



# 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*  
*Christie Crowl, City Attorney*  
*Eibeleis Melendez, City Clerk*

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Tuesday, September 24, 2024

6:00 PM

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**In-Person in Council Chambers or**

**Zoom ID: 851 5034 8049**

**Zoom Passcode: 459074**

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

#### **I. 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**

#### **1B. SPECIAL MEETING - CLOSED SESSION**

Council Member Walker-Griffin was not present during roll call and was initially marked absent. However, he was in attendance during Closed Session.

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

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

NONE

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

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

City Attorney, Christie Crowl, Read the titles of the items to be discussed in Closed Session. City Council and Staff recessed into Closed Session.

Meeting went into Recess

1. [22-964](#) Pursuant to Government Code Section 54957.6 Conference With Labor

Negotiators - City Negotiators: Dante Hall, City Manager; Edwin Gato, Director of Finance; relative to the following employee groups:

- a. Teamsters Local 315 Employee Organizations
- b. Hercules Police Officers Association

2. [22-965](#) Conference with Real Property Negotiators pursuant to Gov. Code section 54956.8. CONFERENCE WITH Real Property Negotiators Property address: 1680 Refugio Valley Road, Hercules CA 94547  
Agency Negotiators: Dante Hall, City Manager; Christie Crowl, City Attorney  
Negotiating Parties: City of Hercules, Rodeo Hercules Fire Protection District

#### **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**

There was no final or reportable action on the items discussed in Closed Session.

#### **VI. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was lead by Council Member Kelley.

#### **VII. MOMENT OF SILENCE**

NONE

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

**Mayor Romero would like to acknowledge the Filipino American History Month for the month of October.**

Mayor Romero recognized the days and months listed for the upcoming month of October. He also included Domestic Violence Awareness Month and National Breast Cancer Awareness Month

#### **IX. AGENDA ADDITIONS/DELETIONS**

NONE

## 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.

Public comment was provided Alison Peters and Earl McKelvy.

## XI. PUBLIC HEARINGS

1. [22-956](#) Waive first reading and introduce an Ordinance of the City Council of the City of Hercules amending Hercules Municipal Code Sections 13-6.200(3), 13-10.200(3), 13-15.200(1 & 2), 13-16.200(1-3), 13-21.400(2), 13-22.300(1 & 2), 13-23.300(1), 13-24.300(1 & 2) AND 13-25.300(2) to modify the requirement for a planned development plan, to amend Hercules Municipal Code section 13-48.200 to allow a planned development plan to be requested in all zoning overlay districts, and finding the action exempt from the California Environmental Quality Act.

**RECOMMENDATION:**

Staff recommends that the City Council adopt Ordinance No. 24-XX (Attachment 1) to amend provisions of Hercules Municipal Code Sections 13-6.200(3), 13-10.200(3), 13-15.200(1 & 2), 13-16.200(1-3), 13-21.400(2), 13-22.300(1 & 2), 13-23.300(1), 13-24.300(1 & 2) and 13-25.300(2) to modify the requirement of a Planned Development Plan (PDP) for new and expanded development within the specified zoning and overlay districts, to amend Hercules Municipal Code Section 13-48.200 to allow a PDP process to be requested in all zoning and overlay districts, and finding the actions exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

**Attachments:** [Staff Report - PDP Removal Text Amend](#)

[Attach 1 - Ordinance](#)

[Attach 2 - Signed Planning Comm. Reso 24-05.docx](#)

[Attach 3 - Zoning and Overlay Maps](#)

Senior Planner, Seana Fields, introduced and presented the item. Council asked questions and provided comment. Ms. Fields 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 Vice Mayor Bailey, seconded by Council Member Kelley, to adopt Ordinance 553. 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. [22-954](#) Meeting Minutes for the Special Meeting of August 29, 2024

**Attachments:** [Meeting Minutes for the Special Meeting of August 29, 2024](#)

APPROVED

2. [22-955](#) Meeting Minutes for the Regular Meeting of September 10, 2024

**Attachments:** [Meeting Minutes for the Regular Meeting of September 10, 2024](#)

APPROVED

3. [22-957](#) Local Vendor Preference Ordinance

RECOMMENDATION:

Waive second reading and adopt Ordinance No.552 (Attachment 1) adding Title 2, Chapter 5, Sections 2-5.01 to 2-5.03 to the Hercules Municipal Code to codify the City's local vendor preference for the purchase of goods and services.

**Attachments:** [Staff Report- Local Vendor Preference Ordinance \(Second Reading\)](#)  
[Attach 1 - Ordinance](#)

ORDINANCE 552, APPROVED

4. [22-958](#) Update the City of Hercules Affordable Housing Policy to Reflect the Recent Density Bonus Revisions to the Hercules Municipal Code

RECOMMENDATION:

Update the City of Hercules Affordable Housing Policy to Reflect the Recent Density Bonus Revisions to the Hercules Municipal Code

**Attachments:** [Staff Report - Affordable Housing Policy](#)  
[Attach 1 - Resolution - Affordable Housing Policy](#)  
[Attach 2 - Amended Hercules Affordable Housing Policy](#)  
[Attach 3 - Density Bonus Ordinance 551](#)

Resolution 24-061, APPROVED

5. [22-959](#) Conflict of Interest Code Biennial Review  
RECOMMENDATION:  
Adopt a Resolution amending the City's Conflict of Interest Code for designated employees, consultants, boards, committees and commissions for the City of Hercules.

