

City of Hercules

111 Civic Drive
Hercules, CA 94547



Meeting Agenda

Tuesday, March 12, 2019

7:00 PM

SPECIAL CLOSED SESSION - NONE.

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

I. SPECIAL MEETING - 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

1. [19-493](#) Presentation from Education Matters, Jason Singer, Executive Director

Attachments: [WCC-Master-Spreadsheet-2017-18](#)

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. [19-492](#) **Mandatory Garbage/Solid Waste Disposal - Delinquent Accounts**
Recommendation: Conduct a public hearing and upon conclusion, consider adopting a Resolution confirming the report of delinquent accounts and placing liens on said properties and special assessments upon property taxes pursuant to City of Hercules Municipal Code Section 5-2.01 to 5-2.16, Mandatory Garbage/Solid Waste Disposal.

Attachments: [Staff Report - Garbage Liens](#)
 [Attach 1 - Resolution - Garbage Liens](#)
 [Attach 2 - Prelim Delinquency list - redacted - 022819](#)

2. [19-497](#) **2019 Hercules Transportation Impact Fee Update**

Recommendation: Hold a public hearing and consider the following:

- 1) Approving a Resolution
 - a) Adopting the 2019 Hercules Transportation Impact Fee Nexus Study
 - b) Approving a "Transportation Impact Fee" as set by the Council at or below the maximum justified fee, and
 - c) Amending the City's Master Fee Schedule to Replace the "Traffic Facilities Fee" with the "Transportation Impact Fee" contingent upon adoption of the companion Ordinance, and
- 2) Waive the first reading and introduce an Ordinance amending title 10, Chapter 18, Article 6 - Traffic Facilities Impact Fees.

Attachments: [Staff Report- Transportation Impact Fee Update](#)
 [Resolution Approving Nexus Study and Setting Impact Fee](#)
 [Att1-ExhA.1- 2019 Hercules Nexus Study Revised Final](#)
 [Att1-ExhA.2 Hercules Draft Cost Estimates v4](#)
 [Att2-Transportation Impact Fee Ordinance](#)
 [Att2-ExhA-Title 10- Chapter 18-HMC-Traffic Impact Fees](#)
 [Att 3-Land Use DeltabyTAZ](#)

3. [19-499](#) **2018 Annual Housing Element Progress Report**

Recommendation: Conduct a public hearing and approve the annual Housing Element Progress Report for the 2018 calendar year and direct staff to submit the report to the appropriate state and regional agencies via minute action.

Attachments: [Staff Report - 2018 Annual Housing Report](#)
 [Housing-Element-Annual-Progress-Report-Form-2018 combined](#)

XII. CONSENT CALENDAR

1. [19-495](#) **Meeting Minutes**

Recommendation: Approve the Special and Regular Meeting Minutes of February 26, 2019.

Attachments: [Minutes - 022619 - Special and Regular](#)

2. [19-496](#) **Acceptance of the Bay Trail West Project**
 Recommendation: Adopt a Resolution accepting the Bay Trail West Project contract with Grade Tech Inc. as complete for a total amount of \$1,252,872 and authorizing the filing of the Notice of Completion with the Contra Costa County Recorder's Office.

Attachments: [Staff Report - Bay Trail West \(BTW\) Acceptance](#)
 [Attach 1 - Resolution - Bay Trail West Acceptance](#)
 [Attach 2 - Bay Trail West Notice of Completion](#)
 [Attach 3 - BTW Exhibit](#)

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [19-491](#) **Update on Recycling and Recycling Audits by Republic Services**
 Recommendation: Receive Report, Discuss, and Provide Direction, if any.

Attachments: [Staff Report - Recycling Report 03122019](#)
 [Attach 1 - Republic Letter of February 6 2019](#)

2. [19-498](#) **Approval of Contract Amendment No. 3 for \$15,080 with DKS for the Transportation Impact Fee Nexus Study and Circulation element Update for a Total Not To Exceed Contract Amount of \$250,094, and Appropriation of \$15,080 to cover the Cost of Said Amendment.**
 Recommendation: Adopt a Resolution appropriating an additional \$15,080 in funds from the General Plan Update Fees and approving Amendment No. 3 to Contract # 16-056 with DKS for a total not to exceed contract amount of \$250,094, to update the Transportation Impact Fee Study and the City's Circulation Element.

Attachments: [Staff Report - DKS Contract Amendment 3 for Traffic Impact Fee Study](#)
 [Att 1-CC Reso fo 3-12-19 for DKS Amendment 3](#)
 [Exhibit A to Resolution- DKS Amendment 3](#)

3. [19-490](#) **Discussion of Parking Restrictions**
 Recommendation: Receive Report, Discuss, and Provide Direction, if any.

Attachments: [Staff Report - Parking Restrictions 03122019](#)

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, March 26, 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 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: March 7, 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),

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.