 1 - Nepotism Cronyism Ordinance](#)

[Attach 2 - 13-051 Hercules Ethics Policy](#)

APPROVED

3. [22-422](#) Lot Line Adjustment 22-02 for Sycamore Crossing for Lots 1and 2 of Parcel Map MS 476-97(APN's 404-020-094 & 404-020-095)  
Recommendation: Adopt a Resolution approving Lot Line Adjustment 22-02 for Sycamore Crossing to facilitate development of the approved hotel.

**Attachments:** [Staff Report-Sycamore Crossing Hotel LLA 22-02](#)

[Attach 1 - Resolution for City Council- Sycamore Crossing Hotel LLA 22-02](#)

[Attach 2 - Legal Description](#)

[Attach 3 - LLA Mapping Exhibit](#)

Item was deleted and postponed. Please refer back to Agenda item IX, Agenda Additions /Deletions, for more information.

4. [22-423](#) Amendments to Hercules Municipal Code (Table 13-6.1, Table 13-15.1, Section 13-35.320, and Section 10-2.904) pursuant to the Department of Housing and Community Development's review of Hercules ADU Ordinance, newly enacted ADU legislation, and SB 9 guidance. Recommendation: That the City Council -Approve final adoption of amended Ordinance

**Attachments:** [Staff Report- ADU & SB9](#)

[Attach 1 - Draft Ordinance- ADU & SB 9-012423](#)

[Attach 2 - HCD Review of Hercules ADU Ordinance](#)

[Attach 3 - HCD SB 9 Fact Sheet](#)

[Attach 4 - SB 897 Text](#)

[Attach 5 - AB 2221 Text](#)

APPROVED

5. [22-424](#) Amendments to Hercules Municipal Code (Table 13-6.1, 13-7.1, 13-12.1 and 13-15.1 and deletion of Sec. 13-35.260) pursuant to Senate Bill 234 the Keeping Kids Close to Home Act and amendments to Hercules Municipal Code (Table 13-6.1, 13-12.1, 13-15.1, and 13-18.1) pursuant to Assembly Bill No. 2162. Recommendation: That the City Council- Approve final adoption of amended Ordinance.

**Attachments:** [Staff Report- Child Care and Supportive Housing](#)

[Attach 1 - Draft Ordinance- Childcare & Supportive Housing](#)

[Attach 2 - Senate Bill 234](#)

[Attach 3 - Assembly Bill 2162](#)

APPROVED

6. [22-426](#) Ordinance to Amend Hercules Municipal Code Title 9, Chapters 1-18, Adopting by Reference the New California Code of Regulations Title 24, 2022 Edition of the California Building Standards Code with amendments developed by City of Hercules, Contra Costa County and the Rodeo-Hercules Fire Protection District. Recommendation: That the City Council- Approve final adoption of amended Ordinance

**Attachments:** [Staff Report - Building Code 2022](#)  
[Attach 1 - Building Code 2022 Ordinance](#)  
[Attach 2 - County Ordinance No. 2022-35 Adoption of 2022 Building Code](#)  
[Attach 3 - County Findings - Ord. No. 2022-35](#)  
[Attach 4 - All-Electric Ordinance No. 539](#)  
[Attach 5 - RHFD Ordinance 2022-01](#)  
[Attach 6 - Staff Report - RHFD Supporting Findings](#)

APPROVED

### **XIII. DISCUSSION AND/OR ACTION ITEMS**

1. [22-429](#) Sycamore Crossing Developer Update: Lewis Management Corporation and Hercules Hospitality LLC will present an update to the City Council regarding implementation of the approved development plan, with the hotel component as the first phase.  
Recommendation: Receive a report from project developers on project development and ask any questions.

**Attachments:** [Staff Report- Sycamore Crossing Developer Presentation-Sycamore Crossing Presentation PPT V2 Jan 2023](#)

Item was deleted and postponed. Please refer back to Agenda item IX, Agenda Additions /Deletions, for more information.

2. [22-428](#) Hercules Hub - Project Update, Contract Amendment No. 1 in the amount of \$115,579 for Gray-Bowen-Scott to prepare a Federal-State Partnership for Intercity Rail Grant and Appropriation of \$115,579 from the Capital Reserve Fund to fully fund said Amendment, Resolution of Support for a Transit and Intercity Rail Capital Program Grant, and Designation of \$3M of Capital Reserve Funding for the Project  
Recommendation- It is recommended the City Council receive an update on the Hercules Hub and adopt resolutions:
  1. Approving Amendment No.1 to Gray-Bowen-Scott's contract in the amount of \$115,579 to prepare a Federal-State Partnership for Intercity Rail Grant for a total, not to exceed contract amount of \$590,332 and an appropriation of \$115,579 from the Capital Reserve Fund to fully fund said amendment; and
  2. Approving a resolution of support for the filing of a joint Transit and Intercity Rail Capital Program Grant with the Capitol Corridor Joint Powers Authority (CCJPA) as the lead agency; and
  3. Designating \$3M of Capital Reserve Funding as the City's local match for future grants to fully fund the Hercules Hub Project.

