

# City of Hercules

111 Civic Drive  
Hercules, CA 94547



## Meeting Agenda

Tuesday, January 28, 2025

6:00 PM

**CLOSED SESSION - 6:00 P.M., REGULAR MEETING - 7:00 P.M**

**In-Person in Council Chambers or**

**Zoom ID: 811 4183 5833 Zoom Passcode: 825504**

**Zoom Phone Number: 1-669-900-6833**

### City Council

*Mayor Dion Bailey*

*Vice Mayor Chris Kelley*

*Council Member Alex Walker-Griffin*

*Council Member Dilli Bhattarai*

*Council Member Tiffany Grimsley*

*Dante Hall, City Manager*

*Christie Crawl, City Attorney*

*Eibleis Melendez, City Clerk*

See last pages of agenda for information regarding meeting procedures  
To view webcast of meetings, live or on demand, go to the City's website at [www.ci.hercules.ca.us](http://www.ci.hercules.ca.us)

**I. SPECIAL CLOSED SESSION – CALL TO ORDER - ROLL CALL - 6:00 P.M.**

**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 AB 2449**

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

**III. CONVENE INTO CLOSED SESSION**

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

1. [25-041](#) **CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code Section 54957.6 - City Negotiators: Dante Hall, City Manager; Edwin Gato, Director of Finance; relative to the following employee groups:  
a. Teamsters Local 315 Employee Organizations**
2. [25-042](#) **Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Manager**

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

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

**VI. PLEDGE OF ALLEGIANCE**

**VII. MOMENT OF SILENCE**

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

1. [25-044](#) **Proclamation - Black History Month**

Attachments: [Black History Month Proclamation](#)

**IX. AGENDA ADDITIONS/DELETIONS**

## X. PUBLIC COMMUNICATIONS

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

1. [25-032](#) **Zoning Amendments to Implement the Housing Element, New State Laws and Other Needed Updates**

### **RECOMMENDATION:**

Staff recommends that the City Council adopt Ordinance No. 25-XX (Attachment 1), the proposed amendments to Hercules Municipal Code Land Use Regulation Tables 13-6.1, 13-12.1, 13-15.1, 13-18.1, and 13-32.1; and amending Section 13-35.320 Accessory Dwelling Units, Chapter 13-36 Two-Unit Development, Chapter 13-42 Design Review, Chapter 13-53 Reasonable Accommodations For Persons with Disabilities, and Chapter 13-60 Definitions, to implement the 6th Cycle Housing Element; comply with Senate Bills No. 450, 477, 745 and 1211, Assembly Bill No. 2162, and the Religious Land Use and Institutionalized Persons Act (RLUIPA); correct identified inconsistencies and finding the action exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

**Attachments:**     [Staff Report - Housing Element Text Amendments](#)  
[Attach 1 - Ordinance](#)  
[Attach 2 - Planning Commission Resolution 24-08](#)  
[Presentation](#)

## XII. CONSENT CALENDAR

1. [25-033](#) **Meeting Minutes for the Regular Meeting of January 14, 2025**

**Attachments:**     [Meeting Minutes for the Regular Meeting of January 14, 2025](#)

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

1. [25-039](#) **Service Levels for Victoria by the Bay Landscaping and Lighting Assessment District**

**RECOMMENDATION:**

It is recommended the City Council provide direction to City Staff by minute order on the timing of the service level reductions for the residential parkway strips in the Victoria by the Bay Landscaping and Lighting Assessment District (LLAD)

**Attachments:** [Staff Report - Victoria by the Bay - FY 2024-25](#)

[Attach 1 - Oct 8 2024 LLAD Staff Report](#)

[Attach 2 - Aug 29 2024 LLAD Staff Report](#)

[Attach 3 - July 23 2024 25 LLAD Staff Report](#)

[Attach 4 - June 25 2024 LLAD Staff Report](#)

[Final Engineers Report](#)

2. [25-034](#) **Loan Administration Plan Policies and Procedures Manual**

**RECOMMENDATION:**

Approve a resolution adopting the City of Hercules Loan Administration Plan Policies and Procedures Manual.

