

# City of Hercules

111 Civic Drive  
Hercules, CA 94547



## Meeting Agenda

Tuesday, July 11, 2017

6:00 PM

Special Closed Session - 6:00 PM  
Regular City Council Meeting - 7:00 PM

Council Chambers

### City Council

*Mayor Myrna de Vera*  
*Vice Mayor Chris Kelley*  
*Council Member Dan Romero*  
*Council Member Gerard Boulanger*  
*Council Member Roland Esquivias*

*David Biggs, City Manager*  
*Patrick Tang, City Attorney*  
*Lori Martin, City Clerk*

*Cablecast live on Comcast Channel 28, AT&T Channel 99 and webcast live via 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. Pursuant to Government Code Section 54957.6 CONFERENCE WITH LABOR NEGOTIATORS - City Negotiators: David Biggs, City Manager, Annie To, Director of Finance; Lori Martin, Director of Administrative Services relative to the following employee groups:
  - a. Hercules Police Officers Association
2. Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Manager (Discuss Annual Evaluation Per Employment Agreement)
3. Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE - RETIREMENT

**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**

1. Present Certificate of Appreciation to the Celebrate hercules Association Committee for their efforts on the 4th Annual Celebrate Hercules 4th of July Event

Attachments:     [Certificate of Appreciation - Celebrate Hercules Association](#)

**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. Mandatory Garbage/Solid Waste Disposal Delinquent Accounts**

**Recommendation:** Conduct a Public Hearing and upon conclusion, adopt a Resolution confirming the report of delinquent accounts and placing liens on said properties and special assessments upon property taxes pursuant to Hercules Municipal Code Section 5-2.01 to 5-2.16, Mandatory Garbage/Solid Waste Disposal

**Attachments:** [XI.1 - Mandatory Garbage/Solid Waste Delinquent Accounts](#)

[Attachment 1 - Resolution](#)

[Attachment 2 - Lien List](#)

## **XII. CONSENT CALENDAR**

### **1. Approval of Minutes**

**Recommendation:** Approve Minutes for the regular City Council meeting of June 27, 2017.

**Attachments:** [XII.1 - Minutes](#)

[06.27.17 Minutes](#)

### **2. Ordinance 502 Amending Hercules Municipal Code Title 7, chapter 1 to Allow the City to Require the Addition of City Communications Infrastructure as a Condition of Approval of Any Permit Issued for an Excavation Project**

**Recommendation:** Waive the second reading and adopt Ordinance 502 amending Hercules Municipal Cod Title 7, Chapter 1.

**Attachments:** [XII.2 - Ordinance 502](#)

[Staff Report - Ordinance 502](#)

[Attachment 1 - Ordinance 502](#)

[Attachment 2 - 07/26/16 Fiber Optic Conduit Staff Report](#)

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

### **1. Approve Memorandum of Understanding with the Hercules Police Officers Association**

**Recommendation:** Adopt a Resolution Approving a Memorandum of Understanding with the Hercules Police Officers Association.

**Attachments:**     [XIII.1 - Memorandum of Understanding - POA](#)  
                              [Staff Report - POA MOU](#)  
                              [Attachment 1 - Resolution POA MOU](#)  
                              [Attachment 2 - HPOA MOU 2017-2018 FINAL DRAFT](#)

2.     **Award a Construction Contract to O.C. Jones & Sons for the 2017 Pavement Maintenance Project**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a construction contract in the amount of \$689,906 for the 2017 Pavement Maintenance Project and authorizing an additional expenditure of up to \$68,990 for a 10% contingency on said construction contract.

**Attachments:**     [XIII.2 - Pavement Maintenance Project](#)  
                              [Staff Report - 2017 Pavement Maintenance](#)  
                              [Attachment 1 - Resolution](#)  
                              [Attachment 2 - Street Maintenance Location Map](#)

3.     **Receive and File the Finance Commission's Annual Report on Measure B/O and C/A for FY 2015-16**

**Recommendation:** Receive and File the report.

**Attachments:**     [XIII.3 - Measure A & O Report](#)  
                              [Staff Report - Measure B/O & C/A](#)  
                              [Attachment 1 - Finance Commission Annual Report - Measure B/O & C/A](#)

4.     **City Council 2017 Regular Meeting Dates**

**Recommendation:** Review the schedule of City Council regular meeting dates for 2017 and consider canceling the November 28th meeting due to the Thanksgiving Holiday closure schedule.

**Attachments:**     [XIII.7 - Meeting Calendar](#)  
                              [Staff Report - Meeting Calendar](#)  
                              [Attachment 1 - Calendar 2017](#)

5.     **Consider Possible Reinstatement of City Council Health Benefits**

**Recommendation:** Receive report, discuss options, and if applicable, adopt a Resolution reinstating City Council Medical Insurance Benefits.

**Attachments:**     [XIII.4 - Council Benefits](#)  
                              [Staff Report - Reinstatement Healthcare Benefits](#)  
                              [Attachment 1 - Budget Referral #18-1](#)  
                              [Attachment 2 - April 25 2017 Staff Report](#)  
                              [Attachment 3 - Resolution](#)

6.     **Receive Report on Strategic Planning Workshop and Hercules Strategic Plan 2017**

**Recommendation:** Receive and file report on Strategic Planning Workshop and



adopt the Hercules Strategic Plan 2017.

**Attachments:**     [XIII.5 - Strategic Plan](#)  
                              [Staff Report - Strategic Plan 2017](#)  
                              [Attachment 1 - Management Partners Report](#)  
                              [Attachment 2 - Hercules Strategic Plan 2017](#)

**7.     Approve City Council Rules of Procedure, Sections 2.8, 4.7 and 6 and Review Sections 7 and 8**

**Recommendation:** Approve Council Rules of Procedure, Section 2.8, 4.7 and 6 amended at the May 23, 2017 City Council meeting and review and recommend changes to Sections 7 and 8, if any.

**Attachments:**     [XIII.6 - Council Rules of Procedure](#)  
                              [Staff Report - Council Rules of Procedure](#)  
                              [Att. 1 - Sections 2.8, 4.7 and Section 6 - Redlined](#)  
                              [Att. 2 - Sections 2.8, 4.7 and Section 6 - clean version](#)  
                              [Att. 3 - Council Rules of Procedure - Sections 7 and 8 - redlined](#)  
                              [Att. 4 - Council Rules of Procedure - Sections 7 and 8 - clean version](#)

**8.     Designation of Voting Delegate and Alternates for the League of California Cities Annual Conference and Business Meeting**

**Recommendation:** Discuss and appoint a voting delegate and alternate(s) for the League of California Cities Annual Conference and Business Meeting to be held September 13-15, 2017 in Sacramento, CA.

**Attachments:**     [XIII.8 - Designation of Voting Delegate LOCC](#)  
                              [Staff Report - LOCC Voting Delegate](#)  
                              [Attach 1 - Voting Delegate Form and Procedures](#)

**9.     Receive Report Regarding an Update on Current Development Sites within the City of Hercules**

**Recommendation:** Receive report.

**Attachments:**     [XIII.9 - Update on Development Sites](#)  
                              [Staff Report - Development Site Update](#)  
                              [Attachment 1 - Development Site Listing](#)  
                              [Attachment 2 - Power Point](#)

#### **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 25, 2017 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: July 6, 2017)

**THE HERCULES CITY COUNCIL ADHERES TO THE FOLLOWING POLICIES,  
PROCEDURES AND REGULATIONS REGARDING CITY COUNCIL MEETINGS**

1. SPECIAL ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you require special accommodations to participate at a 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 Commission 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.



## Legislation Details (With Text)

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**File #:** 17-271      **Version:** 1      **Name:**  
**Type:** Closed Session      **Status:** Agenda Ready  
**File created:** 7/5/2017      **In control:** City Council  
**On agenda:** 7/11/2017      **Final action:**  
**Title:** Pursuant to Government Code Section 54957.6 CONFERENCE WITH LABOR NEGOTIATORS - City Negotiators: David Biggs, City Manager, Annie To, Director of Finance; Lori Martin, Director of Administrative Services relative to the following employee groups:

a. Hercules Police Officers Association

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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Pursuant to Government Code Section 54957.6 CONFERENCE WITH LABOR NEGOTIATORS - City Negotiators: David Biggs, City Manager, Annie To, Director of Finance; Lori Martin, Director of Administrative Services relative to the following employee groups:

a. Hercules Police Officers Association



## Legislation Details (With Text)

**File #:** 17-272      **Version:** 1      **Name:**

**Type:** Closed Session      **Status:** Agenda Ready

**File created:** 7/5/2017      **In control:** City Council

**On agenda:** 7/11/2017      **Final action:**

**Title:** Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Manager (Discuss Annual Evaluation Per Employment Agreement)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Manager (Discuss Annual Evaluation Per Employment Agreement)



## Legislation Details (With Text)

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**File #:** 17-273      **Version:** 1      **Name:**

**Type:** Closed Session      **Status:** Agenda Ready

**File created:** 7/5/2017      **In control:** City Council

**On agenda:** 7/11/2017      **Final action:**

**Title:** Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE  
DISCIPLINE/DISMISSAL/RELEASE - RETIREMENT

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE  
DISCIPLINE/DISMISSAL/RELEASE - RETIREMENT



## Legislation Details (With Text)

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**File #:** 17-274      **Version:** 1      **Name:**

**Type:** Introductions/Presentation      **Status:** Agenda Ready

**File created:** 7/5/2017      **In control:** City Council

**On agenda:** 7/11/2017      **Final action:**

**Title:** Present Certificate of Appreciation to the Celebrate hercules Association Committee for their efforts on the 4th Annual Celebrate Hercules 4th of July Event

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [Certificate of Appreciation - Celebrate Hercules Association](#)

Date	Ver.	Action By	Action	Result
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Present Certificate of Appreciation to the Celebrate hercules Association Committee for their efforts on the 4th Annual Celebrate Hercules 4th of July Event




# CERTIFICATE *of* APPRECIATION

AWARDED TO


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Celebrate Hercules Association

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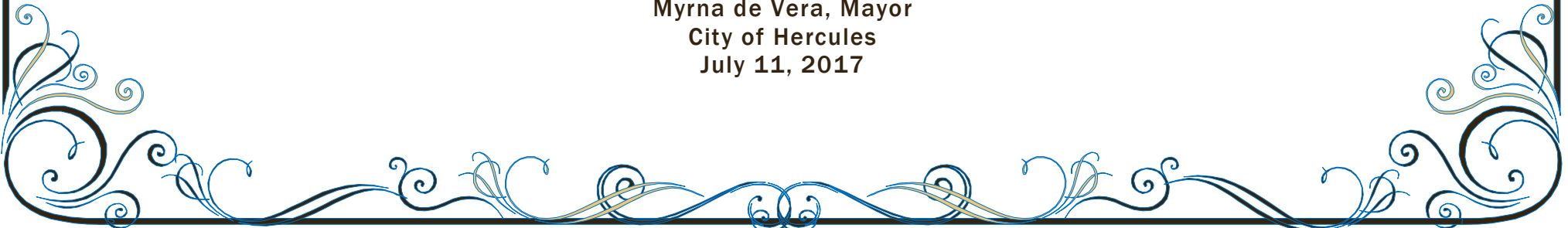
In recognition for your outstanding contribution to the Hercules Community by hosting and administering the 3<sup>rd</sup> Annual Hercules Dynamite 5K run/walk, 1 mile walk and ¼ mile event designed for kids 3-8 and the 4<sup>th</sup> of July Parade and Festival at Refugio Valley Park



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Myrna de Vera, Mayor  
City of Hercules  
July 11, 2017







## Legislation Details (With Text)

<b>File #:</b>	17-275	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Public Hearing	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	7/5/2017	<b>In control:</b>		City Council	
<b>On agenda:</b>	7/11/2017	<b>Final action:</b>			
<b>Title:</b>	Mandatory Garbage/Solid Waste Disposal Delinquent Accounts Recommendation: Conduct a Public Hearing and upon conclusion, adopt a Resolution confirming the report of delinquent accounts and placing liens on said properties and special assessments upon property taxes pursuant to Hercules Municipal Code Section 5-2.01 to 5-2.16, Mandatory Garbage/Solid Waste Disposal				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">XI.1 - Mandatory Garbage/Solid Waste Delinquent Accounts</a> <a href="#">Attachment 1 - Resolution</a> <a href="#">Attachment 2 - Lien List</a>				

Date	Ver.	Action By	Action	Result
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### Mandatory Garbage/Solid Waste Disposal Delinquent Accounts

**Recommendation:** Conduct a Public Hearing and upon conclusion, adopt a Resolution confirming the report of delinquent accounts and placing liens on said properties and special assessments upon property taxes pursuant to Hercules Municipal Code Section 5-2.01 to 5-2.16, Mandatory Garbage/Solid Waste Disposal

## AGENDA ITEM REQUEST FORM

Department: Administrative Services

Department Director: Lori Martin

Phone: 799-8215

Meeting Date: July 11, 2017

Final Decision Date Deadline:

**SUBJECT:**

Mandatory Garbage/Solid Waste Disposal Delinquent Accounts

### INDICATE APPROPRIATE BODY

☒ City  
Council

☐ Successor Agency to the  
Redevelopment Agency

☐ Public Finance  
Authority

☐ Finance  
Commission

☐ Planning  
Commission

☐ Community/Library  
Services Commission

☐ Oversight Board

☐ Other \_\_\_\_\_

### ITEM

☐ Presentation/Introduction

☐ Study Session

☐ Grant Application/Acceptance

☒ Public Hearing

☒ Resolution

☐ Video/PowerPoint

☐ Consent Calendar

☐ Ordinance

☐ Discussion Action

☐ Contract/Agreement

### RECOMMENDED ACTION:

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.

☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

### REVIEWED AND APPROVED FOR AGENDA:

City Attorney (if Contract, Ordinance or Resolution)

*John Patrick Taylor*  
Signature

7.6.17  
Date

Finance Department for Fiscal Impact

*[Signature]*  
Signature

7/6/17  
Date

City Manager

*David B...*  
Signature

7/6/17  
Date

AGENDA ITEM NO:

**RESOLUTION NO. 17-**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES 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**

**WHEREAS**, pursuant to Hercules Municipal Code Sections 5-2.01 to 5-2.16, subscription to, and payment for, waste collection service for all occupied properties in the City of Hercules is mandatory; and

**WHEREAS**, waste collection service has been provided by Richmond Sanitary Service to all delinquent properties described in the 'Preliminary Lien List by Parcel Number report; and

**WHEREAS**, pursuant to the provisions of Section 5-2.01 to 5-2.16, each owner of said delinquent properties has been notified in writing of their obligation to subscribe to waste collection services and make payment for this service; and

**WHEREAS**, said property owners have failed to make payments for six months or more for waste collection services as required; and

**WHEREAS**, said property owners have been notified in writing of the commencement of lien proceedings; and

**WHEREAS**, the City has incurred collection and delinquency costs on the above described delinquent properties; and

**WHEREAS**, City staff has established an administrative charge of \$30 per parcel for processing the delinquent accounts and recording the assessment lien; and

**WHEREAS**, Republic Services has, on June 1, 2017, held a duly noticed administrative hearing and on July 11, 2017 the City Council held a duly noticed public hearing which afforded each identified delinquent property owner the right to protest the assessment lien for delinquent collection charges and administrative fees; and

**WHEREAS**, the City Council has revised and corrected the delinquent accounts report as it deems just.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hercules as follows:

1. That the City Council confirms the delinquent accounts report attached hereto and made a part hereof and hereby places a lien against said properties in the amounts described.

2. That the City Clerk is hereby directed to record a certified copy of the confirmed report with the Contra Costa County Recorder.
3. That the City Clerk is hereby directed to deliver a copy of the Resolution of Confirmation to the Finance Director who is authorized to cause the above amounts to be collected in the manner provided by law for the collection of special items.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 11<sup>th</sup> day of July, 2017 by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Myrna de Vera, Mayor

ATTEST:

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Lori Martin, MMC  
Administrative Services Director/City Clerk

Prog: BIDIV556

Date: 6/06/17

Time: 14:45:16

PRELIMINARY LIEN LIST NO CONSOLIDATION

PRELIMINARY LIEN LISTS  
HEARING DATES  
06/2017

Page: 1  
User: JW60420

Levy Code: HU

As Of 6/06/17

Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	160 BONAIRE AVE HERCULES CA 94547	160 BONAIRE AVE	17/01	285.04	30.00	315.04
[REDACTED]	109 MONTEGO DR HERCULES CA 94547	109 MONTEGO DR	17/01	261.58	30.00	291.58
[REDACTED]	187 CATALINA DR HERCULES CA 94547	187 CATALINA DR	17/01	261.58	30.00	291.58
[REDACTED]	226 CATALINA DR HERCULES CA 94547	226 CATALINA DR	17/01	100.37	30.00	130.37
[REDACTED]	167 CAPRICE CIR HERCULES CA 94547	167 CAPRICE CIR	17/01	461.23	30.00	491.23
[REDACTED]	1225 HERCULES AVE HERCULES CA 94547	1225 HERCULES AVE	17/01	152.72	30.00	182.72
[REDACTED]	306 ATLAS 7 HERCULES CA 94547	306 ATLAS 7	17/01	284.81	30.00	314.81
[REDACTED]	307 ONEIL CIR HERCULES CA 94547	307 ONEIL CIR	17/01	296.71	30.00	326.71
[REDACTED]	106 BRENNER HERCULES CA 94547	106 BRENNER	17/01	461.23	30.00	491.23
[REDACTED]	136 BRENNER HERCULES CA 94547	136 BRENNER	17/01	261.58	30.00	291.58
[REDACTED]	148 S WILDWOOD HERCULES CA 94547	148 S WILDWOOD	17/01	222.79	30.00	252.79

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Date: 6/06/17

Time: 14:45:16

PRELIMINARY LIEN LIST NO CONSOLIDATION

PRELIMINARY LIEN LISTS

HEARING DATES

06/2017

Page: 2

User: JW60420

Levy Code: HU

As Of 6/06/17

Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	402 N WILDWOOD HERCULES CA 94547	402 N WILDWOOD	17/01	132.44	30.00	162.44
[REDACTED]	190 S WILDWOOD HERCULES CA 94547	190 S WILDWOOD	17/01	261.58	30.00	291.58
[REDACTED]	203 BEN LOMOND HERCULES CA 94547	203 BEN LOMOND	17/01	261.58	30.00	291.58
[REDACTED]	155 SCOTTS VALLEY HERCULES CA 94547	155 SCOTTS VALLEY	17/01	261.58	30.00	291.58
[REDACTED]	35 LOMPICO HERCULES CA 94547	35 LOMPICO	17/01	505.19	30.00	535.19
[REDACTED]	106 CRESTRIDGE CT HERCULES CA 94547	106 CRESTRIDGE CT	17/01	335.52	30.00	365.52
[REDACTED]	1 MANDALAY PL UNIT 1603 SOUTH SAN FRANCISCO CA 94080	133 STONE PINE CT	17/01	297.49	30.00	327.49
[REDACTED]	166 WATERMARK TER HERCULES CA 94547	166 WATERMARK TER	17/01	502.94	30.00	532.94
[REDACTED]	124 NAUTICAL CV HERCULES CA 94547	124 NAUTICAL CV	17/01	255.01	30.00	285.01
[REDACTED]	1069 VICTORIA PARK HERCULES CA 94547	1069 VICTORIA PARK	17/01	261.58	30.00	291.58
[REDACTED]	1099 REGATTA PT HERCULES CA 94547	1099 REGATTA PT	17/01	261.58	30.00	291.58

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Date: 6/06/17  
Time: 14:45:16  
PRELIMINARY LIEN LIST NO CONSOLIDATION

PRELIMINARY LIEN LISTS  
HEARING DATES  
06/2017

Page: 3  
User: JW60420

Levy Code: HU

As Of 6/06/17

Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	1048 SALT SPRAY TER HERCULES CA 94547	1048 SALT SPRAY TER	17/01	285.65	30.00	315.65
[REDACTED]	1087 SANDERLING DR HERCULES CA 94547	1087 SANDERLING DR	17/01	261.58	30.00	291.58
[REDACTED]	1201 WAVERLY CIR HERCULES CA 94547	1201 WAVERLY CIR	17/01	298.04	30.00	328.04
[REDACTED]	506 LAURELWOOD DR HERCULES CA 94547	506 LAURELWOOD DR	17/01	127.75	30.00	157.75
[REDACTED]	2105 TSUSHIMA ST HERCULES CA 94547	2105 TSUSHIMA ST	17/01	218.62	30.00	248.62
[REDACTED]	103 SHEFFIELD HERCULES CA 94547	103 SHEFFIELD	17/01	274.88	30.00	304.88
[REDACTED]	214 OXFORD HERCULES CA 94547	214 OXFORD	17/01	261.58	30.00	291.58
[REDACTED]	109 BELLFLOWER CT HERCULES CA 94547	109 BELLFLOWER CT	17/01	261.58	30.00	291.58
[REDACTED]	118 BELLFLOWER CT HERCULES CA 94547	118 BELLFLOWER CT	17/01	87.25	30.00	117.25
[REDACTED]	142 HOLLYHOCK CT HERCULES CA 94547	142 HOLLYHOCK CT	17/01	261.58	30.00	291.58
[REDACTED]	346 LILAC CIR HERCULES CA 94547	346 LILAC CIR	17/01	307.26	30.00	337.26

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Date: 6/06/17  
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PRELIMINARY LIEN LIST NO CONSOLIDATION

PRELIMINARY LIEN LISTS  
HEARING DATES  
06/2017

Page: 4  
User: JW60420

Levy Code: HU

As Of 6/06/17

Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	154 DAISY CT HERCULES CA 94547	154 DAISY CT	17/01	503.22	30.00	533.22
[REDACTED]	130 AZALEA CT HERCULES CA 94547	130 AZALEA CT	17/01	484.39	30.00	514.39
[REDACTED]	3173 MADDEN WAY DUBLIN CA 94568	235 BEECHNUT DR	17/01	261.58	30.00	291.58
[REDACTED]	2249 LUPINE RD HERCULES CA 94547	2249 LUPINE RD	17/01	261.58	30.00	291.58
[REDACTED]	136 CHINQUAPIN CT HERCULES CA 94547	136 CHINQUAPIN CT	17/01	285.94	30.00	315.94
[REDACTED]	255 ELDERBERRY CT HERCULES CA 94547	255 ELDERBERRY CT	17/01	285.34	30.00	315.34
[REDACTED]	118 FIR CT HERCULES CA 94547	118 FIR CT	17/01	273.16	30.00	303.16
[REDACTED]	1919 REDWOOD RD HERCULES CA 94547	1919 REDWOOD RD	17/01	261.58	30.00	291.58
[REDACTED]	3228 BALMORAL CT FAIRFIELD CA 94534	109 CHESTNUT DR	17/01	268.19	30.00	298.19
[REDACTED]	536 BLUE CYPRESS WAY HERCULES CA 94547	536 BLUE CYPRESS WAY	17/01	73.16	30.00	103.16
[REDACTED]	223 OBSIDIAN WAY HERCULES CA 94547	223 OBSIDIAN WAY	17/01	483.79	30.00	513.79



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Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	127 AMETHYST CT HERCULES CA 94547	127 AMETHYST CT	17/01	310.78	30.00	340.78
[REDACTED]	1647 SWALLOW WAY HERCULES CA 94547	1647 SWALLOW WAY	17/01	503.15	30.00	533.15
[REDACTED]	130 ORIOLE CT HERCULES CA 94547	130 ORIOLE CT	17/01	286.48	30.00	316.48
[REDACTED]	1969 PHEASANT DR HERCULES CA 94547	1969 PHEASANT DR	17/01	327.36	30.00	357.36
[REDACTED]	15605 BAYPOINT AVE SAN LEANDRO CA 94579	214 STARLING WAY	17/01	261.58	30.00	291.58
[REDACTED]	253 FALCON WAY HERCULES CA 94547	253 FALCON WAY	17/01	273.16	30.00	303.16
[REDACTED]	118 CORTES CT HERCULES CA 94547	118 CORTES CT	17/02	285.52	30.00	315.52
[REDACTED]	144 VIERRA WAY HERCULES CA 94547	144 VIERRA WAY	17/02	261.58	30.00	291.58
[REDACTED]	303 ATLAS 3 HERCULES CA 94547	303 ATLAS 3	17/02	273.60	30.00	303.60
[REDACTED]	1409 SANDPIPER SPIT RICHMOND CA 94801	602 NIKE 1	17/02	285.52	30.00	315.52
[REDACTED]	138 S WILDWOOD HERCULES CA 94547	138 S WILDWOOD	17/02	285.52	30.00	315.52

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Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	18 MISSION SPRINGS HERCULES CA 94547	18 MISSION SPRINGS	17/02	285.52	30.00	315.52
[REDACTED]	200 SCOTTS VALLEY HERCULES CA 94547	200 SCOTTS VALLEY	17/02	287.47	30.00	317.47
[REDACTED]	209 SCOTTS VALLEY HERCULES CA 94547	209 SCOTTS VALLEY	17/02	286.86	30.00	316.86
[REDACTED]	211 RIDGEVIEW TER HERCULES CA 94547	211 RIDGEVIEW TER	17/02	285.52	30.00	315.52
[REDACTED]	1223 EARNEST ST HERCULES CA 94547	1223 EARNEST ST	17/02	144.43	30.00	174.43
[REDACTED]	127 CAMELIA CT HERCULES CA 94547	127 CAMELIA CT	17/02	285.84	30.00	315.84
[REDACTED]	160 CRABAPPLE CT HERCULES CA 94547	160 CRABAPPLE CT	17/02	285.68	30.00	315.68
[REDACTED]	127 MARITIME TER HERCULES CA 94547	127 MARITIME TER	17/02	278.74	30.00	308.74
[REDACTED]	139 S ARBOR BAY HERCULES CA 94547	139 S ARBOR BAY	17/02	254.56	30.00	284.56
[REDACTED]	151 NAUTICAL CV HERCULES CA 94547	151 NAUTICAL CV	17/02	171.76	30.00	201.76
[REDACTED]	100 NAUTICAL CV HERCULES CA 94547	100 NAUTICAL CV	17/02	501.34	30.00	531.34

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Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	1042 MAYBECK LN HERCULES CA 94547	1042 MAYBECK LN	17/02	277.39	30.00	307.39
[REDACTED]	1078 CREPE MYRTLE DR HERCULES CA 94547	1078 CREPE MYRTLE DR	17/02	285.52	30.00	315.52
[REDACTED]	1000 SALT SPRAY TER HERCULES CA 94547	1000 SALT SPRAY TER	17/02	283.10	30.00	313.10
[REDACTED]	3126 N FRONT ST HERCULES CA 94547	3126 N FRONT ST	17/02	261.58	30.00	291.58
[REDACTED]	102 WORTHING HERCULES CA 94547	102 WORTHING	17/02	292.92	30.00	322.92
[REDACTED]	1014 CANTERBURY HERCULES CA 94547	1014 CANTERBURY	17/02	217.03	30.00	247.03
[REDACTED]	286 BRIGHTON HERCULES CA 94547	286 BRIGHTON	17/02	261.58	30.00	291.58
[REDACTED]	176 BEDFORD HERCULES CA 94547	176 BEDFORD	17/02	281.32	30.00	311.32
[REDACTED]	160 NEWBURY HERCULES CA 94547	160 NEWBURY	17/02	285.52	30.00	315.52
[REDACTED]	223 LILAC CIR HERCULES CA 94547	223 LILAC CIR	17/02	285.52	30.00	315.52
[REDACTED]	115 MARIGOLD PL HERCULES CA 94547	115 MARIGOLD PL	17/02	503.45	30.00	533.45

