



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
Eibeleis Melendez, City Clerk

Tuesday, February 13, 2024

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

In-Person in Council Chambers or to Listen Only: Zoom ID: 863 2111 7549,
Zoom Passcode: 680524
Zoom Phone Number: 1-669-900-6833

I. CLOSED SESSION – CALL TO ORDER - ROLL CALL - 6:00 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

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS

NONE

III. CONVENE INTO CLOSED SESSION

City Attorney, Patrick Tang, read aloud the items that will be discussed in Closed Session. City Manager, Dante Hall, City Attorney Tang and Council convened into Close Session.

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

Meeting went into Recess

1. [22-770](#) Pursuant to Government Code section 54954.5(e), PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE.
2. [22-771](#) 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

- c. Hercules Senior Manager Employee Group
- d. Confidential Unrepresented Employee Group
- e. Mid Management Employee Group

3. [22-774](#) Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE EVALUATION - Title: City Manager

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

City Attorney, Patrick Tang, reported out on the items discussed in Closed Session. The second item, Conference with Labor Negotiators, was deferred to the February 27, 2024 City Council meeting. There was no final or reportable action on items 1 and 3 that were discussed in Closed Session.

VI. PLEDGE OF ALLEGIANCE

Council Member Walker- Griffin lead the Pledge of Allegiance.

VII. MOMENT OF SILENCE

Mayor Romero held a Moment of Silence for West County politician, Irma Anderson, who recently passed away and a Pleasant Hill Public Works Employee who also passed away.

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

Council Member Bailey commented on his disappointment that Black History Month was not included under item VIII.

1. [22-763](#) Proclamation Recognizing the 45th Anniversary of the Hercules Chinese Association

Attachments: [Proclamation - 45th Anniversary of the Hercules Chinese Association](#)

Mayor Romero presented the proclamation. The Vice President of the Chinese Association of Hercules, James Woo, accepted the proclamation and thanked the Council for the recognition. Council provided comment. Pictures were taken.

2. [22-764](#) Clerk Recorder and Registrar - Election Update- Kristin Connelly

Attachments: [Presentation - Election Update - Helping Hercules Prepare for the 2024 Election](#)

Contra Costa County Clerk Recorder, Kristin Connelly, presented. Council Members asked questions and provided comment.

IX. AGENDA ADDITIONS/DELETIONS

NONE

X. PUBLIC COMMUNICATIONS

Public comment was provided by Chinwe and Earl McKelvy.

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, seconded by Council Member Walker-Griffin, 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. [22-760](#) Meeting Minutes for the Regular Meeting of January 9, 2024

Attachments: [Meeting Minutes for the Regular Meeting of January 9, 2024](#)

APPROVED

2. [22-761](#) Meeting Minutes for the Regular Meeting of January 23, 2024

Attachments: [Meeting Minutes for the Regular Meeting of January 23, 2024](#)

APPROVED

3. [22-762](#) Zoning Code amendments to implement the State law pertaining to emergency shelters and low barrier navigation centers. Amendments to Hercules Municipal Code (Table 13-6.1), Chapter 13-35 (Sec.13-35.258. Emergency Shelters), and Chapter 13-60 Definitions, pursuant to California Assembly Bill 2339. Amendments to Hercules Municipal Code (Table 13-12.1,13-15.1 and 13-18.1), Chapter 13-35 (Sec.13-35-260, Family Day Care Homes, proposed to be modified to Low-Barrier Navigation Centers), and Chapter 13-60. Definitions, pursuant to California

Assembly Bill 101.

RECOMMENDATION:

Staff recommends that the City Council approve the proposed ordinance amendments, which, consistent with State law requirements, generally accomplish the following:

- Update Hercules Municipal Code pursuant to State law, including:
 - o Add Emergency Shelters as a Permitted (P) Land Use in RM-L Residential Multifamily Low Density Zoning Districts Table 13-6.1.
 - o Modify emergency shelter objective standards in Sec.13-35.258
 - o Modify the “Emergency Shelters” definition in Chapter 13-60 Definitions.
 - o Add Low-Barrier Navigation Center as a Permitted (P) Land Use to Historic Town Center District (HTC) Table 13-12.1, Planned Commercial Residential Mixed-Use District (PC-R) Table 13-15.1 and New Town Center District (NTC) Table 13-18.1.
 - o Delete Sec.13-35.260. Family Day Care Homes and replace with Sec.13-35-260 Low-Barrier Navigation Center.
 - o Add “Low-Barrier Navigation Centers” definition to Chapter 13-60 Definitions.

Attachments: [Staff Report - Emergency Shelter - Low Barrier Nav Code Update](#)
[Attach 1 - Draft Ordinance- Emergency Shelters - Low Barrier Nav](#)
[Attach 2 - HCD Review of Draft Housing Element](#)

Ordinance 549 APPROVED.