**Attachments:** [Staff Report - Loan Administration Plan](#)

[Attach 1 - Resolution - Loan Administration Plan](#)

[Attach 2 - Hercules Loan Administration Plan Manual](#)

3. [25-038](#) **Adopt a Resolution to Approve a Master Salary Schedule pursuant to California Public Employees Retirement System (CalPERS), Increase Minimum Wage Pay Rates, and Approve the FY 2022-2023 and FY 2023-2024 Executive Level Employees with Assignment of Assistant City Manager and City Manager Salary Schedules pursuant to CalPERS**

**RECOMMENDATION:**

It is recommended that the City Council adopt a resolution to:

1. Approve a Master Salary Schedule effective July 1, 2024, pursuant to the California Public Employees Retirement System (CalPERS). Adoption of this master schedule will also include previously approved wage updates.
2. Increase the minimum pay rates of certain unrepresented temporary/seasonal classifications and two represented part-time classifications to conform to the California Minimum Wage Increase, effective January 1, 2025.
3. Approve the FY 2022-2023 Executive Level Employees with Assignment of Assistant City Manager and City Manager salary schedule effective July 1, 2022, pursuant to CalPERS.
4. Approve the FY 2023-2024 Executive Level Employees with Assignment of Assistant City Manager and City Manager salary schedule effective July 1, 2023, pursuant to CalPERS.

**Attachments:**     [Staff Report - Master Salary Schedule](#)  
                              [Attach 1 - Resolution](#)  
                              [Exhibit 1 - FY 24-25 Salary Schedule](#)  
                              [Exhibit 2 - Executive Supplemental ACM and CM Pay Schedule FY 22-23](#)  
                              [Exhibit 3 - Executive Supplemental ACM and CM Pay Schedule FY 23-24](#)

4. [25-035](#) **Fourth of July Fireworks Discussion**

**RECOMMENDATION:**

Staff recommends that the City Council receive this report, discuss, and provide direction to staff.

**Attachments:**     [Staff Report - Fourth of July Fireworks Discussion](#)

5. [25-036](#) **FY 24-25 Co-sponsored Special Events Update****RECOMMENDATION:**

Staff recommends that the City Council receive an update on special events co-sponsored by the City and the Bay Front Chamber of Commerce during the current FY 24-25.

**Attachments:** [Staff Report - Special Events Update](#)  
[Attach 1 - Special Events - Agreement with Chamber and Expenditures to date - 2024-25FY](#)

6. [25-040](#) **Programs and Initiatives to Encourage Residents to be Involved in Civic Affairs****RECOMMENDATION:**

It is recommended that the City Council receive this report, discuss the information contained, and provide direction to staff.

**Attachments:** [Staff Report - Programs and Initiatives to Encourage Residents to be Involved in Civic Affairs](#)

**XIV. PUBLIC COMMUNICATIONS**

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

**XVI. ADJOURNMENT**

The next Regular Meeting of the City Council will be held on Tuesday, February 11, 2025 at 7:00p.m. in the Council Chambers.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at [www.ci.hercules.ca.us](http://www.ci.hercules.ca.us) and can receive e-mail notification of agenda and staff report postings by signing up to receive an e-notice from the City's homepage. Agendas and staff reports may also be obtained by contacting the City Clerk at (510) 799-8200

(Posted: January 23, 2025)

**INSTRUCTIONS ON HOW TO PARTICIPATE AND WATCH THE HERCULES CITY COUNCIL AND PLANNING COMMISSION HYBRID MEETINGS**

Attend in Person: Hercules City Council Chambers – 111 Civic Drive, Hercules, CA 94547

Attend via Zoom Teleconference: Details provided below and zoom webinar login, passcode and phone numbers provided on the agenda cover.

**How to Submit Public Comments**

In Person: Attend meeting at the Hercules City Council Chambers, fill out a public speaker card located on the side table and submit it to the City Clerk.

Via Zoom: Members of the public may submit a remote public comment via Zoom video conferencing. Download the Zoom mobile app from the Apple Appstore or Google Play. If you are using a desktop computer, you can test your connection to Zoom by clicking here or go to: <https://www.zoom.us/join>. Zoom also allows you to join by phone at +1-669-900-6833 or +1-929-205-6099 or +1-253-215-8782.