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Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	424 VIOLET RD HERCULES CA 94547	424 VIOLET RD	17/02	503.45	30.00	533.45
[REDACTED]	193 IRIS RD HERCULES CA 94547	193 IRIS RD	17/02	285.26	30.00	315.26
[REDACTED]	109 DEL VALLE CIR EL SOBRANTE CA 94803	2268 REDWOOD RD	17/02	283.10	30.00	313.10
[REDACTED]	2015 REDWOOD RD HERCULES CA 94547	2015 REDWOOD RD	17/02	283.10	30.00	313.10
[REDACTED]	274 PEPPERWOOD ST HERCULES CA 94547	274 PEPPERWOOD ST	17/02	461.23	30.00	491.23
[REDACTED]	PO BOX 132 PINOLE CA 94564	1724 REDWOOD RD	17/02	301.36	30.00	331.36
[REDACTED]	2 TARN CT HERCULES CA 94547	2 TARN CT	17/02	215.12	30.00	245.12
[REDACTED]	98 CAPILANO DR VALLEJO CA 94590	12 TARN CT	17/02	356.10	30.00	386.10
[REDACTED]	9 CRAG CT HERCULES CA 94547	9 CRAG CT	17/02	285.54	30.00	315.54
[REDACTED]	593 SILVER MAPLE DR HERCULES CA 94547	593 SILVER MAPLE DR	17/02	286.67	30.00	316.67
[REDACTED]	524 ROSEWOOD LN HERCULES CA 94547	524 ROSEWOOD LN	17/02	270.05	30.00	300.05

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Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	2 CRYSTAL CIR HERCULES CA 94547	2 CRYSTAL CIR	17/02	283.10	30.00	313.10
[REDACTED]	112 SPINEL CT HERCULES CA 94547	112 SPINEL CT	17/02	145.85	30.00	175.85
[REDACTED]	668 TURQUOISE DR HERCULES CA 94547	668 TURQUOISE DR	17/02	247.10	30.00	277.10
[REDACTED]	1469 PARTRIDGE DR HERCULES CA 94547	1469 PARTRIDGE DR	17/02	285.52	30.00	315.52
[REDACTED]	133 EAGLE CT HERCULES CA 94547	133 EAGLE CT	17/02	243.17	30.00	273.17
[REDACTED]	106 CRANE CT HERCULES CA 94547	106 CRANE CT	17/02	315.11	30.00	345.11
[REDACTED]	439 SPARROW DR HERCULES CA 94547	439 SPARROW DR	17/02	695.46	30.00	725.46
[REDACTED]	118 HAWK CT HERCULES CA 94547	118 HAWK CT	17/02	88.46	30.00	118.46
[REDACTED]	196 SPARROW DR HERCULES CA 94547	196 SPARROW DR	17/02	503.44	30.00	533.44
[REDACTED]	115 FINCH CT HERCULES CA 94547	115 FINCH CT	17/02	284.36	30.00	314.36
[REDACTED]	349 FALCON WAY HERCULES CA 94547	349 FALCON WAY	17/02	285.49	30.00	315.49

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Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	373 FALCON WAY HERCULES CA 94547	373 FALCON WAY	17/02	503.45	30.00	533.45
[REDACTED]	1104 TURQUOISE DR HERCULES CA 94547	1104 TURQUOISE DR	17/03	329.23	30.00	359.23
[REDACTED]	112 FARRAGUT ST HERCULES CA 94547	112 FARRAGUT ST	17/03	288.94	30.00	318.94
[REDACTED]	136 RALEIGH CT HERCULES CA 94547	136 RALEIGH CT	17/03	709.57	30.00	739.57
[REDACTED]	184 Mandalay Ave HERCULES CA 94547	184 MANDALAY AVE	17/03	360.02	30.00	390.02
[REDACTED]	157 GRENADINE WAY HERCULES CA 94547	157 GRENADINE WAY	17/03	287.86	30.00	317.86
[REDACTED]	205 GRENADINE WAY HERCULES CA 94547	205 GRENADINE WAY	17/03	131.44	30.00	161.44
[REDACTED]	232 MANDALAY AVE HERCULES CA 94547	232 MANDALAY AVE	17/03	143.87	30.00	173.87
[REDACTED]	379 GRENADINE WAY HERCULES CA 94547	379 GRENADINE WAY	17/03	490.61	30.00	520.61
[REDACTED]	106 SKELLY CT HERCULES CA 94547	106 SKELLY CT	17/03	709.57	30.00	739.57
[REDACTED]	105 HERA 5 HERCULES CA 94547	105 HERA 5	17/03	288.98	30.00	318.98

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Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	130 BAY ST HERCULES CA 94547	130 BAY ST	17/03	218.29	30.00	248.29
[REDACTED]	250 ONEIL CIR HERCULES CA 94547	250 ONEIL CIR	17/03	290.48	30.00	320.48
[REDACTED]	130 CARDOZA HERCULES CA 94547	130 CARDOZA	17/03	288.80	30.00	318.80
[REDACTED]	137 SOUTH WILDWOOD HERCULES CA 94547	137 S WILDWOOD	17/03	288.28	30.00	318.28
[REDACTED]	181 OVERLOOK TER HERCULES CA 94547	181 OVERLOOK TER	17/03	461.33	30.00	491.33
[REDACTED]	1048 CRAFTSMAN DR HERCULES CA 94547	1048 CRAFTSMAN DR	17/03	288.94	30.00	318.94
[REDACTED]	100 SWEET GUM CT HERCULES CA 94547	100 SWEET GUM CT	17/03	560.45	30.00	590.45
[REDACTED]	136 S ARBOR BAY HERCULES CA 94547	136 S ARBOR BAY	17/03	294.50	30.00	324.50
[REDACTED]	1003 VICTORIA PARK HERCULES CA 94547	1003 VICTORIA PARK	17/03	290.11	30.00	320.11
[REDACTED]	1129 REGATTA PT HERCULES CA 94547	1129 REGATTA PT	17/03	265.25	30.00	295.25
[REDACTED]	2108 LEWIS ST HERCULES CA 94547	2108 LEWIS ST	17/03	112.14	30.00	142.14

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Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	2042 LEWIS ST HERCULES CA 94547	2042 LEWIS ST	17/03	291.70	30.00	321.70
[REDACTED]	6 MANCHESTER HERCULES CA 94547	6 MANCHESTER	17/03	280.91	30.00	310.91
[REDACTED]	346 BRIGHTON HERCULES CA 94547	346 BRIGHTON	17/03	509.39	30.00	539.39
[REDACTED]	1612 ROGER CT EL CERRITO CA 94530	1308 CANTERBURY	17/03	270.78	30.00	300.78
[REDACTED]	154 OXFORD HERCULES CA 94547	154 OXFORD	17/03	288.83	30.00	318.83
[REDACTED]	295 VIOLET RD HERCULES CA 94547	295 VIOLET RD	17/03	314.60	30.00	344.60
[REDACTED]	199 MARIGOLD PL HERCULES CA 94547	199 MARIGOLD PL	17/03	522.14	30.00	552.14
[REDACTED]	166 MANZANITA PL HERCULES CA 94547	166 MANZANITA PL	17/03	289.06	30.00	319.06
[REDACTED]	178 MANZANITA PL HERCULES CA 94547	178 MANZANITA PL	17/03	295.10	30.00	325.10
[REDACTED]	109 CATALPA CT HERCULES CA 94547	109 CATALPA CT	17/03	277.98	30.00	307.98
[REDACTED]	881 VALLEY RUN HERCULES CA 94547	881 VALLEY RUN	17/03	288.91	30.00	318.91



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Owner's Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	99 CRYSTAL CIR HERCULES CA 94547	99 CRYSTAL CIR	17/03	287.35	30.00	317.35
[REDACTED]	1708 PHEASANT DR HERCULES CA 94547	1708 PHEASANT DR	17/03	294.68	30.00	324.68
[REDACTED]	139 CARDINAL WAY HERCULES CA 94547	139 CARDINAL WAY	17/03	288.94	30.00	318.94
[REDACTED]	121 DOVE CT HERCULES CA 94547	121 DOVE CT	17/03	103.46	30.00	133.46
[REDACTED]	106 DOVE CT HERCULES CA 94547	106 DOVE CT	17/03	511.38	30.00	541.38
[REDACTED]	346 SPARROW DR HERCULES CA 94547	346 SPARROW DR	17/03	307.02	30.00	337.02
[REDACTED]	184 BONAIRE AVE HERCULES CA 94547	184 BONAIRE AVE	17/04	469.78	30.00	499.78
[REDACTED]	705 HERMES 3 HERCULES CA 94547	705 HERMES 3	17/04	266.47	30.00	296.47
[REDACTED]	218 APOLLO 3 HERCULES CA 94547	218 APOLLO	17/04	167.41	30.00	197.41
[REDACTED]	228 APOLLO 7 HERCULES CA 94547	228 APOLLO	17/04	93.92	30.00	123.92
[REDACTED]	965 WILSON BLVD #211 EL DORADO HILLS CA 95762	407 OLYMPUS 7	17/04	266.47	30.00	296.47

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Owners Name	Billing Address	Service Address	Service Thru	RSS Charges	City Charge	Total Due
[REDACTED]	112 BAY ST HERCULES CA 94547	112 BAY ST	17/04	124.40	30.00	154.40
[REDACTED]	103 KENSINGTON CIR HERCULES CA 94547	103 KENSINGTON CIR	17/04	266.47	30.00	296.47
[REDACTED]	130 SPINNAKER CV HERCULES CA 94547	130 SPINNAKER CV	17/04	276.78	30.00	306.78
[REDACTED]	1006 SHOREBIRD DR HERCULES CA 94547	1006 SHOREBIRD DR	17/04	287.70	30.00	317.70
[REDACTED]	118 ASTER CT HERCULES CA 94547	118 ASTER CT	17/04	599.47	30.00	629.47
[REDACTED]	118 JUNIPER CT HERCULES CA 94547	118 JUNIPER CT	17/04	289.63	30.00	319.63
[REDACTED]	566 TURQUOISE DR HERCULES CA 94547	566 TURQUOISE DR	17/04	216.12	30.00	246.12
CONTROL TOTALS . . .	150 Records			45,387.73	4,500.00	49,887.73



## Legislation Details (With Text)

**File #:** 17-276      **Version:** 1      **Name:**

**Type:** Consent      **Status:** Agenda Ready

**File created:** 7/5/2017      **In control:** City Council

**On agenda:** 7/11/2017      **Final action:**

**Title:** Approval of Minutes  
Recommendation: Approve Minutes for the regular City Council meeting of June 27, 2017.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [XII.1 - Minutes](#)  
[06.27.17 Minutes](#)

Date	Ver.	Action By	Action	Result
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### Approval of Minutes

**Recommendation:** Approve Minutes for the regular City Council meeting of June 27, 2017.

## AGENDA ITEM REQUEST FORM

Department: Administrative Services

Department Director: Lori Martin

Phone: 799-8215

Meeting Date: July 11, 2017

Final Decision Date Deadline:

**SUBJECT:**

City Council Meeting Minutes of June 27, 2017

### INDICATE APPROPRIATE BODY

☒ City Council

☐ Successor Agency to the  
Redevelopment Agency

☐ Public Finance  
Authority

☐ Finance  
Commission

☐ Planning  
Commission

☐ Community/Library  
Services Commission

☐ Oversight Board

☐ Other \_\_\_\_\_

### ITEM

☐ Presentation/Introduction

☐ Study Session

☐ Grant Application/Acceptance

☐ Public Hearing

☐ Resolution

☐ Video/PowerPoint

☒ Consent Calendar

☐ Ordinance

☐ Discussion Action

☐ Contract/Agreement

### RECOMMENDED ACTION:

Review and approve City Council meeting minutes of June 27, 2017.

☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

### REVIEWED AND APPROVED FOR AGENDA:

City Attorney (if Contract, Ordinance or Resolution)

  
Signature

7-6-17  
Date

Finance Department for Fiscal Impact

  
Signature

7/6/17  
Date

City Manager

  
Signature

7/6/17  
Date

AGENDA ITEM NO:

**CITY OF HERCULES  
CITY COUNCIL MINUTES**

**June 27, 2017  
6:00 p.m. Closed Session  
7:00 p.m. Regular Meeting**

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**I. ROLL CALL – CALL TO ORDER – 6:00 P.M.**

**Present:** Council Members Boulanger, Esquivias, Romero, Vice Mayor Kelley and Mayor de Vera  
**Absent:** None.

**II. PUBLIC COMMUNICATION – CLOSED SESSION ITEMS**

**Speakers:** Pil Orbison.

**III. CONVENE INTO CLOSED SESSION**

1. Pursuant to Government Code Section 54957.6 CONFERENCE WITH LABOR NEGOTIATORS – City Negotiators: David Biggs, City Manager; Annie To, Director of Finance; Lori Martin, Director of Administrative Services relative to the following employee groups:

- Teamsters Local 315 Employee Organizations
- Hercules Police Officers Association
- Hercules Senior Manager Employee Group
- Confidential Unrepresented Employee Group
- Mid Management Employee Group

2. Pursuant to Government Code Section 54956.9, Conference with Legal Counsel - Existing Litigation: Refugio Heights HOA v. City of Hercules, et al. Contra Costa County Superior Court Case No. C16-02378.

**IV. REGULAR MEETING – 7:06 P.M.  
RECONVENE TO OPEN SESSION - ROLL CALL**

**Present:** Council Members Boulanger, Esquivias, Romero, Vice Mayor Kelley and Mayor de Vera  
**Absent:** None.

**V. REPORT ON ACTION TAKEN IN CLOSED SESSION**

**Action:** City Attorney Tang announced that there is no final or reportable actions on Closed Session Items 1 or 2.

**VI. PLEDGE OF ALLEGIANCE**

**VII. MOMENT OF SILENCE**

**Action:** Mayor de Vera called for a moment of silence in remembrance of Hercules resident Mike Lefiti who was a victim of the June 14, 2017 shooting incident at the UPS Facility in San Francisco.

**VII. INTRODUCTIONS/PRESENTATIONS – None.**

## **VIII. AGENDA ADDITIONS/DELETIONS**

**Action:** Council Member Boulanger made a request to move Item XIII.4 Memorandums of Understanding with Teamsters Local 315 and Management and Non-Represented Employees to be discussed prior to the FY 2017-18 Budget public hearing item. Mayor de Vera polled the City Council Members which did not result in consensus of City Council to take Item XIII.4 out of order. City Manager Biggs identified the supplemental material distributed prior to the meeting.

## **IX. PUBLIC COMMUNICATIONS**

**Speakers:** None.

## **X. PUBLIC HEARINGS**

### **1. Landscaping and Lighting Assessment District 83-2**

**Recommendation:** It is recommended that the City Council take the following actions:

- a. Open the continued public hearing, declare the results of the property owner protest balloting proceedings conducted for a proposed increase in the maximum assessment rate for Benefit Zones 1, 3&4, 5C, 6 and 7 within the Hercules Landscaping and Lighting Assessment District No. 83-2 commencing Fiscal Year 2017-2018, take any additional public testimony, and close the public hearing; and,
- b. Adopt a Resolution declaring the results of the property owner protest balloting proceedings conducted for a proposed increase in the maximum assessment rate for Benefit Zones 1, 3&4, 5C, 6 and 7 within the Hercules Landscaping and Lighting Assessment District No. 83-2 commencing Fiscal year 2017-18; and,
- c. Adopt a Resolution approving the Final Engineer's Report, Confirming Diagram and Assessments and Ordering Levy of Assessments for Y 2017-18 for the Hercules Landscaping and Lighting Assessment District No. 83-2 commencing Fiscal Year 2017-18 pursuant to the Landscaping and Lighting Act of 1972.

**Action:** Mayor de Vera opened the public hearing at 7:26 p.m. Mayor de Vera closed the public hearing at 7:26 p.m. with no comments offered from the public.

**Speakers:** None.

**Action:** Moved by Vice Mayor Kelley, seconded by Council Member Boulanger to adopt Resolution declaring the results of the property owner protest balloting proceedings conducted for a proposed increase in the maximum assessment rate for Benefit Zones 1, 3&4, 5C, 6 and 7 within the Hercules Landscaping and Lighting Assessment District No. 83-2 commencing Fiscal Year 2017-18. The motion carried by the following vote:

**Aye:** 5 – Council Members Boulanger, Esquivias, Romero, Vice Mayor Kelley, Mayor de Vera

**Action:** Moved by Vice Mayor Kelley, seconded by Council Member Boulanger to adopt Resolution approving the Final Engineer's Report, Confirming Diagram and Assessments and Ordering Levy of Assessments for FY 2017-18 for the Hercules Landscaping and Lighting Assessment District No. 83-2 commencing Fiscal Year 2017-18 pursuant to the Landscaping and Lighting Act of 1972. The motion carried by the following vote:

**Aye:** 5 – Council Members Boulanger, Esquivias, Romero, Vice Mayor Kelley, Mayor de Vera

**2. Proposed FY 2017-18 City of Hercules Budget Plan which Includes a 5 Year 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:

- a. Adopt the Fiscal Year 2017-18 City of Hercules Budget Plan which includes the First Year (2017-18 Fiscal Year) of the Five-Year (2017-2022 Fiscal Years) Capital Improvement Budget and making certain designations and fund balance adjustments, approving 16 annual contracts for services in a total amount of \$533,430.
- b. Adopt the 2017-18 Fiscal Year Hercules Public Financing Authority Budget Plan Consisting of Debt Service in the amount of \$2,217,819.
- c. Establishing the Appropriations Limit for the 2017-18 Fiscal Year in accordance with Proposition 111 and Article XIII B.

**Action:** Mayor de Vera opened the public hearing.

**Speakers:** Stanley Tom, Bob Polacchi, Pam Young, Mary Tobin Kelly, Sarah Creeley, Sherry McCoy.

**Action:** Mayor de Vera closed the public testimony at 8:14 p.m.

**Action:** Moved by Council Member Romero, seconded by Vice Mayor Kelley to adopt the Fiscal Year 2017-18 City of Hercules Budget Plan which includes the first year of the five year Capital Improvements Budget and making certain designations and fund balance adjustments and approving 16 annual contracts for services in a total amount of \$533,430. The motion carried by the following vote:

**Aye:** 5 – Council Members Boulanger, Esquivias, Romero, Vice Mayor Kelley, Mayor de Vera.

**Action:** Moved by Vice Mayor Kelley, seconded by Council Member Boulanger, to adopt the Fiscal Year 2017-18 Hercules Public Financing Authority Budget Plan Consisting of Debt Service in the amount of \$2,217,819. The motion carried by the following vote:

**Aye:** 5 – Council Members Boulanger, Esquivias, Romero, Vice Mayor Kelley, Mayor de Vera.

**Action:** Moved by Council Member Esquivias, seconded by Council Member Romero to establish the Appropriations Limit for the 2017-18 Fiscal Year in accordance with Proposition 111 and Article XIII B. The motion carried by the following vote:

**Aye:** 5 – Council Members Boulanger, Esquivias, Romero, Vice Mayor Kelley, Mayor de Vera.

3. **Ordinance to Amend Hercules Municipal Code Title 7, Chapter 1 to Allow the City to Require the Addition of City Communications Infrastructure as a Condition to the Approval of any Permit Issued for an Excavation Project in Order to Facilitate Efforts to Develop Communications Infrastructure, Create a More Efficient Delivery of Communications Services to the Public, and Limit Excavations in the Public Right-of-Way**  
**Recommendation:** Conduct a public hearing and upon conclusion, waive first reading and introduce an Ordinance amending Hercules Municipal Code Title 7, Chapter 1, by adding Section 7-1.323 City Communications Infrastructure.  
**Action:** Council Member Romero recommended an amendment to Hercules Municipal Code Section 7-1.323(j)(1) adding language “The Director of Public Works *with the approval of the City Manager*.  
**Action:** Moved by Council Member Romero, seconded by Vice Mayor Kelley to waive reading and approve the introduction of Ordinance 502 as amended.

## **XI. CONSENT CALENDAR**

**Action:** Moved by Council Member Romero, seconded by Council Member Boulanger to adopt the consent calendar. The motion carried by the following vote:

**Ayes:** Council Members: Esquivias, Boulanger, Romero, Vice Mayor Kelley, Mayor de Vera.

### **1. Approval of Minutes**

**Recommendation:** Approve Minutes for the City Council Meeting of June 13, 2017.

**Action:** Approved Minutes of June 13, 2017.

### **2. Approve Resolution Amending Hercules City Council Resolution No. 06-134, Authorizing the City to Join the Statewide Community Infrastructure Program (“SCIP”)**

**Recommendation:** Adopt Resolution amending provisions of Resolution No. 06-134 authorizing the City to join the Statewide Community Infrastructure Program (“SCIP”); authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct special assessment proceedings and levy assessments within the territory of the City of Hercules; approving form of acquisition agreement for use when applicable; and authorizing related actions.

**Action:** Approved Resolution.

## **XII. DISCUSSION AND/OR ACTION ITEMS**

### **1. Adopt a Resolution and Execute an Engagement Letter with CliftonLarsonAllen LLP (Gallina LLP) for Annual Audit Services to the City and Its Related Entities as Required by Law for FY 2016-17, FY 2017-18, and FY 2018-19**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute an engagement letter with CliftonLarsonAllen LLP to provide annual audit services to the City and its related entities for FY 2016-17, FY 2017-18 and FY 2018-19 for a not to exceed amount of \$57,600, \$58,675 and \$59,765.

**Speakers:** Elba Zuniga of CliftonLarsonAllen, LLP.

**Action:** Moved by Council Member Esquivias, seconded by Vice Mayor Kelley to adopt Resolution authorizing the City Manager to execute an engagement letter with CliftonLarsonAllen, LLP to provide annual audit services to the City and its related entities for



FY 2016-17, FY 2017-18 and FY 2018-19 for a not to exceed amount of \$57,600, \$58,675 and \$59,765. The motion carried by the following vote:

**Ayes:** Council Members: Esquivias, Boulanger, Romero, Vice Mayor Kelley, Mayor de Vera.

2. **Award Annual Landscape Maintenance Contracts for the City's Landscaping and Lighting Assessment Districts and the Hercules Transit Center**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute annual landscape maintenance contracts with:

- a. Pacific Site Management for Citywide Landscaping and Lighting Assessment District No. 83-2 for an amount of \$332,898, Victoria By The Bay Landscaping and Lighting Assessment District No. 2002-1 for an amount of \$135,911, Hercules Village (Promenade) Landscaping and Lighting Assessment District No. 2002-2 for an amount of \$45,302, Baywood Landscaping and Lighting Assessment District No. 2004-1 for an amount of \$34,196, and the Hercules Transit Center for an amount of \$13,273.
- b. New Image Landscape Company for Bayside Landscaping and Lighting Assessment District No. 2005-1 for an amount of \$18,500.

**Action:** Moved by Vice Mayor Kelley, seconded by Council Member Esquivias to adopt Resolution awarding annual landscape maintenance contracts for the City's Landscaping and Lighting Assessment Districts and the Hercules Transit Center. The motion carried by the following vote:

**Ayes:** Council Members: Esquivias, Boulanger, Romero, Vice Mayor Kelley, Mayor de Vera.

3. **Amended and Restated Site Lease Agreement Between City of Hercules and New Cingular Wireless PCS, LLC (AT&T) at the Refugio Valley/Falcon Site**

**Recommendation:** Approve an Amended & Restated Site Lease Agreement and Memorandum of Lease Between City of Hercules and New Cingular Wireless PCS, LLC (AT&T) and authorize the City Manager to execute related documents.

**Action:** Moved by Council Member Romero, seconded by Council Member Esquivias to approve an amended and restated site lease agreement and memorandum of lease between City of Hercules and New Cingular Wireless PCS, LLC and authorize the City Manager to execute related documents. The motion carried by the following vote:

**Ayes:** Council Members: Esquivias, Boulanger, Romero, Vice Mayor Kelley, Mayor de Vera.

**Action:** Mayor de Vera recessed the meeting at 10:22 p.m.

**Action:** Mayor de Vera reconvened the City Council meeting at 10:28 p.m.

4. **Approve Memorandums of Understanding**

**Recommendation:** Adopt a Resolution Approving Memorandums of Understanding with the Teamsters Local 315 and the Pay and Benefit plans for Management and Non-Represented Employees.

**Action:** Moved by Council Member Boulanger, seconded by Council Member Esquivias to adopt Resolution approving Memorandum of Understandings with the Teamsters Local 315 and

the Pay and Benefit Plans for Management and Non-Represented Employees. The motion carried by the following vote:

**Ayes:** Council Members: Esquivias, Boulanger, Romero, Vice Mayor Kelley, Mayor de Vera.

**5. Adoption of Green Infrastructure Plan Framework**

**Recommendation:** Adopt a Resolution approving the Green Infrastructure Plan Framework to comply with Municipal Regional Storm Water Permit Provision C.3.J.I(1).

**Speaker:** Frank Kennedy from Kennedy & Associates.

**Action:** Moved by Council Member Esquivias, seconded by Council Member Boulanger to adopt Resolution approving the Green Infrastructure Plan Framework to comply with Municipal Regional Storm Water Permit Provision C.3.J.I(1). The motion carried by the following vote:

**Ayes:** Council Members: Esquivias, Boulanger, Romero, Vice Mayor Kelley, Mayor de Vera.

**XIII. PUBLIC COMMUNICATIONS (continued)**

**Speakers:** Pil Orbison.

**XIV. CITY COUNCIL/CITY MANAGER ANNOUNCEMENTS AND CITY COUNCIL COMMITTEE, SUB-COMMITTEE AND INTERGOVERNMENTAL COMMITTEE REPORTS**

**Action:** Members of the City Council and staff reported on events and committee meetings. City Council requested future discussion items on the following:

1. Discuss forming a Landscaping Maintenance Sub-Committee.
2. Parks and Recreation fund deficit and ideas on reducing the deficit.

**XV. ADJOURNMENT.**

Mayor de Vera adjourned the meeting at 11:04 p.m. in memory of Mike Lefiti.

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Myrna L. de Vera, Mayor

ATTEST:

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Lori Martin, MMC  
Administrative Services Director/City Clerk



## Legislation Details (With Text)

<b>File #:</b>	17-277	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Consent	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	7/5/2017	<b>In control:</b>		City Council	
<b>On agenda:</b>	7/11/2017	<b>Final action:</b>			
<b>Title:</b>	Ordinance 502 Amending Hercules Municipal Code Title 7, chapter 1 to Allow the City to Require the Addition of City Communications Infrastructure as a Condition of Approval of Any Permit Issued for an Excavation Project Recommendation: Waive the second reading and adopt Ordinance 502 amending Hercules Municipal Cod Title 7, Chapter 1.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">XII.2 - Ordinance 502</a> <a href="#">Staff Report - Ordinance 502</a> <a href="#">Attachment 1 - Ordinance 502</a> <a href="#">Attachment 2 - 07/26/16 Fiber Optic Conduit Staff Report</a>				

Date	Ver.	Action By	Action	Result
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### **Ordinance 502 Amending Hercules Municipal Code Title 7, chapter 1 to Allow the City to Require the Addition of City Communications Infrastructure as a Condition of Approval of Any Permit Issued for an Excavation Project**

**Recommendation:** Waive the second reading and adopt Ordinance 502 amending Hercules Municipal Cod Title 7, Chapter 1.

## AGENDA ITEM REQUEST FORM

Department: Administrative Services

Department Director: Michael Roberts

Phone: 799-8241

Meeting Date: July 11, 2017

Final Decision Date Deadline:

**SUBJECT:**

Ordinance 502 to Amend Hercules Municipal Code Title 7, chapter 1 to Allow the city to Require the Addition of City Communications Infrastructure as a Condition to the Approval of any Permit Issued for an Excavation Project

**INDICATE APPROPRIATE BODY**

☒ City Council

☐ Successor Agency to the Redevelopment Agency

☐ Public Finance Authority

☐ Finance Commission

☐ Planning Commission

☐ Community/Library Services Commission

☐ Oversight Board

☐ Other \_\_\_\_\_

**ITEM**

☐ Presentation/Introduction

☐ Study Session

☐ Grant Application/Acceptance

☐ Public Hearing

☐ Resolution

☐ Video/PowerPoint

☒ Consent Calendar

☒ Ordinance

☐ Discussion Action

☐ Contract/Agreement

**RECOMMENDED ACTION:**

Conduct a public hearing and upon conclusion, waive first reading and introduce an Ordinance amending Hercules Municipal Code title 7, chapter 1, by adding Section 7-1.323 City Communications Infrastructure.

☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

**REVIEWED AND APPROVED FOR AGENDA:**

City Attorney (if Contract, Ordinance or Resolution)

Signature

Date

Finance Department for Fiscal Impact

Signature

Date

City Manager

Signature

Date

AGENDA ITEM NO:



## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of July 11, 2017

**TO:** Mayor de Vera and Members of the City Council

**SUBMITTED BY:** Michael Roberts, Public Works Director/City Engineer  
J. Patrick Tang, City Attorney

**SUBJECT:** Ordinance to Amend Hercules Municipal Code Title 7, Chapter 1 to Allow the City to Require the Addition of City Communications Infrastructure as a Condition to the Approval of Any Permit Issued for an Excavation Project, in Order to Facilitate Efforts to Develop Communications Infrastructure, Create a More Efficient Delivery of Communications Services to the Public, and Limit Excavations in the Public Right-of-Way

### **RECOMMENDED ACTION:**

Waive the second reading and adopt the proposed additions to existing Municipal Code Title 7, Chapter 1, with modifications as directed by Council at the regular meeting of June 27, 2017.

