

City of Hercules

111 Civic Drive
Hercules, CA 94547



Meeting Agenda

Tuesday, February 8, 2022

6:00 PM

AMENDED AGENDA

Zoom Meeting ID: 879 9635 5189

Zoom Passcode: 345396 / Zoom Ph # 1-669-900-6833

City Council

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

Dante Hall, City Manager
Patrick Tang, City Attorney
Lori Martin, City Clerk

To view webcast of meetings, live or on demand, go to the City's website at www.ci.hercules.ca.us

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

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS

III. CONVENE INTO CLOSED SESSION

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

1. [22-046](#) **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
(Government Code Section 54956.9 (e)(1): In one (1) matter.

IV. REGULAR MEETING – 7:00 P.M. CALL TO ORDER - ROLL CALL

V. REPORT ON ACTION TAKEN IN CLOSED SESSION

VI. PLEDGE OF ALLEGIANCE

VII. MOMENT OF SILENCE

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

1. [22-044](#) **Proclamation Recognizing February 2022 as Black and African American History Month in the City of Hercules**

Attachments: [Black and African American History Month Proclamation.docx](#)

2. [22-045](#) **Presentation - Stormwater Permit Update**

Attachments: [Presentation - Stormwater - MRP Hercules Design_ppt.pdf](#)

IX. AGENDA ADDITIONS/DELETIONS

X. PUBLIC COMMUNICATIONS

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed as follows:

The public may log into the Zoom meeting (refer to agenda cover for Zoom login information) and provide their public comment (3 minute time limit). When the public comment period is open for the item you wish to speak on, use the "raise hand" feature in Zoom (or press *9 if connecting via phone audio only) at the time the Mayor calls for public comment. Please wait your turn and once you are brought into the meeting, state your name and city of residence for the record.

For additional alternatives to providing public comments please refer to the Notice of Important Instructions on how to Participate and Watch the Hercules City Council Meeting on the front page of the agenda.

All public comments are allowed up to 3 minutes to relay their message or concern. 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. [22-047](#) **Franklin Canyon RV Resort Project**, a proposal to redevelop the existing 161.95-acre 18-hole Franklin Canyon Golf Course with a recreation vehicle (RV) resort/campground, with 158 spaces for RVs, 22 walk-in tent bungalow campsites, a new 10,500-square-foot clubhouse, and putting course, with approximately 70 acres to be deeded as open space to the John Muir Land Trust.

Recommendation: Adopt CEQA Initial Study & Mitigated Negative Declaration (IS #20-01) and approve Lot Line Adjustment #20-01, Vesting Tentative Map #20-01, and Design Review Permit #20-01.

Attachments:

[Franklin Canyon RV Resort - CC Staff Report - 2022-02-08](#)

[Attachment 1 - Franklin Canyon RV - CC Resolution: Lot Line Adjustment #20-01 + Tentative](#)

[Exhibit A - Franklin Canyon RV - Conditions of Approval](#)

[Exhibit B - Franklin Canyon RV - Mitigation Monitoring & Reporting Program](#)

[Exhibit C1 - Franklin Canyon RV - Lot Line Adjustment](#)

[Exhibit C2 - Franklin Canyon RV - Tentative Parcel Map](#)

[Exhibit C3-1 - Franklin Canyon RV - Civil](#)

[Exhibit C3-2 - Franklin Canyon RV - Civil \(Wastewater\)](#)

[Exhibit C3-3 - Franklin Canyon RV - Design & Architecture](#)

[Exhibit C3-4 - Franklin Canyon RV - Landscape \(p1\)](#)

[Exhibit C3-5 - Franklin Canyon RV - Landscape \(p2\)](#)

[Attachment 2 - Franklin Canyon RV - CEQA: Initial Study & Mitigated Negative Declaration](#)

[Attachment 2a - Response to ISMND Comments](#)

[Attachment 3 - Franklin Canyon Tree Survey - August 2018](#)

[Attachment 4 - Franklin Canyon RV - Visual simulations](#)

[Attachment 5 - Franklin Canyon RV - Zoning Clearance - 6-26-2019](#)

[Attachment 6 - Franklin Canyon RV - John Muir Land Trust Memorandum of Understanding](#)

[Attachment 7 - Franklin Canyon RV - Public Comments \(non-CEQA\)](#)

[Attachment 8 - San Francisco Regional Water Quality Control Board letter](#)

[Franklin Canyon RV - Staff Presentation - CC 20220208](#)

XII. CONSENT CALENDAR1. [22-043](#) **Minutes**

Recommendation: Approve the regular meeting minutes of January 25, 2022.

