



City of Hercules

111 Civic Drive
Hercules, CA 94547

Meeting Minutes

City Council

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

Dante Hall, City Manager
Patrick Tang, City Attorney
Eibleis Melendez, City Clerk

Tuesday, June 25, 2024

7:00 PM

In-Person in Council Chambers or To Watch or Listen only:

Zoom ID: 847 0735 1765

Zoom Passcode: 458188

Zoom Phone Number: 1-669-900-6833

I. CLOSED SESSION – CALL TO ORDER - ROLL CALL - NONE

NONE

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS - NONE

NONE

III. CONVENE INTO CLOSED SESSION - NONE

NONE

IV. REGULAR MEETING – CONVENE TO OPEN SESSION - ROLL CALL - 7:00 P.M.

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

V. REPORT ON ACTION TAKEN IN CLOSED SESSION - NONE

NONE

VI. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was lead by Council Member Kelley.

VII. MOMENT OF SILENCE

Mayor Romero held a Moment of Silence for the passing of his Uncle, Ygnacio Z Romero.

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

Presentation of the Juneteenth Proclamation

Mayor Romero presented and recognized the owners of Dream Bowls, Al and Ronell Colquitt, with the Juneteenth Proclamation. Council Members provided comments. Mr. and Mrs. Colquitt provided comment. Pictures were taken.

IX. AGENDA ADDITIONS/DELETIONS

City Manager, Dante Hall, requested to pull Public Hearing item XI.2 due to last minute information provided by the applicant. The item will be brought back in front of Council on 7/23/2024. The Council unanimously agreed to bring the item back at the 7/23/2024 meeting.

X. PUBLIC COMMUNICATIONS

Earl McKelvy provided public comment.

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

- [22-898](#) Landscaping and Lighting Assessment Districts (LLADs) - Hold Public Hearings for the City's Five LLADs, Hold Public Hearing regarding Proposed Assessment Increase for the Victoria by the Bay LLAD, and Adopt Resolutions Confirming Diagrams and Assessments for the City's five LLADs for Fiscal Year 2024/25
RECOMMENDATION:
City staff is recommending City Council take the following actions:
 - 1) Hold a Public Hearing and Adopt a Resolution Confirming Diagram and Assessments and Ordering Levy of Assessments for Fiscal Year (FY) 2024/25 for the City of Hercules Landscaping and Lighting Assessment District No. 83-2 pursuant to the Landscaping and Lighting Act of 1972;
 - 2) Hold a Public Hearing and Adopt a Resolution Confirming Diagram and Assessments and Ordering Levy of Assessments for FY 2024/25 for the City of Hercules LLAD 2002-2 (Hercules Village) pursuant to the

Landscaping and Lighting Act of 1972;

3) Hold a Public Hearing and Adopt a Resolution Confirming Diagram and Assessments and Ordering Levy of Assessments for FY 2024/25 for the City of Hercules LLAD 2004-1 (Baywood) pursuant to the Landscaping and Lighting Act of 1972;

4) Hold a Public Hearing and Adopt a Resolution Confirming Diagram and Assessments and Ordering Levy of Assessments for FY 2024/25 for the City of Hercules LLAD 2005-1 (Bayside) pursuant to the Landscaping and Lighting Act of 1972; and

5) Victoria by the Bay LLAD Action Items:

a. Hold a Public Hearing to receive testimony regarding the proposed increase to the maximum assessment rate for the City of Hercules Landscaping and Lighting Assessment District No. 2002-1 (Victoria by the Bay LLAD) commencing with FY 2024/25;

b. Prior to the conclusion of public testimony, request any remaining assessment ballots for the Victoria by the Bay LLAD be delivered to the City Clerk, close public testimony and declare the balloting period closed, and any ballots received after that time shall be considered invalid and not counted;

c. Declare that the assessment ballots will be tabulated on June 25, 2024 outside City Council Chambers upon close of the balloting period and that any interested person may attend and watch the tabulation process;