### **COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:**

None.

### **FISCAL IMPACT OF RECOMMENDATION:**

If the City were to require the “joint trench” placement of telecommunications infrastructure such as conduit or dark fiber pursuant to an ongoing utility or telecommunications trenching project, the City would in most instances be required to pay the incremental cost of adding the additional infrastructure. The Council has previously allocated \$50,000 for placement of telecommunications infrastructure in priority locations as identified by staff (see Attachment 2), which is intended to provide the initial funding for the placement of telecommunications infrastructure in select locations within the City’s rights-of-way.

### **DISCUSSION:**

The draft ordinance came before the Council for discussion and action at the meeting of June 27, 2017. The Council approved the ordinance on first reading, with a minor modification proposed by Council Member Romero in Sec. 7-1.323(j)(1) as follows (changes in ***bold italic***):

“The Director of Public Works *with the approval of the City Manager* may exempt projects from the requirements of this Chapter where compliance is found to be not practical or feasible, either on the Director’s own initiative, or pursuant to a Request for exemption. Requests for an exemption shall be in writing, and the Director’s decision shall be final.”

The draft ordinance in your agenda materials reflects the above noted change. The ordinance would provide the regulatory authority for the City to require telecommunications companies and utilities that trench in the City’s rights-of-way to place additional telecommunications infrastructure in the form of empty conduit and/or dark fiber within their trenches for the City’s future use.

A number of cities and counties throughout the country have over the years taken the opportunity to place telecommunications infrastructure (usually empty conduit and pull boxes, and sometimes dark fiber) in open trenches in the public rights-of-way. In many cases, this has allowed the public entity to lease the empty conduit or dark fiber to telecommunications companies looking to expand their existing fiber optic capacity. Telecommunications companies needing to expand their fiber optic capacity typically prefer to lease conduit and/or dark fiber from public entity owners when it is available, because it is more economical and faster than having to pay the cost of digging up and repaving the street to put in new conduit.

The benefits to a public entity that is able to lease telecommunications infrastructure that has been put in place when open trench opportunities arise include:

1. Potential for revenue in the form of lease agreements or percentage of gross revenue generated from use of the infrastructure.
2. Avoiding additional street cuts and trenching that shortens the life of the City’s paved surfaces and inconveniences the public.
3. Allowing the City to negotiate with telecommunications entities for other benefits, such as fiber capacity to link all municipal, county, school district, public safety, library, and other public service facilities.
4. Potential for providing fiber to the premises (FTTP) for existing and future residences and businesses, which would enhance the City’s ability to compete with Emeryville, San Leandro, and other cities that provide FTTP to residences and businesses.

## **RELATED ACTIONS:**

July 26, 2016 – City Council adopted a Resolution Authorizing the City Manager to Expend an Amount Not to Exceed \$50,000 for the Installation of Fiber Optic Broadband Infrastructure Within the City Rights-of-way as Joint Trench Opportunities Become Available.

September 27, 2016 - Final Adoption of Ordinance Amending Hercules Municipal Code Title 7, Chapter 1, to Establish a 5 Year Moratorium on Trenching in New Street Surfacing.

June 27, 2017 – Draft Open Trench Ordinance with minor amendments approved on first reading.

**ATTACHMENTS:**

1. Draft Ordinance to Amend Hercules Municipal Code Title 7, Chapter 1 to Require the Addition of City Communications Infrastructure (with changes approved by Council on June 27, 2017).
2. July 26, 2016 Staff Report and Resolution - Conduit Installation for Fiber Optic Network \$50,000 Appropriation.

***Financial Impact*****Description:**

None.

**Funding Source:****Budget Recap:**

Total Estimated cost:	\$	New Revenue:	\$
Amount Budgeted:	\$	Lost Revenue:	\$
New funding required:	\$	New Personnel:	\$
Council Policy Change:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

## **Ordinance No. 502**

### **Ordinance of the City of Hercules Granting the Public Works Director the Authority to Require the Addition of City Communications Infrastructure as a Condition to the Approval of Any Permit Issued for an Excavation Project, in Order to Facilitate Efforts to Develop City Communications Infrastructure, Create a More Efficient Delivery of Communications Services to the Public, and Limit Excavations in the Public Right-of-Way**

**WHEREAS**, it is the intent of the City of Hercules, in enacting Chapter 7-1.323, to encourage improvement and modernization of telecommunications infrastructure; and

**WHEREAS**, access to modern telecommunications infrastructure is vital for communication and economic development; and

**WHEREAS**, the City recognizes the need to provide local residents and businesses within the community with the infrastructure required to meet their telecommunications needs; and

**WHEREAS**, the City of Hercules seeks to promote widespread access to the most technologically advanced telecommunications services for all City residents and businesses in a nondiscriminatory manner; and

**WHEREAS**, it is the responsibility of the City to protect and control access to public rights-of-way; and

**WHEREAS**, all subsurface construction activities in the City right-of-way should be considered for the installation of telecommunications conduit and other related equipment wherever practical and feasible to meet present and future needs; and

**WHEREAS**, it is consistent with the City's goals and values to encourage investment in and improvement of telecommunications infrastructure.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Hercules, that the Hercules Municipal Code Title 7, is amended to include a new section 7-1.323 to read as follows:

#### **Section 7-1.323 Installation of City Communications Infrastructure.**

(a) In recognition of the need to provide local residents and businesses within the community with the infrastructure required to meet current and future telecommunications needs, all subsurface construction activities in the City right-of-way will include provisions for the installation of telecommunications cable, conduit, and other related equipment wherever practical and feasible. Where appropriate, telecommunications infrastructure shall be installed in or adjacent to City rights-of-way in conformance with current city standards. City staff will



work with contractors to identify the most cost-effective approach consistent with City requirements. All installations shall conform to the size, shape, location, and other specifications as determined by the Director of Public Works.

(b) **Need for City Communications Infrastructure.** The Public Works Director shall consider adding City communications infrastructure to any permit issued for an excavation project under this chapter to create more efficient delivery of communications services to the public and for the City's needs.

(c) **Response to Notice.** Upon receipt of a notice issued pursuant to the Public Works Director's Communications Infrastructure Requirements that a utility or municipal excavator intends to apply for an excavation permit, the Public Works Director shall determine whether it is both financially feasible and consistent with the City's long-term goals to add City communications infrastructure to the proposed excavation project.

(1) If the determination is affirmative, the presumption will be that the Public Works Director will cause the City to participate in the excavation project by requiring the excavator to install City communications infrastructure, or in the alternative, requiring the excavator to allow the City's own contractor to install City communications infrastructure.

(2) If the determination is negative, the Public Works Director shall notify the applicant within the time provided by the Director's Communications Infrastructure Requirements that the Public Works Director does not intend to participate in the excavation project.

(d) **Denial of Application.** The Public Works Director shall deny an application for a permit if the Director determines that the applicant has failed to comply with the City's Communications Infrastructure Requirements.

(e) **Applicant's Incremental Costs.** The City of Hercules shall be responsible for the applicant's incremental costs when the Department participates in an excavation project by causing the installation of City communications infrastructure.

(f) **Exception.** The requirements of this Section 7-1.323 shall not apply to an application for an emergency permit under Section 7-1.106.

(g) **Adoption of Communications Infrastructure Requirements.** The Public Works Director shall develop and implement the Director's Communications Infrastructure Requirements within 60 days of final adoption of this Ordinance, which shall be updated from time to time as necessary.

(h) **Purpose of Requirements.** The Director's Communications Infrastructure Requirements shall specify the manner in which the Director will authorize City participation in excavation projects by causing the installation of communications infrastructure that meets the City's needs at a reasonable cost.

(i) **Minimum Requirements.** At a minimum, the Director's technology requirements shall contain the following procedural and substantive requirements for the installation of communications infrastructure in excavation projects:

- (1) The process for the Director to review planned excavation projects in a timely manner to determine if City participation is feasible and to verify its participation by informing the applicant within 7 days of receiving notice;
- (2) The criteria to be used by the Director to decide whether to decline to participate in excavation projects;
- (3) The standard technical specifications for City communications infrastructure;
- (4) The standard methodology for determining the incremental costs associated with installing City communications infrastructure in excavation projects;
- (5) The requirements and process for excavators to seek exemptions from using the City's standard methodology for determining incremental costs when installing standard City communications infrastructure in excavation projects; and
- (6) Alternative methodologies for determining the City's incremental costs when exemptions are granted.

(j) **Exemptions.**

- (1) The Director of Public Works with the approval of the City Manager may exempt projects from the requirements of this Chapter where compliance is found to be not practical or feasible, either on the Director's own initiative, or pursuant to a Request for exemption. Requests for an exemption shall be in writing, and the Director's decision shall be final.
- (2) An exemption application shall include all information necessary for the Director to make a decision, including but not limited to documentation showing factual support for the requested exemption.
- (3) The Director may approve the exemption application in whole or in part, with or without conditions.

(k) **Reporting Requirements.** The Public Works Director shall file annual reports with the City Council regarding the number of excavation permits issued by the Director for projects meeting the criteria for Technology participation set forth in this Chapter, the locations of the excavations identified in the excavation projects, the identities of the applicants for the excavation permits, whether the Director opted to participate in the excavation projects by installing communications infrastructure, the City's costs to participate in the excavation projects by installing City communications infrastructure; and the status of the installation of City communications infrastructure in the excavation projects."

2. **Severability.**

In the event that any one or more of the provisions of this Ordinance are for any reason held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any of the other provisions of this Ordinance, and this Ordinance shall be construed as if such invalid, illegal or unenforceable provisions had never been contained herein.

3. **Effective Date and Publication.**

The City Clerk shall certify to the adoption of this Ordinance and shall publish or post the Ordinance as required by law. This Ordinance shall be effective thirty days from date of final adoption.

The foregoing Ordinance was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 11th day of July, 2017 by the following vote of the Council:

AYES:

NOES:

ABSENT:

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Myrna de Vera, Mayor

ATTEST:

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Lori Martin, MMC  
City Clerk



## Legislation Details (With Text)

<b>File #:</b>	17-278	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Discussion/Action Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	7/5/2017	<b>In control:</b>		City Council	
<b>On agenda:</b>	7/11/2017	<b>Final action:</b>			
<b>Title:</b>	Approve Memorandum of Understanding with the Hercules Police Officers Association Recommendation: Adopt a Resolution Approving a Memorandum of Understanding with the Hercules Police Officers Association.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">XIII.1 - Memorandum of Understanding - POA</a> <a href="#">Staff Report - POA MOU</a> <a href="#">Attachment 1 - Resolution POA MOU</a> <a href="#">Attachment 2 - HPOA MOU 2017-2018 FINAL DRAFT</a>				

Date	Ver.	Action By	Action	Result
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### Approve Memorandum of Understanding with the Hercules Police Officers Association

**Recommendation:** Adopt a Resolution Approving a Memorandum of Understanding with the Hercules Police Officers Association.

## AGENDA ITEM REQUEST FORM

Department: City Manager's Office

Department Director: David Biggs

Phone: 799-8216

Meeting Date: July 11, 2017

Final Decision Date Deadline: July 11, 2017

**SUBJECT:**

Approve Memorandum of Understanding with the Hercules Police Officers Association

### INDICATE APPROPRIATE BODY

☒ City Council

☐ Successor Agency to the Redevelopment Agency

☐ Public Finance Authority

☐ Finance Commission

☐ Planning Commission

☐ Community/Library Services Commission

☐ Oversight Board

☐ Other \_\_\_\_\_

### ITEM

☐ Presentation/Introduction

☐ Study Session

☐ Grant Application/Acceptance

☐ Public Hearing

☐ Resolution

☐ Video/PowerPoint

☐ Consent Calendar

☐ Ordinance

☒ Discussion Action

☐ Contract/Agreement

### RECOMMENDED ACTION:

Adopt a Resolution Approving Memorandum of Understanding with the Hercules Police Officers Association.

☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

### REVIEWED AND APPROVED FOR AGENDA:

City Attorney (if Contract, Ordinance or Resolution)

[Signature]  
Signature

7.6.17  
Date

Finance Department for Fiscal Impact

[Signature]  
Signature

7/6/17  
Date

City Manager

[Signature]  
Signature

7/6/17  
Date

AGENDA ITEM NO:



## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of July 11, 2017

**TO:** Members of the City Council

**SUBMITTED BY:** David Biggs, City Manager  
Annie To, Finance Director  
Lori Martin, Director of Administrative Services

**SUBJECT:** Approve Memorandum of Understanding with the Hercules Police Officers Association

**RECOMMENDED ACTION:** Adopt a Resolution Approving Memorandum of Understanding with the Hercules Police Officers Association.

**COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:** Not Applicable

**FISCAL IMPACT OF RECOMMENDATION:** Approval of these new labor related items will result in costs, both on-going and one time in nature. The on-going costs for the employees covered through these approvals will be \$121,936. The one-time costs will be \$98,685. Approximately 80% of the costs would be General Fund costs.

The on-going costs can be accommodated in the FY 2017/18 budget as adopted on June 27, 2017. The on-going and one-time costs were identified as Decision Package # 18-5: Employee Concession Mitigation & Labor Agreements.

**DISCUSSION:** Existing Memorandums of Understanding (MOU) and agreements with employees have terms which end June 30, 2017. The City has been engaged in the meet and confer process as required by law with the represented employees and in a consultation process with non-represented employees. The City Council has been providing the City's labor negotiator with direction in closed sessions over the past few months. On June 27, 2017, the City Council approved new Memorandums of Understanding with Teamsters Local 315 and new Pay Plans for unrepresented employees.

Based on currently available resources, the City has negotiated a new MOU with the Hercules Police Officers Association, subject to ratification by the POA, and a summary of the changes proposed is set forth below:

Group	Summary of Terms
Police Officers Association	<ul style="list-style-type: none"> <li>• MOU Term to June 30, 2018</li> <li>• COLA of 3.8% effective July 1, 2017.</li> <li>• One-time 5% non-PERSable retention payment with employees able to elect to direct payment to deferred comp or RHS accounts if desired.</li> <li>• Modifying the existing Education Incentive from a flat monthly amount to a percentage of salary – starting at 2.5%.</li> <li>• Telephone Standby Pay for Court</li> <li>• Agreement to undertake a Compensation Study to be done by February 1, 2017, in consultation with the POA as to comparable jurisdictions.</li> <li>• Telephone Standby Pay for Court</li> </ul>

In addition to the changes outlined above, there are minor additional corrections and changes contained in the attached MOU.

#### **ATTACHMENTS:**

1. Resolution
2. Draft Memorandum of Understanding with the HPOA

<i><b>Financial Impact</b></i>			
<b>Description:</b>			
<b>Funding Source:</b>			
<b>Budget Recap:</b>			
Total Estimated cost:	\$	New Revenue:	\$
Amount Budgeted:	\$	Lost Revenue:	\$
New funding required:	\$	New Personnel:	\$
Council Policy Change: Yes <input type="checkbox"/> No <input type="checkbox"/>			

**RESOLUTION NO. 17-**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES  
APPROVING MEMORANDUM OF UNDERSTANDING WITH THE HERCULES  
POLICE OFFICERS ASSOCIATION**

**WHEREAS**, the City conducted negotiations with the Hercules Police Officers Association; and

**WHEREAS**, the MOU will be effective on July 1, 2017 and

**WHEREAS**, approval of these new labor related items will result in both on-going and one-time costs; and

**WHEREAS**, the on-going costs will be \$121,936 and the one-time costs will be \$98,685; and

**WHEREAS**, the on-going costs have been incorporated into the Fiscal Year 2017-18 budget and the one-time costs will be funded from the available fund balance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hercules that the Council hereby approves and authorizes the City Manager to sign and implement the Memorandum of Understanding with the Hercules Police Officers Association covering July 1, 2017 to June 30, 2018.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the eleventh day of July, 2017, by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Myrna L. de Vera, Mayor

ATTEST:

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Lori Martin, MMC  
City Clerk





MEMORANDUM OF UNDERSTANDING FOR  
POLICE OFFICERS' ASSOCIATION  
OF THE CITY OF HERCULES

**Effective July 1, 2017**  
**Per Resolution No. \_\_\_\_\_**

**July 1, 2017 – June 30, 2018**

**MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HERCULES AND  
THE HERCULES POLICE OFFICERS ASSOCIATION**

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## **MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF HERCULES AND THE HERCULES POLICE OFFICERS ASSOCIATION**

This Memorandum of Understanding is entered into pursuant to the Meyers-Milias-Brown Act (Government Code section 3500 et seq). Parties to this Memorandum of Understanding ("MOU" herein) are the City of Hercules ("City" herein) and the Hercules Police Officers Association ("Association" herein). The parties have met and conferred in good faith regarding wages, hours, and other terms and conditions of employment of the employees represented by the Association and have exchanged freely information, opinions and proposals and have endeavored to reach an agreement on matters relating to the employment, conditions, and employee relations of such employees.

This Memorandum of Understanding shall be presented to the City Council as a joint recommendation of the undersigned for salary, fringe benefits, and other working conditions for the period of July 1, 2017 - June 30, 2018, and shall be in full force and effect at such date as herein prescribed, on ratification by both the City Council and affected members of the Police Association.

### **ARTICLE I - RECOGNITION**

The City recognizes the Association as the exclusive representative of the full-time sworn employees of the Hercules Police Department in the classifications of Sergeant and Police Officer. Said recognition herein shall remain in full force and effect unless decertified according to procedures adopted in conformity with State law. The provisions of this article shall not preclude any individual representing him/herself in matters of employer/employee relations.

### **ARTICLE II - NONDISCRIMINATION**

No bargaining unit members represented by the Association shall be reduced or removed, or in any way favored or discriminated against because of race, sex, national origin, or religion.

Neither the City nor the Association shall interfere with, intimidate, restrain, coerce, or discriminate against bargaining unit members because of the exercise of their rights to engage or not to engage in employee organization activities pursuant to Government Code Section 3500 et seq.

### **ARTICLE III - MANAGEMENT RIGHTS AND RESPONSIBILITY**

#### **1. Management Rights**

- The City retains all its exclusive rights and authority under State law and expressly and exclusively retains its management rights, which include, but are not limited to:
- The exclusive right to determine the mission and organization of its constituent departments and commissions;

- Set standards and levels of service;
- Determine the procedures and standards of selection for employment and promotions;
- Establish and effect administrative regulations consistent with laws and the provisions of this Memorandum of Understanding to direct its employees;
- Maintain the efficiency of governmental operations;
- Determine the methods, means, and numbers and kinds of personnel by which governmental operations are to be conducted;
- Determine methods of financing;
- Determine and/or change the facilities, methods, technology, means, organizational structures, and size and composition of the work force and allocate and assign work by which the City operations are to be conducted;
- Determine and change the numbers of locations, relocations, and types of operations, processes and materials to be used in carrying out all City functions;
- Discharge, suspend, demote, reprimand, withhold salary increases and benefits, or otherwise discipline employees in accordance with applicable law;
- Take all necessary actions to carry out its mission in emergencies;
- Exercise complete control and discretion over its organization and the technology of performing its work; and
- Take actions as are in the interest of effective service to the community.

The City maintains the right to use qualified volunteers or reserves in the Police Department. Use of said individuals shall be in accordance with State law and Police Department regulations.

#### **ARTICLE IV - SUPPORT OF AGREEMENT**

During the term of this agreement, the City agrees not to negotiate with any organization other than the Police Officers Association or its designated representatives on matters on which the Association is the exclusive representative and which is within its scope of representation. The Association agrees to negotiate only with the representatives officially designated by the City to act on its behalf.

The Association is given a bank of 120 hours for Association business during the term of this MOU.

## **ARTICLE V - LEAVES**

### **A. Sick Leave**

1. The City provides paid sick leave benefits for all full-time sworn employees. Sick leave accrues at the rate of eight (8) hours per month for each month in which an employee has worked a minimum of 96 hours. The maximum accrual of sick leave is 2,080 hours. The City does not pay employees for unused sick leave upon termination for any reason.

Sick leave may be taken by an employee only under the following circumstances:

- When sickness prevents performance of services, functions, or duties;
- In the event of a serious illness to a member of the employee's immediate family (defined as the employee's spouse, parent, step-parent, brother, sister, child, step child, domestic partner, mother-in-law, father-in-law, sister-in-law, brother-in-law, grandparent, grandchild or legal guardian); or for a scheduled medical or dental appointment for the employee or the employee's dependent children, in the event that the appointment requires the employee to be absent from work.

In requesting sick leave, members must notify, or make reasonable effort to notify, the watch commander four (4) hours prior to the member's work shift. The City may require an employee to submit a doctor's excuse for sick leave under the following circumstances:

- More than two (2) consecutive sick leave days taken by the employee.
- With prior notification of the employee.

In cases where an employee's request for sick leave would normally be approved, but there is no sick leave accrual available, then the absence shall be charged against the available vacation or compensatory time balance. If there is no such vacation or compensatory time available, then the time off shall be recorded as an authorized unpaid Leave of Absence. An employee claiming for long-term disability benefits shall not be required to first exhaust paid leave.

If an employee's death is duty-related, his beneficiary shall be entitled to reimbursement for all that officer's accumulated unused sick leave.

### **B. Authorized Leaves of Absence Without Pay**

#### **1. Requesting Leave**

Upon the recommendation of the Chief of Police, the City Manager may, in his or

her discretion, grant an employee an unpaid Leave of Absence not to exceed three (3) months. Employees desiring to take time off without pay who have no leave balances available shall submit a request in writing to the Chief of Police. Whenever possible, such request shall be submitted at least five (5) weeks in advance.

2. **Extension of Leaves**

During the period of the Leave of Absence, an employee may request that the leave be extended by submitting such a request in writing to the City Manager stating the reason for the extension. Such a request may be approved or disapproved by the City Manager as described in the above section. No Leaves of Absence exceeding one (1) year may be granted under any circumstances.

3. **Early Return From Leaves of Absence**

An employee may request permission from the City Manager to return to work prior to the approved expiration of the leave. Approval of the City Manager for such early returns is discretionary.

4. **Failure to Return to Work From Leave of Absence**

Failure of an employee to return to work on the approved date is grounds for disciplinary action up to and including dismissal.

5. **Benefits During Leaves of Absence**

Employees on leave of absence may continue their medical and insurance benefit coverage by reimbursing the City directly for the amount of the insurance premiums in advance. Such reimbursement must be made in advance by the 30<sup>th</sup> day of the preceding month for the subsequent month for each month in which the employee wishes to receive coverage. Should the employee fail to submit payment on a timely basis, the Personnel Department will send the employee a reminder notice. Coverage in any plan will be dropped if the employee is more than 30 days late in making a premium payment.

6. **Status of Employee on Authorized Leave of Absence**

- a. An authorized Leave of Absence does not represent a break in employment for a full time sworn employee. Such an employee retains all accrued vacation, sick leave, and other rights as exist at the time the Leave of Absence begins. However, only active full-time service shall count towards accumulated seniority or toward benefits, which accrue according to length of service (including vacation and sick leave). Vacation, sick leave, holiday, and merit salary increases do not accrue to an employee on leave during the period of such leave.



- b. An employee returning from Leave of Absence shall return to the same salary step or relative placement in the pay range existing at the time the employee returns to work.

**C. Unauthorized Leaves of Absence**

Any unauthorized Leave of Absence may be cause for disciplinary action.

**D. Jury Duty**

The City provides jury duty leave with pay for all sworn employees who are called upon to serve for court jury duty according to the following provisions:

1. An employee called for jury duty should immediately notify the Chief of Police by providing the jury summons indicating the date, time, and place.
2. An employee may either remain in regular pay status and turn over to the City all jury duty wages (less mileage allowance if provided by the Court), or may take vacation leave, compensatory time off, or authorized Leave of Absence without pay and retain all jury duty wages.

**E. Military Leave**

Military Leave of Absence shall be granted within the provisions of State law.

**F. Pregnancy Disability Leave**

1. Employees are entitled to use sick leave, accrued vacation and/or compensatory time off for disabilities caused or contributed to by pregnancy, miscarriage, childbirth, and recovery therefrom on the same terms and conditions governing Leaves of Absence for other temporary illness or medical disability.
2. Such leave shall not be used for childcare, child rearing, or preparation for childbearing, but shall be limited to those disabilities as set forth above.
3. The length of such disability leave, including the date on which the leave shall commence and the date on which the duties are to be resumed, shall be determined by the employee and the employee's physician; however, the Personnel Department may require a verification of the extent of disability through a physical examination of the employee by a physician appointed by the City at City expense.
4. Employees are entitled to leave without pay or other benefits for disabilities because of pregnancy, miscarriage, childbirth, or recovery therefrom when sick leave has been exhausted on the same terms and conditions applicable to other temporary illness or medical disability.

5. The employee on pregnancy disability leave shall be returned to an equivalent position within her classification.

**G. Family Medical Leave Act of 1993**

1. The City shall provide eligible employees with family care leave in accordance with the Federal Family Medical and Leave Act (FMLA) and the California Family Rights Act (CFRA). Under FMLA and the CFRA, eligible employees may take up to twelve (12) weeks of unpaid leave; however, employees must first use accrued vacation and compensatory time leave.

**H. Catastrophic Illness and Donations of Leave by Employees**

1. HPOA members may participate in the City of Hercules Catastrophic Illness Plan as donors and receivers of hours.

**I. Bereavement Leave**

Bereavement leave of up to 24 hours shall be provided to employees in the event of a death in the immediate family of the employee. In addition to the 24 hours of bereavement leave, employees may use accrued unused vacation or sick leave to extend their bereavement leave up to a total of 40 hours. At the discretion of the City Manager, additional time may be taken as vacation, sick leave or unpaid leave.

Immediate family of an employee is defined as: parents, step-parents, parent-in-laws, spouse, domestic partner, child, step child, brother, sister, grandparents, grandchildren, brother/sister in-law, son/daughter-in-law or legal guardian.

In special cases, the City Manager may approve a leave of absence for bereavement in other circumstances.

**ARTICLE VI - HOURS OF WORK**

**A. Work Assignment**

Full-time employees shall be assigned to a shift designated by the Chief of Police after a meet and confer with the HPOA on the number of days and hours equaling eighty (80) hours per two week period at such times as designated by the Chief of Police.

**1. Hours of Work**

- a. Effective January 1, 1996, the City designated a 7(k) exemption under FLSA of one hundred and seventy-one (171) hours per 28-day period as the standard work period.

## **2. Break Periods**

Employees shall receive one (1) fifteen-minute break during the mid-portion of each four-hour block of time. In addition, employees shall receive allowance of forty-five minutes for meals during each shift of duty. If an employee does not receive at least thirty minutes for meal break during a shift, he/she shall be paid compensation for forty-five minutes at a time and one-half (1-1/2) rate.

## **B. Overtime**

1. All employees required to work in excess of their regularly assigned shift shall receive compensation at the rate of time and one-half (1-1/2) of the employee's regular base rate of pay for each additional quarter hour of work performed.
2. An employee required to work in excess of 171 hours per 28-day period shall receive time and one-half (1-1/2) of the employee's regular base rate plus, if assigned shift differential, Officer-In-Charge (OIC) pay, Field Training Officer pay, and education incentive pay.
3. Overtime shall be earned and recorded in quarters (1/4<sup>th</sup>) of an hour increments rounded to the nearest quarter (1/4<sup>th</sup>) of an hour.

## **C. Compensatory Time Off**

In lieu of receiving cash payment at the regular rate of pay (Section B) for overtime hours worked, an employee may elect the option of taking compensatory time off (CTO). Compensatory time off shall be earned at the rate of time and one-half for each hour worked. Compensatory time off must be requested by the employee when submitting an overtime slip. No more than two hundred forty (240) hours of compensatory time off may be accumulated. Compensatory time off must be scheduled with the advance approval of the Chief of Police or his/her designee. Use of accumulated compensatory time off shall follow the current guidelines provided by the United States Department of Labor.

