

City of Hercules

*111 Civic Drive
Hercules, CA 94547*



Meeting Agenda

Tuesday, November 14, 2017

Closed Session - 6:00 p.m.

Regular Session - 7:00 p.m.

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

To view webcast of meetings, live or on demand, go to the City's website at www.ci.hercules.ca.us

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

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS

III. CONVENE INTO CLOSED SESSION

1. Pursuant to Government Code Section 54956.9(e)(1), Conference with Legal Counsel
Significant exposure to litigation in one (1) matter.

IV. REGULAR MEETING – 7:00 P.M. CALL TO ORDER - ROLL CALL

V. REPORT ON ACTION TAKEN IN CLOSED SESSION - NONE

VI. PLEDGE OF ALLEGIANCE

VII. MOMENT OF SILENCE

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

1. Mayor de Vera to Present Proclamations Expressing Special Recognition to Eagle Scouts, Victor Wu, Justin Cheung and Simran Samra and Mrs. Ogura from Hercules Middle School and Victor Wu to Give a Brief Presentation on the Sensory Garden Project

Attachments: [PROCLAMATION - Wu Victor Yuhang DRAFT 10-26-2017](#)
 [PROCLAMATION - Cheung Justin Ryan DRAFT 11-07-2017](#)
 [PROCLAMATION - Simran Samra](#)

2. Sales Tax Presentation by Robert Hamud of Muni-Services

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: [Staff Report - Garbage Liens](#)
 [Attachment 1 - Resolution - Garbage Liens](#)
 [Attach 2 - Lien List - Redacted](#)

2. 2017 Speed Survey and Ordinance to Reduce Speed Limits on Sections of Sycamore Avenue and Refugio Valley Road

Recommendation: 1) Review the Draft 2017 Speed Survey; and 2) Introduce an Ordinance to amend Hercules Municipal Code Title 3, Chapter 4 to reduce the speed limit on Refugio Valley Road from 40 mph to 35 mph between Redwood Road and Bonaire Avenue and to reduce the speed limit on Sycamore Avenue from 40 mph to 35 mph between Civic Drive and Palm Avenue.

Attachments: [Staff Report - Speed Survey and Ordinance](#)
 [Ordinance 505 - Speed Limits Amendment](#)
 [Attach 1 - Hercules E&T Report GL110217](#)
 [Attach 2 - Speed Limit Municipal Code](#)
 [Attach 3 - September 26, 2017 Staff Report](#)

XII. CONSENT CALENDAR**1. Approve Regular Meeting Minutes of October 24, 2017**

Recommendation: Adopt Minutes.

Attachments: [Minutes - 102417](#)

2. Approval of a Professional Services Agreement with Rosenow Spevacek Group for Redevelopment Related Services in a not to Exceed Amount of \$50,000

Recommendation: Approve a Professional Services Agreement with the Rosenow Spevacek Group for Redevelopment Related Services in an amount not to Exceed Amount of \$50,000 and authorize the City Manager to execute the contract.

Attachments: [Staff Report - RSG Agreement - PT](#)
 [Attach 1 - Resolution - RSG agreement](#)
 [Attach 2 - Prof Svcs Agmt incl Scope of Services - RSG](#)
 [Attach 3 - Mar 2016 RSG Agreement](#)
 [Attach 4 - Amendment 1 to March 2016 Agreement](#)
 [Attach 5 - Amendment 2 to March 2016 Agreement](#)

XIII. DISCUSSION AND/OR ACTION ITEMS

1. **Status Report on Historic Structures Owned by Mr. David Cury on Railroad Avenue**
Recommendation: Receive report, discuss, and provide direction, if any.
Attachments: [Cury Historic Buildings Update SR 11142017](#)
2. **Update on Landscape & Lighting Assessment Districts and Discussion of Options**
Recommendation: Receive report, discuss, and provide direction, if any.
Attachments: [Staff Report - LLAD Options 11142017](#)
[Attach 1 Citywide L&LAD District Income and Expense Summary](#)
[Attach 2 Arterial Income and Expense Summary](#)
[Attach 3 Other District Income and Expense Summaries](#)
3. **Award of Street Tree Maintenance Contracts**
Recommendation: 1) Appropriating \$164,663 in Landscaping & Lighting District (LLAD) funding for street tree maintenance; and 2) Authorizing the City Manager to execute the street tree maintenance contracts with A-Plus for Areas 1,2,4 and 6 in the amount of \$152,863 and Commercial Tree Service for Areas 3 and 5 in the amount of \$11,800.
Attachments: [Staff Report - Street Repair Contract Award](#)
[Attach 1 - Resolution - Street Repair Contract Award](#)
[Attach 2 - Tree Maintenance Location Map](#)
4. **Award of a Construction Contract to MCK Services, Inc. for Street Pavement Patching**
Recommendation: Adopt a Resolution authorizing the City Manager to execute a construction contract with MCK Services, Inc. in the amount of \$259,020 for the Street Pavement Patching Project, and authorizing an additional expenditure of up to \$25,902 for a 10% contingency on said construction contract.
Attachments: [Staff Report - Street Repair Contract Award](#)
[Attach 1 - Reso - Street Repair Contract Award](#)
[Attach 2 - Pavement Patching Location Map](#)
5. **Long-Term Financial Projection for the General Fund**
Recommendation: Review and discuss the long-term financial projection for the General Fund.
Attachments: [Staff Report - Long Term Projection - General Fund Final](#)
[Attach 1- Finance Commission Changes](#)
[Attach 2 - LT Operating Financial Forecast](#)
[Attach 3 - General Fund Assumptions](#)

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, December 12, 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: November 8, 2017)

**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.