

City of Hercules

111 Civic Drive
Hercules, CA 94547



Meeting Agenda

Tuesday, January 14, 2020

6:00 PM

CLOSED SESSION - 6:00 PM
REGULAR SESSION - 7:00 PM

Council Chambers

City Council

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

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. 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. [20-106](#) 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
2. [20-107](#) Conference with Legal Counsel - Anticipated Litigation Pursuant to Government Code Section 54956.9(d)(2): In one (1) matter: Hercules Development Partners, LP / Ledcor Corporation

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. [20-102](#) Census 2020 Presentation

Attachments: [Presentation - Census101-CitiesTownsSpecialDistricts](#)

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. [20-103](#) **Approval of a Parcel Map for the Hercules Self-Storage Project at 1444 Willow Avenue**
 Recommendation: Adopt a Resolution approving Parcel Map M.S. 476-19 subdividing the 7 acre parcel at 1444 Willow Avenue into 3 lots for the Hercules Self-Storage project.

 Attachments: [Staff Report - Willow Self Storage Parcel Map](#)
 [Attach 1 - Resolution - Willow Self Storage Parcel Map](#)
 [Attach 2 - Parcel Map 476-19](#)
 [Attach 3 - PC Staff Report for Lorenzini Parcel Map PM 19-01](#)
 [Att PC 1-Willow Site Plan with Aerial](#)
 [Att PC 2- Parcel Map 476-87 recorded in 1987](#)
 [Att PC 3- Proposed Parcel Map showing proposed storage bldg locations-setbacks](#)
 [Att PC 4-PC Reso 19-12 for Willow Parcel Map 476-19](#)
 [Att PC 5 - Proposed Parcel Map at Willow Ave](#)

XII. CONSENT CALENDAR

1. [20-101](#) **Meeting Minutes**
 Recommendation: Approve the regular meeting minutes of December 10, 2019.

 Attachments: [Minutes - 121019 - Regular](#)
2. [20-110](#) **Acceptance of Offers of Dedication for Sierra Park and Shasta Park for Tract 9375 - Muir Pointe Residential Subdivision**
 Recommendation: Adopt a Resolution accepting offers of dedication for Sierra Park and Shasta Park for Tract 9375 - Muir Pointe Residential Subdivision.

 Attachments: [Staff Report - Acceptance of Parks Tract 9375](#)
 [Attach 1 - Resolution - Acceptance of Parks Tract 9375](#)
 [Attach 1A - Grant Deed - Sierra Park - Parcel A Grant Deed](#)
 [Attach 1B - Grant Deed - Shasta Park - Parcel K Grant Deed](#)
 [Attach 1C - Grant Deed Exhibit B](#)
3. [20-109](#) **TDA Article 3 Grant Request for the Willow/Palm Sidewalk Project**
 Recommendation: Adopt a Resolution of request to the Metropolitan Transportation Commission for the allocation of fiscal year 2020-2021 Transportation Development Act Article 3 Pedestrian/Bicycle project funding.

Attachments: [Staff Report - TDA3 Grant Request](#)
[Attach 1 - Resolution - TDA3 Claim Forms Rev \(2\)](#)
[Attach 2 - TDA 2020-2021 Call for Projects Letter](#)
[Attach 3 - TDA Exhibit](#)

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [20-104](#) **Recognized Obligation Payment Schedule for the Period of July 1, 2020 through June 30, 2021 (ROPS 20-21A and ROPS 20-21B)**
Recommendation: Adopt a Resolution approving the Recognized Obligation payment Schedule for the period of July 1, 2020 through June 30, 2021.

Attachments: [Staff Report - ROPS 20-21 - 01142020](#)
[Attach 1 - Resolution - ROPS 20-21 Resolution Successor Agency ROPS - sk edits](#)
[Attach 2 - ROPS 20-21](#)

2. [20-100](#) **2020 Council Appointments on Regional Committees and Council Subcommittees**
Recommendation: Express interest and availability for the 2020 Council Appointments on Regional Committees and Council Subcommittees to be made by the Mayor at the January 14, 2020 City Council meeting.

Attachments: [Staff Report - Council Appointments to Regional Committees](#)
[Attach 1 - 2019 CC Appointed Reps - Approved 01.08.19](#)

3. [20-111](#) **City Council to Consider Adopting a Flag Policy**
Recommendation: Adopt a flag policy.

Attachments: [Staff Report - Hercules Flag Policy 01142020](#)
[Attach 1 - Flag Policy](#)
[Attach 2 - Federal and State Laws](#)
[Attach 3 - Staff Report November 12 2019](#)

4. [20-108](#) **2020 Development Site Update and Review**
Recommendation: Receive report, discuss, and provide direction if any.

Attachments: [Staff Report - Development Sites Update - 01142020](#)
[Attach 1 - Development Update January 2020 01072020 E](#)

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 28, 2020 at 7:00 p.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: January 9, 2020)

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.