## **D. On Call Pay**

Detectives and other employees who are required to remain on call or on court telephone standby by the Chief of Police or his/her designee shall be restricted from traveling to any location which would preclude his/her return to duty within one-half hour and shall be required to maintain the ability to be contacted by phone at all times. Employees shall be compensated at the following rate:

\$40.00 per weekday  
\$45.00 per weekend day  
\$50.00 per holiday

Detectives shall have full use of a take-home City vehicle while on call.

**E. Call Back Pay**

When an officer is called back to duty by a supervisor, that officer shall be compensated at one and one-half (1-1/2) times his/her regular hourly rate. Any compensation for being called back to duty shall cease after the officer is relieved from duty by his/her supervisor. Any employee represented by the Association who is called back in accordance with this article shall be compensated for a minimum of four (4) hours. The City and the Association agree that the intent of this Article is to compensate employees who are called back to duty on an emergency or urgent basis, or for department meetings, training, or City business, and that this Article shall not apply if "call back" work hours are contiguous either prior to or at the end of the employee's normally assigned shift. If an employee receives, less than eight (8) hours notice to return to duty for hours that are contiguous and prior to the normally assigned shift, the minimum shall apply.

**F. Court Pay**

An employee shall be entitled to receive compensation for a court appearance as a witness subpoenaed by the City, the State of California, or the United States, as follows:

1. Court appearances made while on-duty shall constitute normal hours of work.
2. In the event a court appearance extends beyond the end of the officer's regularly assigned shift, such time spent in court will be treated as normal work time for the purpose of computing the officer's overtime compensation.
3. Employees required to appear in court during their off-duty time shall be paid as follows:
  - a. Morning Session Only: Employees shall receive a minimum of four (4) hours compensation at the appropriate rate. Time in excess of the minimum compensation shall be on an actual time basis at time and one-half (1-1/2).
  - b. Afternoon Session Only: Employees shall receive a minimum of four (4) hours compensation. Time in excess of the minimum compensation shall be on an actual time basis at time and one-half (1-1/2).
  - c. Morning and Afternoon Sessions: When an employee is required to be present at both a morning and an afternoon court or attorney conference, the employee shall receive overtime compensation for the actual time spent in court from the time of arrival until dismissed by the court including lunch recesses.
  - d. Afternoon and Evening Sessions: When an employee is required to be present at both an afternoon and an evening court or attorney conference, the employee shall receive a minimum of four (4) hours compensation for the afternoon session. When the employee is released from court one (1) or

more hours prior to the start of the evening session, or the evening session is scheduled for a court in a different city than that of the afternoon session, the employee shall receive a minimum of four (4) hours compensation for the evening session.

- e. In the event the time spent in court extends into the beginning of the employee's regularly scheduled work shift, time spent in court shall be deemed ended at the time such shift is scheduled to begin for the purpose of computing the employee's overtime compensation.
- f. Compensation for court pay is subject to the employee submitting the appropriate form reflecting the beginning and ending time of the court appearance.

If a morning court appearance is canceled with six (6) hours or less notice provided to the employee or an afternoon appearance is canceled with two (2) hours or less notice provided to the employee, the employee shall be compensated for one (1) hour pay at the overtime rate.

#### **G. Department Training**

- 1. For the purpose of department scheduled training, work assignments shall not be modified with less than seven (7) calendar days notice or upon mutual agreement by the employee and the Chief of Police or designee.
- 2. Training Hours: Any training of six (6) hours or more shall be considered a full shift; less than six (6) hours, the employee shall be required to return to duty on that shift.
- 3. Any travel time that is outside the work assignment and in excess of the employee's normal commute is subject to compensation by The City. The City will compensate employees for travel time to training through an established Travel Time Guide.

### **ARTICLE VII - VACATION PLAN**

#### **A. Accrual Rate and Accumulation**

The City provides paid vacation benefits for all full-time employees. Vacation shall be paid at the regular rate of pay earned at the time of vacation is commenced. The amount of annual paid vacation accrual is based on the number of years of full-time service based on total time in public service for each member. Existing designated employees may qualify as being eligible for this provision on a forward going basis. The vacation accrual is as follows:

- Start to 4 years of service – 96 hours annually
- 5 to 9 years of service – 120 hours annually

- 10 to 15 years of service – 144 hours annually
- 16 to 19 years of service – 160 hours annually
- 20 years plus of service – 176 hours annually

The maximum vacation balance which may be accumulated is 280 hours. When an employee reaches this maximum balance, no additional earned vacation is added to his/her account. The maximum amount of vacation accrual which may be added to the vacation balance in any one (1) year is the amount earned during the year less forty (40) hours.

No vacation leave may be earned by an employee while he/she is on Leave of Absence. In addition, an employee may not take vacation during his/her first six (6) full months of employment.

When an employee is terminated for any reason, he/she shall be entitled to all vacation pay earned and accumulated up to and including the effective date of the termination.

#### **B. Vacation Sell Back**

Consistent with City policy, employees may sell back up to 40 hours of their accrued unused vacation annually, once during each fiscal year. Employees will only be allowed to cash-out a maximum of 40 hours of vacation, provided that after doing so it leaves them with at least 40 hours of vacation and/or compensatory time on the books and 40 hours of sick leave at the time of cash-out.

### **ARTICLE VIII - HOLIDAYS**

#### **A. Holidays**

The City provides paid time off for all full-time permanent employees for thirteen (13) holidays per year. Payment for holidays shall be as follows:

- Employees not receiving extra days off for City holidays shall be compensated for six and one-half (6.5) holidays (six and one-half days at eight hours straight time) on the first pay period in June, and for six and one-half (6.5) holidays (six and one-half days at eight hours straight time) on the first pay period in December. Payment shall be made by a separate check and not as part of a regular paycheck.
- Employees who are not assigned to a uniformed position shall continue to have the option of working the designated City Holiday schedule and thus receive the above holiday compensation. The decision to work the holiday schedule will be a yearly one and must be declared to the finance department prior to the start of the fiscal year. Those employees that choose not to work the City Holiday schedule and receive compensation in the form of time off shall not receive financial compensation for the days off as outlined in Article VIII on this MOU.
- Employees separated from City service before June 1 or December 1 shall be

entitled to receive holiday pay at the rate of one (1) holiday for each month that the employee was in paid status through the first pay period of the month, e.g., employees who separate on or after the 16<sup>th</sup> of March shall be entitled to three (3) holidays at eight (8) hours straight time; employees who separate from City service before the 16<sup>th</sup> of March shall be entitled to two (2) holidays at straight time.

- Each POA member will be allocated floating holiday hours. The number of hours will be determined by the holiday schedule issued by the City Manager for the city offices. Each member may select these floating holidays, subject to the requirement that their supervisor must approve requests for time off that do not incur a cost to the city. Floating holidays are provided for annually on each fiscal year (July 1 – June) and cannot be carried forward each year.

## **ARTICLE IX - GENERAL PROVISIONS**

### **A. Payroll Deductions**

The City shall grant payroll deductions for membership dues to the Association.

## **ARTICLE X - COMPENSATION**

### **A. Salaries**

<b>July 1, 2017</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>
<b>Police Officer</b>	<b>6696</b>	<b>6897</b>	<b>7104</b>	<b>7317</b>	<b>7537</b>	<b>7763</b>
<b>Police Sergeant</b>	<b>7916</b>	<b>8153</b>	<b>8398</b>	<b>8650</b>	<b>8909</b>	<b>9177</b>

1. Effective the first full pay period following July 1, 2017, all bargaining unit members will be required to participate in the City's Direct Deposit program for all regular paychecks.

NOTE: Employees will receive a 3.8% Cost of Living Adjustment (COLA), effective July 1, 2017.

All members of the bargaining unit shall receive a one-time, non-recurring, non-pensionable retention payment of five percent (5%) of their gross annual salary earned in FY 2016-17. This retention payment shall be paid by supplemental check in the second pay period of July 2017 with the July Uniform Allowance to be deferred to August 2017. Members may elect to direct the retention payment to their Deferred Compensation Plan if desired.

2. The Association and the City of Hercules agree that a compensation study for members of the bargaining unit shall be completed by a professional, outside vendor prior to February 1, 2018. The Association and the City shall meet no later than September 30, 2017 to discuss jurisdictions to be included in the compensation study.

**B. Salary Upon Hire**

1. Police Officer Trainees, while at the Police Academy and who have not graduated from the Police Academy, shall be compensated at a rate of ten percent (10%) less than Step 1 of the range for Police Officer.

**C. Salary Step Advancement**

It is the responsibility of the City to establish appropriate standards of performance for employees and to review employees' performance in meeting established standards. Employees will be evaluated as to whether the employee meets standards, exceeds standards, or fails to meet standards. Employees evaluated as meeting or exceeding standards overall will receive a salary step advancement to the next salary step until the employee reaches the top step of the salary range. For employees hired on or after July 1, 1990, the salary step advancement shall become effective the first pay period following the employee's anniversary date. Excepted from this provision shall be those employees whose anniversary date falls on the first day of the pay period. An employee evaluated as failing to meet standards overall will receive no salary step advancement and such an employee's evaluation will indicate the specific areas of improvement needed in order to meet standards overall; such an evaluation may be appealed initially to the Chief of Police and then, if desired, to the City Manager whose determination shall be final.

An employee evaluated as failing to meet standards overall will receive a follow-up evaluation not less than three (3) months nor more than six (6) months following the initial evaluation and will be granted a salary step advancement at that time if the employee's performance is rated as meeting or exceeding standards overall.

Employees are eligible for further salary step advancement twelve (12) months following their previous salary step advancement, except as provided in B, 1, above. When an employee demonstrates an outstanding level of performance in the opinion of the Chief of Police, the employee may be evaluated and awarded salary step advancement, even though twelve (12) months have not elapsed since the employee's previous salary step advancement.

The evaluation will be discussed with the employee and space will be provided on the evaluation form for the employee's comments. The employee will be given a copy of the evaluation.

The HPOA salary schedule will consist of six steps, with each additional step above #1 receiving an additional 3% of salary.

**D. Incentive Pay Plan**

HPOA employees will be eligible for the same incentive plan that the rest of the City employees have. The City will meet and confer with HPOA on the formulation of this



policy.

**E. Education Reimbursement**

An employee who is enrolled in a technical/vocational, an associate of arts, bachelor's, or master's degree program which the City determines is in a job-related field may receive reimbursement for tuition and books in an amount not to exceed three thousand five hundred dollars (\$3,500) per fiscal year. The Chief of Police, the Human Resources Department and the City Manager must approve the reimbursement prior to enrollment. Evidence of a grade of "C" or better – or, if no grade is given, successful completion of the course – shall be required as a condition of obtaining reimbursement. There will be a total of \$30,000 dollar annual allocation in the Education Reimbursement Program for all City employee groups. A POA member who is enrolled in a degree program and has received reimbursement monies the prior year will have priority and cannot be bumped from the program by a member who did not receive a reimbursement the prior fiscal year.

**F. Education Incentive Pay**

Extra compensation for possession of POST certificates and/or college degrees shall be provided pursuant to the following schedule:

1. Intermediate POST Certificate: 2.5% of base wage;
2. Associate of Arts Degree: 3% of base wage;
3. Advanced POST Certificate: 3.5% of base wage;
4. Bachelor of Arts Degree: 4% of base wage. An employee shall only be eligible for

one of the foregoing education incentive payments.

**G. Field Training Officer Pay Differential**

An employee who is assigned as a Field Training Officer will be paid an additional five percent (5%) of his/her salary for actual time spent as a Field Training Officer. This differential shall also apply to the Field Training Sergeant.

**H. Shift Differential**

The City agrees to pay a differential of three percent (3%) of base salary for officers and sergeants assigned to swing and/or relief swing and five percent (5%) of base salary for officers and sergeants assigned to the graveyard shift. The differential shall be available only to those employees actually performing duties on the covered shifts.

**I. Assigned Positions**

The City agrees to pay sworn employees designated to work a regular assigned position other than patrol an additional five percent (5%) of his/her base salary. This differential does not include sworn employees temporarily assigned to the position. Sworn employees

temporarily assigned shall have the work schedule adjusted to include a paid lunch.

**J. Out-of-Class Work**

**1. Officer in Charge**

During the absences of regular supervisors, a sworn officer shall be designated as Officer-in-Charge (OIC) to handle field supervision or station responsibilities as required. The OIC shall be compensated at a rate which is five percent (5%) above said employee's existing salary rate for every hour worked in such temporary service. Any out-of-class work for which premium compensation is provided requires advanced written approval of the Chief of Police, or his or her designee.

**2. Acting Commander**

An employee who is appointed Acting Commander shall receive an hourly rate equal to five percent (5%) above said employee's existing salary rate for every hour worked in such temporary assignment. Any out-of-class work for which premium compensation is provided requires advanced written approval of the Chief of Police, or his or her designee.

**3. Acting Chief of Police**

An employee who is appointed Acting Chief of Police shall receive an hourly rate equal to ten percent (10%) above said employee's existing salary rate for every hour worked in such temporary appointment. Any out-of-class work for which premium compensation is provided requires advanced written approval of the Chief of Police, or his or her designee.

**K. Uniforms**

**1. New Employees**

The City shall provide all new members with a uniform which includes three (3) short sleeve shirts, three (3) long sleeve shirts, three (3) pants, one (1) tie, one (1) hat, and leathers and rain gear, as determined by the Chief of Police and as approved by the City Manager. The City shall also provide safety equipment, including weapons, ammunition, and body armor vest, as determined necessary by the Chief of Police and as approved by the City Manager. Each employee is responsible for the care, maintenance, and replacement of such uniforms. The City shall reimburse employees for the cost of serviceable uniforms damaged in the course of employment. In addition, each employee is responsible for the care and maintenance of the issued safety equipment.

**2. Uniform Allowance**

The City will compensate each employee an additional \$75.00 per month (\$900.00 annually) as payment for such maintenance and replacement. Such compensation shall be made semi-annually during the second pay period in January and the second pay period in July. Due to the retention payment mentioned in Article X.A.1, the July Uniform Allowance will be deferred to the first pay period in August of 2017. Payment shall be made by a separate check and not as part of a regular paycheck. Employees shall become eligible to receive the first semi-annual payment following their first anniversary date. With respect to the time between the employee's first anniversary date and the semi-annual payment, the allowance will be prorated on a monthly basis with an employee having to work more than sixteen (16) days to receive payment for that month. The uniform allowance is considered a prospective payment and there shall be no payment or reimbursement upon separation from City service.

**L. K-9 Differential**

An employee who is assigned as a K-9 officer will be paid an additional five percent (5%) of her/his salary.

**M. Longevity Pay**

Hercules Police Officer's longevity pay is calculated as a percentage of their salary and the City will make the payments in 26 bi-weekly installments. Existing designated employees may qualify as being eligible for this provision on a forward going basis. The calculations, based on total public service time, will be as follows:

At 10 years of service:	3% of Salary
At 15 years of service:	Additional 2% of salary
At 18 years of service:	Additional 1.5% of salary
At 20 years of service:	Additional 1.5% of salary

**N. Assigned Take-Home Department Vehicles**

Employees holding certain specialized assignments may be assigned take-home City vehicles. These include City owned and City rented vehicles. Employees assigned take-home vehicles are not considered on duty and eligible for compensation for time spent driving to and from work in their City vehicle. Employees may be considered on duty and eligible for compensation when engaging in a law enforcement action while driving to or from work.

**O. Assigned Position – Corporal**

An employee who appointed Corporal will be paid an additional five percent (5%) of his/her base salary as described in Section K. This amount is intended to cover the additional effort and responsibilities associated with this position and will be paid to the

employee during the entire period they serve in this assignment, whether or not they are working under the supervision of a police sergeant or have an assigned trainee.

This position incorporates the duties previously performed on an as needed basis by the Officer in Charge (OIC) and Field Training Officer (FTO) specialized assignments. Employees who are not assigned Corporals may only perform OIC and FTO duties if they are on the current Corporal list and have the approval of the Patrol Division Commander.

**P. Computer Loan Program**

Eligible Employees: Regular full time employees that have completed their initial one-year probation period with the City. Employee must maintain a balance of up to 40 hours of vacation and/or compensatory time until the loan is paid in full. The hours employee must maintain will vary on the amount borrowed.

Maximum Loan Amount: The City will loan employees a maximum of \$2,500 for the purchase of computer hardware and software. Employees may not have more than one loan outstanding at anytime. If the purchase exceeds \$2,500, the remainder of the purchase price is the employee's responsibility. No interest will be charged by the City under this program.

**ARTICLE XI - DEFERRED COMPENSATION PLAN**

Voluntary employee contributions may be made to the Deferred Compensation Plan through an authorized payroll deduction from the employee's salary.

**ARTICLE XII - EMPLOYEE RETIREMENT PLAN**

Members hired on or before 6/30/2011 shall receive the 3% at 50 PERS retirement formula through their employment with the City of Hercules to include final year compensation One Year Final Compensation pursuant to Section 20024.2 of the California Government Code. Members hired after 6/30/2011 but before 01/01/2013 shall receive the 3% at 55 PERS retirement formula through their employment with the City of Hercules to include final year compensation One Year Final Compensation pursuant to Section 20024.2 of the California Government Code. Members agree to pay the employee's portion of nine percent (9%) pre tax under the PERS Plan. In the event that the contribution amount is increased above the nine percent (9%) amount, the parties agree to meet and confer on the additional payment.

The current MOU requires that the member employee pay the full member contribution effective July 1, 2011. Section 414(h)(2) of the Internal Revenue Code allows the public agency who is a member of PERS to designate employee retirement contributions required by the MOU, as being picked up by the employer and treated as employer contributions for tax purposes.

Members hired on or after 01/01/2013 shall receive the 2.7% at 57 PERS retirement formula, shall contribute 50% of the total annual normal cost of their pension benefit to the pension plan as determined by the City's actuary and shall have their final compensation based on the employee's highest annual compensation earnable averaged over a consecutive 36-month period. The City

and members agree that all the provisions of AB 340 and AB 197 will be followed.

An employee who retires may convert his/her unused sick leave balance to service credit as provided by Government Code Section 20965. If an employee elects to convert their entire balance of sick leave to service credit they must notify the City at least one year prior to the date of retirement.

The Association shall defend, indemnify and save harmless the City, its officers, agents and employees from any and all claims, demands, damages, costs, expenses or liability including, but not limited to, liability for back taxes, and all claims of any type by the IRS, Franchise Tax Board, Unit members or their heirs, successors or assigns arising out of this Agreement to pay or partially pay or "pick-up" an employee's contribution to PERS.

### **ARTICLE XIII - MEDICAL AND INSURANCE BENEFITS**

#### **A. Medical**

1. The City contribution to the PERS health plan on behalf of all active and retired employees shall be \$125.00 for the 2017 calendar year.
2. Additional, active employees shall receive a dollar amount equal to the premium of the Kaiser North plan. (For example, the City would only contribute an amount equal to the premium of the Kaiser North plan employee only coverage.)
3. If the employee chooses a plan where the premium exceeds the amount allowed, such excess shall be paid by the employee.
4. If the employee chooses a plan, which has a lower premium than the amount allowed, the employee shall not receive the difference in cash.
5. Supplemental Optional Monies Allowance for Retirees:

#### **Eligibility**

The City will provide an optional monetary allowance currently in the amount of \$297.38 per month with an annual three percent adjustment on January 1<sup>st</sup> of each year to employees who retire as regulated by the Public Employee's Retirement System. To be eligible for the optional monies, an employee must retire as follows:

1. **Service Retirement**: Employees who have served the City for at least ten (10) years prior to retirement and are at least fifty (50) years old when they separate service from the City.
2. **Disability Retirement**: Employees who retire with a disability retirement are not required to be a certain age, but must have at least twenty (20) years of service with the City.

To be eligible for the optional money allowance, employees must also have the minimum amount of sick leave on the books, as outlined in the chart below. If an employee has below the amount of sick leave required for their years of service, then they will only be eligible for the percentage paid equivalent to the amount of sick leave they do have on the books.

Additionally, employees must retire within one hundred twenty (120) days of separation from City employment to be eligible to receive the optional money allowance.

Years of Service	Amount of sick leave hours on the books on the day employee separates service	Percentage of Optional Money Available
10	480	50
11	528	55
12	576	60
13	624	65
14	672	70
15	720	75
16	768	80
17	846	85
18	864	90
19	912	95
20	960	100
21	960	100
22	960	100
23	960	100
24	960	100
25	No minimum amount required	100

Employees who separate service from the City of Hercules, but do not retire as a PERS annuitant within 120 days of separation, shall not be eligible for medical retirement under this program.

### **Retiree Reaches Age 65**

The City will pay a portion of the optional money to a retiree until the retiree reaches age 65, upon which they are required to enroll in Medicare. At that time, the optional money will drop to an amount equivalent to the Kaiser Supplemental to Medicare rate through PERS. The retiree will be eligible for the same percentage of the Supplemental Optional Monies as they were eligible for under the Basic Optional Monies plan. Employees who are not eligible for Medicare must provide the City proof that they are not eligible for Medicare, either through their own employment history or their spouse's and after providing such proof, the city will continue to pay the percentage of the Basic Optional Monies Plan. If proof is not provided, the City will automatically begin paying the Supplemental Optional **Monies Plan percentages**.

This benefit, which is effective January 1, 2001, is expected to last into perpetuity. The funds being established for this program may not be used by the City or HPOA for any purpose other than what is expressly stated in this section of the MOU. If in the future the City and HPOA mutually agree to end or modify this benefit, they can do so only for active employees. Any retiree who is currently receiving this benefit will continue to receive the benefit as stated in the MOU that was in effect at the time of their retirement. Conversely, if the City and HPOA increase this benefit, they can do so only for active employees and retiree benefits will remain the same as it was when they retired.

The City shall provide to the HPOA an annual statement of prior year balances in the medical retirement fund no later than December 31<sup>st</sup> of each year.

### **Payment**

Payment will be made on a bi-annual basis. The optional money allowance for the months of January through June will be made the third week in July; July through December will be paid the third week in January of each year. Checks will be mailed to the address on file. Supplemental Optional Money payments are subject to applicable Federal and State Income Tax regulations.

1. **Medical Redirect** - If an employee elects for no health coverage, and can demonstrate to the City on an annual basis that the employee has alternative health care coverage; the employee shall be entitled to use 50% of their eligible contribution to the compensation of their choice.

**Vision/Dental** - The City agrees that it will continue to pay the full premium for VSP and Delta Dental Insurance for the employee and their immediate family members if Medical Redirect option is exercised by the employee.

### **B. Dental and Orthodontic**

The City shall pay the premium for Delta Dental Plan, including orthodontic benefits, coverage for full-time employees plus eligible dependents.

Benefit summary:

- The City will provide Dental Insurance with a maximum benefit of \$1,500 of coverage per calendar year for each family member.
- The City will provide 50% Orthodontic coverage with a lifetime maximum of \$2,500 for each eligible family member.

### **C. Vision**

The City has contracted with Vision Service Plan (VSP) in order to offer vision benefits to employees and eligible dependents. The City shall pay the premium for the VSP benefit

for full-time employees plus eligible dependents.

Benefit summary:

- Vision Exam - \$20.00 co-pay- every 12 months
- Prescription Glasses- \$20.00 co-pay - every 12 months
- Frames- \$130 allowance for frame of choice/ 20% off amount over your allowance- every 12 months
- Contact Lenses – No co-pays applies – every 12 months (\$130.00 allowance for contacts and the contact lens exam/fitting & evaluation)

Retirees may participate in the Vision Plan, provided the Plan will allow them to do so and the retiree pays the group rate plus the administrative fee that is allowed under COBRA laws (currently two (2) percent) to the City.

**D. Other Insurance Benefits**

The City will pay the monthly premiums for all full-time employees for life, long-term disability, and accidental death and dismemberment insurance. The insured valued benefit for each type of coverage is as follows:

1. **Long-Term Disability** - The City will provide Long Term Disability **Premier (Plan B)** through Police Officers Standards and Research (PORAC). The cost of said insurance plan shall be added to each employee's salary. The employee will then pay the premium through payroll deduction.
2. **Life** - In the amount of \$50,000.
3. **Accidental Death and Dismemberment** - In the amount of \$50,000.

**E. VantageCare Retiree Health Savings Program**

VantageCare Retiree Health Savings Program allows employees to accumulate assests to pay for health insurance and out-of-pocket expenses in retirement. Management agrees to open the contract to discuss the VantageCare Retiree Health Savings Program (and only this program), if the HPOA decides to participate in it.

**ARTICLE XIV - LAY-OFF POLICY AND PROCEDURE**

**A. Discretion of City**

Whenever it becomes necessary to abolish any position of employment, the employee holding such position of employment may be laid off or demoted without disciplinary action and without the right of appeal.

**B. Notification**



Employees to be laid off shall be given at least thirty (30)-calendar days prior notice.

**C. Vacancy and Demotion**

Except as otherwise provided, whenever there is a reduction in the work force, the appointing authority shall first demote to a vacancy, if any, in a lower class for which the employee who is the latest to be laid off in accordance with Section F below is qualified. All persons so demoted shall have their names placed on the re-employment list.

**D. Employee Rights**

An employee affected by lay-off shall have the right to displace an employee who has less seniority in a lower class in the same class series or a lower classification in which the affected employee once had permanent status. For the purpose of this section and Section "E" below, seniority includes all periods of full-time service at or above the classification level where lay-off is to occur.

**E. Seniority**

In order to retreat to a former or lower class, an employee must have more seniority than at least one of the incumbents in the retreat class and request displacement action in writing to the City Manager within five (5) working days of receipt of notice of lay-off.

Employees retreating to a lower or similar class shall be placed at the salary step representing the least loss of pay. In no case shall the salary be increased above that received in the class from which the employee was laid off.

Employees retreating to a lower or similar class shall serve a probationary period in a new class unless they have previously successfully completed a probationary period in the class or a class in the class series.

Whenever two (2) or more employees have the same hire date, the order of seniority shall be determined by lottery. The names of all employees having the same sworn date will be drawn at random, one (1) name at a time until all names are drawn. The order of selection shall determine the order of seniority, with the employee whose name is drawn first having the greater seniority. Lottery selection will be made by the Chief or his or her representative in the presence of an Association representative.

**F. Employment Status**

Employees shall be laid off in inverse order of seniority according to their date of hire as a full time sworn employee of the City of Hercules. Employees holding the rank of Sergeant shall be laid off in inverse order according to their date of promotion.

**G. Re-employment List**

The names of persons laid off or demoted in accordance with these rules shall be entered upon a re-employment list. Such list shall be used by the appointing authority when a vacancy arises in the same or lower class of position before certification is made from an eligible list.

**H. Duration of Re-employment List**

Names of persons laid off shall be carried on a re-employment list for one (1) year, except the persons appointed to permanent positions on the same level as that which laid off, shall, upon such appointment, be dropped from the list. Persons who refuse re-employment shall be dropped from the list. Persons re-employed in a lower class, or on a temporary basis, shall be continued on the list for the higher position for one (1) year.

**ARTICLE XV - OUTSIDE EMPLOYMENT AND OUTSIDE ACTIVITIES**

**A. General Prohibition**

No employee shall engage in employment, activities, or enterprises for compensation of any kind or character which is inconsistent, incompatible, in conflict with, or inimical to his or her duties as an employee of the City or the duties, functions, or responsibilities of his or her position or the City itself.

**B. Definition**

For the purpose of this section, an employment activity or enterprise is inconsistent, incompatible, in conflict with, or inimical to those various duties, functions, or responsibilities set forth above if it:

- a. Involves the use for private gain or advantage of the City's time, facilities, equipment, or supplies; or except in limited cases of police officers, the badge, uniform, prestige, or influence of the City; or
- b. Involves receipt or acceptance by a City employee of any money or other consideration from anyone other than the City for performing an act which the employee would be required or expected to perform in the regular course of working as a City employee; or
- c. Involves the performance of an act in an outside capacity which may be subject directly or indirectly to the control, approval, inspection, review, audit, or enforcement of an officer, employee, or elected official of the City; or
- d. Involves such time demands as would render performance of duties as a City employee less efficient, in the opinion of the Chief of Police and concurrence of the City Manager;

or

- e. Gives the appearance of involving or potentially involving the influence, directly or indirectly, or knowledge acquired by virtue of one's City office or employment; or
- f. Involves an employment activity or enterprise which is inconsistent with the nature of the employment or professional standards called for by the employee's position.

**C. Chief of Police's Approval**

No employee shall be gainfully employed at any employment activity or enterprise outside of the City service without the prior approval from the Chief of Police. Such approval shall be denied only if the employment violates Section B of this Article.