d. Announce the results of the ballot tabulation will be declared at the July 23, 2024 City Council meeting and this agenda item will be continued until that time;

e. On July 23, 2024 adopt a Resolution declaring the results of the ballot tabulation regarding the proposed increase to the maximum assessment rate for the Victoria by the Bay LLAD commencing Fiscal Year 2024/25;

f. On July 23, 2024 adopt a Resolution Approving the Final Engineer's Report, Confirming Diagram and Assessments and Ordering Levy of Assessments for FY 2024/25 for the Victoria by the Bay LLAD pursuant to the Landscaping and Lighting Act of 1972.

Attachments: [Attach #1a - Resolution Confirming Diagram and Assesments 83-2 Staff Report - FY 2024-25 LLAD](#)
[Attach #1b - Resolution Confirming Diagram and Assesments 2002-2](#)
[Attach #1c - Resolution Confirming Diagram and Assesments 2004-1](#)
[Attach #1d - Resolution Confirming Diagram and Assesments 2005-1](#)
[Attach #1e - Resolution Confirming Diagram and Assesments 2002-1](#)
[Attach #2 - Reesolution Declaring Results of The Protest Balloting 2002-1](#)
[Attach #3a - L832 2425 FER](#)
[Attach #3b - L2002-2 2425 FER](#)
[Attach #3c - L041 2425 FER](#)
[Attach #3d - L051 2425 FER](#)
[Attach #3e - L2002-1-2425 FER \(Prop 218 Pass\)](#)

Public Works Director, Mike Roberts, introduced and presented the item. Mayor Romero opened and closed a Public Hearing for each Landscape and Lighting District. Action was taken on four Landscape and Lighting District(LLAD) Resolutions: 1. City of Hercules LLAD Assessment District No. 83-2, 2. Hercules Village LLAD Assessment District No. 2002-2, 3. Baywood LLAD Assessment District No. 2004-1, 4. Bayside LLAD Assessment District 2005-1.

1. Council asked questions and provided comment. Director Roberts provided a response. Mayor Romero opened the Public Hearing. No public comment. Mayor Romero closed the public hearing. Action was taken on item 1.

MOTION: A motion was made by Council Member Kelley, seconded by Council Member Walker-Griffin, to adopt Resolution 24-041. The motion carried by the following vote:

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

2. Council provided comment. Director Roberts provided a response. Mayor Romero opened the Public Hearing. No public comment. Mayor Romero closed the Public Hearing. Action was taken on item 2.

MOTION: A motion was made by Council Member Walker-Griffin seconded by Council Member Grimsley, to adopt Resolution 24-042. The motion carried by the following vote:

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

3. Council asked questions and provided comment. Director Roberts provided a response. Mayor Romero opened the Public Hearing. No public comment. Mayor Romero closed the Public Hearing. Action was taken on this item 3.

MOTION: A motion was made by Council Member Kelley seconded by Council Member Walker-Griffin, to adopt Resolution 24-043. The motion carried by the following vote:

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

4. There were no questions by Council. Mayor Romero opened the Public Hearing. No public comment. Mayor Romero closed the public hearing. Action was taken on this item 4.

MOTION: A motion was made by Council Member Grimsley, seconded by Council Member Kelley to adopt Resolution 24-044. The motion carried by the following vote:

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

Director Roberts introduced and presented item 5(Victoria By The Bay) of the Landscaping and Lighting Districts. Council asked questions and provided comments. Director Roberts provided a response. Mayor Romero requested any remaining ballots be turned in. Balloting period closed. Mayor Romero opened the Public Hearing. No public comment. Mayor Romero closed the Public Hearing. Results of the ballot tabulation will be declared at the July 23, 2024 City Council meeting. No action was taken on this item.

