

CORONAVIRUS DISEASE (COVID-19) ADVISORY

On March 16, 2020, the Health Officer of Contra Costa County issued an Order through April 7, 2020 that directed that all individuals living in the county to shelter at their place of residence except that they may leave to provide or receive certain essential services or engage in certain essential activities and work for essential businesses and governmental services.

Under the Governor's Executive Order N-25-20, this meeting may utilize teleconferencing. Pursuant to the Governor's Executive Order N-25-20, teleconferencing restrictions of the Brown Act have been suspended.

How to watch the meeting from home:

1. Comcast Channel 28 or AT&T Uverse Channel 99
2. Livestream online at <https://hercules.legistar.com/Calendar.aspx>

We are happy to accommodate written public comments. Public Comment will be accepted by email to lmartin@ci.hercules.ca.us during the meeting, prior to the close of public comment on an item and read into the record during public comment.

Individuals wishing to address the City Council are asked to provide the following information:

1. Subject Line to contain the words "PUBLIC COMMENTS"
2. Name, address and contact information of person providing comments.
3. General topic or agenda item you wish to comment on.

All public comments are allowed up to 3 minutes to relay their message or concern. 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.

City of Hercules

111 Civic Drive
Hercules, CA 94547



Meeting Agenda

Tuesday, March 24, 2020

6:30 PM

**CLOSED SESSION - 6:30 P.M.
REGULAR SESSION - 7:00 P.M.**

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 – 6:30 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. [20-209](#) 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

1. [20-211](#) Proclamation - Recognizing and Honoring Community Development Director Holly Smyth for her Service to the City of Hercules

Attachments: [Proclamation - Holly Smyth - Planning Director - 2020 - bs](#)

IX. AGENDA ADDITIONS/DELETIONS

X. PUBLIC COMMUNICATIONS

In accordance with Executive Order N-25-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed as follows:

Public comment will be accepted by email to lmartin@ci.hercules.ca.us during the meeting, prior to the close of public comment on an item and read into the record during public comment.

Individuals wishing to address the City Council are asked to provide the following information: 1. Subject Line to contain the words "PUBLIC COMMENTS". 2. Name, address and contact information of person providing comments. 3. General topic or agenda item you wish to comment on. All public comments are allowed up to 3 minutes to relay their message or concern. 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. [20-208](#) **Hilltown Project Proposal by Santa Clara Valley Housing Group Inc. to Construct Approximately 4,200 Square Feet of Commercial Space and 597 Residential Multi-Family Dwelling Units (potentially including up to 10% of the building ground area for taller architectural features no more than 25' above 65' zoning allowance) with All Ancillary Development Activities of Grading, Relocating Existing Utilities and Easements, Constructing Private Streets / Parks / Open Space Amenities on a 44+ Acre Site at 4200 San Pablo Avenue (Assessor Parcel Numbers #404-040-064), Bound by John Muir Parkway, San Pablo Avenue, and Interstate 80.**
Recommendation: Open the public hearing, continue the public hearing until April 14, 2020.

Attachments:

[Staff Report - HillTown - 3-24-2020](#)
[Attach 1 - CC Reso for Hilltown for CEQA Addendum](#)
[Attach 1A - Hilltown MMRP 2-18-20](#)
[Attach 2 - CC Reso for Partial Abandonment of San Pablo for Hilltown with Exhibits A&B](#)
[Attach 3 - CC Reso for Hilltown FPDP VTM CUP DRP for 3-24-2020 v2](#)
[Attach 3A1 - Revised Replacement 30 Pgs for Hilltown](#)
[Attach 3A2 - 2020-02-18 FULL SUBMITTAL TO HERC](#)
[Attach 3A3 - Four Color-Material Boards for Hilltown](#)
[Attach 3B Hilltown Conditions of Approval for 3-24-2020](#)
[Attach 3C - Hilltown Findings with Facts](#)
[Attach 4 - PC Reso 20-01 CEQA Addendum for Hilltown w Att](#)
[Attach 5 - PC Reso 20-02 Conformity with GP of Abandonment for Hilltown](#)
[Attach 6 - PC Reso 20-03 for Hilltown FPDP-VTM-CUP-DRP w Exhibits B-C](#)
[Attach 7 - March 5, 2020 Statement of Findings from City Engineer re Road Design](#)
[Attach 8 - March 4, 2020 SCVHG Proposed Traffic Enforcement Plan](#)
[Attach 9 - Hyperlink to 3/11/2020 Planning Commission Hilltown Item](#)
[Attach 10- Hyperlink to 3/2/2020 Planning Commission Hilltown Project](#)
[Hill Town CC Presentation for 3-24-20](#)
[Hill Town LSA CEQA Slides](#)

2. [20-207](#) **2019 Annual Housing Element Progress Report**
Recommendation: Conduct a public hearing and approve the Housing Element Progress Report for the 2019 calendar year and direct staff to submit the report to the appropriate state and regional agencies via minute action.

Attachments: [Staff Report - 2019 Annual Housing Report](#)
 [Attach 1 - Housing-Element-Annual-Progress-Report- Hercules - 2019](#)

XII. CONSENT CALENDAR

1. [20-205](#) **Meeting Minutes**
Recommendation: Approve the regular meeting minutes of March 10, 2020.

Attachments: [Minutes - 031020 - Regular](#)

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [20-206](#) **Preparation and Filing of the FY 2020/21 Landscaping and Lighting Engineer's Reports**
Recommendation: Adopt a Resolution directing the filing of the Annual Engineer's Reports for the City of Hercules Landscaping and Lighting Assessment District No. 2002-1, Hercules Village Landscaping and Lighting Assessment District No. 2002-2, Baywood Landscaping and Lighting Assessment District No. 2004-1, and Bayside Landscaping and Lighting Assessment District No. 2005-1, pursuant to the Landscaping and Lighting Act of 1972.

Attachments: [Staff Report - LL&AD Order Reports 03242020](#)
 [Attach 1 - L&LAD Resolution 20-21](#)

2. [20-203](#) **Long-Term Financial Projection for the General Fund**
Recommendation: Review and discuss the long-term financial projection for the General Fund.

Attachments: [Staff Report - Long Term Financial Projection - General Fund](#)
 [Attach 1 - 5-Year General Fund Forecast 032420](#)
 [Attach 2 - 5-Year GF Revenue Assumptions 032420](#)

3. [20-204](#) **Municipal Financial Health Diagnostic Tool**
Recommendation: Receive a report and discuss the League of California Cities Municipal Financial Health Diagnostic Tool.

Attachments: [Staff Report - Financial Health Diagnostic Report 032420](#)
 [Attach 1 - Municipal Financial Health Diagnostic Tool](#)

4. [20-202](#) **Annual Review of 2017 Strategic Plan as Updated May 2018**
 Recommendation: Receive report, review strategic plan, and update objectives as appropriate.

Attachments: [Staff Report - Strategic Plan Annual Review 03242020](#)
 [Attach 1 - 2017 Strategic Plan Review March 2020](#)
 [Attach 2 - Hercules Strategic Plan 2017 update 05082018](#)

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, April 14, 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: March 19, 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.