

# City of Hercules

111 Civic Drive  
Hercules, CA 94547



## Meeting Agenda

Tuesday, February 26, 2019

6:00 PM

**SPECIAL MEETING AND SPECIAL CLOSED SESSION - 6:00 P.M.**

**REGULAR MEETING - 7:00 P.M.**

**Council Chambers**

### **City Council**

*Mayor Dan Romero*  
*Vice Mayor Roland Esquivias*  
*Council Member Chris Kelley*  
*Council Member Gerard Boulanger*  
*Council Member Dion Bailey*

*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). In addition, a live broadcast of City Council meetings is available on Comcast Cable Channel 28.*

**I. SPECIAL MEETING - COMMISSION INTERVIEWS – 6:00 P.M. CALL TO ORDER - ROLL CALL**

**II. PUBLIC COMMUNICATION - SPECIAL MEETING**

**III. APPLICANT INTERVIEWS - FINANCE COMMISSION**

1. **Finance Commission Interviews**

**Recommendation:** Interview candidates for the Finance Commission.

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

**IV. CLOSED SESSION – CALL TO ORDER - ROLL CALL**

**V. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS**

**VI. CONVENE INTO CLOSED SESSION**

1. Pursuant to Government Code Section 54957(b)(1) PUBLIC EMPLOYMENT - Title: City Manager Contract
2. Pursuant to Government Code Section 54956.9 (d)(2), Conference with Legal Counsel - Potential Litigation - Exposure to litigation in one (1) case.

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

**VIII. REPORT ON ACTION TAKEN IN CLOSED SESSION**

**IX. PLEDGE OF ALLEGIANCE**

**X. MOMENT OF SILENCE**

**XI. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS**

1. Proclamation - Special Recognition to Officer Luis Montenegro as the 2019 Police Officer of the Year

**Attachments:**     [Proclamation - 2019 Police Officer of the Year](#)

2. Proclamation - Recognizing the Hercules Chinese Association on their 40th Anniversary and Declaring February 26, 2019 as Chinese Heritage Day in the City of Hercules

**Attachments:**     [Proclamation - Chinese Heritage Day](#)

**XII. AGENDA ADDITIONS/DELETIONS****XIII. 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.

**XIV. PUBLIC HEARINGS**

1. **2019 West Contra Costa County Subregional Transportation Mitigation Program (STMP) Fee Update**  
**Recommendation:** Hold a public hearing and consider:
  - a) Waiving the first reading and introducing an Ordinance amending Hercules Municipal Code Title 10, Chapter 17 - West County Subregional Transportation Mitigation Program, and
  - b) Adopting a Resolution authorizing the City Manager to execute a Master Cooperative Agreement between the West Contra Costa Transportation Advisory Committee (WCCTAC) and the City of Hercules and other member agencies in its current substantive form with Exhibits A - 2019 Nexus Update of the STMP Impact Fee and Exhibit B - STMP Administrative Guidelines as a reference and incorporate the new STMP Nexus Fees into the City's Master User Fee Schedule.

**Attachments:**     [Staff Report - 2019 WCCTAC STMP Fee Update](#)  
                              [Att1-2019-02-14 WCCTAC Transmittal ltr 4 STMP](#)  
                              [Att2-FINAL STMP Model Ordinance](#)  
                              [Att3-Reso for WCCTAC STMP Master Coop Agrmt and Fees](#)  
                              [Att4- STMP Master Coop Agrmt](#)  
                              [Att4-ExbA-Final 2019 STMP Report](#)  
                              [Att4-ExbB-Draft Admin Guidelines](#)

**XV. CONSENT CALENDAR**

1. **Meeting Minutes**  
**Recommendation:** Approve the Regular Meeting Minutes of February 12, 2019.

**Attachments:**     [Minutes - 021219 - Regular](#)

**XVI. DISCUSSION AND/OR ACTION ITEMS****1. Finance Commission Appointments**

**Recommendation:** Consider making two (2) appointments to the Finance Commission for the start of two (2) year terms ending December 31, 2020.

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

**2. FY 2018-19 Mid-Year Budget Review and Miscellaneous Mid-Year Budget Appropriations and Adjustments and Authorizing the Creation of a Management Analyst Position**

**Recommendation:** Receive a report on the FY 2018-19 mid-year budget review and adopt a Resolution approving various mid-year budget appropriations and adjustments and authorizing the creation of a Management Analyst position.

**Attachments:**     [Staff Report - Mid-Year Budget](#)  
                          [Attach 1 - Resolution](#)  
                          [Exhibit 1 - Proposed Budget Amendment](#)  
                          [Exhibit 2 - Management Analyst](#)  
                          [Attach 2 - Decision Package Status Update 02182019](#)  
                          [Attach 3 - General Fund Budget Summary](#)  
                          [Attach 4 - General Fund Reserves](#)  
                          [Attach 5 - General Fund Expenditure Detail](#)

**3. Discussion of Planning and Zoning Noticing Requirements**

**Recommendation:** Receive report, discuss, and provide direction, if any.

**Attachments:**     [Staff Report - Noticing Requirements 02262019](#)

**4. Update on the Queen Anne House**

**Recommendation:** Receive report, discuss, and provide direction, if any.

**Attachments:**     [Staff Report - Queen Anne Update 02262019](#)

**5. Update on Clock Tower**

**Recommendation:** Receive report, discuss, and provide direction, if any.

**Attachments:**     [Staff Report - Clock Tower Update 02262019](#)

**XVII. 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.

**XVIII. 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.

**XIX. ADJOURNMENT**

The next Regular Meeting of the City Council will be held on Tuesday, March 12, 2019 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: February 21, 2019)

**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.