Attachments: [Minutes - 012522 - Regular.pdf](#)

2. [22-042](#) **Execution of Standard California Department of Transportation ("CalTrans") Agreements to Receive \$36k to Develop a Local Roadway Safety Plan and Receive Additional Transportation Related Grant Funding in the Future**

Recommendation: Adopt a Resolution authorizing the City Manager to execute a CalTrans Master Agreement and Program Supplement Agreement to receive \$36k to develop a local roadway safety plan and be eligible for other state-funded grants in the future.

Attachments: [Staff Report - Caltrans Grant Agreement 020822.docx](#)
[Attach 1 - Resolution - Caltrans Grant Agreement 020822.doc](#)
[Attach 2a - 04-5117S21 City of Hercules unsigned.pdf](#)
[Attach 2b - Administering Agency-Federal Master Agreement No. 04-5117R_Caltrans_Signe](#)

3. [22-048](#) **Accept the Investment Report for the Quarter Ending December 31, 2021**

Recommendation: Accept the investment report for the quarter ending December 31, 2021.

Attachments: [Staff Report - Investment Quaterly Report 12-31-21.docx](#)
[Attach 1 - Quarterly Investment Report 12312021.pdf](#)

XIII. DISCUSSION AND/OR ACTION ITEMS1. [22-041](#) **Discussion of Building Decarbonization through Possible Adoption of All-Electric Building Code Amendment**

(Continued discussion from City Council meetings on September 28, 2021, and January 11, 2022)

Recommendation: Receive report, discuss, and provide direction if and what type of all-electric ordinance should or should not be pursued.

Attachments: [Staff Report - Building Decarbonization - 2022-02-08](#)
[Attach 1 - Staff Report to City Council – September 28, 2021](#)
[Attach 2 - Staff Report to City Council - January 11, 2022](#)
[Attach 3 - Contra Costa County Ordinance #2022-02](#)

2. [22-049](#) **Report on Polling Results Related to Extending the Existing Utility Users Tax and the Viability of Becoming a Charter City for the Limited Purpose of Increasing the Real Estate Property Transfer Tax**
Recommendation: 1) Receive report from the Lew Edwards Group and direct staff to proceed with planning for the placement of the Utility Users Tax measure on the City's regularly scheduled Municipal Election in November 2022, or 2) Provide alternate direction.

Attachments: [Staff Report - 2-8-22 Report on UUT RPTT Polling Results.docx](#)
[Attach 1 - LEG.FM3.Summary.PollingHighlights.pdf](#)
[Attach 2 - 220-6254-F City of Hercules Community Issues Survey \(Phone\).pdf](#)
[Attach 3 - 11/09/21 - Award of Contract to Lew Edwards Group for UUT RPTT Polling Servic](#)
[Attach 4 - Resolution - Lew Edwards \(1\).pdf](#)
[Attach 5 - Election Opinion Poll Services Proposal FM3 Lew.pdf](#)

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.

XVI. ADJOURNMENT

The next Regular Meeting of the City Council will be held on Tuesday, February 22, 2022 at 7:00 p.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 and can receive e-mail notification of agenda and staff report postings by signing up to receive an enotice from the City's homepage. Agendas and staff reports may also be obtained by contacting the Administrative Services Department at (510) 799-8215.

(Posted: February 2, 2022)

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

1. SPECIAL ACCOMODATIONS: 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 510-799-8215 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, Hercules Post Office, and on the City's website (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.