Written Comments Submitted Electronically: All comments received before 3:00 p.m. the day of the meeting will be provided to the City Council prior to the meeting and posted to the City's agenda website and located by clicking on the "meeting details" tab. Written comments received after 3:00 p.m. will be provided to City Council and posted to the agenda website the following day. Written comments will not be read aloud during the meeting. Email comments to [emelendez@herculesca.gov](mailto:emelendez@herculesca.gov). Please indicate which item on the agenda you are commenting on in the subject line of your email.

Written comments submitted in person or via mail: Additional ways to provide your public comment is to either drop off your comment in person to the front desk receptionist located in the City Hall lobby or to mail your comment to City of Hercules, ATTN: City Clerk – Public Comment (Meeting Date), 111 Civic Drive, Hercules, CA 94547 in time to reach the City Clerk no later than 3:00 p.m. on the day of the meeting or you can submit your comment by telephone by calling (510) 799-8208 no later than 3:00 p.m. on the meeting date.

If you need assistance with public comment, please contact: Eibleis Melendez, City Clerk at [emelendez@herculesca.gov](mailto:emelendez@herculesca.gov) or by calling (510) 799-8208.

All public comments will become part of the official meeting record. As email containing public meeting comments are part of the official record, note that personal contact information may be published if it is included with your email. The City cannot guarantee that its network and/or the website will not be uninterrupted. To ensure that the City Council receives your written comments, you are strongly encouraged to submit your comments in writing in advance of the meeting by 3:00 p.m. on the day of the Council or Commission meeting.

**OTHER WAYS TO WATCH THE MEETING**

Live on Channel 28: City Council meetings will replay the following Thursday at 7:00 p.m. and Saturday at 1:00 p.m.  
Planning Commission meetings will replay the following Wednesday at 7:00 p.m. and Saturday at 9:00 a.m.

Video Streamed Live on the City's Website:

To view City Council and Planning Commission meeting videos online go to: Hercules Meeting Videos.  
Instructions to view Live or On-Demand Videos from the City's website:

1. Go to: Hercules Meeting Videos or <https://hercules.legistar.com/calendar.aspx>.
2. Locate the desired meeting and date.
3. Click the associated "Video" link (Video status is as follows):
  - Video = Video is available for on demand viewing.
  - In Progress = Video is available for viewing during live recording.
  - Not Available = Video is either unavailable or has not been recorded.

**THE HERCULES CITY COUNCIL ADHERES TO THE FOLLOWING POLICIES,  
PROCEDURES AND REGULATIONS REGARDING CITY COUNCIL MEETINGS**



1. SPECIAL ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you require special accommodations to participate at a City Council meeting, please contact the City Clerk at 510-799-8208 at least 48 hours prior to the meeting.

2. AGENDA ITEMS: Persons wishing to add an item to an agenda must submit the final written documentation 12 calendar days prior to the meeting. The City retains the discretion whether to add items to the agenda. Persons wishing to address the City Council otherwise may make comments during the Public Communication period of the meeting.

3. AGENDA POSTING: Agendas of regular City Council meetings are posted at least 72 hours prior to the meeting at City Hall, the Hercules Swim Center, Ohlone Child Care Center, and on the City's website ([www.ci.hercules.ca.us](http://www.ci.hercules.ca.us)),

4. PUBLIC COMMUNICATION: Persons who wish to address the City Council should complete the speaker form prior to the Council's consideration of the item on the agenda.

Anyone who wishes to address the Council on a topic that is not on the agenda and is relevant to the Council should complete the speaker form prior to the start of the meeting. Speakers will be called upon during the Public Communication portion of the meeting. In accordance with the Brown Act, the City Council may not take action on items not listed on the agenda. The Council may refer to staff any matters brought before them at this time and those matters may be placed on a future agenda.

In the interests of conducting an orderly and efficient meeting, speakers will be limited to three (3) minutes. Anyone may also submit written comments at any time before or during the meeting.

5. CONSENT CALENDAR: All matters listed under Consent Calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Council or a member of the public prior to the time the City Council votes on the motion to adopt.

6. LEGAL CHALLENGES: If you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered at, or prior to, the meeting. Actions challenging City Council decisions shall be subject to the time limitations contained in Code of Civil Procedure Section 1094.6.