

City of Hercules

111 Civic Drive
Hercules, CA 94547



Meeting Agenda

Tuesday, April 23, 2024

SPECIAL MEETING 6:30 P.M., REGULAR MEETING 7:00 P.M.
In Council Chambers or To Watch or Listen: Zoom ID: 860 6334
7873 Zoom Passcode: 860718
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. SPECIAL MEETING – CALL TO ORDER - ROLL CALL - 6:30 P.M.

II. PUBLIC COMMUNICATION - SPECIAL MEETING ITEMS

III. COMMISSION INTERVIEWS

1. [22-843](#) **COMMISSION INTERVIEW
RECOMMENDATION:**

Interview eligible candidate for vacant Hercules Finance Commission seat.

IV. REGULAR MEETING – CONVENE TO OPEN SESSION - ROLL CALL - 7:00 P.M.

**V. REPORT ON ACTION TAKEN IN CLOSED SESSION-
NO 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 May -

Military Appreciation Month

Jewish American Heritage Month

Asian Pacific American Heritage Month

National Teacher Appreciation Day- May 7th

Peace Officer Memorial Day- May 15th

Municipal Clerks Week- May 5th-11th

National Police Week - May 12th-18th

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

XII. CONSENT CALENDAR

1. [22-837](#) **Meeting Minutes for the Regular Meeting of April 9, 2024**

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

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [22-838](#) **Commission and Committee Appointments**

RECOMMENDATION:

Consider making an appointment to the Hercules Finance Commission for the start of a new two (2) year term and fill a vacant seat.

Attachments: [Staff Report - Finance Commission Appointment](#)

2. [22-844](#) **1) Landscaping and Lighting Assessment Districts - Approval of Preliminary Engineer's Reports and Declaring the City Council's Intention to Levy and Collect Assessments for Fiscal Year 2024/25**

2) Update on Proposition 218 timeline to notice and ballot property owners within the Victoria by the bay LLAD

RECOMMENDATION:

City staff is recommending City Council adopt the following resolutions:

- a. A resolution for the preliminary approval of the Engineer's Report and declaring the City Council's intention to levy and collect assessments for Fiscal Year 2024/25 within the Citywide Landscaping and Lighting Assessment District No. 83-2, which is comprised of Benefit Zone Nos. 1, 2, 3&4, 5A, 5B, 5C, 6, 7, 8, 9, and 10, and setting a public hearing for June 25, 2024;
- b. A resolution for the preliminary approval of the Engineer's Report and declaring the City Council's intention to levy and collect assessments for Fiscal Year 2024/25 within the Victoria by the Bay Landscaping and Lighting Assessment District No. 2002-1 and setting a public hearing for June 25, 2024;
- c. A resolution for the preliminary approval of the Engineer's Report and declaring the City Council's intention to levy and collect assessments for Fiscal Year 2024/25 within the Hercules Village Landscaping and Lighting Assessment District No. 2002-2 and setting a public hearing for June 25, 2024;
- d. A resolution for the preliminary approval of the Engineer's Report and declaring the City Council's intention to levy and collect assessments for Fiscal Year 2024/25 within the Baywood Landscaping and Lighting Assessment District No. 2004-1 and setting a public hearing for June 25, 2024; and
- e. A resolution for the preliminary approval of the Engineer's Report and declaring the City Council's intention to levy and collect assessments for Fiscal Year 2024/25 within the Bayside Landscaping and Lighting Assessment District No. 2005-1 and setting a public hearing for June 25, 2024.

Attachments: [Staff Report - FY 2024-25 LLAD ROI](#)
 [Attach 1 - FY24-25 Citywide LL](#)
 [Attach 2 - FY24-25 VBB L&L](#)
 [Attach 3 - FY24-25 HV L&L](#)
 [Attach 4 - FY24-25 Baywood LL](#)
 [Attach 5 - FY24-25 Bayside L&L](#)
 [Attach 6\(a\) - L832-2425 PER](#)
 [Attach 6\(b\) - L2002-1-2425 PER](#)
 [Attach 6\(c\) - L2002-2-2425 PER](#)
 [Attach 6\(d\) - L041-2425 PER](#)
 [Attach 6\(e\) - L051-2425 PER](#)
 [Attach 7 - Draft LLAD Program Coordinator Job Description](#)

3. [22-839](#) **Review and Approve of the Local Road Safety Plan**

RECOMMENDATION:

City Council receive a presentation on the Local Road Safety Plan (LRSP), discuss, provide feedback if any, and adopt a resolution approving the LRSP which could occur at a future meeting if additional discussion or substantial revisions are needed.