4. [22-772](#) Consideration and Proposed Adoption of A Resolution Authorizing The City Manager To Execute Amendment No. 2 to The Professional Services Agreement With Regional Government Services (RGS) For Human Resources Assistance in The Amount Not To Exceed \$115,000

RECOMMENDATION:

Staff recommends City Council adopt the attached Resolution and authorize the City Manager to execute Amendment No. 2 in the amount of \$115,000 to the Professional Services Agreement with Regional Government Services (RGS) for human resources assistance.

Attachments: [Staff Report - Amendment To Professional Services Agreement With Regional Government Services \(RGS\)](#)
[Attach 1 - Resolution](#)
[Attach 2 - Contract with RGS for HR Services](#)
[Attach 3 - Ammendment 1 to Contract with RGS for HR Services](#)
[Attach 4 - Adopted FY 2023-24 Budget RGS Services](#)
[Attach 5 - Amendment # 2 to RGS Human Resources Agreement](#)

Resolution 24-007 was APPROVED.

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [22-766](#) Review of Fiscal Year (FY) 22-23 Unaudited Year-End Result
RECOMMENDATION:
Receive the report on FY 22-23 Unaudited Year-End Result

Attachments: [Staff Report - Review of Preliminary General Fund FY 22-23 Year End Results](#)
[Attach 1 - Unaudited General Fund Year End Results Summary as of June 30, 2023](#)
[Attach 2 - Unaudited All Funds Year End Results Summary as of June 30, 2023](#)
[Attach 3 - Unaudited Capital Projects to date Summary as of June 30, 2023](#)
[Presentation](#)

Finance Director, Edwin Gato, introduced and presented the item. Council asked questions and provided comment. Director Gato and City Manager, Dante Hall, provided a response. No public comment. No action was taken on this item.

2. [22-767](#) Remote Public Participation
RECOMMENDATION:
Provide direction to staff regarding a remote participation option for members of the public at public meetings.

Attachments: [Staff Report - Remote Participation](#)
[Attach 1 - Remote Participation Survey of Local Agencies](#)

City Clerk, Eibleis Melendez, introduced and presented the item. Council Members asked questions and provided comment. The City Clerk provided a response. No public comment. Council did provide direction and action was taken on this item.

MOTION: A motion was made by Council Member Bailey seconded by Council Member Grimsley, to continue to suspend public comment at this time until more information provided. Select option two that is in the Staff Report; accept remote public comment only for specific items on the agenda. Staff will bring the item back in May and provide an update. The motion carried by the following vote:

Aye: 3 - Council Member T. Grimsley, Council Member A. Walker-Griffin, and Vice Mayor D. Bailey

Nay: 2 - Council Member C. Kelley, and Mayor D. Romero

3. [22-768](#) Cooperative Funding Agreement with West Contra Costa Transportation Advisory Committee (WCCTAC) to Receive an Additional \$800K in Subregional Transportation Mitigation Program (STMP) Funding for The Hub.
RECOMMENDATION:
Adopt a resolution approving a Cooperative Funding Agreement with West

Contra Costa Transportation Advisory Committee (WCCTAC) to receive \$800K in Subregional Transportation Mitigation Program (STMP) funding in addition to the original \$750K for a total new Agreement amount of \$1.55M to advance The Hub and authorizing the City Manager to execute the Agreement on behalf of the City.

Attachments: [Staff Report -STMP Agreement](#)

[Attach 1 - Resolution - STMP Agreement](#)

[Attach 2 - Hercules Combined Funding Agreement-Final 2024-01-17](#)

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

MOTION: A motion was made by Council Member Kelley, seconded by Council Member Walker-Griffin, to adopt Resolution 24-008. 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. [22-769](#)

Adopt A Resolution Authorizing the City Manager To Execute An Agreement With Tripepi Smith and Associates For An Amount Not To Exceed \$22,000 For City Branding Services.

RECOMMENDATION:

Staff recommends that the City Council adopt a resolution authorizing the City Manager to execute an agreement with Tripepi Smith and Associates for an amount not to exceed \$22,000 for City branding services.

Attachments: [Staff Report -City Branding Services](#)

[Attach 1 - Resolution](#)

[Attach 2 - Hercules Branding Proposal](#)

City Manager, Dante Hall, introduced and presented the item. Council Members asked questions and provided comment. City Manager Hall and Jennifer Vaughn from Tripepi Smith provided a response. No public comment. Action was taken on this item.

MOTION: A motion was made by Vice Mayor Bailey, seconded by Council Member Grimsley, to adopt Resolution 24-009. 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**

The City Manager and City Attorney did not have any announcements.

1. Regional Committees:

Mayor Romero reported out on the February West County Integrated Waste Management meeting(WCCIWMA) that he attended

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 through the City and County which included the Lupine Hills Elementary School Spelling Bee.

Future Agenda Items-

There were no future agenda items requests

XVI. ADJOURNMENT

Mayor Romero adjourned the meeting at 9:35 P.M.

Dan Romero, Mayor

Attest:

Eibleis Melendez, City Clerk