**Attachments:** [Staff Report - Conflict of Interest Amendment 2024](#)

[Attach 1 - Resolution with Exhibit A](#)

[Attach 2 - Local Agency Biennial Notice](#)

Resolution 24-062, APPROVED

### XIII. DISCUSSION AND/OR ACTION ITEMS

1. [22-961](#) Approval of Update to the West Contra Costa Transportation Advisory Committee (WCCTAC) Joint Power Agreement (JPA)  
RECOMMENDATION:  
Staff recommends that the City Council adopt a resolution approving the updated WCCTAC JPA.

**Attachments:** [Staff Report - WCCTAC JPA Update](#)

[Attach 1 - Resolution WCCTAC](#)

[Attach 2 - Redline JPA](#)

[Attach 3 - Clean Version JPA](#)

Public Works Director, Mike Roberts, introduced and presented the item. A representative from West Contra Costa Transportation Advisory Committee( WCCTAC) attended via Zoom to answer any questions. Council asked questions and provided comment. City Attorney, Christie Crowl, provided a response. No public comment. Action was taken on this item.

**MOTION: A motion was made by Council Member Kelley, seconded by Vice Mayor Bailey, to adopt Resolution 24-063. 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. [22-962](#) Approval of a Funding Agreement between the City of Hercules and Contra Costa Transportation Authority for Cost Sharing Commitments to Design & Construct the Countywide Smart Signals Project  
RECOMMENDATION:  
It is recommended that the City Council approve the Funding Agreement between the City of Hercules and Contra Costa Transportation Authority for cost sharing commitments to design and construct the Countywide Smart Signals Project and authorize the City Manager to execute the Agreement on behalf of the City Council.

**Attachments:** [Staff Report - Countywide Signal Project Agreement](#)  
[Attach - 1 - Resolution - Smart Signals Funding Agreement](#)  
[Attach - 2 - Smart Signals Funding Agreement](#)  
[Attach - 3a - Staff Report - Countywide Signal Project 03262024](#)  
[Attach - 3b - Presentation - Contra Costa Countywide Smart Signals 03262024](#)

Public Works Director, Mike Roberts, introduced and presented the item. A representative from Contra Costa Transportation Authority(CCTA) attended the meeting via Zoom to answer questions. Council asked questions and provided comment. Director Roberts and CCTA provided a response. No public comment. Action was taken on this item.

**MOTION: A motion was made by Council Member Grimsley, seconded by Council Member Walker-Griffin, to adopt Resolution 24-064. 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. [22-960](#)

FY 24-25 Capital Improvement Program Update

**RECOMMENDATION:**

It is recommended that the City Council receive an update on the status of the FY 24-25 Capital Improvement Program.

**Attachments:** [Staff Report - Capital Improvement Program Update](#)  
[Attach 1 - FY 24-25 Adopted CIP Program](#)  
[Presentation - Capital Improvement Program Update](#)

Public Works Director, Mike Roberts, introduced and presented the item. Council asked questions and provided comment. Director Roberts provided a response. No public comment. This was an informational item. No action was taken on this item.

4. [22-963](#)

Designation of Voting Delegate and Alternates for the League of California Cities Annual Conference and General Assembly.

**RECOMMENDATION:**

1. Designate a voting delegate and alternates for the League of California Cities Annual Conference and General Assembly to be held October 16-18th, 2024, in Long Beach, CA.
2. Provide the designated voting delegate direction on the resolution to be considered by the General Assembly.

**Attachments:** [Staff Report - League of California Cities Voting Delegate](#)  
[Attach 1 - 2024 Cal Cities Voting Delegate Information Packet](#)  
[Attach 2 - 2024 Cal Cities Resolutions Packet](#)

City Clerk, Eibeleis Melendez, introduced and presented the item. Council provided comment. City Manager, Dante Hall, provided a response. No

public comment. Two actions were taken on this item.

**MOTION:** A motion was made by Council Member Kelley, seconded by Council Member Walker-Griffin, that at the CalCities 2024 Annual Conference that Council Member Walker-Griffin will be the primary Delegate and that Council Member Kelley will be the alternate Delegate . The motion carried by the following vote:

**MOTION:** A motion was made by Council Member Walker-Griffin, seconded by Council Member Kelley, that the City Council of the City of Hercules votes to abstain on the proposed resolution for the 2024 League of California Cities Annual Conference. 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**

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.

NONE

#### **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**

The City Manager and City Attorney had no announcements.

##### **1. Regional Committee**

Council Member Kelley attended a Contra Costa Transportation Authority(CCTA) event and reported out on the CCTA Board meeting. Council Member Walker-Griffin attended the East Bay Wildfire Coalition meeting. Vice Mayor Bailey reported on the Marin Clean Energy(MCE) 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.

**Future Agenda Items-**

There were no future agenda item request.

City Council and Staff recessed into Closed Session to discuss the second Closed Session item.

Meeting went into Recess.

**XVI. ADJOURNMENT**

Mayor Romero adjourned the meeting at 9:10 p.m.

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Dan Romero, Mayor

Attest:

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Eibleis Melendez, City Clerk