Attachments: [Staff Report - Local Roads Safety Plan](#)
 [Attach 1 - Resolution LRSP](#)
 [Attach 2 - Draft Local Roadway Safety Plan](#)
 [Presentation - Local Roadway Safety Plan](#)

4. [22-845](#) **Report and Discussion on the Hercules Branding Project and Logo Concepts**

RECOMMENDATION:

Staff recommends that City Council receives and files the Brand Research Summary and provides feedback on the logo concepts provided by ranking their top three preferences in number order (1, 2, and 3).

Attachments: [Staff Report - Hercules Branding Project](#)
 [Attach 1 - Hercules Brand Research Summary](#)
 [Attach 2 - Draft City Logo Concepts](#)

5. [22-841](#) **Budget Workshop: FY 24-25 City of Hercules Annual Proposed Budget**

RECOMMENDATION:

No action is required at this time. It is recommended that the City Council discuss and provide direction to staff regarding the proposed Fiscal Year (FY) 24-25 annual budget, specifically on the following:

1. Reorganization of Human Resources and Information Technology (IT) divisions.

a. Add Human Resources department and Director.

b. Reallocation of existing IT personnel from Administrative Services Department to the Finance Department.

2. Additional budget request and Attachment 1 describes the notable changes, along with the economic impact associated with each adjustment.

Attachments: [SR - Budget Workshop - FY 24-25 Proposed Annual Budget 04.23.2024](#)
[Attach 1 - List of Additional Budget Request](#)
[Attach 2 - Proposed General Fund - Summary](#)
[Attach 3 - Proposed General Fund - Expenditures by Category](#)
[Attach 4 - Projected General Fund Ending Available Cash Balance](#)
[Attach 5 - General Fund Five-Year Forecast](#)
[Attach 6 - Proposed Special Revenue Budget - Fund Summaries](#)
[Attach 7 - Proposed Sewer Enterprise Budget - Fund Summaries](#)
[Attach 8 - Proposed Internal Service Budget - Fund Summaries](#)
[Attach 9 - Proposed Debt Service Budget - Fund Summaries](#)
[Attach 10 - Proposed Capital Project Budget - Fund Summaries](#)
[Attach 11 - Proposed Capital Improvement Projects - Spending Plan & Funding Sources](#)
[Presentation](#)

6. [22-842](#) **Metropolitan Transportation Commission Transit-Oriented Communities Policy - Discussion of Compliance Options**

RECOMMENDATION:

Receive a report on the options to comply with the Metropolitan Transportation Commission (MTC) Transit-Oriented Communities (TOC) policy and provide staff with direction on which compliance policies the City would like to pursue or investigate further.

Attachments: [Staff Report - TOC Compliance Options](#)
[Attach 1 - Half-Mile Map](#)
[Attach 2 - TOC Policy Options - Spreadsheet](#)
[Attach 3 - MTC-TOC Policy Overview](#)
[Presentation](#)

7. [22-840](#) **Military Equipment Use and Acquisition**

RECOMMENDATION:

Annual Approval of Hercules Police Department military equipment inventory and usage per policy section 709 in conformance with the requirements of California Assembly Bill 481; Military Equipment Funding, Acquisition, and Use (attached).

Attachments: [Staff Report - Military Equipment 2023](#)
 [Attach 1 - Policy Section 709](#)
 [Attach 2 - Annual Military Equipment Report 2023](#)
 [Attach 3 - AB481](#)
 [Attach 4 - 537 - Ordinance - Military Equipment](#)
 [Presentation - Military Equipment 2023](#)

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, May 14 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: April 18, 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: Eiblis 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.