**D. Retroactive and Prospective Application**

All provisions of this section shall apply to outside employment held by an employee on the effective date of this Agreement, as well as any outside employment sought after the date of this Agreement. As to any outside employment held on the effective date of this Agreement which is not approved, the City Manager may allow a reasonable period, not to exceed one year, for the employee to cease such outside employment.

**E. Grievance Authority**

An employee dissatisfied with a decision of the Chief of Police under this section may request a review before the City Manager in a manner provided in Article XVII of this Agreement. The City Manager's decision is final.

**F. Penalty for Violation of this Section**

An employee's failure to abide by this section may be cause for disciplinary action and/or disciplinary action and/or dismissal.

**ARTICLE XVI - DISCIPLINARY ACTION PROCEDURES**

**A. Applicability of This Section**

- 1. The provisions of this article shall be administered in compliance with the requirements of State law governing police officer discipline set forth under Section 3303 of the California Government Code.

**B. Grounds for Discipline**

Causes for disciplinary action include, but are not limited to, the following:

1. Fraud in securing appointment;
2. In competency, inefficiency, inexcusable neglect of duties, or failure to perform duties;
3. Insubordination;
4. Dishonesty;
5. Drunkenness on duty or chronic abuse of alcohol;
6. Addiction to or use of narcotics or habit-forming drugs;
7. Violation of City or departmental rules;
8. Misuse or appropriation of City property or funds;
9. Negligence or misconduct resulting in damage to public property or waste of public supplies;
10. Failure to follow adopted safety practices, or failure to properly use required personal protective gear or equipment;
11. Discourteous or non-cooperative treatment of the public or other City personnel;
12. Acceptance of gifts or gratuities for the performance of services, functions, or duties for which employee is retained by the City;
13. Conviction of a crime;
14. Engaging in any employment, activity, or enterprise which is inconsistent, incompatible, in conflict with, or inimical to performance of services, functions, and duties for which the employee is retained by the City;
15. Failure to maintain required licenses and certificates;
16. Failure to maintain eligibility for vehicle insurance coverage where driving is a requirement of the job classification. For purposes of this section, “driving is a requirement of the job classification” when the job description for the classification lists a driver’s license as one of the requirements for the position.

**C. Delegation of Disciplinary Action**

The City Manager may impose discipline or authorize any Department Head to discipline subordinate employees subject to these procedures.

**D. Types of Discipline**

The specific disciplinary actions which may be imposed against City employees are defined below. The City may also issue non-disciplinary letters of instruction. A letter of instruction shall be removed from the employee's personnel file on completion of the annual evaluation subsequent to its issuance.

1. **Written Reprimand**

A written reprimand is a formal notice to an employee that his or her performance or behavior must be improved and that further disciplinary action, including additional reprimands, suspension, reduction in pay, demotion, or dismissal, may be taken unless the employee's performance or behavior is improved.

- a. The content of the written reprimand should include the following:
  - A description of the action or activity necessitating a written reprimand;
  - The date(s) and time(s) of the action or activity causing the written reprimand.
- b. The written reprimand should be prepared in duplicate and presented to the employee for his or her signature.
- c. The written reprimand should then be distributed as follows:
  - One copy to the employee;
  - Copies to the Department Head and City Manager;
  - One copy to the employee's personnel file.
- d. Employees shall have sixty (60) calendar days within which to respond to any adverse comments entered in his or her personnel file. Such responses shall be attached to the adverse comments.
- e. There shall be no right to appeal a written reprimand beyond Level III review by the City Manager as provided above in this agreement.
- f. After one (1) year, an employee may request that the Chief of Police remove a written reprimand from the employee's record.

2. **Suspension**

- a. Suspension is the temporary removal, without pay, of an employee from his or her duties.
- b. The Chief of Police may suspend an employee for up to three (3) working days for each violation.

- c. Suspensions of more than three (3) days are imposed by the City Manager. There shall be no right to appeal suspensions of three (3) days or less beyond a Level III review by the City Manager as described in Article XVII of this Agreement.

3. **Demotion**

- a. A demotion is the removal of an employee from his or her existing position to a lower paying position.
- b. All demotions shall follow the guidelines of the Disciplinary Procedures in Section E below.
- c. The rejection of an employee who is serving in a probationary promotional position and subsequent removal is a failure by the employee to satisfactorily complete the promotional testing process. Such an employee would be returned to his or her prior position. Such a rejection and removal is not disciplinary action subject to this Agreement.

4. **Reduction in Pay**

- a. A reduction in pay within an employee's salary range represents a permanent or temporary lowering of an employee's salary rate, with a corresponding reduction in all other salary-based fringe benefits.
- b. Reduction in pay resulting from the rejection of an employee who is serving in a probationary promotional position and is rejected during that period is not a disciplinary action subject to these procedures.

5. **Discharge**

- a. Discharge is the permanent removal of an employee from the City's service.
- b. Job abandonment as defined in the City's Rules and Regulations is neither a "discharge" nor disciplinary action, but is construed as the voluntary resignation of the employee.

**E. Disciplinary Appeal Process**

- 1. Upon the suspension without pay, demotion, reduction in pay, or discharge of an employee who is an Association member, the procedures described in Section 3 below shall be followed.
- 2. These procedures shall also constitute the administrative appeal rights and protections afforded by the Public Safety Officers Procedural Bill of Rights Act

(Government Code Sections 3300 et seq.)

3. These disciplinary appeal procedures include notice and four Levels (I, II, III, IV) of Response.

- a. **Preliminary Notice of Possible Disciplinary Action**

No employee for whom this section applies shall be subject to disciplinary action unless prior to the action the employee has received:

- i. Notice of possible disciplinary action, including the specific nature of such discipline;
- ii. A written copy of the charges and the grounds for such charges;
- iii. Copies of all relevant materials upon which the charges are based; and
- iv. Notice of a reasonable time which shall not be less than seven (7) calendar days within which to respond orally and/or in writing to the charges or schedule a meeting at which to respond orally to the charges.

- b. **Notice of Disciplinary Action Taken**

1. No disciplinary action shall be taken against an employee until the time period provided herein has passed for a response from the employee to the notice of possible disciplinary action and no response was received, or after the employee has responded to the preliminary notice of disciplinary action.
2. Thereafter, the employee shall be given written notice of the discipline to be imposed, if any, including the charges and the grounds for such charges, as well as notice of the employee's appeal rights under these provisions.

- c. **Appeals**

1. A "disciplinary appeal" is a formal written objection or challenge to any disciplinary action, including dismissal, demotion, suspension, or reduction in salary. The reduction in pay or change in assignment which occurs in the course of regular rotation is not punitive and shall not be subject to this grievance procedure.
2. Appeal of Written Reprimand or Suspension of Three (3) Days or Less

A written reprimand or suspension of three (3) days or less may be appealed in writing to the City Manager within fifteen (15) calendar days of receipt of the notice of disciplinary action.

The City Manager, within a reasonable time, shall conduct a hearing and render a written decision which shall be final

3. Appeal of Suspension of More Than Three (3) Days, Demotion, Reduction in Pay, or Discharge

An employee shall have the right to an appeal of a disciplinary action involving a suspension of more than three (3) days, a demotion, a reduction in pay and/or discharge. The procedures described in Sections 1 through 5 below shall be followed for all appeals.

1. **Notice**

- (1) Within fifteen (15) calendar days of receiving a written notice of disciplinary action, the employee may submit a written request to the City Manager for a hearing before a hearing officer from the California Office of Mediation and Conciliation.
- (2) The parties shall request that State Mediation and Conciliation supply a list of seven (7) names of persons experienced in hearing public employment discipline matters. If the City and the Association are unable to mutually agree on a hearing officer, each party shall alternately strike a name from the list until only one remains. The order of strike shall be determined by lot.
- (3) The hearing shall be scheduled within sixty (60) days of such a request unless both parties agree to waive this provision.
- (4) Written notice of the hearing shall be given to the employee and his/her representative, if any, promptly upon the scheduling of the hearing, but in no event shall the hearing be scheduled with less than twenty (20) days notice. For good cause, the Hearing Officer may grant a continuance.
- (5) This notice shall be mailed by ordinary mail and also by certified mail, return receipt requested, to the



employee's last address of record on file in the Personnel Office. The employee bears the burden of keeping a current address on file.

2. **Appearance: Representation: Witnesses: Conduct of Hearing**

- (1) At the administrative hearing, the employee and the City Manager shall each be entitled to representation.
- (2) An official record shall be made of the hearing by a certified court reporter. The cost of a transcript shall be borne by the party requesting a transcript. Such transcript shall be the official record of the proceeding; however, either party may tape record the proceedings.
- (3) The hearing may be public or closed, at the employee's option. Both the employee and City may designate a person who shall not be subject to exclusion as a witness and who has investigated the matter at issue in the hearing and whose assistance during the hearing is necessary to the efficient conduct of the hearing. Witnesses shall be subject to cross examination.
- (4) The hearing shall proceed generally as follows:
  - (1) The City and the employee or his or her representative may make opening statements.
  - (2) The City shall present evidence in support of the City's position. The employee may present evidence on his or her behalf.
  - (3) Both the City and the employee may subpoena witnesses and present rebuttal evidence as they deem necessary and appropriate.
  - (4) The Hearing Officer shall rule on any objections made to the admissibility of evidence or otherwise relating to the conduct of the hearing. Such rulings shall be final. Hearsay evidence shall be admissible but shall not form the sole basis for a finding.
  - (5) The City and the employee may make closing

statements.

- (6) Written briefs shall be submitted at the request of either party.

### **3. Hearing Officer's Decision**

- (1) Upon the conclusion of the hearing, the Hearing Officer shall cause proposed findings and recommendations to be prepared in writing and shall certify the same.
- (2) The Hearing Officer shall, at a minimum, find whether the City has shown that the charges in support of the disciplinary action have been substantiated. Such a finding shall be made as to each charge. If the Hearing Officer finds that none of the charges are supported by the evidence presented, the recommendation shall be that no disciplinary action be taken. If the Hearing Officer finds that any or all the charges are supported, he/she shall either:
  - (1) Recommend that the proposed disciplinary action be carried out;
  - (2) Recommend that no disciplinary action be taken; or
  - (3) Recommend that the proposed disciplinary action be modified.
- (1) The Hearing Officer's findings and recommendations shall be filed as a permanent record with the City Manager. The City Manager shall deliver a certified copy of such findings and recommendations to the City Council and to the employee affected by such findings and recommendations.
- (4) If, due to any cause, a hearing cannot be held and an employee is consequently denied such a hearing within the time stated herein, action shall be deferred until a hearing can be scheduled.
- (5) The cost of the Hearing Officer shall be borne by the City. All other costs shall be the responsibility of the

party incurring them.

**4. City Council Action**

- (1) The City Council shall have the following options with respect to the Hearing Officer's findings and recommendations:
  - \* Adopt the findings and recommendations as prepared;
  - \* Modify the findings and recommendations; or
  - \* Reject the Hearing Officer's findings and recommendations and adopt separate Council findings and recommendations.
- (2) If the findings and recommendations of the Hearing Officer are adopted as proposed, the members of the City Council need not review the record of the hearing before the Hearing Officer. Otherwise, the Council shall review such record.
- (3) The employee will be notified pursuant to California Code of Civil Procedure section 1094.6 that he or she has ninety (90) calendar days within which to file an appeal in Superior Court of the Council's decision.

**ARTICLE XVII - GRIEVANCE PROCEDURE**

**A. Definitions**

- a. A "grievance" is an allegation by an employee or group of employees who claim to have been adversely affected by an alleged violation, misinterpretation, or misapplication of a specific provision of this Agreement, the City's Personnel Rules and Regulations or Police Department Policies.
- b. A "grievant" is an employee adversely affected by an alleged violation, misinterpretation, or misapplication of a specific provision of this Agreement, or the City's Personnel Rules and Regulations or the Association specifically naming one or more such individuals.

**B. General Provisions**

1. Until final disposition of a grievance, the grievant shall comply with the directions

of the grievant's immediate supervisor.

2. All documents dealing with the processing of a grievance shall be filed separately from the personnel files of the employee.
3. Time limits for appeal provided at any level of this procedure shall begin the first day following receipt by the grievant of the written decision.
4. If any grievance meeting or hearing is scheduled during duty hours, any employee required by either party to participate as a witness or grievant in such meeting or hearing shall be released for a reasonable period of time from regular duties without loss of pay.
5. An employee may at any time present grievances to the City and have such grievances adjusted without the intervention of the Association, as long as the adjustment is not inconsistent with the terms of an applicable Memorandum of Understanding. The City shall not agree to a resolution of the grievance until the affected Association has received a copy of the grievance and the proposed resolution and has been given the opportunity to file a response. Upon request of the grievant, the grievant may be represented at any stage of the grievance procedure by a representative of the Association.
6. Time limits may be extended by mutual agreement of the parties.

**C. Procedures**

**1. Level I - Information/Resolution**

- a. An employee who believes he or she has a grievance shall present the grievance orally to the immediate supervisor within fifteen (15) calendar days after the grievant knew, or reasonably should have known, of the circumstances which form the basis for the grievance.
- b. Failure to do so will render the grievance null and void.
- c. The immediate supervisor shall hold discussions and attempt to resolve the matter within fifteen (15) calendar days after the presentation of the grievance.
- d. It is the intent of this informal meeting procedure that at least one personal conference be held between the aggrieved employee and the immediate supervisor.

**2. Level II - Formal Written Grievance**

- a. If the grievance is not settled during the informal conference and the grievant wishes to press the matter, the grievant shall present the grievance

in writing to the Commander within fifteen (15) calendar days after the oral decision by the immediate supervisor.

b. The written information shall include:

1. A description of the specific grounds of the grievance, including names, dates, and places necessary for a complete understanding of the grievance;
2. The provisions of this Agreement or the City's Personnel Rules and Regulations which are alleged to have been violated;
3. The reasons why the immediate supervisor's proposed resolution of the problem is unacceptable;
4. The specific actions requested of the City which will remedy the grievance.

c. The Commander shall communicate the decision to the grievant in writing within fifteen (15) calendar days after receiving the grievance. If the Commander does not respond within the time limits, the grievant may appeal to the next level.

d. Within the above time limits, either party may request a personal conference.

### **3. Level III - Appeal to the Chief of Police**

a. If the grievant is not satisfied with the decision at Level II, the grievant may within fifteen (15) calendar days of the receipt of the decision at Level II appeal the decision to the Chief of Police. The grievant shall present the grievance in writing to the Chief of Police within fifteen (15) calendar days after the decision by the Commander.

b. The written information shall include:

1. a description of the specific grounds of the grievance, including names, dates, and places necessary for a complete understanding of the grievance;
2. the provisions of this Agreement or the City's Personnel Rules and Regulations which are alleged to have been violated;
3. the reasons why the Commander's proposed resolution of the problem is unacceptable;
4. the specific actions requested of the City which will remedy the grievance.

c. The Chief of Police shall communicate the decision to the grievant in

writing within fifteen (15) calendar days after receiving the grievance. If the Chief of Police does not respond within the time limits, the grievant may appeal to the next level.

- d. Within the above time limits, either party may request a personal conference.

**b. Level IV - Advisory Mediation**

- a. If the grievant is not satisfied with the decision at Level III, either party by mutual agreement, may request the assistance of a mediator from the Mediation and Conciliation Service of the State of California.
- b. The grievant must make his/her written request to submit the grievance to advisory mediation within fifteen (15) calendar days of the receipt of the decision at Level III.
- c. The City and the Association shall mutually agree upon a mediator from the Mediation and Conciliation Service of the State of California.

Those present at mediation shall include the Assistant City Manager, or the person the City Manager designates, the Chief of Police, the grievant, and his/her representative.

- a. The proceedings shall be tape recorded, including the opinion of the State mediator. The taped recording shall be sealed, signed, and dated by both parties. A written transcription shall be provided to both parties, if requested.
- b. The mediator shall have no authority to resolve the grievance. In the event the grievance is not resolved, neither stipulations, admission, settlement proposals nor concessions agreed to or offered during the mediation shall be admissible at any subsequent hearing.

**c. Level V - Appeal to the City Manager**

- a. If advisory mediation fails, the grievant may within fifteen (15) calendar days file a written appeal to the City Manager.
- b. The statement of appeal shall include a copy of the original grievance and a clear, concise statement of the reasons for the appeal to Level V.
- c. Within the fifteen (15) calendar days, the City Manager shall complete fact-finding which may include review of the mediation transcript, scheduling a meeting with the grievant, Chief of Police, and their representatives, if any.
- d. The City Manager shall communicate his or her decision to the grievant within fifteen (15) calendar days of the completion of fact-finding.
- e. The decision of the City Manager shall be final in resolving all employee grievances.

### **ARTICLE XVIII - WAIVER CLAUSE**

Except as otherwise provided herein, no changes or modifications of this Agreement shall be offered, urged, or otherwise presented by the Association or the City during the term of this Agreement, provided, however, that nothing herein shall prevent the parties to this Agreement from meeting and conferring and making modifications herein by mutual consent. Any additions or changes in this Agreement shall not be effective unless reduced to writing and properly executed by both parties.

### **ARTICLE XIX - SEVERABILITY**

If any provision of the Agreement, or the application of such provision to any persons or circumstances, shall be held invalid, the remainder of this Agreement, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

### **ARTICLE XX - DURATION**

This Agreement shall be effective April 1, 2016, and shall continue in full force and effect until June 30, 2017, and become amendable thereafter. The City and the association shall meet prior to June 30, 2017 and confer on a successor M.O.U.

### **ARTICLE XXI - PERSONNEL RULES AND REGULATIONS**

The Personnel Rules and Regulations which shall hereafter be adopted by the City shall control and determine any matters or subjects not specifically provided for herein. The Association shall have the opportunity to meet and consult with management on said Personnel Rules and Regulations prior to their adoption by the City Council.

**FOR THE POLICE OFFICERS ASSOCIATION:**

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**Earnest Taylor**  
HPOA President

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**Date**

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**Tim Stratmeyer**  
HPOA Negotiator

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**Date**

**FOR THE CITY:**

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**David Biggs**  
City Manager

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**Date**





## Legislation Details (With Text)

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**File #:** 17-279      **Version:** 1      **Name:**  
**Type:** Discussion/Action Item      **Status:** Agenda Ready  
**File created:** 7/5/2017      **In control:** City Council  
**On agenda:** 7/11/2017      **Final action:**  
**Title:** Award a Construction Contract to O.C. Jones & Sons for the 2017 Pavement Maintenance Project  
Recommendation: Adopt a Resolution authorizing the City Manager to execute a construction contract in the amount of \$689,906 for the 2017 Pavement Maintenance Project and authorizing an additional expenditure of up to \$68,990 for a 10% contingency on said construction contract.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [XIII.2 - Pavement Maintenance Project](#)  
[Staff Report - 2017 Pavement Maintenance](#)  
[Attachment 1 - Resolution](#)  
[Attachment 2 - Street Maintenance Location Map](#)

Date	Ver.	Action By	Action	Result
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### **Award a Construction Contract to O.C. Jones & Sons for the 2017 Pavement Maintenance Project**

**Recommendation:** Adopt a Resolution authorizing the City Manager to execute a construction contract in the amount of \$689,906 for the 2017 Pavement Maintenance Project and authorizing an additional expenditure of up to \$68,990 for a 10% contingency on said construction contract.

## AGENDA ITEM REQUEST FORM

Department: Public Works

Department Director: Michael Roberts

Phone: 799-8241

Meeting Date: July 11, 2017

Final Decision Date Deadline:

**SUBJECT:**

Award of a Construction Contract to O. C. Jones & Sons for the 2017 Pavement Maintenance Project

**INDICATE APPROPRIATE BODY**

- |  |  |   |  |
|--|--|---|--|
| <input checked="" type="checkbox"/> City Council | <input type="checkbox"/> Successor Agency to the<br>Redevelopment Agency | <input type="checkbox"/> Public Financing Authority | <input type="checkbox"/> Finance<br>Commission |
| <input type="checkbox"/> Planning<br>Commission  | <input type="checkbox"/> Community/ Library<br>Services Commission       | <input type="checkbox"/> Other _____                |  |

**ITEM**

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Presentation/Introduction    | <input type="checkbox"/> Study Session         | <input type="checkbox"/> Grant Application/Acceptance |
| <input type="checkbox"/> Public Hearing               | <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Video/PowerPoint             |
| <input type="checkbox"/> Consent Calendar             | <input type="checkbox"/> Ordinance             |   |
| <input checked="" type="checkbox"/> Discussion/Action | <input type="checkbox"/> Contract/Agreement    |   |

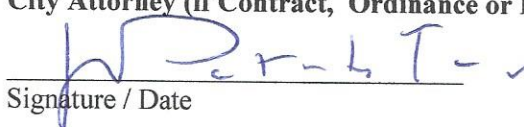
**RECOMMENDED ACTION:**

Adopt a resolution authorizing the City Manager to execute a construction contract with O. C. Jones & Sons in the amount of \$689,906 for the 2017 Pavement Maintenance Project, and authorizing an additional expenditure of up to \$68,990 for a 10% contingency on said construction contract.

- ☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

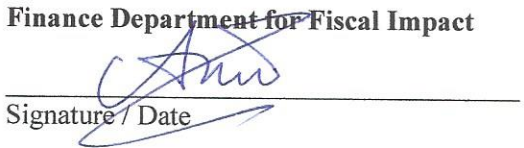
**REVIEWED AND APPROVED FOR AGENDA:**

City Attorney (if Contract, Ordinance or Resolution)

  
Signature / Date

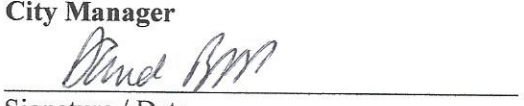
7.6.17

Finance Department for Fiscal Impact

  
Signature / Date

7/6/17

City Manager

  
Signature / Date

7/6/17

**AGENDA ITEM NO:**



## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of July 11, 2017

**TO:** Members of the City Council

**SUBMITTED BY:** Michael Roberts, Public Works Director/City Engineer

**SUBJECT:** Award of a Construction Contract to O. C. Jones & Sons for the 2017 Pavement Maintenance Project

### **RECOMMENDED ACTION:**

Adopt a resolution authorizing the City Manager to execute a construction contract with O. C. Jones & Sons in the amount of \$689,906 for the 2017 Pavement Maintenance Project, and authorizing an additional expenditure of up to \$68,990 for a 10% contingency on said construction contract.

### **FISCAL IMPACT OF RECOMMENDATION:**

The proposed budget for the 2017 Pavement Maintenance Project is as follows:

#### Revenues:

Gas Tax Fund	\$200,000
Measure J Fund	\$132,896
FY 16-17 General Fund Decision Package for Street Maintenance	\$100,000
FY 17-18 General Fund Decision Package for Street Maintenance	\$150,000
FY 16-17 Solid Waste Funds to Mitigate Garbage Truck Impacts	<u>\$176,000</u>
Total Revenue	\$758,896

#### Expenditures:

Construction Contract	\$689,906
10% Contingency	<u>\$68,990</u>
Total Expenditures	\$758,896

### **DISCUSSION:**

The 2017 Pavement Maintenance Project was advertised for bids in the West County Times on June 5 & 12, 2017 and in 4 regional plan rooms. A total of 4 bids were received at the bid opening deadline of 2 pm on Monday, June 26. Upon opening and reviewing the 4 bids received, O.C. Jones & Sons submitted the low bid in the amount of \$689,906 which was determined to be responsive and is below the Engineer's Estimate of \$810,000.

<b>NO</b>	<b>Bidder's Name</b>	<b>Bid Proposal</b>
1	O. C. Jones & Sons, Inc.	\$ 689,906
2	Paving Construction Services	\$ 721,483
3	Telfer Pavement Technologies	\$ 881,834
4	Intermountain Slurry Seal	\$ 1,083,380

O.C. Jones & Sons has been in business for many years and has successfully completed numerous projects for public agencies. In Hercules they most recently completed the Path to Transit Project and Refugio Valley Road Rehabilitation Project. They performed at a high level on both of these projects and are considered to be a responsible bidder.

The 2017 Pavement Maintenance Project will slurry seal various streets in Hercules. The work includes asphalt repair, crack sealing, and striping. Construction is anticipated to take place late July, August, and part of September. Following the award of the construction contract, staff will meet with the contractor to firm up the schedule.

The roads to be slurry sealed include segments of Mandalay Avenue, Grenadine Way, Turquoise Drive, Alfred Nobel Drive, James Watson Drive, Redwood Road, Violet Road, Lupine Road, Manzanita Place, Nutmeg Court, Dogwood Court, and Cottonwood Court (See attached Street Maintenance Location Map). They were selected based upon recommendations from the City's pavement management program, a visual inspection, coordination with PG&E underground work, and contractor logistics with the goal of most effectively utilizing maintenance funding to preserve the City's roadway network. PG&E, as a condition of their encroachment permit, has agreed to reimburse the City for slurry sealing areas they patched. The reimbursement amount will be determined over the next month. A similar sized road maintenance project is planned for next summer, at which time other streets will slurry sealed as well.

#### **ATTACHMENTS:**

1. Resolution
2. Street Maintenance Location Map

***Financial Impact***

**Description:** Expenditure amount not to exceed \$758,896.

**Funding Source:**

Gas Tax Fund	\$200,000
Fund No. 262-5432-642-05-20	
Measure J Fund	\$132,896
Fund No. 263-5432-642-05-20	
FY16-17 General Fund Decision Package for Street Maintenance	
Fund No. 100-5432-642.05-20	\$100,000
FY17-18 General Fund Decision Package for Street Maintenance	
Fund No. 100-5432-642.05-20	\$150,000
FY16-17 Solid Waste Funds to Mitigate Garbage Truck Impacts	
Fund No. 291-5510-643.20-00	\$176,000

**Budget Recap:**

Total Estimated cost:	\$758,896	New Revenue:	\$
Amount Budgeted:	\$758,896	Lost Revenue:	\$
New funding required:	\$	New Personnel:	\$
Council Policy Change:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

**RESOLUTION NO. 17-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH O. C. JONES & SONS IN THE AMOUNT OF \$689,906 FOR THE 2017 PAVEMENT MAINTENANCE PROJECT, AND AUTHORIZING AN ADDITIONAL EXPENDITURE OF UP TO \$68,990 FOR A 10% CONTINGENCY ON SAID CONSTRUCTION CONTRACT.**

**WHEREAS**, the 2017 Pavement Maintenance Project was advertised for bids in the West County Times on June 5 & 12, 2017 and in 4 regional plan rooms; and

**WHEREAS**, a total of 4 bids were received at the bid opening deadline of 2 pm on Monday, June 26, 2017 and upon opening and reviewing the bids O.C. Jones & Sons submitted the low bid in the amount of \$689,906; and

**WHEREAS**, O.C. Jones & Sons has been determined to be a responsible bidder and their bid has been determined to be responsive; and

**WHEREAS**, the construction contract is fully funded with Measure J, Gas Tax, General Fund, and Solid Waste Fund monies.

