

# City of Hercules

111 Civic Drive  
Hercules, CA 94547



## Meeting Agenda

**Tuesday, December 12, 2017**

**Closed Session - None.**  
**Regular Session - 7:00 p.m.**  
**Council Chambers**

### **City Council**

***Mayor Chris Kelley***  
***Vice Mayor Dan Romero***  
***Council Member Gerard Boulanger***  
***Council Member Myrna de Vera***  
***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](http://www.ci.hercules.ca.us)*

**I. CLOSED SESSION – None**

**II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS - NONE**

**III. CONVENE INTO CLOSED SESSION - NONE**

**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**

**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**

None.

**XII. CONSENT CALENDAR**

**1. Approve Regular Meeting Minutes of November 14, 2017**

**Recommendation:** Adopt Minutes

**Attachments:**     [Meeting Minutes 111417](#)

2. **Approve Special Meeting Minutes of November 28, 2017**

**Recommendation:** Adopt Minutes

**Attachments:**     [Meeting Minutes 112817 - Special](#)

3. **Appointment to the Contra Costa County Library Commission**

**Recommendation:** Appoint Brian Campbell-Miller to the Contra Costa County Library Commission for a term ending June 30, 2019.

**Attachments:**     [Staff Report - LibraryComm appt - B.Miller](#)

4. **Annual Local Commission Appointment List**

**Recommendation:** Review and receive the Annual Local Commission Appointment List commonly referred to as the Maddy Act.

**Attachments:**     [Staff Report - Maddy Act 121217](#)  
                              [2017 Maddy Act Appointment List](#)

5. **Approval of the Encroachment Easement and Agreement for Block N of the Bayfront Project**

**Recommendation:** Adopt a resolution approving the Encroachment Easement and Agreement for Block N of the Bayfront Project and authorizing the City Manager to execute said Agreement on behalf of the City Council.

**Attachments:**     [Staff Report - Block N Easement Agreement](#)  
                              [Attach 1 - Resolution - Block N Easement Agreement](#)  
                              [Attach 2 - ENCROACHMENT EASEMENT AND AGREEMENT-SignedNewCover1](#)  
                              [Plat Map - BlockN Encroachment plat](#)

6. **Approval of the 2017 Speed Survey and Adoption of an Ordinance to Reduce Speed Limits on Sections of Sycamore Avenue and Refugio Valley Road**

**Recommendation:**

- 1) Adopt a resolution approving the 2017 Speed Survey; and
- 2) Waive the second reading and adopt 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](#)  
                              [Attach 1 - Resolution - Speed Survey](#)  
                              [Attach 1 - Resolution Table 2 GL120417](#)  
                              [Attach 2 - Ord 505 - Speed Limits Amendment - redline](#)  
                              [Attach 2 - Ord 505 - Speed Limits Amendment - clean](#)  
                              [Attach 3 - Signed Speed Survey Report GL120417](#)

7. **Acceptance of the 2017 Pavement Maintenance Project and Budget Modification**

**Recommendation:** Adopt a resolution accepting the 2017 Pavement Maintenance Project contract with O.C. Jones as complete for a total amount of \$694,325.64, authorizing the filing of the Notice of Completion with the Contra Costa County Recorder's Office, and approving a budget modification to incorporate \$140,000 in new SB 1 "The Road Repair and Accountability Act" funding.

**Attachments:**     [Staff Report - 2017 Street Resurfacing Acceptance](#)  
                              [Attach 1 - Resolution - 2017 Street Resurfacing](#)  
                              [Attach 2 - 2017 Street Resurfacing Notice of Completion](#)  
                              [2017 Pavement Maintenance Project - Location Map](#)

**XIII. DISCUSSION AND/OR ACTION ITEMS**

1. **Developer Update on Bayfront Project**

**Recommendation:** Receive presentation.

**Attachments:**     [Staff Report - Bayfront Update 12122017](#)

2. **Municipal Resources Group (MRG) Contract Amendment No. 3 for Planning, Building, and Engineering Project Management Services**

**Recommendation:** Adopt a resolution authorizing the City Manager to execute Contract Amendment No. 3 with Municipal Resources Group for an additional \$75,000, for a total contract amount not to exceed \$300,000 for continued project management consulting services on development funded projects & programs, general plan related updates, planning related field inspections and conditions of approval verifications, and engineering special assignments as needed to finish out the 2017/18 Fiscal Year.

**Attachments:**     [Staff Report - MRG Contract Amendment 12-12-2017](#)  
                              [Att 1 - MRG Contract Amendment No 3 Resolution](#)  
                              [Att 2-Signed Amendment City of Hercules Amendment 3 12 05 2017](#)  
                              [Att 3-City of Hercules Assistance Proposal 12 05 2017](#)

3. **Commission Appointments**

**Recommendation:** Consider making appointments to Hercules Boards and Commissions, make appointments for either vacancies that have occurred or for the start of new terms.

**Attachments:**     [Staff Report - Commission Appointments](#)

4. **Landscape & Lighting Assessment District Options**

**Recommendation:** Receive Report, Discuss, and provide Direction, if any.

**Attachments:**     [Staff Report - L&LAD Follow Up 12122017](#)

**5. FY17-18 First Quarter Revenue and Expenditure Report**

**Recommendation:** Receive a report on the FY 2017-18 First Quarter Budget Review and Forecast.

**Attachments:**     [Staff Report - FY17-18 First Quarter Revenue and Expenditure Report](#)  
[FY17-18 General Fund First Quarter Revenue and Expenditure Report](#)  
[FY17-18 Wastewater First Quarter Revenue and Expenditure Report](#)

**6. 2018 Council Appointments on Regional Committees and Council Subcommittees**

**Recommendation:** Express interest and availability for the 2018 Council Appointments on Regional Committees and Council Subcommittees to be made by the Mayor in January 2018.

**Attachments:**     [Staff Report - Council Appointments to Regional Committees](#)  
[Attach 1 - 2017 CC Appointed Reps Approved 1.10.17](#)

**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, January 9, 2018 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](http://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: December 7, 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](http://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.