

City of Hercules

111 Civic Drive
Hercules, CA 94547



Meeting Agenda

Tuesday, July 11, 2017

6:00 PM

Special Closed Session - 6:00 PM
Regular City Council Meeting - 7:00 PM
Council Chambers

City Council

Mayor Myrna de Vera
Vice Mayor Chris Kelley
Council Member Dan Romero
Council Member Gerard Boulanger
Council Member Roland Esquivias

David Biggs, City Manager
Patrick Tang, City Attorney
Lori Martin, City Clerk

*Cablecast live on Comcast Channel 28, AT&T Channel 99 and webcast live via 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

III. CONVENE INTO CLOSED SESSION

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

1. Pursuant to Government Code Section 54957.6 CONFERENCE WITH LABOR NEGOTIATORS - City Negotiators: David Biggs, City Manager, Annie To, Director of Finance; Lori Martin, Director of Administrative Services relative to the following employee groups:
 - a. Hercules Police Officers Association
2. Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Manager (Discuss Annual Evaluation Per Employment Agreement)
3. Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE - RETIREMENT

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

1. Present Certificate of Appreciation to the Celebrate Hercules Association Committee for their efforts on the 4th Annual Celebrate Hercules 4th of July Event

Attachments: [Certificate of Appreciation - Celebrate Hercules Association](#)

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. Mandatory Garbage/Solid Waste Disposal Delinquent Accounts

Recommendation: Conduct a Public Hearing and upon conclusion, adopt a Resolution confirming the report of delinquent accounts and placing liens on said properties and special assessments upon property taxes pursuant to Hercules Municipal Code Section 5-2.01 to 5-2.16, Mandatory Garbage/Solid Waste Disposal

Attachments: [XI.1 - Mandatory Garbage/Solid Waste Delinquent Accounts](#)

[Attachment 1 - Resolution](#)

[Attachment 2 - Lien List](#)

XII. CONSENT CALENDAR

1. Approval of Minutes

Recommendation: Approve Minutes for the regular City Council meeting of June 27, 2017.

Attachments: [XII.1 - Minutes](#)

[06.27.17 Minutes](#)

2. Ordinance 502 Amending Hercules Municipal Code Title 7, chapter 1 to Allow the City to Require the Addition of City Communications Infrastructure as a Condition of Approval of Any Permit Issued for an Excavation Project

Recommendation: Waive the second reading and adopt Ordinance 502 amending Hercules Municipal Cod Title 7, Chapter 1.

Attachments: [XII.2 - Ordinance 502](#)

[Staff Report - Ordinance 502](#)

[Attachment 1 - Ordinance 502](#)

[Attach. 2 - 07-26-16 Fiber Optic Conduit Staff Report](#)

XIII. DISCUSSION AND/OR ACTION ITEMS

1. Approve Memorandum of Understanding with the Hercules Police Officers Association

Recommendation: Adopt a Resolution Approving a Memorandum of Understanding with the Hercules Police Officers Association.

Attachments: [XIII.1 - Memorandum of Understanding - POA](#)
 [Staff Report - POA MOU](#)
 [Attachment 1 - Resolution POA MOU](#)
 [Attachment 2 - HPOA MOU 2017-2018 FINAL DRAFT](#)

2. **Award a Construction Contract to O.C. Jones & Sons for the 2017 Pavement Maintenance Project**

Recommendation: Adopt a Resolution authorizing the City Manager to execute a construction contract in the amount of \$689,906 for the 2017 Pavement Maintenance Project and authorizing an additional expenditure of up to \$68,990 for a 10% contingency on said construction contract.

Attachments: [XIII.2 - Pavement Maintenance Project](#)
 [Staff Report - 2017 Pavement Maintenance](#)
 [Attachment 1 - Resolution](#)
 [Attachment 2 - Street Maintenance Location Map](#)

3. **Receive and File the Finance Commission's Annual Report on Measure B/O and C/A for FY 2015-16**

Recommendation: Receive and File the report.

Attachments: [XIII.3 - Measure A & O Report](#)
 [Staff Report - Measure B/O & C/A](#)
 [Attachment 1 - Finance Commission Annual Report - Measure B/O & C/A](#)

4. **City Council 2017 Regular Meeting Dates**

Recommendation: Review the schedule of City Council regular meeting dates for 2017 and consider canceling the November 28th meeting due to the Thanksgiving Holiday closure schedule.

Attachments: [XIII.7 - Meeting Calendar](#)
 [Staff Report - Meeting Calendar](#)
 [Attachment 1 - Calendar 2017](#)

5. **Consider Possible Reinstatement of City Council Health Benefits**

Recommendation: Receive report, discuss options, and if applicable, adopt a Resolution reinstating City Council Medical Insurance Benefits.

Attachments: [XIII.4 - Council Benefits](#)
 [Staff Report - Reinstatement Healthcare Benefits](#)
 [Attachment 1 - Budget Referral #18-1](#)
 [Attachment 2 - April 25 2017 Staff Report](#)
 [Attachment 3 - Resolution](#)

6. **Receive Report on Strategic Planning Workshop and Hercules Strategic Plan 2017**

Recommendation: Receive and file report on Strategic Planning Workshop and

adopt the Hercules Strategic Plan 2017.

Attachments: [XIII.5 - Strategic Plan](#)
 [Staff Report - Strategic Plan 2017](#)
 [Attachment 1 - Management Partners Report](#)
 [Attachment 2 - Hercules Strategic Plan 2017](#)

7. Approve City Council Rules of Procedure, Sections 2.8, 4.7 and 6 and Review Sections 7 and 8

Recommendation: Approve Council Rules of Procedure, Section 2.8, 4.7 and 6 amended at the May 23, 2017 City Council meeting and review and recommend changes to Sections 7 and 8, if any.

Attachments: [XIII.6 - Council Rules of Procedure](#)
 [Staff Report - Council Rules of Procedure](#)
 [Att. 1 - Sections 2.8, 4.7 and Section 6 - Redlined](#)
 [Att. 2 - Sections 2.8, 4.7 and Section 6 - clean version](#)
 [Att. 4 - Council Rules of Procedure - Sections 7 and 8 - redlined](#)
 [Att. 4 - Council Rules of Procedure - Sections 7 and 8 - clean version](#)

8. Designation of Voting Delegate and Alternates for the League of California Cities Annual Conference and Business Meeting

Recommendation: Discuss and appoint a voting delegate and alternate(s) for the League of California Cities Annual Conference and Business Meeting to be held September 13-15, 2017 in Sacramento, CA.

Attachments: [XIII.8 - Designation of Voting Delegate LOCC](#)
 [Staff Report - LOCC Voting Delegate](#)
 [Attach 1 - Voting Delegate Form and Procedures](#)

9. Receive Report Regarding an Update on Current Development Sites within the City of Hercules

Recommendation: Receive report.

Attachments: [XIII.9 - Update on Development Sites](#)
 [Staff Report - Development Site Update](#)
 [Attachment 1 - Development Site Listing](#)
 [Attachment 2 - Power Point](#)

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, July 25, 2017 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 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: July 6, 2017)

**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 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 Commission 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.