**Attachments:** [Staff Report-Hercules Hub Update](#)  
[Attach 1A - Resolution GBS Amendment No.1](#)  
[Attach 1B - Resolution GBS Amendment No.1 Scope & Fee](#)  
[Attach 2 - Resolution of Support TIRCP](#)  
[Attach 3 - Resolution Designating Funding](#)  
[Presentation- Hercules Hub-City Council Pres V2](#)

Representatives from Gray-Bowen-Scott presented both in person and on Zoom. Council Members and Mike Roberts provided comment

**MOTION:** A motion was made by Council Member Kelley, seconded by Vice Mayor Romero, to adopt Resolution 23-003, 1A and 1B, Discussion/Action Item. A second motion was made by Council Member Bailey, seconded by Council Member Grimsley to pass the second Resolution(support of TIRCP)23-004. A third motion was made by Council Member Bailey, seconded by Council Member Kelley to pass the third Resolution(Designating Funding)23-005. The motion carried by the following vote:

**Aye:** 5 - Mayor A. Walker-Griffin, Vice Mayor D. Romero, Council Member D. Bailey, Council Member C. Kelley, and Council Member T. Grimsley

3. [22-427](#) Award of an Annual Janitorial Services Contract to Kleen-Tech in the Amount of \$150,504 per Year for City Facilities  
Recommendation: Award of an Annual Janitorial Services Contract to Kleen-Tech in the Amount of \$150,504 per Year for City Facilities

**Attachments:** [Staff Report -Janitorial Contract Award](#)  
[Attach 1 - Resolution - Janitorial Contract Award](#)  
[Attach 2 - Kleen Tech Letter](#)  
[Attach 3- Scope of Services](#)

Public Works Director, Mike Roberts, presented. Council Members provided comment.

**MOTION:** A motion was made by Council Member Kelley, seconded by Council Member Bailey, to adopt Resolution 23-006. The motion carried by the following vote:

**Aye:** 5 - Mayor A. Walker-Griffin, Vice Mayor D. Romero, Council Member D. Bailey, Council Member C. Kelley, and Council Member T. Grimsley

4. [22-431](#) First Senior Health Fair Discussion: The City Council will receive information on the first Senior Health Fair.  
Recommendation:  
That the City Council will receive information on our Senior Health Fair

**Attachments:** [Staff Report- Senior Health Fair](#)  
[Attach 1. Flyer-Spring into wellness fair-2023](#)  
[Attach 2. Vendor Application- Spring into wellness fair- 2023](#)

Recreation Director, Christopher Roke, presented. Council Members

provided comment. No action was taken.

5. [22-436](#) 2023 Council Appointments on Regional Committees and Council Subcommittees  
Recommendation: Appointment of members of the City Council by the Mayor to both Regional Committees and Council Subcommittees

**Attachments:** [Staff Report - 2023 Council Appointments to Regional Committees](#)  
[Attach 1. 2023 Regional Committees and Council Subcommittees](#)

City Manager, Dante Hall, presented this item. Council Members were asked to review and provide any comments or questions regarding Committee appointments. Council Members agreed on their 2023 appointments. No action was taken.

#### **XIV. PUBLIC COMMUNICATIONS**

NONE

This time is reserved for members of the public who were unavailable to attend the Public Communications period during Section X of the meeting, or were unable to speak due to lack of time. The public speaker requirements specified in Section X of this Agenda apply to this Section.

#### **XV. CITY COUNCIL/CITY MANAGER/CITY ATTORNEY ANNOUNCEMENTS, COMMITTEE, SUB-COMMITTEE AND INTERGOVERNMENTAL COMMITTEE REPORTS AND FUTURE AGENDA ITEMS**

Recreation Director, Christopher Roke, promoted Park and Recreation travel program. Council Members reported back on events and programs they recently attended. Council Member Romero requested that a letter of thanks be drafted to Mayor Matt Bates, who is retiring after more than 60 years of service. No future agenda items were recommended from Council. Public Comment was submitted late via Zoom.

This is the time for brief announcements on issues of interest to the community. In accordance with the provisions of the Brown Act, matters which do not appear on this agenda but require City Council discussion may be either (a) referred to staff or other resources for factual information or (b) placed on a future meeting agenda.

#### **XVI. ADJOURNMENT-8:41p.m.**