**WHEREAS**, in FY16-17, there is \$100,000 available in the carryforward in the General Fund (Fund 100) and \$176,000 available in the carryforward in the Solid Waste Fund (Fund 291).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hercules that the City Council hereby authorizes the City Manager to execute a construction contract with O. C. Jones & Sons in the amount of \$689,906 for the 2017 Pavement Maintenance Project, and authorizes an additional expenditure of up to \$68,990 for a 10% contingency on said construction contract.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 11<sup>th</sup> day of July, 2017 by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Myrna de Vera, Mayor

ATTEST:

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Lori Martin, MMC  
Administrative Services Director/City Clerk



**CITY OF HERCULES**  
**2017 PAVEMENT MAINTENANCE PROJECT**



**LOCATION MAP**





## Legislation Details (With Text)

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**File #:** 17-280      **Version:** 1      **Name:**

**Type:** Discussion/Action Item      **Status:** Agenda Ready

**File created:** 7/5/2017      **In control:** City Council

**On agenda:** 7/11/2017      **Final action:**

**Title:** Receive and File the Finance Commission's Annual Report on Measure B/O and C/A for FY 2015-16  
Recommendation: Receive and File the report.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [XIII.3 - Measure A & O Report](#)  
[Staff Report - Measure B/O & C/A](#)  
[Attachment 1 - Finance Commission Annual Report - Measure B/O & C/A](#)

Date	Ver.	Action By	Action	Result
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**Receive and File the Finance Commission's Annual Report on Measure B/O and C/A for FY 2015-16**

**Recommendation:** Receive and File the report.

## AGENDA ITEM REQUEST FORM

Department: Finance

Department Director: Annie To

Phone: 799-8222

Meeting Date: July 11, 2017

Final Decision Date Deadline:

**SUBJECT:**

Receive Finance Commission Annual Report on Measures B/O and C/A

**INDICATE APPROPRIATE BODY**

☒ City  
Council

☐ Successor Agency to the  
Redevelopment Agency

☐ Public Finance  
Authority

☒ Finance  
Commission

☐ Planning  
Commission

☐ Community/Library  
Services Commission

☐ Oversight Board

☐ Other \_\_\_\_\_

**ITEM**

☐ Presentation/Introduction

☐ Study Session

☐ Grant Application/Acceptance

☐ Public Hearing

☐ Resolution

☐ Video/PowerPoint

☐ Consent Calendar

☐ Ordinance

☒ Discussion Action

☐ Contract/Agreement

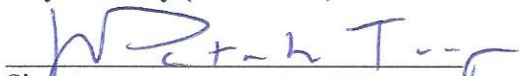
**RECOMMENDED ACTION:**

Receive Finance Commission Annual Report on Measures B/O and C/A

☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

**REVIEWED AND APPROVED FOR AGENDA:**

City Attorney (if Contract, Ordinance or Resolution)

  
Signature

7.6.17  
Date

Finance Department for Fiscal Impact

  
Signature

7/6/17  
Date

City Manager

  
Signature

7/6/17  
Date

**AGENDA ITEM NO:**



## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of July 11, 2017

**TO:** Members of the City Council

**SUBMITTED BY:** David Biggs, City Manager  
Annie To, Finance Director

**SUBJECT:** Receive Finance Commission Annual Report on Measures B/O and C/A

**RECOMMENDED ACTION:** Receive the Finance Commission's Annual Report on Measures B/O and C/A for FY 2015/16

**COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:** The Finance Commission recommends that the City Council receive their FY 2015-16 Annual Report on Measures B/O and C/A.

**FISCAL IMPACT OF RECOMMENDATION:** None as a result of this action, though Measures B/O and C/A provide a significant level of revenues in support of the City's General Fund.

**DISCUSSION:** The City's Finance Commission serves as the citizen's oversight body for Measures B/O and C/A, which are voter approved local sales tax and utility user tax measures respectively. Each year, the Finance Commission undertakes a review of the revenues generated in the prior fiscal year by these Measures as required by the Measures. The Finance Commission review takes place after the City's independent auditor's completed their annual audit and the Agreed-Upon-Procedures (AUP) Report for each measure.

The Finance Commission approved a final version of their annual report on May 22, 2017, and it is attached for the City Council's review and receipt.

### **ATTACHMENTS:**

1. Finance Commission Annual Report on Measures B/O and C/A

***Financial Impact***

**Description:**

**Funding Source:**

**Budget Recap:**

Total Estimated cost:	\$	New Revenue:	\$
Amount Budgeted:	\$	Lost Revenue:	\$
New funding required:	\$	New Personnel:	\$
Council Policy Change:	Yes <input type="checkbox"/> No <input type="checkbox"/>		

City of Hercules Finance Commission  
Measure O and Measure A Annual Report  
Fiscal Year Ending June 30, 2016

**Conclusions**

For Fiscal Year ending June 30, 2016, incremental sales and transaction use tax revenues approved by Hercules voters were spent in accordance with the voter approved Measure O adopted in June 2012 and subsequently extended by the voter approved Measure B adopted November 2015. Henceforth in this document, any reference to Measure O will also include its extension Measure B.

The Finance Commission recommends that the incremental sale and transaction use tax provided for in Measure O be retained since the City of Hercules still requires these funds to successfully maintain the provisions provided in the City of Hercules Statement of Financial Policies and Principles adopted on December 15, 2015.

For Fiscal Year ending June 30, 2016, incremental Utility User Tax funds approved by Hercules voters were spent in accordance with the voter approved Measure A adopted in June 2013 and subsequently extended by the voter approved Measure C adopted November 2015. Henceforth in this document, any reference to Measure A will also include its extension Measure C.

The Finance Commission recommends that the incremental Utility User tax provided for in Measure A be retained since the City of Hercules still requires these funds to successfully maintain the provisions provided in the City of Hercules Statement of Financial Policies and Principles adopted on December 15, 2015.

**Purpose**

This is the Annual Report by the Finance Commission as the Oversight Committee for Measure O - Transactions and Use Tax Revenues and Measure A - Utility Users Tax Rate Revenues. This report fulfills the Finance Commission requirements specified in City of Hercules Municipal Code to:

1. Provide oversight under Title 8 (Finance Revenue and Taxation), Chapter 9 (Temporary Transaction and Use Tax).
2. Provide oversight under Title 8 (Finance Revenue and Taxation), Article 4 (Continuation of Increase to Utility Users Tax Rate).

Prior to the creation of the Finance Commission, the Measure O Citizen's Oversight Committee performed the oversight for Measure O and the Citizen's Finance Committee performed the oversight for Measure A. The actions taken by these two committees have been incorporated into this report.

City of Hercules Finance Commission  
Measure O and Measure A Annual Report  
Fiscal Year Ending June 30, 2016

**Reporting Period and Scope**

This annual report covers the Fiscal Year ending June 30, 2016.

This report focuses on the General Fund because this fund provides the funding for the concerns expressed on the Measure O and Measure A ballot measures.

**Actions Taken**

The Finance Commission or its predecessor committees, the Measure “O” Citizen’s Oversight Committee and the Citizen’s Finance Committee provided Oversight for Measure “O” and Measure “A” by the following actions:

1. Met on the dates listed below.
  - a. Meetings in 2015 (11): January 26, February 23, March 23, April 27, May 18, June 1, June 15, July 27, September 28, October 26, November 23.
  - b. Meetings in 2016 (7): February 22, March 28, April 25, June 20, July 25, September 26, November 28.
  - c. Meetings in 2017 (5): January 12, February 27, March 27, April 17, May 22.
2. Reviewed the Final Budgets, Quarterly Financial Reports, and variance analyses for the Fiscal Year ending June 30, 2016.
3. Reviewed periodic Long Term Forecasts and Working Cash Balance reports prepared by City of Hercules Finance staff.
4. Reviewed City of Hercules audited Annual Financial Reports for the fiscal years ending June 30, 2016.
5. Reviewed CliftonLarsonAllen, LLP report on “Agreed-Upon Procedures Measure O - Transactions and Use Tax Revenues, June 30, 2016”.
6. Reviewed CliftonLarsonAllen, LLP report on “Agreed-Upon Procedures Measure A - Utility Users Tax Rate Revenues, June 30, 2016”.

City of Hercules Finance Commission  
Measure O and Measure A Annual Report  
Fiscal Year Ending June 30, 2016

**Long Term Financial Stability and Adequate Financial Reserves**

The Finance Commission discussed the definition of long-term financial stability and adequate financial reserves on February 22, 2017, March 27, 2017 and May 22, 2017. The Finance Commission decided to use the criteria provided in the City of Hercules Statement of Financial Principles and Policies adopted by the City Council on December 15, 2015 to define “long term financial stability” and “adequate financial reserves.”

The Finance Commission determined that “long term financial stability” means that the City of Hercules is able to maintain “adequate financial reserves” as defined by the following Statement (from the Statement of Financial Principles and Policies adopted by the City Council on December 15, 2015):

“Establish, and then maintain, a “minimum reserve” for economic uncertainties equal to one month’s or 8.33% of expenditures of the current year General Fund budget exclusive of Non-spendable, Restricted, and Assigned fund balance with a goal of increasing that to two months or 16.66% of expenditures in the future.”

In addition, to fulfill the “adequate financial reserves” requirement, the City must be able to maintain the minimum reserve without Measure O and Measure A revenues and to fulfill the “long term financial stability” requirement, the City must be able to maintain the minimum reserve without Measure O and Measure A revenues for five consecutive fiscal years.

City of Hercules Finance Commission  
Measure O and Measure A Annual Report  
Fiscal Year Ending June 30, 2016

**Findings**

1. Measure O Transaction and Use Tax Revenue receipts are summarized as follows. Fiscal Year 2014 and Fiscal Year 2015 were based on Gallina, LLP reports on Agreed Upon Procedures – Measure O for the periods July 1, 2012 through June 30, 2015 and Fiscal Year 2016 was based on CliftonLarsonAllen, LLP report on Agreed Upon Procedures – Measure O for the period ending June 30, 2016.

<b>Fiscal Year</b>	<b>Actual Received</b>
Fiscal Year 2014 (ending June 30, 2014)	\$952,255
Fiscal Year 2015 (ending June 30, 2015)	\$863,323
Fiscal Year 2016 (ending June 30, 2016)	\$1,181,605

2. Transaction and Use Tax revenue received in Fiscal Year 2016 under Measure O has been properly collected and paid into the General Fund as required per Ordinance 470 Section 8.9.12 “Use of Tax Proceeds” which states that “All proceeds of the tax levied and imposed under this Article shall be paid into the general fund for use by the City of Hercules.” This conclusion is based on the Finance Commission’s review of the City’s audited Annual Financial Reports, the Quarterly Financial Statements, and the CliftonLarsonAllen, LLP’s report “Agreed-Upon Procedures Measure O – Transactions and Use Tax Revenues, June 30, 2016”, which states that proceeds of taxes levied and imposed under Measure O were paid into the City’s General Fund for use by the City with no exceptions.
3. Measure A Utility Users Tax (UUT) Rate Revenues are summarized as follows based on Gallina LLP’s reports on Agreed Upon Procedures for Measure A, for the periods July 1, 2013 through June 30, 2015 and the CliftonLarsonAllen, LLP’s report “Agreed-Upon Procedures Measure A – Utility Users Tax Rate Revenues, June 30, 2016”:

<b>Fiscal Year</b>	<b>Actual UUT with Measure A</b>	<b>Actual UUT w/o Measure A</b>	<b>Increase in Revenue due to Measure A</b>
Fiscal Year 2014 (ended June 30, 2014)	\$3,182,013	\$2,201,950	\$980,063
Fiscal Year 2015 (ended June 30, 2015)	\$3,439,914	\$2,163,601	\$1,276,313
Fiscal Year 2016 (ended June 30, 2016)	\$3,515,565	\$2,224,000	\$1,291,565

4. Utility Users Tax revenue received under Measure A has been properly collected and paid into the General Fund per Ordinance 481, Section 8-8.402 “Use of Additional Tax Proceeds” which states that “All proceeds of the tax levied and imposed under this Article shall be paid into the general fund for use by the City of Hercules”. This conclusion is based on the Finance Commission’s review of the City’s audited Annual Financial Report for the Fiscal Year ending June 30, 2016, and



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CliftonLarsonAllen, LLP's report "Agreed-Upon Procedures Measure A – Utility Users Tax Rate Revenues, June 30, 2016".

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5. The General Fund had a surplus in Fiscal Years 2014-2016.

	<b><u>Actual FY 2014</u></b>	<b><u>Actual FY 2015</u></b>	<b><u>Actual FY 2016</u></b>
General Fund Revenue	\$12,638,059	\$13,573,615	\$14,018,112
General Fund Expenses	\$11,200,782	\$10,213,252	\$11,046,540
General Fund Surplus	<u>\$1,437,277</u>	<u>\$3,360,363</u>	<u>\$2,971,572</u>

6. Measure O and Measure A revenues improved the fiscal stability of the General Fund in Fiscal Year 2014 and Fiscal Year 2015 by providing additional revenue equal to 14.2% and 14.7% of Total General Fund Revenue in Fiscal Year 2014 and Fiscal Year 2015, respectively. In Fiscal Year 2016, Measure O and Measure A provided additional revenue equal to 17.6% of Total General Fund Revenue.

<b><u>General Fund Revenue Sources</u></b>	<b><u>Actual FY 2014</u></b>	<b><u>%</u></b>	<b><u>Actual FY 2015</u></b>	<b><u>%</u></b>	<b><u>Actual FY 2016</u></b>	<b><u>%</u></b>
Other General Fund Revenue	\$10,844,803	85.8%	\$11,588,959	85.4%	\$11,544,942	82.4%
Measure O Revenue (Note B)	\$952,256	7.5%	\$863,323	6.4%	\$1,181,605	8.4%
Measure A Revenue (Note C)	\$841,000	6.7%	\$1,121,333	8.3%	\$1,291,565	9.2%
Total General Fund Revenue (Note A)	<u>\$12,638,059</u>	<u>100.0%</u>	<u>\$13,573,615</u>	<u>100.0%</u>	<u>\$14,018,112</u>	<u>100.0%</u>

Note A: Total General Fund Revenue per audited Financial Statements for each year.

Note B: Measure O Transactions and Use Tax Revenues per Gallina (FY14-15) and CliftonLarsonAllen (FY16) agreed upon procedures report for Measure O.

Note C: Measure A Utility Users Tax Rate Revenues per Gallina (FY14-15) and CliftonLarsonAllen (FY16) agreed upon procedures report for Measure A.

7. In Fiscal Year 2014, Other General Fund Revenue (excluding Measure O and Measure A revenue) was less than the General Fund Expenses by \$355,979. In Fiscal Year 2015, the Other General Fund Revenue exceeded the General Fund Expenses by \$1,375,707 (13.5%). In Fiscal Year 2016, the Other General Fund Revenue exceeded the General Fund Expenses by only \$498,042 (4.5%), which is a very small margin if there are economic uncertainties from reduced revenues or unexpected expenses in the future.

	<b><u>Actual FY 2014</u></b>	<b><u>Actual FY 2015</u></b>	<b><u>Actual FY 2016</u></b>
Other General Fund Revenue (excluding Measure O and Measure A)	\$10,844,803	\$11,588,959	\$11,544,942
Total General Fund Expenditures	\$11,200,782	\$10,213,252	\$11,046,540
(Deficit)/Surplus without Measure O and Measure A Revenue	<u>\$(355,979)</u>	<u>\$1,375,707</u>	<u>\$498,402</u>

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8. The Annual Financial Report for the Fiscal Year ending June 30, 2016 (page 14) summarized the objectives of the General Fund.

“General Fund - This fund is used to account for all revenue and expenditures necessary to carry out basic governmental activities of the City that are not accounted for through other funds. For the City, the General Fund includes such activities such as police, planning, engineering, public works, operations and maintenance, and legal and administrative services”.

9. The General Fund provides the funding for the issues expressed in the Measure “O” and Measure “A” ballot language:

- a. **MEASURE O:** "Local Temporary Emergency Funding Measure. To address Hercules' Fiscal Emergency, stabilize city finances, offset budget shortfalls/the impact of State budget cuts on local services, prevent reductions to the number of police officers/crime investigators, protect/maintain crime prevention, childcare, youth sports and recreation programs and other general City services, shall the City of Hercules establish a 1/2 cent sales tax legally ending after 4 years.
- b. **MEASURE A:** “City of Hercules Fiscal Accountability/Services Protection Measure. To restore Hercules to financial stability, enhance fiscal accountability, continue to maintain our own local Police Department, and prevent drastic cuts to neighborhood police officers, youth/senior programs, and other services, shall Hercules modernize its utility users tax with equal treatment of taxpayers regardless of technology, increase the rate by 2% for 5 years, maintain current low-income exemptions, with citizens’ oversight, independent audits, and local control of revenues.”

10. Based on the impartial ballot analysis by the City Attorney, Measure “O” did not limit use of Measure “O” funding to a specific purpose:

“Because Measure O does not limit the use of tax revenue to a specific purpose, the proposed tax is a general tax, requiring a majority vote (approval by more than fifty percent (50%) of City voters voting in the election) for passage. Therefore, the City shall use the funds for a variety of purposes, including but not limited to addressing the City's Fiscal Emergency; increasing police officer staffing, which is below Recommended Safety Levels; maintaining current levels of emergency services; providing additional funding for neighborhood police patrols, emergency response times, crime prevention and investigation resources; earthquake preparedness; after-school programs for children and teens; senior services; and parks.”

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11. Based on the impartial ballot analysis by the City Attorney, Measure “A” did not limit the Measure “A” funding to a specific purpose:

“Because Measure A does not limit the use of tax revenue to a specific purpose, the City may use the funds for a variety of purposes, including but not limited to maintaining financial stability and accountability; maintaining the Hercules Police Department; maintaining neighborhood police patrols, improving 9-1-1 response times; expanding neighborhood crime prevention programs; attracting business to Hercules; and preventing cuts to street maintenance.”

12. The City Council approved the City of Hercules budget for Fiscal Year 2016. However, the budget for Fiscal Year 2016 did not include any specific priorities for the use of Measure O or Measure A funds. In addition, subsequent to the approval of the annual budgets, as of December 31, 2016, the City Council did not approve any specific priorities for the use of Measure O or Measure A funds.

13. The City of Hercules has been able to establish, and then maintain, a “minimum reserve” for economic uncertainties equal to one month’s or 8.33% of expenditures of the current year General Fund budget exclusive of Non-spendable, Restricted, and Assigned fund balance” through the Fiscal Neutrality Fund for the Fiscal Year ending June 30, 2016; but has only been able to do so with both Measure O and Measure A funding available. The City was not been able to achieve the eventual goal of maintaining two months of increasing that reserve to two months or 16.66% of expenditures as of June 30, 2016 even with Measure O and Measure A funding available.

Final Budgeted Total Expenditures for Fiscal Year Ending June 30, 2016 (per FY 2016 Annual Report, Page 74):	\$13,696,863
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One month reserve (8.33% of Total Budgeted Total Expenditures):	\$ 1,140,948
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Goal: two months reserves (16.66% of Total Budgeted Expenditures):	\$ 2,281,897
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Economic Uncertainty Reserve Available per Fiscal Neutrality Fund as of 6/30/16:	\$2,171,733
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City of Hercules Finance Commission  
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Fiscal Year Ending June 30, 2016

Finance Commission Measure O and Measure A Sub-Committee:

Stanley Tom

Paul Freese

Finance Commission Members:

Stanley Tom, Chair

Paul Freese, Vice Chair

Mindy Charlup

J. Yamamoto

Report approved by the Finance Commission on May 22, 2017.

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**Appendices**

<b>No.</b>	<b>Title</b>	<b>Page(s)</b>
1	Measure “O” Background	10
2	Measure “A” Background	11
3	Measure “B” and Measure “C” Background	12
4	Finance Commission Background	13
5	City of Hercules Statement of Financial Policies and Procedures	14-17

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**Appendix 1: Measure “O” Background**

On July 24, 2012, Measure O, “Transactions and Use Tax Revenues” was passed by a majority vote of the City of Hercules and the Hercules City Council passed, approved and adopted Ordinance 470 amending the Hercules Municipal Code by establishing a four year temporary transactions and use tax of 0.50% to be administered by the State Board of Equalization.

Per Section 8.9.13 of Ordinance 470:

“A Citizen’s Oversight Committee is hereby established to oversee expenditures of the revenues received by the City from the sales and use taxes imposed pursuant to this chapter, and to ensure that tax revenues are spent by the City in a manner consistent with the voter approved measure adopting this chapter as well as any voter approved or council approved priorities adopted to implement the provisions of this chapter.”

Per Section 8-9.17 paragraph (a) of Ordinance 470:

“The Committee is charged with the following responsibilities:

- (1) Reviewing all appropriations of revenues received by the City from the sales and use taxes imposed pursuant to the provisions of this chapter to determine whether such funds are to be used as provided for in this chapter and the voter approved measure that adopted this chapter;
- (2) Reviewing the audit prepared by an independent auditor retained by the City to perform the City’s Comprehensive Annual Financial Report to determine whether such funds have been spent as provided for in this chapter and the voter approved measure; and
- (3) Prepare and issue the committee’s own annual report settling forth their findings in regard to the foregoing.”

On August 20, 2014, the Measure O Citizen’s Oversight Committee approved the Measure O Annual Report for the Fiscal Year 2013 (July 1, 2012 to June 30, 2013).

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**Appendix 2: Measure “A” Background**

On June 4, 2013, Measure A “Utility Users Tax Rate Revenues” was passed by a majority vote of the City of Hercules and the Hercules City Council passed, approved, and adopted Ordinance 475 modernizing Title 8, Chapter 8 of the Hercules Municipal Code with respect to the existing 6% Utility Users Tax, and establishing a five year temporary increase of 2% to the Utility Users Tax. The Ordinance established citizens’ oversight with the existing Citizens Finance Advisory Committee (which became the Citizen’s Finance Commission) appointed by the Hercules City Council.

Per Section 8-8.404 of Ordinance 475, “The Citizens Finance Advisory Committee, which is appointed by the City Council, shall meet at least monthly and review all revenue and expenditures under this Chapter in order to ensure that the funds are spent in accordance with the voter approved measure adopting this Chapter as well as any voter approved or council approved priorities adopted to implement the provisions of this Chapter. The City Manager shall appoint an ex-officio staff person to serve as secretary of the Committee and to ensure that meetings are held in a timely fashion.”

Per Section 8-8.406 of Ordinance 475:

“(a) The Committee is charged with the following responsibilities:

- (1) Reviewing all appropriations of revenues received by the City from the sales and use taxes imposed pursuant to the provisions of this Chapter to determine whether such funds are to be used as provided for in this Chapter and the voter approved measure that adopted this Chapter;
- (2) Reviewing the audit prepared by an independent auditor retained by the City to perform the City’s Comprehensive Annual Financial Report to determine whether such funds have been spent as provided for in this Chapter and the voter approved measure; and
- (3) Prepare and issue the committee’s own annual report settling forth their findings in regard to the foregoing.”



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**Appendix 3: Measure “B” and Measure “C” Background**

On July 28, 2015 the Hercules City Council unanimously approved placing the City of Hercules Financial Stability and Essential Services Continuation Measures, on the November 3, 2015 ballot to protect and maintain essential city services and fiscal stability.

On November 3, 2015, Measure B, “Transactions and Use Tax Revenues” was passed by a majority vote of the City of Hercules. Measure B extends indefinitely the Measure “O” half-cent per dollar local sales tax previously scheduled to end in 2016.

Measure B states, “Whereas the tax extension would be in effect until the Finance Commission finds, and the City Council approves by a 2/3 vote, that the City has achieved long term financial stability with adequate financial reserves.”

On November 3, 2015, Measure C “Utility Users Tax Rate Revenues” was passed by a majority vote of the City of Hercules. Measure C extends the Measure “A” 2 percent utility user’s tax that was previously scheduled to sunset in 2018, now scheduled to sunset in 2025.

Measure C states, “**Measure C** would extend the 2013 voter approved two percent (2%) UUT increase. If adopted, Measure C would make the eight percent (8%) total rate effective until January 1, 2025. The City Council could terminate the two percent (2%) increase at any time before January 1, 2025 and reduce the total UUT rate to six percent (76%) either on its own initiative or at the recommendation of the City’s Finance Commission upon a determination that the additional two percent (2%) increase provide for in **Measure C** is no longer necessary because the City has met its goal of achieving long term financial stability with adequate financial reserves.”

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**Appendix 4: Finance Commission Background**

On November 23, 2014, the Hercules City Council passed and adopted Ordinance 481 to amend the Hercules Municipal Code as follows:

1. Added Title 2, article 6, Section 202.601 through Section 2-2.609 to create the Finance Commission.
2. Amended Title 8, Chapter 8, Article 4, to provide for the Finance Commission oversight of Measure A, "Utility Users Tax Rate Revenues"
3. Amended Title 8, Chapter 8, Article 9, to provide for the Finance Commission oversight of Measure O, "Transactions and Use Tax Revenues"

Per Section 2.2.609 of Ordinance 481, "The Finance Commission shall be advisory to the City Council with no authority to direct staff and shall have the following duties:

- (a) Quarterly review of City's financial status; review and comment on audit reports; review and comment on the proposed budget; and review and comment on items of extraordinary financial impact.
- (b) Make recommendations to the City Council with respect to budget priorities.
- (c) Review and comment on the City's annual operating and capital improvement budgets
- (d) Advise the City Council on matters of policy and public interest related to the management of the City's finances and budget.
- (e) Serve as the Oversight Committee for Measure "A" including providing an annual report to ensure that Utility User Tax funds are spent in accordance with the Voter Approved Measure adopted in June, 2013.
- (f) Serve as the Oversight Committee for Measure "O", including providing an annual report, to ensure that the Sales Tax revenues approved by Hercules voters are spent in accordance with the Voter Approved Measure adopted in June 2012.
- (g) Take on any additional review and advisory functions assigned by the City Council by duly adopted Resolution."

On November 25, 2014, the Hercules City Council appointed the two members of the Measure O Citizens Oversight Committee and the three members of the Citizens Finance Committee to the Finance Commission.

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**Appendix 5: City of Hercules Statement of Financial Policies and Principles**

(Adopted December 15, 2015)

Establishing certain generalized principles governing the financial affairs of the City is desirable to guide both the financial management and financial planning for the City. The City of Hercules is accountable to its citizens, employees, and other stakeholders for the use of public funds and the best management of resources. These Financial Principles will provide City staff with guidance in preparing and submitting the annual budget for the City and in the preparation of financial forecasts. The adoption of certain financial policies is necessary and appropriate to implement the financial principles and to help ensure financial sustainability and to improve the City's credit worthiness and bond rating.

**Financial Principles**

- Adopt a balanced operating budget by June 30th of each year for the following fiscal year without using General Fund undesignated fund balances or reserves. The budget thus adopted shall include expenditures necessary to provide for the well-being and safety of the community subject to available revenues.
- Fees for services shall be updated annually to recover, as much as possible, the cost of providing the services and to allow for the impacts of inflation, with fees not exceeding the cost of providing the service. In some instances, the City Council may elect to not recover the full cost of providing the service and the City Council shall determine the appropriate cost recovery level of individual services.
- Revenues in excess of expenditures at the end of a fiscal year shall be applied on a priority basis to satisfy the general fund reserve requirements, capital projects reserves, capital equipment reserves, and liability reserves before being appropriated for other uses.
- Current year operating expenditures shall be funded by current year operating revenues.
- Manage the City's finances as to ensure repayment of debt and improvement in the City's bond rating in order to minimize future issuance and interest costs to the City.
- Meet all financial reporting requirements in a timely manner and ensure appropriate internal controls are in place to ensure financial accountability.

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**Appendix 5: City of Hercules Statement of Financial Policies and Principles**

**General City Financial Policies**

1. Employees are one of the most important assets of the City and should be compensated at an appropriate level and commensurately with the City's ability to pay.
2. Establish, and then maintain, a "minimum reserve" for economic uncertainties equal to one month's or 8.33% of expenditures of the current year General Fund budget exclusive of Non-spendable, Restricted, and Assigned fund balance with a goal of increasing that to two months or 16.66% of expenditures in the future.
3. The General fund reserve shall provide for meeting contingency needs, investment earnings, and shall serve as a cash flow reserve.
4. Provide for capital equipment replacement as necessary to achieve greater efficiency and effectiveness in the City's operations.
5. One time revenues shall be utilized for one-time expenditures or to enhance reserve funds as appropriate or necessary.
6. The City shall maintain, replace, and improve its infrastructure and the City shall set aside a reasonable and prudent amount of General Fund monies for capital projects including the repair of various facilities as part of its annual budget process to the greatest extent possible.

**Revenue & Expenditure Policies**

- Realistic and prudent estimates of revenues shall be used to maintain financial flexibility.
- Revenue raising alternatives shall be explored as necessary and the City shall pursue grants available to local government.
- Programs funded through user fees shall be self-supporting to the greatest extent possible or at a level proscribed by the City Council.
- Full recovery of overhead and internal services from grant and special or enterprise funds shall be pursued to the greatest extent possible and as permitted by the restrictions associated with each fund.

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**Appendix 5: City of Hercules Statement of Financial Policies and Principles**

**Special Revenue, Enterprise, and Internal Service Fund Policies**

- The City shall abide by applicable rules and regulations pertaining to the expenditures of special revenue funds as required by each funding source.
- Enterprise activities shall be programmed to generate sufficient revenues to support the enterprise's operations including overhead and internal services, debt service requirements, and current and future capital needs.
- Special Revenue and Enterprise funds shall adhere to all other applicable fiscal policies of the City.
- Internal Service funds shall be established as appropriate to ensure cost recovery on a fair and equitable basis.
- Transfers to the General fund from other funds for overhead costs shall be reviewed annually and conform to the Federal Office of Management & Budget A-97 Guidelines.

