

City of Hercules

111 Civic Drive
Hercules, CA 94547



Meeting Agenda

Tuesday, April 12, 2022

6:00 PM

Zoom Meeting ID: 878 4732 8596

Zoom Passcode: 146738

Zoom Phone Number: 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
Lauren Berges, 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

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

III. CONVENE INTO CLOSED SESSION

1. [22-115](#) 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

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. [22-117](#) **Proclamation Recognizing April 14th as Nepal Day in the City of Hercules**
Attachments: [Proclamation - Nepal Day_Final](#)
2. [22-116](#) **Proclamation Recognizing the Week of April 17th as Volunteer Appreciation Week in the City of Hercules**
Attachments: [Volunteer Appreciation Day - 2022-03-22](#)
3. [22-123](#) **Hercules Connect Presentation**
Attachments: [Staff Report - Hercules Connect](#)
[Hercules Connect](#)

4. [22-125](#) **Presentation - Update on Rodeo-Hercules Fire Protection District by Interim Fire Chief Darren Johnson**

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

XII. CONSENT CALENDAR

1. [22-126](#) **Minutes**
Recommendation: Approve the Regular Meeting Minutes of March 22, 2022.
Attachments: [Minutes - 032222 - Regular](#)
2. [22-120](#) **Execution of Standard CalTrans Agreement to Receive \$492,000 in Grant Funding for the Sycamore Avenue Rehabilitation Project**
Recommendation: Adopt a resolution authorizing the City Manager to execute CalTrans program supplement agreement No. F008 to receive \$492,000 in federal grant funding for the Sycamore Avenue Rehabilitation Project.
Attachments: [Staff Report - Caltrans Grant Agreement 020822 \(1\)](#)
[Attach 1 - Resolution - Caltrans Grant Agreement 020822 \(1\)](#)
[Attach 2 - 5117016 PSA to Agency](#)
[Attach 3 - Administering Agency-Federal Master Agreement No. 04-5117R_Caltrans_Signed](#)

3. [22-122](#) **Acceptance of the 2021 Streetlight Replacement Project**
Recommendation: Adopt a resolution accepting the 2021 Streetlight Replacement Project contract with NEMA as complete for a total amount of \$142,120 and authorizing the filing of the notice of completion with the Contra Costa County Recorder's Office.

Attachments: [Staff Report - 2021 Streetlight Acceptance](#)
[Attach 1 Reso - 2021 Streetlight Acceptance](#)
[Attach 2 NOC - 2021 Streetlight Acceptance](#)

4. [22-118](#) **Adoption of a Resolution Amending the Internal Service Fund FY 2021-22 Budget for Information Technology Services increasing its appropriation by \$400,000 and authorizing acceptance of reimbursement proceeds from cyber insurance in the amount of approximately \$330,000.**
Recommendation: Adopt a resolution amending the Internal Service Fund FY 2021-22 Budget for Information Technology Services increasing its appropriation by \$400,000.

Attachments: [Staff Report - Budget Appropriation - Data Breach](#)
[Attach 1 - Resolution](#)
[Attach 2 - Budget Approp to Increase ISF](#)

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [22-137](#) **Fireworks Celebration**
Recommendation: Receive a Report on the Status of the Fireworks Show Scheduled for July 4, 2022, authorize staff to enter into a cost sharing agreement with the City of Pinole.

Attachments: [Staff Report - Fireworks Celebration - 4-12-22](#)
[Attach 1 - SR - Firework Celebration - 3-29-21 Rev MR1](#)
[Attach 2 - Fireworks Celebration locations - 4 options](#)

2. [22-139](#) **Authorization To Execute a Contract With Tripepi Smith, for an Amount Not to Exceed \$42,300.26, for Design, Print, and Mail Services Related to the Polling and Strategic Communication Services for Ballot Measures to Extend the Utility Users Tax (UUT), and the Viability of Becoming a Charter City for the Limited Purpose of Increasing the Real Property Transfer Tax (RPTT)**
RECOMMENDATION: Adopt a Resolution authorizing the city manager to execute a contract with Tripepi Smith, for an amount not to exceed \$42,300.26.

3. [22-121](#) **Senate Bill 9: The California HOME Act**
Recommendation: Discuss local compliance with new State legislation that provides for ministerial approval of up to two residential units and/or a lot split in residential single-family zones.

Attachments: [Staff Report - Study Session on SB9](#)
 [Attachment 1 - SB 9 Text](#)

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, April 26, 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: April 6, 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.