2. [22-899](#) Public Hearing to amend and restate the City of Hercules' participation in the Statewide Community Infrastructure Program (SCIP) and consideration of a SCIP application from D.R. Horton for the Owl Ranch residential project

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 24-XX (Attachment 1), an Amended and Restated Resolution making certain findings and authorizing certain actions necessary for the City of Hercules to confirm and expand its participation in SCIP and finding the action exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

Staff also recommends that the City Council adopt Resolution No. 24-XX (Attachment 2) authorizing the City Manager to approve the SCIP application from D.R. Horton, dated March 29, 2024 (Attachment 3) and finding the action exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

Attachments: [Staff Report - Statewide Community Infrastructure Program](#)
[Attach 1 - Resolution - SCIP](#)
[Attach 1A - Resolution of Intention](#)
[Attach 1B - Acquisition Agreement](#)
[Attach 1C - Eligible Facilities & Fees](#)
[Attach 1D - Eligible Services](#)
[Attach 2 - Resolution - SCIP 24-01 - Owl Ranch](#)
[Attach 3 - DR Horton SCIP Application](#)
[Presentation](#)

This item was pulled and will be presented at the July 23, 2024 City Council meeting. Please refer to Item IX. Agenda Additions/ Deletions for more information.

3. [22-900](#) Public Hearing on Approving Additions, Deletions and Adjustments to the Master Fee Schedule with said Additions, Deletions and Adjustments become effective July 1, 2024
RECOMMENDATION:
Open the Public Hearing, Receive a Staff Report, Take Public Testimony, Close the Public Hearing, and Adopt the following resolution (Attachment 1):

1. A Resolution of the City Council of the City of Hercules Approving Additions, Deletions, and Adjustments to the Master Fee Schedule with said Additions, Deletions, and Adjustments to Become Effective July 1, 2024.

Attachments: [Staff Report - Master Fee Schedule Public Hearing & Adoption](#)
[Attach 1 - Resolution Master Fee Schedule](#)
[Attach 2 - Proposed FY 2024-25 Master Fee Schedule](#)

Finance Director, Edwin Gato, introduced and presented the item. Council asked questions and provided comment. Director Gato and Parks and Recreation Director, Christopher Roke, provided a response. Mayor Romero opened the Public Hearing. No public comment. Mayor Romero closed the Public Hearing. Action was taken on this item.

MOTION: A motion was made by Council Member Kelley, seconded by Council Member Walker-Griffin, to adopt Resolution 24-039. The motion carried by the following vote:

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

XII. CONSENT CALENDAR

MOTION: A motion was made by Council Member Walker-Griffin, seconded by Council Member Grimsley, to adopt the Consent Calendar. The motion carried by

the following vote:

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

1. [22-895](#) Meeting Minutes for the Regular Meeting of June 11, 2024

Attachments: [Meeting Minutes for the Regular Meeting of June 11, 2024](#)

APPROVED

2. [22-896](#) Accept the Investment Report for the Quarter Ending March 31, 2024
RECOMMENDATION:
Accept the Investment Report for the Quarter Ending March 31, 2024

Attachments: [Staff Report - Investment Quarterly Report Ending March 31, 2024](#)
[Attach 1 - Quarterly Investment Report](#)

APPROVED

3. [22-897](#) November 5, 2024 General Municipal Election
RECOMMENDATION:
Staff recommends adoption of a Resolution Calling for the Holding of a General Municipal Election to be held on Tuesday, November 5, 2024 and the Specifications of the Election Order for the Election of Three Members of the City Council for the Full Term of Four Years.

Attachments: [Staff Report - City Election](#)
[Attach 1 - Resolution Calling the Election](#)
[Attach 2 - Election Notice](#)

Resolution 24-040, APPROVED

4. [22-903](#) Authorize Cancellation of The August 13, 2024, Regular City Council Meeting
RECOMMENDATION:
Staff recommends that the City Council consider a summer recess and authorize the cancellation of its August 13, 2024 regular meeting

Attachments: [Staff Report - Cancellation of the August 13, 2024, Regular City Council Meeting](#)

APPROVED

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [22-901](#) Beechnut Park Conceptual Plan
RECOMMENDATION:
Receive a presentation on the community outreach for the Beechnut Park improvements and designate by minute order the “Play Area with Design Option 3” as the preferred alternative.

