

CORONAVIRUS (COVID-19) ADVISORY

IMPORTANT INSTRUCTIONS ON HOW TO PARTICPATE AND WATCH THE HERCULES CITY COUNCIL MEETING

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 or other virtual meeting platforms. Pursuant to the Governor's Executive Order N-25-20, teleconferencing restrictions of the Brown Act have been suspended.

Beginning with the April 14, 2020 Hercules City Council meeting, the City Council will conduct its meeting utilizing ZOOM.

DUE TO THE SHELTER IN PLACE ORDERS AND PURSUANT TO EXECUTIVE ORDER N-25-20, direct public attendance or participation at council meetings has been suspended and the Council Chambers will be closed to the general public. Attendance at the meeting in the Council Chamber will be limited to the Mayor and essential City of Hercules staff which will be conducted under the mandated social distancing requirements. The remaining members of the City Council will participate virtually through the ZOOM application. Applicants, consultants, and others with matters before the Council will be allowed to participate via ZOOM but must make prior arrangements with the City Clerk.

How to watch the meeting from home:

1. Comcast Channel 28
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. Additional ways to provide your public comment is to mail your comment to City of Hercules, ATTN: City Clerk – Public Comment (Meeting Date), 111 Civic Drive, Hercules, CA 94547 via USPS in time to reach the City Clerk no later than 5:45 p.m. on the day of the meeting or by telephone by calling (510) 799-8215 no later than 5:45 p.m. on the meeting date. All comments received by the close of the public comment period will be available after the meeting as supplemental materials and will become part of the official meeting record. The City cannot guarantee that its network and/or the site will not be uninterrupted. To ensure that the City Council receives your comments, you are strongly encouraged to submit your comments in writing in advance of the meeting by 5:45 p.m. on the day of the Council meeting.

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

1. Subject Line to contain the words "PUBLIC COMMENTS"
2. (Optional) - 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 during the first public comment period on the agenda. If any speaker comments have not been read into the record at the conclusion of the initial 30 minute period, time will be reserved at the conclusion of the meeting to read the remaining comments.

City of Hercules

111 Civic Drive
Hercules, CA 94547



Meeting Agenda

Tuesday, April 28, 2020

7:00 PM

CLOSED SESSION - NONE.
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 – 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**
- 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 Lori Martin at lmartin@ci.hercules.ca.us during the meeting, prior to the close of public comment on an item and will be read into the record during public comment. All comments received by the close of the public comment period will be available after the meeting as supplemental materials and will become part of the official meeting record. The City cannot guarantee that its network and/or the site will not be uninterrupted. To ensure that the City Council receives your comments, you are strongly encouraged to submit your comments in writing in advance of the meeting.

For additional alternatives to providing public comments please refer to the Notice of Important Instructions on how to Participate and Watch the Hercules City Council Meeting on the front page of the agenda.

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 - NONE.**

XII. CONSENT CALENDAR

1. [20-227](#) **Meeting Minutes**
Recommendation: Approve the regular meeting minutes of April 14, 2020.

Attachments: [Minutes - 041420 - Regular](#)

2. [20-229](#) **Acceptance of the 2019 Streetlight Replacement Project**
Recommendation: Adopt a Resolution accepting the 2019 Streetlight Replacement Project contract with NEMA as complete for a total amount of \$162,360 and authorizing the filing of the Notice of Completion with the Contra Costa County Recorder's Office.

Attachments: [Staff Report - 2019 Streetlight Replacement Contract](#)
[Attach 1 - Resolution 2019 Streetlight Acceptance](#)
[Attach 2 - Notice of Completion - Pilot Streetlight Project Contract Acceptance](#)
[Attach 3 - Street Light Replacement Maps - Zone 1 & Zone 7](#)

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [20-228](#) **Award and Enter into an Agreement with The Pun Group to Provide Annual Audit Services to the City and its Related Entities for Three Years for a Not to Exceed Amount of \$50,000 for FY 2019-20, \$51,000 for FY 2020-21, and \$52,020 for FY 2021-22 with the Option for the City to Extend the Contract for an Additional Two Years.**
Recommendation: Adopt a Resolution authorizing the City Manager to award and enter into an agreement with the Pun Group to provide annual audit services to the City and its related entities for three years for a not to exceed amount of \$50,000 for FY 2019-20, \$51,000 for FY 2020-21, and \$52,020 for FY 2021-22 with the option for the City to extend the contract for an additional two years.

Attachments: [Staff Report - Audit Services - 042820](#)
[Attach 1 - Resolution](#)
[Attach 2 - Professional Services Agreement](#)

2. [20-226](#) **Presentation on Traffic Camera Systems**
Recommendation: Receive report, discuss and provide direction, if any.

Attachments: [Staff Report - Camera Systems](#)
[Attach 1 - Traffic Camera Systems](#)

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, May 12, 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: April 23, 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.