

# **City of Hercules**

*111 Civic Drive  
Hercules, CA 94547*



## **Meeting Agenda**

**Tuesday, June 25, 2019**

**6:00 PM**

**Closed Session - 6:00 P.M.  
Regular Session - 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)*

**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. [19-636](#) Pursuant to Government Code Section 54957.6 Conference With Labor Negotiators - City Negotiators: David Biggs, City Manager; Edwin Gato, Director of Finance; Lori Martin, Director of Administrative Services relative to the following employee groups:
  - a. Teamsters Local 315 Employee Organizations
  - b. Hercules Police Officers Association
  - c. Hercules Senior Manager Employee Group
  - d. Confidential Unrepresented Employee Group
  - e. Mid Management Employee Group
  
2. [19-637](#) Pursuant to Government Code Section 54956.9(a), Conference with Legal Counsel - Pending/Existing Litigation: Successor Agency to the Hercules Redevelopment Agency and City of Hercules v. California Department of Finance, et al, Sacramento Superior Court Case No. 34-2018-80003038

**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

1. [19-638](#) **Public Hearing on Approving Additions, Deletions, and Adjustments to the Master Fee Schedule With Said Additions, Deletions, and Adjustments to Become Effective July 1, 2019**

**Recommendation:** Open the continued public hearing, receive a staff report, take public testimony, close the public hearing, and adopt the following Resolutions (Attach 1):

A Resolution of the City Council of the City of Hercules Approving Additions, Deletions, and Adjustments to the Master Fee Schedule with said Additions, Deletions, and Adjustments to Become Effective July 1, 2019.

**Attachments:** [Staff Report - Master Fee Schedule Public Hearing & Adoption 06252019](#)  
[Attach 1 - Resolution Master Fee Schedule](#)  
[Attach 2 - FY19-20 City of Hercules Master Fee Schedule](#)

2. [19-635](#) **Public Hearing on Proposed FY 2019-20 City of Hercules Budget Plan Including the First Year of the Five Year 2019-2024 Capital Improvement Budget**

**Recommendation:** Open the continued public hearing, receive a staff report, take public testimony, close the public hearing, and adopt the following Resolutions (Attach 1):

- a. Approving the FY 2019-20 City of Hercules Budget Plan which includes the First Year (2019-20 Fiscal Year) of the Five Year (2019-2024 Fiscal Years) Capital Improvement Budget and making certain designations and fund balance adjustments, approving (19) annual contracts for services in a total amount of \$1,086,640.
- b. Approving the FY 2019-20 Hercules Public Financing Authority Budget Plan consisting of debt service in the amount of \$2,210,586.
- c. Establishing the Appropriations Limit for the FY 2019-20 in accordance with Proposition 111 and Article XIII B.

**Attachments:**     [Staff Report - Budget Public Hearing & Adoption 06252019](#)  
                          [Attach 1 - FY19-20 City Budget Resolution](#)  
                          [Attach 2 - FY19-20 PFA Resolution](#)  
                          [Attach 3 - FY19-20 GANN Resolution](#)  
                          [Attach 4 - FY19-20 Additional Budget Referrals](#)  
                          [Attach 5 - BR #20-4 PEG Summary of Activities](#)  
                          [Attach 6 - BR #20-4 PEG Detail by Account Number](#)  
                          [Attach 7 - FY19-20 Updated Budget Balancing Worksheet](#)  
                          [Attach 8 - FY19-20 Updated General Fund Summary](#)  
                          [Attach 9 - FY19-20 through FY 23-24 Capital Improvement Projects](#)  
                          [Attach 10 - FY 19-20 Landscaping and Lighting District Funds](#)  
                          [Attach 11 - FY 19-20 Updated General Fund Expenditure Detail](#)

## XII. CONSENT CALENDAR

1. [19-634](#) **Meeting Minutes**

**Recommendation:** Approve the Special Meeting Minutes of June 3, 2019 and the Regular Meeting Minutes of June 11, 2019.

**Attachments:**     [Minutes - 060319 - Special](#)  
                          [Minutes - 061119 - Regular](#)

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

1. [19-639](#) **Annual Fiber Optic Broadband Report**  
**Recommendation:** Receive report.

**Attachments:**     [Staff Report - Fiber Optic Conduit Installation 190625](#)  
                              [Attach 1 - Fiber Optic Broadband Report](#)

**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 9, 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: June 20, 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.