Attachments: [Staff Report - Beechnut Park Conceptual Design](#)
[Presentation - Beechnut Community Outreach](#)

City Manager, Dante Hall, introduced the item. Public Works Director, Mike Roberts, and representatives from Gates and Associates presented. Council asked questions and provided comment. City Manager, Dante Hall, Director Roberts and Gates and Associates provided a response. Council provided direction and action was taken on this item.

MOTION: A motion was made by Vice Mayor Bailey, seconded by Council Member Kelley, to accept Play area with Design Option 3. motion carried by the following vote:

Aye: 5 - Council Member C. Kelley, Council Member T. Grimsley, Council Member A. Walker-Griffin, Mayor D. Romero, and Vice Mayor D. Bailey
2. [22-902](#) Hercules Branding Project and Final Logo Design Selection
RECOMMENDATION:
Staff recommends that the City Council select the final logo design with the approved variations for Tripepi Smith to deliver a full Logo Library, Brand Guidelines, and Brand Templates.

Attachments: [Staff Report - Hercules Branding Project and Final Logo Design Selection](#)
[Attach 1 - Focus Round 2 - Hercules Logo Concept Options](#)

City Manager, Dante Hall, introduced the item. Representatives from Tripepi Smith presented. Council asked questions and provided comment. Representatives from Tripepi Smith provided a response. No public comment. Council provided direction asking Tripepi Smith to bring back option 1C in a square shape as well as the circle shape.
3. [22-798](#) Update on Local Business Preference Program for Goods and Services
RECOMMENDATION:
Review and discuss report; provide direction to City Attorney's office and Staff

Attachments: [Staff Report - Local Business Preference](#)
[Attach 1 - Purchasing Guidelines 09102019](#)
[Attach 2 - Public Contracting Code Section 2002](#)
[Attach 2A - San Pablo Municipal Code 3.16](#)

City Attorney, Patrick Tang, introduced the item. Attorney, Christina Lawrence, presented. Council asked questions and provided comment. Attorney Lawrence, City Attorney Tang and City Manager Hall provided a response. No public comment. Council provided direction.

MOTION: A motion was made by Council Member Walker-Griffin, seconded by Council Member Kelley, for Staff to draft an Ordinance following the City's existing Local Preference Program. The motion carried by the following vote:

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

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

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.

- 1. Regional Committee**
- 2. City Council Committees and Subcommittees**
- 3. Commission Liaisons**

City Manager, Dante Hall, provided a recap of the State of the City. Promoted the upcoming Movie Night and the City's 4th of July Celebration. City Attorney, Patrick Tang, had no announcements.

1. Regional Committee

Council Member Kelley provided a Contra Costa Transportation Authority (CCTA) update. Council Member Walker-Griffin noted that he attended the ABAG meeting.

2. City Council Committees and Subcommittees

No reports were provided

3. Commission Liaisons

No reports were provided

Community Events-

Council Members reported out on events they attended throughout the City

and County which included the Juneteenth event in Hercules as well as the State of the City.

Future Agenda Item Requests-

Vice Mayor Bailey requested a discussion on allocation of Staffing costs for each Landscape and Lighting Assessment District(LLAD). He requested for the item to come back in either September or October 2024.

Council Member Grimsley requested a future discussion on the following items:

- expanding the City of Hercules Juneteenth event.
- planning a celebration of the 125th anniversary of the City
- addressing the state of certain business areas(ie, aging shopping center) in the city.
- volunteer effort to help the house bound

Council agreed to have the discussions on the items listed at a future City Council meeting.

XVI. ADJOURNMENT

Mayor Romero adjourned the meeting at 9:27 p.m.

Dan Romero, Mayor

Attest:

Eibleis Melendez, City Clerk