**Debt Policies**

- Debt shall only be incurred for capital improvement projects and only if the project cannot be funded by recurring or one-time revenues.
- Proceeds from long-term debt shall not be used for current on-going expenditures.
- Short-term borrowing shall not be used for operating expenditures unless it is a Tax & Revenue anticipation Note or other short-term cash flow borrowing and shall be limited to repayment in the same fiscal year.
- The use of the City's General Fund as security for debt issues should be limited to the greatest extent possible to capital projects which serve the general benefit for the City.

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**Appendix 5: City of Hercules Statement of Financial Policies and Principles**

**Forecasting Policies**

- The City shall develop and maintain a five to ten year Financial Forecast which shall be updated two times each year with any unexpected changes in economic conditions or other circumstances prompting more frequent updates.
- The Financial Forecast should recognize the effects of economic cycles and shall differentiate between one-time revenues associated with one time economic activities and revenues resulting from base economic growth.
- Financial Forecasts shall identify the assumptions used in their preparation and the risks associated with those assumptions.
- Revenue and expenditure estimates should be prepared on a realistic basis with a target of +/- 2 percent variance from the estimate for revenues and a +/- 1 percent variance for expenditures.
- On-going revenue increases based upon site specific development shall be incorporated using a realistic estimation of timing and shall not exceed the midpoint of the range of estimated revenues.



## Legislation Details (With Text)

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**File #:** 17-284      **Version:** 1      **Name:**

**Type:** Discussion/Action Item      **Status:** Agenda Ready

**File created:** 7/5/2017      **In control:** City Council

**On agenda:** 7/11/2017      **Final action:**

**Title:** City Council 2017 Regular Meeting Dates  
Recommendation: Review the schedule of City Council regular meeting dates for 2017 and consider canceling the November 28th meeting due to the Thanksgiving Holiday closure schedule.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [XIII.7 - Meeting Calendar](#)  
[Staff Report - Meeting Calendar](#)  
[Attachment 1 - Calendar 2017](#)

Date	Ver.	Action By	Action	Result
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### City Council 2017 Regular Meeting Dates

**Recommendation:** Review the schedule of City Council regular meeting dates for 2017 and consider canceling the November 28th meeting due to the Thanksgiving Holiday closure schedule.

## AGENDA ITEM REQUEST FORM

Department: Administrative Services

Department Director: Lori Martin

Phone: 799-8215

Meeting Date: July 11, 2017

Final Decision Date Deadline:

**SUBJECT:**

City Council Regular Meeting Calendar for 2017

### INDICATE APPROPRIATE BODY

☒ City Council

☐ Successor Agency to the Redevelopment Agency

☐ Public Finance Authority

☐ Finance Commission

☐ Planning Commission

☐ Community/Library Services Commission

☐ Oversight Board

☐ Other \_\_\_\_\_

### ITEM

☐ Presentation/Introduction

☐ Study Session

☐ Grant Application/Acceptance

☐ Public Hearing

☐ Resolution

☐ Video/PowerPoint

☐ Consent Calendar

☐ Ordinance

☒ Discussion Action

☐ Contract/Agreement

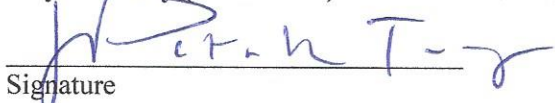
### RECOMMENDED ACTION:

Review the City Council Regular Meeting Calendar for 2017 and consider canceling the November 28th regular meeting.

☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

### REVIEWED AND APPROVED FOR AGENDA:

City Attorney (if Contract, Ordinance or Resolution)

 \_\_\_\_\_

Date

7-6-17

Finance Department for Fiscal Impact

 \_\_\_\_\_

Date

7/6/17

City Manager

 \_\_\_\_\_

Date

7/6/17

AGENDA ITEM NO:





## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of July 11, 2017

**TO:** Members of the City Council

**SUBMITTED BY:** Lori Martin, Administrative Services Director/City Clerk

**SUBJECT:** City Council Regular Meeting Dates for 2017

### **RECOMMENDED ACTION:**

Review the schedule of City Council Regular Meeting Dates in 2017.

### **COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:**

There was no commission or subcommittee review of this item.

### **FISCAL IMPACT OF RECOMMENDATION:**

There is no fiscal impact associated with this item.

### **DISCUSSION:**

The City Council traditionally goes dark for one or two meetings in August of each year to allow for vacations, and generally cancels the second meetings in the months of November and December if they fall on holiday weeks.

By consensus of the City Council at the regular meeting of January 10, 2017, City Council cancelled the regular meetings of August 22, 2017 and December 26, 2017 and left the regular meeting of November 28<sup>th</sup> set tentatively giving direction to staff to bring the meeting calendar back for review at the July 11, 2017 regular meeting.

Currently, the City Council will meet once in the month of August on its regular meeting date of August 8, 2017 and once in the month of December on its regular meeting date of December 12<sup>th</sup>. Up for review and consideration by City Council is whether to leave the regular meeting of November 28<sup>th</sup> on the calendar or cancelling this meeting due to the scheduled holiday closure dates in November. In addition up for review and consideration by City Council is whether to go dark both meetings in August or to meet only on the 1<sup>st</sup> Tuesday in August (August 8, 2017).

Attached is a 2017 Calendar showing all City Council and Commission meeting dates and dates when City Offices are closed due to holidays.

### **ATTACHMENTS:**

## 1. Calendar

# 2017

January						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January						
01-02: New Year's Day						
16: M L King Day						
February						
20: President's Day						
May						
29: Memorial Day						
July						
04: Independence Day						
September						
04: Labor Day						
November						
09-11: Veterans Day						
22-24: Thanksgiving						
December						
25-29: Christmas						
Regular City Meetings						
City Council						
Community & Library Commission						
Finance Commission						
Planning Commissions						
City Offices are open Monday-Thursday. The dates above are dates the offices are closed due to the City's holiday schedule. Meetings are not scheduled on days City Offices are closed.						
City Council Meetings of August 22 <sup>nd</sup> and December 26 <sup>th</sup> are cancelled.						



## Legislation Details (With Text)

**File #:** 17-285      **Version:** 1      **Name:**  
**Type:** Discussion/Action Item      **Status:** Agenda Ready  
**File created:** 7/5/2017      **In control:** City Council  
**On agenda:** 7/11/2017      **Final action:**  
**Title:** Consider Possible Reinstatement of City Council Health Benefits  
Recommendation: Receive report, discuss options, and if applicable, adopt a Resolution reinstating City Council Medical Insurance Benefits.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [XIII.4 - Council Benefits](#)  
[Staff Report - Reinstatement Healthcare Benefits](#)  
[Attachment 1 - Budget Referral #18-1](#)  
[Attachment 2 - April 25 2017 Staff Report](#)  
[Attachment 3 - Resolution](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

### Consider Possible Reinstatement of City Council Health Benefits

**Recommendation:** Receive report, discuss options, and if applicable, adopt a Resolution reinstating City Council Medical Insurance Benefits.

## AGENDA ITEM REQUEST FORM

Department: City Manager's Office

Department Director: David Biggs

Phone: 799-8216

Meeting Date: July 11, 2017

Final Decision Date Deadline: July 11, 2017

**SUBJECT:**

Possible Reinstatement of City Council Health Benefits

### INDICATE APPROPRIATE BODY

☒ City Council

☐ Successor Agency to the Redevelopment Agency

☐ Public Finance Authority

☐ Finance Commission

☐ Planning Commission

☐ Community/Library Services Commission

☐ Oversight Board

☐ Other \_\_\_\_\_

### ITEM

☐ Presentation/Introduction

☐ Study Session

☐ Grant Application/Acceptance

☐ Public Hearing

☐ Resolution

☐ Video/PowerPoint

☐ Consent Calendar

☐ Ordinance

☒ Discussion Action

☐ Contract/Agreement

### RECOMMENDED ACTION:

Receive a Report, Discuss Options, and if applicable, Adopt a Resolution Reinstating City Council Medical Insurance Benefits

☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

### REVIEWED AND APPROVED FOR AGENDA:

City Attorney (if Contract, Ordinance or Resolution)

Signature

Date

Finance Department for Fiscal Impact

Signature

Date

City Manager

Signature

Date

AGENDA ITEM NO:



## DISCUSSION/ACTION ITEM NO. XIII.4

### **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of July 11, 2017

**TO:** Members of the City Council

**SUBMITTED BY:** David Biggs, City Manager  
Lori Martin, Director of Administrative Services/City Clerk

**SUBJECT:** Possible Reinstatement of City Council Health Benefits

**RECOMMENDATION:** Receive a Report, Discuss Options, and if applicable, Adopt a Resolution Reinstating City Council Medical Insurance Benefits

**COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:** Not Applicable.

**FISCAL IMPACT OF RECOMMENDATION:** If the City Council were to reinstate some level of City paid health care benefits, there would be an on-going fiscal impact. On June 27, 2017, as part of the adoption of the fiscal year 2017/18 budget, the City Council included a placeholder amount of \$44,000 per year maximum. The final impact will depend on which, if any, of the options discussed the City Council chooses.

**DISCUSSION:** Budget Referral #18-1 Council Benefits was discussed at the June 27, 2017, City Council meeting at which the City Council adopted the FY 2017/18 Budget which included direction to bring this matter back for further discussion by the City Council. The matter had previously been discussed on April 25, 2017, with no conclusion pending the budget discussion. The staff report from April 25, 2017, is attached to provide additional background information.

The reinstatement of any level of paid healthcare benefit is a City Council policy matter subject to some limitations under State law and requirements of the California Public Employees Retirement System through which the City sources healthcare coverage for employees. There are also some procedural steps required by CalPERS should the Council elect to reinstate healthcare benefits.

Under state law, the healthcare benefits provided to Council cannot exceed the level provided to other miscellaneous employees in regard to how much can be paid, so that the maximum contribution would be Kaiser coverage up to the family level. The program for City Council Members could be more restrictive, for example it could provide single only as the maximum contribution. The same applies

to any opt out options. Set forth below is the opt out language from the Senior Management Pay Plan which is the same for other miscellaneous groups:

1.1 If an Executive Level employee elects no health coverage, and can demonstrate to the City, on an annual basis or any other time upon request, that the Executive Level employee has alternative health care coverage, the Executive Level employee shall be entitled to any one of the following options:

1. The City will pay 50% of the eligible contribution into the Executive Level employee's 457 Plan account; or
2. The City will pay to the Executive Level employee directly 25% of the eligible contribution in cash; or
3. At the Executive Level employee's option, the City will pay a portion of the eligible contribution to increase the Executive Level employee's supplemental life insurance coverage and the Executive Level employee will receive the remainder of the eligible contribution under either option one or two above.

Though based on an Attorney General's Opinion, the only option available to Council Members would be the deposit of the opt out amount into a Deferred Compensation Account or 457 Plan with 50% being the maximum opt out amount. The Council could select a lower percentage.

From a CalPERS perspective, there are also some limitations and/or requirements. There is a minimum City paid contribution towards healthcare of \$128 per month for 2017 that is increasing to \$133 per month next year. As such, the City cannot just provide access to healthcare on a fully Council Member funded basis. Also, this contribution level continues into "retirement" if a Council Member retires from CalPERS within 120 days of separating (i.e., leaving office) and they are eligible to retire (over age 50 and 5 years of service).

Council Members are no longer participating in the CalPERS retirement program, with the exception of one member who was grandfathered in before this was changed. As such, there is very little exposure to cost from the retirement perspective on a forward going basis.

There are no CalPERS restrictions on Council Members having different healthcare benefits than other employee groups. Actually, each employee group has their own CalPERS Health resolution, so there can be some differentiation if desired. Once the City Council decides what they wish to do and if they adopt a City resolution reinstating paid healthcare benefits, the City Council will have to subsequently adopt two CalPERS resolutions – one for PERS participating Council Members and one for non-participating. The resolutions will allow for the benefits to begin on the first of the month following the month they are submitted as long as it is by the 10<sup>th</sup> of that month. If the City Council approves a resolution approving reinstatement of healthcare benefits as part of this item, the two CalPERS resolutions could be considered on August 8th, which would allow them to be submitted to CalPERS by the 10th, and as such, the earliest date the benefits would be effective is September 1st.

#### **ATTACHMENTS:**

1. Budget Referral #18-1
2. Staff Report from April 25, 2017
3. Resolution

**Budget Referral # 18-1:** Council Benefits – In 2011, the City Council modified their salaries and benefits including rescinding City paid health insurance. On April 25, 2017, the City Council reviewed a report on what would be the cost of reinstating some level of health insurance for Council Members and requested that be reviewed as part of the budget.

**Response:** The cost to reinstate paid health care for City Council members would range from \$44,003.40 to \$114,408.60 per year depending upon the level of benefit and if the opt out option were to be 100% as with the prior level of benefit and based on current Kaiser rates. A lower opt out level or limiting the benefit to single or two party coverage would also reduce the cost to reinstate.



## AGENDA ITEM REQUEST FORM

Department: City Manager's Office

Department Director: David Biggs

Phone: 799-8216

Meeting Date: April 25, 2017

Final Decision Date Deadline: April 25, 2017

**SUBJECT:**  
City Council Benefits

### INDICATE APPROPRIATE BODY

☒ City  
Council

☐ Successor Agency to the  
Redevelopment Agency

☐ Public Finance  
Authority

☐ Finance  
Commission

☐ Planning  
Commission

☐ Community/Library  
Services Commission

☐ Oversight Board

☐ Other \_\_\_\_\_

### ITEM

☐ Presentation/Introduction

☐ Study Session

☐ Grant Application/Acceptance

☐ Public Hearing

☐ Resolution

☐ Video/PowerPoint

☐ Consent Calendar

☐ Ordinance

☒ Discussion Action

☐ Contract/Agreement

### RECOMMENDED ACTION:

Receive Report, Discuss, and Provide Direction, if any

☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

### REVIEWED AND APPROVED FOR AGENDA:

City Attorney (if Contract, Ordinance or Resolution)

Signature

Date

4-20-17

Finance Department for Fiscal Impact

Signature

Date

4/20/17

City Manager

Signature

Date

4/20/17

**AGENDA ITEM NO:**

XIII.6



## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of April 25, 2017

**TO:** Members of the City Council

**SUBMITTED BY:** David Biggs, City Manager

**SUBJECT:** City Council Benefits

**RECOMMENDED ACTION:** Receive Report, Discuss, and Provide Direction, if any

**COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:** Not Applicable

**FISCAL IMPACT OF RECOMMENDATION:** Reinstatement of Council benefits would have a fiscal impact and would require the appropriation of additional funds as discussed in the report provided.

**DISCUSSION:** On March 14, 2017, the City Council requested an opportunity to discuss the possible reinstatement of benefits for City Council Members. This item is presented to provide that opportunity.

In 2011, the City Council modified their salaries and benefits in response to a countywide Grand Jury review and the City's financial condition. The last action taken on July 26, 2011, rescinded City paid health insurance benefits for the City Council. Attached is a package of background information on the changes made in 2011 which culminated with the final action as discussed above.

Prior to the elimination of the health insurance benefits, City Council Members were eligible for the same health insurance benefits as employees. At that time, and currently, employees are eligible to select from a range of CalPERS offered health insurance programs with the City paying the cost of coverage required up to the family level at the Kaiser rate which is the lowest cost plan. In addition, those employees who opt out of health insurance are eligible for 50% of the amount the City would otherwise pay in the form of a deferred compensation contribution or as additional pay. It appears as if the prior resolution for City Council health insurance coverage provided a 100% redirect.

The 2017 premiums for Kaiser Coverage are as follow and the annual cost if all Council Members elected coverage at each level is illustrated:

Coverage Level	Monthly Rate	Annual Cost	Annual Council Coverage Cost
Employee Only	\$733.39	\$8,800.68	\$44,003.40
Employee + 1	\$1,466.78	\$17,601.36	\$88,006.89
Employee + family	\$1,906.81	\$22,881.72	\$114,408.60

Health care rates are expected to increase for calendar year 2018, though no indication of the level of increase is available yet from CalPERS. The total cost to reinstate a level of health insurance benefits for the City Council would depend upon the coverage level eligibility and the level elected by each City Council Member.

It should also be noted that the City Council salary which is currently \$831.60 a month has not been increased since 2009 with that amount having gone into effect in 2010. State law permits the Council salary to be adjusted by 5% a year though only effective when new terms start for Council Members. The maximum annual salary for City Council members as of December 2016 would now be \$1,170.14 if it had been increased as permitted by law, or just over \$20,000 more per year in annual cost than the current level.

#### **ATTACHMENTS:**

##### **1. Council Benefits Background**

<i><b>Financial Impact</b></i>			
<b>Description:</b>			
<b>Funding Source:</b>			
<b>Budget Recap:</b>			
Total Estimated cost:	\$	New Revenue:	\$
Amount Budgeted:	\$	Lost Revenue:	\$
New funding required:	\$	New Personnel:	\$
Council Policy Change: Yes <input type="checkbox"/> No <input type="checkbox"/>			

**City of Hercules  
Agenda Item Transmittal**

**Meeting Date:** July 26, 2011

**Agenda Item Number:** XIV.3

**Agenda Item Wording:**

Adopt a Resolution Rescinding All Health And Welfare Benefits For Members Of The City Council

**Submitting Department:** Interim City Manager

**Contact Name:** Elizabeth D. Warmerdam

For action by:

☒ City Council

☐ RDA Board

☐ PFA Commission

Placement on agenda:

☐ Intro./Presentation

☐ Consent Calendar

☐ Public Hearing

☐ Communications

☒ Council Rpts./Reso

☐ C.M. Rpts./Reso.

☐ Intergov. Issues

**Department Recommendation:** Staff recommends that Council direct staff to take one or more of the following actions:

1. Adopt a Resolution Rescinding All Health And Welfare Benefits For Members Of The City Council

**Discussion:**

On May 24, 2011 the Council conducted a brief discussion regarding compensation in response to the Contra Costa County Grand Jury Report No. 1104 – Elected Board Membership and directed the Citizens' Ad Hoc Finance Subcommittee to look into the matter.

During the budget process, Council reviewed its compensation and benefits agreeing to take a reduction in salary, eliminate pay for additional meetings and eliminate the PERS retirement benefit.

On July 12, 2011, at the Council's request, the item was presented to review additional items and to potentially make additional cuts. The attached resolution is the result of this discussion.

**Prior Council/Board Actions:** None

**Commission Review and Actions/Recommendation:** None

**Attachments:**

1. [Resolution](#)

***Financial Impact***

**Description:** Any reductions to Council compensation will be a savings to the City. For the Fiscal Year 2011/12 Council salary and benefits is budgeted at \$96,972 for all five members.

**Funding Source:**

Account Number:

**Budget Recap:**

Total Estimated cost: \$	New Revenue: \$
Amount Budgeted: \$96,972	Lost Revenue: \$
New funding required: \$	New Personnel: \$
Council Policy Change:	Yes _____ No <u>XX</u>

## **RESOLUTION 11-094**

### **RESCINDING ALL HEALTH AND WELFARE BENEFITS FOR MEMBERS OF THE CITY COUNCIL**

**WHEREAS**, members of the City Council of the City of Hercules are entitled by law and prior City Council action to receive certain health and welfare benefits and benefits through the State of California Public Employees Retirement System ("CALPERS"); and

**WHEREAS**, existing City Council health and welfare benefits have been authorized in a series of resolutions, policies and practices, the most recent of which is Resolution 07-179; and

**WHEREAS**, in adopting Resolution 07-179 the City Council rescinded its Resolution 98-193 and all prior resolutions, policies and practices pertaining to City Council health and welfare benefits and, with the exception of CALPERS benefits, memorialized the benefits available to members of the City Council in that resolution; and

**WHEREAS**, the City Council finds and determines that members of the City Council should not receive health and welfare benefits or CALPERS benefits and that rescinding all such benefits is in the best interests of the City and its residents; and

**WHEREAS**, the City Council finds and determines that elimination of all health and welfare benefits and CALPERS benefits to members of the City Council while paying monetary compensation to members of the City Council pursuant to Hercules Ordinance 452 as it may be amended from time-to-time is fair and equitable.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hercules as follows:

1. The foregoing recitals are true and correct statements of fact and are incorporated into this Resolution by this reference.
2. Hercules Resolution 07-179 is hereby rescinded and of no further force or effect. The City Council intends that its rescission of Resolution 07-179 will not revive Resolution 98-193 or any resolutions, policies or practices pertaining to City Council health and welfare benefits adopted or implemented before the adoption of Resolution 07-179. Therefore, the City Council hereby confirms that Resolution 98-193 and all resolutions, policies and practices pertaining to City Council health and welfare benefits adopted or implemented before the adoption of Resolution 07-179 shall remain rescinded and of no force or effect.
3. The interim City Manager is directed to take all actions and is authorized to sign all documents necessary to terminate the right of members of the City Council to receive retirement and other benefits from CALPERS.

4. The monetary compensation payable to members of the City Council pursuant to Hercules Ordinance 452, as amended from time-to-time, shall remain unaffected by this Resolution.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 26<sup>th</sup> day of July, 2011 by the following vote of the Council:

AYES: Boulanger, Delgado, Romero, Wilkins, de Vera

NOES: None

ABSENT: None

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Myrna de Vera, Mayor

ATTEST:

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Doreen Mathews, City Clerk

**City of Hercules  
Agenda Item Transmittal**

**Meeting Date:** July 12, 2011

**Agenda Item Number:** XIV.2

**Agenda Item Wording:**

Receive Report and Conduct Discussion Regarding Council  
Compensation and Benefits And Provide Direction to Staff

**Submitting Department:** Acting City Manager

**Contact Name:** Elizabeth D. Warmerdam

**For action by:**

☒ City Council  
☐ RDA Board  
☐ PFA Commission

**Placement on agenda:**

☐ Intro./Presentation  
☐ Consent Calendar  
☐ Public Hearing  
☐ Communications  
☒ Council Rpts./Reso  
☐ C.M. Rpts./Reso.  
☐ Intergov. Issues

**Department Recommendation:** Staff recommends that Council direct staff to take one or more of the following actions:

1. Receive a report and conduct discussion regarding the City Council compensation and benefits and provide direction to Staff.

**Discussion:**

As Council will recall, on May 24, 2011 staff brought forward a staff report regarding the Contra Costa County Grand Jury Report No. 1104 – Elected Board Membership. At that time, Council conducted a brief discussion regarding compensation and directed the Citizens' Ad Hoc Finance Subcommittee to look into the matter. Staff presented the same material to the committee but included a survey of other cities in the West County to compare Hercules Council compensation with that of other Council members in the area. That document is attached for your information.

Additionally, during the budget process, Council reviewed its compensation and agreed to take a 20% reduction in salary, eliminate pay for additional meetings and eliminate the PERS retirement benefit. These reductions in salary and benefits have been incorporated into the Fiscal Year 11/12 budget. However, it is staff's understanding that Council would like to review additional items and potentially make additional cuts. Therefore, the original packet is provided for your reference, an outline of Council compensation prior to the FY 11/12 Budget adoptions, and the compensation comparison survey done for the May 26<sup>th</sup>, 2011 Committee meeting.

**Prior Council/Board Actions:**

**Commission Review and Actions/Recommendation:**



**Attachments:**

1. Staff Report and Packet for Council Compensation Discussion Item, [May 24, 2011](#)
2. Council [Benefit Package](#) (prior to new Fiscal Year)
3. [Comparison](#) of Other City Councils' Compensation in West County

***Financial Impact***

**Description:** Any reductions to Council compensation will be a savings to the City. For the Fiscal Year 2011/12 Council salary and benefits is budgeted at \$96,972 for all five members.

**Funding Source:**

Account Number:

**Budget Recap:**

Total Estimated cost: \$	New Revenue: \$
Amount Budgeted: \$96,972	Lost Revenue: \$
New funding required: \$	New Personnel: \$
Council Policy Change:	Yes ____ No <u>XX</u>

**City of Hercules**  
**Agenda Item Transmittal**

**Meeting Date:** May 24, 2011

**Agenda Item Number (Assigned by City Clerk):**

**Agenda Item Wording:**

Conduct Discussion of Contra Costa County Grand Jury Report No. 1104 – Elected Board Membership

**Submitting Department:**

**Contact Name:**

**Department Recommendation:** Staff recommends that the legislative body take the following actions:

Conduct Discussion of Contra Costa County Grand Jury Report No. 1104 – Elected Board Membership

**Alternatives:**

Do not conduct discussion and provide direction to staff.

**Discussion:**

Purpose is to discuss finding of Grand Jury report 1104 regarding compensation to City Council Members.

**Attachments:**

1. Grand Jury Report
2. 2010-11 Council Compensation
3. Resolution 98-093 - First Resolution Identified That Is Specific To Council Member Benefits.
4. Resolution 07-179 – The Last Adopted Resolution Amending Benefits For Council Members
5. Ordinance 128 – Establishing Compensation For Council Members
6. Ordinance 452 – Last Ordinance Increasing Compensation
7. Staff Report Dated 7.14.09 Relative To Ordinance 452

**For action by:**

- ☒ City Council  
☐ RDA Board  
☐ PFA Commission

**Placement on agenda:**

- ☐ Intro./Presentation  
☐ Consent Calendar  
☐ Public Hearing  
☐ Unfinished Business  
☒ Council Rpts./Reso  
☐ C.M. Rpts./Reso.  
☐ Intergov. Issues

## Grand Jury

## Contra Costa County

725 Court Street  
P.O. Box 911  
Martinez, CA 94553-0091



April 26, 2011

City Manager  
City of Hercules  
111 Civic Drive  
Hercules, CA 94547

Dear City Manager:

Attached is a copy of Grand Jury Report No. 1104, "Elected Board Membership" by the 2010-2011 Contra Costa Grand Jury.

In accordance with California Penal Code Section 933.05, this report is being provided to you at least two working days before it is released publicly.

Section 933.5(a) of the California Government Code requires that (the responding person or entity shall report one of the following actions) in respect to each finding:

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees with the finding.
- (3) The respondent partially disagrees with the finding.

In the cases of both (2) and (3) above, the respondent shall specify the portion of the finding that is disputed, and shall include an explanation of the reasons therefor.

In addition, Section 933.05(b) requires that the respondent reply to each recommendation by stating one of the following actions:

1. The recommendation has been implemented, with a summary describing the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis. This response should explain the scope and parameters of the analysis or study, and a time frame for the matter to be prepared for discussion. This time frame shall not exceed six months from the date of the publication of the Grand Jury Report.

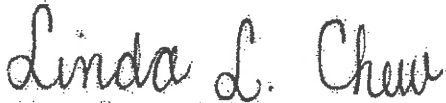
City of Hercules  
April 26, 2011  
Page 2

4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation thereof.

Please be reminded that Section 933.05 specifies that no officer, agency, department or governing body of a public agency shall disclose any contents of the report prior to its public release. Please insure that your response to the above noted Grand Jury report includes the mandated items. We will expect your response, using the form described by the quoted Government Code, no later than July 25, 2011.

It would be greatly appreciated if you could send this response in hard copy to the Grand Jury as well as by e-mail to [jcuev@contracosta.courts.ca.gov](mailto:jcuev@contracosta.courts.ca.gov) (Word document).

Sincerely,



LINDA L. CHEW, Foreperson  
2010-2011 Contra Costa County Civil Grand Jury

A REPORT BY  
THE 2010-2011 CONTRA COSTA COUNTY GRAND JURY


725 Court Street  
Martinez, California 94553

REPORT 1104

**Elected Board Membership**


APPROVED BY THE GRAND JURY:

Date: APRIL 6, 2011

  
LINDA L. CHEW  
GRAND JURY FOREPERSON

ACCEPTED FOR FILING:

Date: 4-21-11

  
JOHN LAETTNER  
JUDGE OF THE SUPERIOR COURT

Contact: Linda Chew  
Foreperson  
(925) 957-5638

## **Contra Costa County Grand Jury Report #1104**

### **ELECTED BOARD MEMBERSHIP Public Service or Public Employment?**

**TO: Cities and Towns in Contra Costa County (see distribution list)  
Independent Special Districts (see distribution list)**

#### **SUMMARY**

Given the difficult economic challenges facing local government, the Contra Costa County Grand Jury conducted a survey about compensation for elected Special District Boards (Board) and City Councils (Council). The Grand Jury looked at the use of funds and if the total amounts spent by these agencies for elected officials' compensation seemed reasonable.

