

City of Hercules

111 Civic Drive
Hercules, CA 94547



Meeting Agenda

Tuesday, May 28, 2024

6:00 PM

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

In-Person in Council Chambers or to Listen only:

Zoom ID: 880 7041 9625

Zoom Passcode: 299387 Zoom Phone Number: 1-669-900-6833

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

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

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

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS

III. CONVENE INTO CLOSED SESSION

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

1. [22-873](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
- Pursuant to Government Code Section 54956.9(d)(4): in one (1) matter.
2. [22-872](#) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION -
Pursuant to Government Code Section 54956.9(e)(1): in one (1) matter.
3. [22-874](#) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
- Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2) related to a fatal traffic incident located at Parker Ave at 4th Street, Rodeo.

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

Mayor Romero would like to acknowledge the following for the Month of June -
Pride Month

National Cancer Survivors Day - June 2nd

Philippine Independence Day - June 12th

Flag Day - June 14th

Father's Day - June 16th

Juneteenth - June 19th

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. [22-861](#) **Public Hearing on Proposed FY 2024-25 City of Hercules Budget Plan including the First Year of the Ten Year 2025-34 Capital Improvement Plan (CIP)**

RECOMMENDATION:

Open the Public Hearing, Receive the Staff Report, Take Public Testimony, and Continue the Public Hearing to June 11, 2024. It is recommended that the City Council discuss and provide policy direction, if any, to staff regarding the approval of the proposed FY 2024-25 Annual Budget.

Attachments: [Staff Report - FY 24-25 Proposed Annual Budget](#)
[Attach 1 - Proposed FY 2024-25 HERCULES Annual Budget](#)

XII. CONSENT CALENDAR

1. [22-862](#) **Adoption of a List of Project for Fiscal Year 2024-25 Funded by SB 1: the Road Repair and Accountability Act of 2017**

RECOMMENDATION:

Adopt a Resolution adopting a list of projects for Fiscal Year 2024-25 Funded by Sb 1: the Road Repair and Accountability Act of 2017.

Attachments: [Staff Report - SB1 FY 24-25](#)
[Attach 1 - Resolution - SB1 FY 24-25](#)

2. [22-863](#) **Authorize Display of Pride Month Commemorative Flag**

RECOMMENDATION:

Approve Display of Commemorative Flag for the month of June - Pride Month

Attachments: [Staff Report - Pride Flag Display for Month of June 2024](#)
[Attach 1- Flag Policy #16](#)

3. [22-864](#) **Authorize Display of Juneteenth Commemorative Flag**
RECOMMENDATION:
Approve the Display of the Juneteenth Commemorative Flag from June 14th through June 21st.
- Attachments:** [Staff Report - Juneteenth Flag Display 2024](#)
[Attach 1- Flag Policy #16](#)

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [22-865](#) **FY 23/24 Sewer Fund Financial Analysis and Recommendations for FY 25/26 Rate Adjustments**
RECOMMENDATION:
The City Council receive a presentation on the FY 23/24 Sewer Fund financial model run including the recommendation to proceed with a Proposition 218 process in Spring 2025 to increase rates in FY 25/26.
- Attachments:** [Staff Report - Sewer Health Fund Study](#)
[Presentation - Hercules Rate Study](#)
2. [22-866](#) **Adoption of the 2024-2026 Hercules City Council Strategic Goals**
RECOMMENDATION:
Receive and file the report on the Council Strategic Planning Workshop and adopt by resolution the 2024-2026 Hercules City Council Strategic Goals.
- Attachments:** [Staff Report - Adoption of the 2024-2026 Hercules City Council Strategic Goals](#)
[Attach 1 - Resolution Adopting the 2024-2026 Hercules City Council Strategic Goals](#)
[Attach 2 - Exhibit 1 - 2024-2026 Hercules City Council Strategic Goals](#)
3. [22-867](#) **Hercules Branding Project and Logo Concepts**
RECOMMENDATION:
Staff recommends that the City Council consider and select one logo option for finalization.
- Attachments:** [Staff Report - Hercules Branding Project Logo Concepts](#)
[Attach 1 - Draft - Focus Round Hercules Logo Survey Selections](#)
4. [22-875](#) **Request for a Town Hall Meeting Regarding the Rodeo-Hercules Fire Protection District Long-term Sustainability Options**
RECOMMENDATION:
Staff requests that the City Council discuss this item and provide direction.
- Attachments:** [Staff Report - Request for a Town Hall Meeting Re:the Rodeo-Hercules Fire Protection District](#)
[Attach 1 - RHFD 12-13-2023 Special Meeting Agenda](#)
[Attach 2 - RHFD 5-15-2024 Special Meeting Agenda](#)

5. [22-868](#) **Remote Public Participation Update****RECOMMENDATION:**

Provide direction to staff regarding a remote participation option for members of the public at public meetings.

Attachments: [Staff Report - Remote Participation Update](#)
 [Attach 1 - Remote Participation Survey of Local Agencies 5/20/24](#)
 [Attach 2 - 2.13.24 Staff Report - Remote Participation](#)
 [Attach 3 - Remote Participation Survey of Local Agencies 1/1/24](#)

6. [22-869](#) **Award of a Construction Contract in the amount of \$84,910 for the Fire Station 76 Reroofing Project****RECOMMENDATION:**

Adopt a resolution authorizing the City Manager to execute a construction contract with Lifetime Roofing & Renovation in the amount of \$84,910 for the Fire Station 76 Reroofing Project, authorizing an additional expenditure of up to \$8,491 for a 10% contingency on said construction contract, for a total not to exceed amount of \$93,401, and appropriating the same from the General Fund/Capital Reserves to fully fund the project.

Attachments: [Staff Report - Fire Station 76 Reroofing Award](#)
 [Attach 1 - Resolutuion -Fire Station 76 Reroofing Award](#)

7. [22-871](#) **4th of July Fireworks Celebration****RECOMMENDATION:**

City Council receive an update on the Bayfront 4th of July fireworks celebration, discuss, and provide direction to staff, if any.

Attachments: [Staff Report - Fireworks Celebration Update](#)
 [Attach 1 - Map - 4th of July Fireworks Event](#)

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, June 11, 2024 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 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: May 23, 2024)

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: At this time remote public comment is suspended and will not be accepted. To watch and listen only 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@ci.hercules.ca.us. 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 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),
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.