The study revealed significant compensation disparities among elected Boards and Councils within Contra Costa County (County).

For example, while Martinez and Oakley both have similar populations of about 35,000 residents, the Martinez City Council total compensation is \$131,326; while Oakley's is only \$28,544.

San Ramon with 60,000 residents pays \$163,190 to its entire Council while Pittsburg, with slightly more residents, pays its Council \$40,035.

Richmond and Antioch, both with around 100,000 residents, pay their entire Councils \$267,139 and \$112,591 respectively.

The Grand Jury recognizes those agencies that pay nothing or minimum compensation and thus demonstrate the spirit of public service.

At the same time, there are a large number of Boards and Councils that are being compensated amounts which may be viewed as exorbitant. Board and Council members are elected to serve their constituents. They set policy, oversee programs and services administered by professional employees and are accountable to the public for their actions.

The Grand Jury believes the public should be aware of the compensation paid to their elected officials, what benefits are provided and whether the compensation structure indicates that the spirit of public service has changed to an entitlement of public employment.

### Total Council Compensation Expense

Cities	Population	Cost	Salary and/or Meeting Fees	Health Care Insurance Costs	Pension & Deferred Comp	Other Costs
City of Lafayette	24,500	\$631	\$0	\$0	\$0	\$631
Town of Moraga	16,800	\$2,673	\$0	\$0	\$0	\$2,673
City of Orinda	17,600	\$2,801	\$0	\$0	\$0	\$2,801
City of Oakley	34,000	\$28,544	\$27,924	\$0	\$0	\$620
City of Clayton	10,784	\$29,590	\$23,400	\$0	\$4,640	\$1,550
City of El Cerrito	23,596	\$37,613	\$26,710	\$0	\$3,574	\$7,329
City of Pittsburg	63,004	\$40,035	\$33,240	\$5,220	\$0	\$1,575
Town of Danville	42,601	\$54,998	\$40,064	\$11,764	\$1,502	\$1,668
City of Pinole	19,193	\$59,965	\$17,862	\$41,396	\$0	\$707
City of Walnut Creek	66,000	\$61,798	\$35,100	\$0	\$16,086	\$10,612
City of Pleasant Hill	33,377	\$72,206	\$37,950	\$27,541	\$4,569	\$2,146
City of Brentwood	50,614	\$91,998	\$34,155	\$42,425	\$2,186	\$13,232
City of Hercules	23,000	\$93,691	\$51,960	\$34,141	\$5,059	\$2,531
City of San Pablo	30,950	\$100,961	\$45,210	\$37,906	\$6,555	\$11,290
City of Antioch	100,150	\$112,591	\$53,746	\$1,922	\$5,576	\$51,346
City of Concord	124,780	\$128,262	\$74,580	\$42,303	\$10,720	\$659
City of Martinez	36,179	\$131,326	\$46,200	\$71,416	\$9,697	\$4,012
City of San Ramon	59,002	\$163,190	\$47,935	\$59,768	\$12,457	\$43,030
City of Richmond	102,186	\$267,139	\$152,130	\$53,700	\$0	\$61,309
<b>Total of 19 Cities</b>		<b>\$1,480,012</b>	<b>\$748,166</b>	<b>\$429,502</b>	<b>\$82,622</b>	<b>\$219,721</b>
<b>Average of 19 Cities</b>		<b>\$77,895</b>	<b>\$39,377</b>	<b>\$22,605</b>	<b>\$4,349</b>	<b>\$11,564</b>

Note: Richmond has seven Council members; all other cities have five Council members

### Special Districts

- The average annual amount spent for each Board was \$34,784.
- Nine special districts paid their elected leaders from zero to less than \$100 in total. They are: Crockett Community Services District, Diablo Community Services District, Kensington Police Protection & Community Services District, Town of Knightsen Community Services District, Kensington Fire Protection District, Rodeo-Hercules Fire Protection District, Bethel Island Municipal Improvement District, Green Valley Recreation and Park District, and Moraga-Orinda Fire District.
- Eight special districts compensate their elected officials more than the average for all surveyed. These districts spent an average of \$99,089. Of that amount 87.7% was paid for salary and/or meeting fees and health care insurance costs. See the table below.
- Eight out of the nine most generous special districts are water or wastewater providers that pass on their costs to rate payers.
- Three special districts contribute to pension or other form of retirement benefits for one or more elected officials.

Professional full-time managers are hired to run each agency. Historically, elected officials have looked upon their work as public service for the betterment of the community. Agencies have provided their elected leaders with benefits. These include health care insurance, employer paid retirement benefits, life insurance premiums, payments for cell phone/internet access, and mileage reimbursement or car allowance.

The total dollar amounts are small in relation to agency overall budgets. However, services to the public are being reduced in most agencies which usually means staff reductions. Although service reductions have been implemented, governing boards have continued to enjoy the same level of benefits. They should demonstrate their leadership by eliminating or reducing benefits.

## **FINDINGS AND RECOMMENDATIONS**

**Each agency named needs to respond only for its own practices.**

**Finding # 1:** Sixteen cities and eighteen special districts provide benefits to their elected leaders in some fashion. These benefits may include salary, meeting fees, health care insurance costs, pension or deferred compensation, life insurance premiums, cell phone usage, and internet connections.

**Recommendation # 1:** All cities and special districts should conduct an annual public review of compensation provided to their respective elected Councils and Boards. This review should include such items as salary, meeting fees, health care insurance costs, pension/deferred compensation, life insurance premiums, cell phone usage, and internet connections. The public review should address whether or not changes in compensation are warranted.

**Finding # 2:** Eight cities spend more than the county-wide average (\$39,377) for salary and meeting fees. They are: Antioch, Concord, Danville, Hercules, Martinez, Richmond, San Pablo and San Ramon.

**Recommendation # 2:** These cities, as part of the annual review in Recommendation 1, should consider whether it would be appropriate to implement reductions of salary and meeting fee expenditures to bring them in line with other cities.

**Finding # 3:** Eight special districts spend more than the county-wide average (\$13,313) for salary and meeting fees. They are: Central Contra Costa Sanitary District, Contra Costa Water District, Discovery Bay Community Services District, Ironhouse Sanitary District, Los Medanos Community Healthcare District, Mt. View Sanitary District, Stege Sanitary District and West County Wastewater District.

**Recommendation # 3:** These special districts, as part of the annual review in Recommendation 1, should consider whether it would be appropriate to implement a



San Pablo	1, 2, 4 and 5
San Ramon	1, 2, 4 and 5
Walnut Creek	1 and 5

Independent Special Districts:

Ambrose Recreation and Park District	1
Byron-Bethany Irrigation District	1 and 4
Byron Sanitary District	1
Central Contra Costa Sanitary District	1, 3, 4 and 5
Contra Costa Water District	1, 3 and 4
Diablo Water District	1
Discovery Bay Community Services District	1 and 3
East Contra Costa Irrigation District	1 and 4
Ironhouse Sanitary District	1, 3, 4 and 5
Los Medanos Community Healthcare District	1 and 3
Mt. Diablo Healthcare District	1 and 4
Mt. View Sanitary District	1, 3 and 4
Pleasant Hill Recreation and Park District	1
Rodeo Sanitary District	1
San Ramon Valley Fire Protection District	1
Steger Sanitary District	1 and 3
West Contra Costa County Healthcare District	1 and 4
West County Wastewater District	1, 3, 4 and 5

**Distribution List:**

Cities and Towns

Antioch, Brentwood, Clayton, Concord, Danville, El Cerrito, Hercules, Lafayette, Martinez, Moraga, Oakley, Orinda, Pinole, Pittsburg, Pleasant Hill, Richmond, San Pablo, San Ramon and Walnut Creek.

Independent Special Districts:

Crockett Community Services District, Diablo Community Services District, Discovery Bay Community Services District, Kensington Police Protection and Community Services District, Knightsen Community Services District, Kensington Fire Protection District, Moraga-Orinda Fire District, Rodeo-Hercules Fire Protection District, San Ramon Valley Fire Protection District, Los Medanos Community Healthcare District, Mt. Diablo Healthcare District, West Contra Costa County Healthcare District, Byron-Bethany Irrigation District, East Contra Costa Irrigation District, Bethel Island Municipal Improvement District, Ambrose Recreation and Park District, Green Valley Recreation and Park District, Pleasant Hill Recreation and Park District, Byron Sanitary District, Central Contra Costa Sanitary District, Ironhouse Sanitary District, Mt. View Sanitary District, Rodeo Sanitary District, Steger Sanitary District, West County Wastewater District, Contra Costa Water District and Diablo Water District.

**CORRECTED AGENDA ITEM XIII.2 GRAND JURY - Atch 2**

<b>FY2012 COUNCIL PAYROLL PROJECTIONS BREAKDOWN</b>	
<b>DESCRIPTION</b>	
<b>RDA MEETINGS</b>	4,331.73
<b>CITY COUNCIL PAY</b>	50,193.00
<b>MEDICAL REIMBURSEMENT</b>	25,038.01
<b>AD&amp;D COUNCIL</b>	84.00
<b>LIFE INSURANCE-COUNCIL</b>	312.00
<b>DENTAL INSURANCE</b>	7,853.04
<b>HEALTH INSURANCE</b>	19,599.84
<b>MEDICARE</b>	790.46
<b>SOCIAL SECURITY</b>	667.16
<b>PERS EE REGULAR 7.0 %</b>	3,139.25
<b>PERS ER REGULAR 11.614%</b>	5,208.53
<b>SURVIVOR BENEFIT-COUNCIL</b>	96.56
<b>VISION INSURANCE</b>	955.92
<b>TOTAL EXPENSE</b>	<b>118,269.50</b>

RESOLUTION 98- 93

AMENDING THE BENEFIT PACKAGE FOR CITY COUNCIL MEMBERS TO INCLUDE DENTAL AND VISION.

WHEREAS, the City Council currently receive benefits that include City paid PERS retirement and life insurance in the amount of \$40,000; and

WHEREAS, the City Council recently approved enhanced benefits for both the HPOA (police) and general employees that included vision and a orthodontic plan; and

WHEREAS, it has been determined that this benefit package should also be recommended to the City Council members at their option; and

WHEREAS, the following is a list of those recommendations:

Vision Plan: City Council members will be offered a vision plan that will allow them and their dependents a vision benefit as follows: eye exam and lenses every twelve (12) months, and frames every twenty-four (24) months. Effective January 1, 1999 the fiscal impact is \$650. Annually, the fiscal impact is \$1,300.

Dental and Orthodontic Plan: City Council members will be offered dental including orthodontic benefits as follows: 50% of the cost of the procedure up to a maximum of \$2,500 will be paid for by the insurance company for all employees and their eligible dependents. Effective January 1, 1999 the fiscal impact is \$3,200. Annually, the fiscal impact is \$6,400.

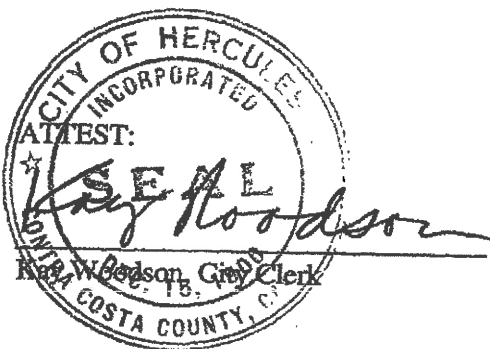
NOW, THEREFORE, BE IT RESOLVED that the Hercules City Council does hereby approve the amendment of the benefit package for City Council members to include dental and vision.

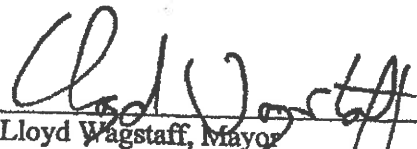
The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 8th day of December, 1998 by the following vote of the Council:

AYES: Blackmon, Paras, Segerberg, Watson

NOES: None

ABSENT: Wagstaff



  
Lloyd Wagstaff, Mayor

**RESOLUTION 07-179**

**CORRECTING AND AUGMENTING THE BENEFIT PACKAGE FOR MEMBERS OF THE CITY COUNCIL**

**WHEREAS**, members of the City Council of the City of Hercules are entitled by law to receive certain health and welfare benefits; and

**WHEREAS**, existing City Council health and welfare benefits are authorized in a series of resolutions, policies and practices; and

**WHEREAS**, it is necessary and desirable to rescind all prior resolutions, policies and practices pertaining to City Council health and welfare benefits and memorialize them in a single resolution; and

**WHEREAS**, current City Council health and welfare benefits include participation in the City's dental/orthodontic plan, participation in the City's vision plan, life insurance in the face amount of \$40,000 and accidental death and dismemberment insurance in the amount of \$40,000; and

**WHEREAS**, the City Council has determined that it is in the best interests of the City to augment the City Council's health and welfare benefit package to include medical coverage or reimbursement and other health and welfare benefits generally available to City employees as hereinafter provided.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. Hercules Resolution 98-93 and all prior resolutions, policies and practices pertaining to City Council health and welfare benefits are hereby rescinded and of no further force or effect.

2. The City Council hereby approves the following health and welfare benefits for members of the City Council who elect accept such benefits. For purposes of this Resolution, "health and welfare" benefits shall mean and refer to

- a. participation in the City's dental/orthodontic plan,
- b. participation in the City's vision plan,
- c. life insurance in the face amount of \$40,000, as such benefit limit may be modified from time to time,
- d. accidental death and dismemberment insurance in the amount of \$40,000 as such benefit limit may be modified from time to time,
- e. medical insurance/medical coverage as hereinafter provided; and
- f. all other benefits generally available to City Employees to the extent the same benefits are available to members of the City Council under the same benefit plans or programs City employees participate in.

3. The City Council hereby authorizes its members to participate in any City-sponsored medical insurance or other medical coverage plan. Any member of the City Council may elect, at his or her discretion, to decline to participate in any City-sponsored medical insurance or other medical coverage plan and, instead, to obtain or retain their own medical insurance or medical coverage and receive direct payment to the insurer or coverage provider by, or reimbursement from, the City for such medical insurance or medical coverage. Direct payment to the insurer or coverage provider shall be pursuant to contracts or invoices issued by the insurer or coverage provider. Reimbursement shall be pursuant to paid receipts or such other evidence of payment that the City's Finance Director requires. The City Council approves the medical insurance or other medical coverage that any member of the City Council elects to retain in lieu of participating in any City-sponsored medical insurance or other medical coverage plan. All medical insurance and medical coverage allowed under this paragraph shall be made available to the Council Member and his or her spouse and qualified dependent children.

4. The City Council authorizes the payment of all City Council health and welfare benefits from funds under the City's jurisdiction.

5. In no case shall health and welfare benefits made available to members of the City Council be greater than the most generous schedule of benefits received by any category of non-safety employees of the City, nor shall any member of the City Council be eligible to accrue multiple health and welfare benefits greater than the most generous schedule of benefits being received by an category of non-safety employee from two or more public agencies for concurrent service except in the case of a member of the City Council who serves as a regular full-time employee in a separate public entity.

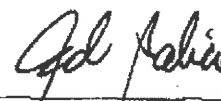
6. The right of members of the City Council to retirement benefits under CALPERS shall not be affected by this Resolution.

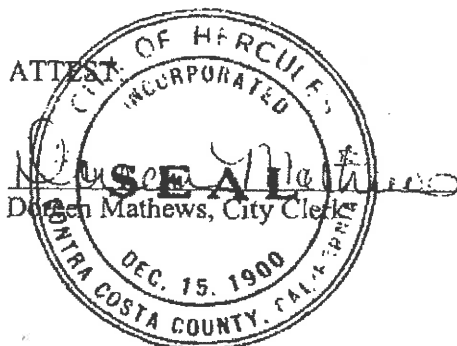
The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 27<sup>th</sup> day of November, 2007 by the following vote of the Council:

AYES: McDonald, Raines, Valstad, Ward, Balico

NOES: None

ABSENT: None

  
\_\_\_\_\_  
Ed Balico, Mayor



ORDINANCE NO. 128

ADDING SECTION 2-1.03 TO THE HERCULES MUNICIPAL CODE ESTABLISH-  
ING SALARIES FOR MEMBERS OF THE CITY COUNCIL.

THE CITY COUNCIL OF THE CITY OF HERCULES DOES ORDAIN AS FOLLOWS:

Section 1. Addition to Section 2-1.03.

Section 2-1.03 is hereby added to the Hercules  
Municipal Code to read as follows:

Sec. 2-1.03 SALARY OF COUNCIL MEMBERS.

Each member of the City Council shall  
receive a monthly salary of \$150.00  
commencing July 1, 1977. Such salary  
shall be paid on the 1st day of each month  
for the preceding month.

Section 2. Effective Date.

This ordinance shall take effect 30 days after  
passage, and shall, within 15 days after passage, be posted  
in accordance with Section 36933 of the Government Code of  
the State of California with the names of the members of the  
City Council voting for and against it.

Introduced at an adjourned regular meeting of the City Council  
of the City of Hercules held on the 15th day of March, 1977  
and finally passed and adopted at a regular meeting of the  
City Council of the City of Hercules held on the 10th day  
of May, 1977, by the following vote:

Ayes: Ardisson, Collins, Wachowicz, Zieper, Fawcett  
Noes: None  
Absent: None

  
\_\_\_\_\_  
E. M. Fawcett, Mayor  
City of Hercules

ATTEST:

  
\_\_\_\_\_  
Maryellen Mc Cormick, City Clerk  
City of Hercules

ORDINANCE NO. 452

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERCULES AMENDING  
SECTION 2-1.03, CHAPTER 1 OF TITLE 2 OF THE HERCULES MUNICIPAL CODE  
REGARDING THE SALARY OF CITY COUNCIL MEMBERS**

**WHEREAS**, the population of Hercules is fewer than 35,000 residents; and

**WHEREAS**, the City Council's monthly salary is \$792.00 per month, which was established by Ordinance 437 adopted June 10, 2008; and

**WHEREAS**, Government Code Section 36516(c) allows an annual increase in Council Member salary by an amount not to exceed five percent (5%).

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERCULES DOES  
HEREBY ORDAIN AS FOLLOWS:**

**SECTION I. AMENDMENT OF SECTION 2-1.03**

Title 2, Chapter 1, Section 2-1.03 of the Hercules Municipal Code is hereby amended to read as follows:

**"Section 2-1.03 Salary of Council Members and Compensation of Redevelopment  
Agency Directors**

(a) *Each member of the City Council shall receive a monthly salary of Eight Hundred Thirty One and 60/100 dollars (\$831.60).* In addition to such compensation, members of the City Council shall receive their actual and necessary expenses incurred in the discharge of their official duties. Such salary and expense reimbursement shall be paid with the first payroll distribution of each month and shall include salary and expense reimbursement payable for the immediately preceding month.

(b) Each member of the Redevelopment Agency of the City of Hercules shall receive compensation equal to thirty dollars (\$30.00) for each meeting of the Redevelopment Agency attended by the member. No member shall receive compensation for attending more than four meetings of the Redevelopment Agency during any calendar month. In addition to such compensation, members of the Redevelopment Agency shall receive their actual and necessary expenses incurred in the discharge of their official duties. Such compensation and expense reimbursement shall be paid with the first payroll distribution of each month and shall include compensation and expense reimbursement payable for the immediately preceding month.

**SECTION II. EFFECTIVE DATE**

(a) This ordinance shall take effect thirty (30) days after passage, and shall, within fifteen (15) days after passage, be published or posted in accordance with Section 36933

of the Government Code of the State of California with the names of those City Council Members voting for and against it.

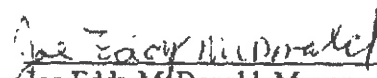
(b) Pursuant to California Government Code Section 36516.5, the increase in City Council salary established by this Ordinance shall take effect when one or more members of the City Council begins a new term of office after the next general municipal election. Until such time, each member of the City Council shall continue to receive a monthly salary of Seven Hundred Ninety Two Dollars (\$792.00).

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Hercules held on the 23<sup>rd</sup> day of June 2009 and adopted at a regular meeting of the City Council held on the 14th day of July, 2009, by the following vote of the Council:

AYES: Balico, Valstad, Ward, McDonald

NOES: Kuehne

ABSENT: None

  
\_\_\_\_\_  
Joe Eddy McDonald, Mayor





**City of Hercules  
Agenda Item Transmittal**

**Meeting Date:** July 14, 2009

**Agenda Item Number:** X.1

**Agenda Item Wording:**

Have/Waive The Second Reading Of An Ordinance Amending Section 2-1.03(a) Of The Hercules Municipal Code Regarding The Salary Of Council Members

**Submitting Department:** City Manager/City Clerk

**Contact Name:** Nelson Oliva, City Manager  
Doreen Mathews, Admin. Services Director/  
City Clerk

For action by:

☒ City Council  
☐ RDA Board  
☐ PFA Commission

Placement on agenda:

☐ Consent Calendar  
☒ Unfinished Bus.  
☐ Public Hearing  
☐ Communications  
☐ Council Rpts./Reso  
☐ C.M. Rpts./Reso.  
☐ Intergov. Issues

**Department Recommendation:** Staff recommends that Council take the following actions:

After conducting a public hearing, have/waive the first reading of the Ordinance.

**Alternatives:**

Do not have/waive the second reading and provide direction to staff.

**Discussion:**

Government Code Section 36516 allows City Council Members to receive a salary of \$300 per month in cities with populations of less than 35,000 residents. That salary is subject to an annual 5% increase.

Effective March 1, 1999, the Council's salary was increased from \$300 per month to \$540 per month by applying the allowed 5% annual increase between March 1, 1983 and March 1, 1999. On June 10, 2008, the City Council increased Member's salaries to \$792 per month by applying the allowed 5% per year for the intervening period. The June 10, 2008 increase also provided compensation of \$30 per meeting, with a limit of four compensated meetings per calendar month for the Redevelopment Agency Board Members.

The Ordinance presented, if adopted, will increase Council's allowed monthly compensation by 5% to \$831.60. Ordinances adjusting Council compensation are unique in that they can only become effective when a member starts a new term of office after a general election. This ordinance will become effective when the Council is sworn in after the November, 2010 election.

Council compensation will remain at \$792 per month until then. The law prohibits any ordinance from providing for automatic increases in Council compensation.

**Prior Council/Board Actions:**

March 1, 1999: Council compensation increased from \$300 per month to \$540 per month.

June 10, 2008: Council compensation increased from \$540 per month to current \$792 per month and Redevelopment Agency Director compensation set at \$30 per meeting per month, with a maximum of four compensable monthly Agency meetings. (Ordinance No. 437)

June 23, 2009 – the Council waived the first reading of the Ordinance.

**Commission Review and Actions/Recommendation:** None

**Attachments:**

1. Proposed Ordinance

***Financial Impact***

**Description:** An increase in Council Member salary by five percent (5%) to \$831.60 effective after the November, 2010 election.

**Funding Source:**

**Account Number:** 100-4010-601.10-00

**Budget Recap:**

Total Estimated cost:	\$13,020	New Revenue:	\$0
Amount Budgeted:	\$13,020	Lost Revenue:	\$0
New funding required:	\$0	New Personnel:	\$0
Council Policy Change:	Yes _____ No <u>X</u>		

**Subcommittee Review and Approval:** None

## COUNCIL BENEFIT - MAXIMUM COST TO THE CITY

Benefit	Cost per Member		Total Cost	Comments
PERS	1,800.00	5	9,000.00	17.8% of salary
Salary	9,972.00	5	49,860.00	\$831/month
RDA Meetings	1,440.00	5	7,200.00	up to 4 per month
Health	17,748.00	5	88,740.00	\$1,479/mo. (x) 12
Dental	2,551.20	5	12,756.00	\$212/mo
Vision	280.68	5	1,403.40	\$23/mo
Life Insurance	86.40	5	432.00	up to max of what employees get
Survivor	24.00	5	120.00	up to max of what employees get
AD&D	21.60	5	108.00	up to max of what employees get
Computer Lines	120.00	5	600.00	DSL=\$45 Fax=\$30 Cell Phone=\$45
<b>TOTAL</b>	<b>34,043.88</b>		<b>170,219.40</b>	<sup>1</sup>

### Additional One time Costs

laptop	\$	1,500.0
Fax machine	\$	200.0
cell phone	\$	100.0
printer	\$	200.0

<sup>1</sup> NOTE - NOT ALL COUNCIL MEMBERS CURRENTLY RECEIVE ALL BENEFITS

## Individual council member compensation at other cities - maximum cost to the city - annual

<b>Benefit</b>	<b>Hercules</b>	<b>Pinole</b>	<b>San Pablo</b>	<b>Martinez</b>	<b>El Cerrito</b>	<b>Benicia</b>
<i>Salary</i>	9,972.00	3,600.00	8,400.00	7,020.00	5,292.00	5,016.00
<i>Additional meetings</i>	1,440.00	-	60.00	-	-	-
<i>PERS</i>	1,800.00	not offered	1,323.25	1,122.15	1,279.24	not offered
<i>Health</i>	17,748.00	17,752.44	17,752.44	19,271.52	-	19,862.40
<i>Dental</i>	2,551.20	1,787.40	1,904.64	2,271.84	-	1,157.52
<i>Vision</i>	280.68	210.00	450.00	-	-	274.92
<i>Life Insurance</i>	86.40	88.80	180.00	169.20	-	2.50
<i>Survivor</i>	24.00	-	-	-	-	-
<i>AD&amp;D</i>	21.60	included in life	included in life	included in life	-	-
<i>Additional monthly</i>	120.00	-	-	-	720.00	900.00
<b>Total</b>	<b>34,043.88</b>	<b>23,438.64</b>	<b>30,070.33</b>	<b>29,854.71</b>	<b>7,291.24</b>	<b>27,213.34</b>
<i>Additional one-time</i>	2,000.00	-	700.00	-	-	-
<b>Total + additional one-time</b>	<b>36,043.88</b>	<b>23,438.64</b>	<b>30,770.33</b>	<b>29,854.71</b>	<b>7,291.24</b>	<b>27,213.34</b>

<b>*Notes</b>	PERS: 17.8%	in-lieu of medical: 8,876.28 (739.69/mo)	PERS: 15.753%	PERS: ER 8.985% EE (optional) 7% total 15.985%	PERS: 24.173%	mayor salary: 6,696.00
	additional monthly: computer lines		additional one-time: netbooks		additional monthly: \$60/mo for cell phone reimbursement	additional monthly: \$75/mo for expenses
	additional one-time: laptop, fax, cell phone, printer		\$30/additional meeting; no limit -they usually have 2			

**DRAFT**

**RESOLUTION NO. 17-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES REINSTATING LIMITED HEALTH CARE BENEFITS FOR CITY COUNCIL MEMBERS, RESULTING IN [DESCRIBE] ANNUAL COSTS ON A FORWARD GOING BASIS**

**WHEREAS**, as part of the budget process for Fiscal Year 2011-2012, the City Council on July 26, 2011 adopted Resolution No. 11-094, eliminating City Council healthcare benefits; and

**WHEREAS**, since 2011, economic indices have regained much of their pre-recession levels and the City no longer experiences annual budgetary shortfalls requiring additional cuts to staff and city programs; and

**WHEREAS**, members of the City Council of the City of Hercules are entitled by law to receive certain health and welfare benefits through the California Public Employees Retirement System (“CalPERS”); and

**WHEREAS**, the reinstatement of paid healthcare benefits is a City Council policy matter subject to certain limitations under State law and CalPERS, through which the City sources healthcare coverage for employees; and

**WHEREAS**, reinstating City paid health care benefits at the [describe] level would result in [describe] costs on a forward going basis.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hercules that the City Council hereby authorizes the City Manager to reinstate limited healthcare benefits for the members of the City Council in order to provide health care coverage at the \_\_\_\_\_ level, and with the option to opt-out at the election of the individual Council Member; and

**BE IT FURTHER RESOLVED** that consistent with the limitations on opt-out options under CalPERS guidelines, the City Manager is directed to set the opt-out amount that may be received by a Council Member at \_\_\_\_%; and

**BE IT FURTHER RESOLVED** that the City Manager is directed to take all actions and is authorized to sign all documents necessary to reinstate health care benefits for the City Council as provided for herein, and bring before the Council any additional resolutions required by CalPERS to reinstate healthcare benefits for the members of the City Council at the herein referenced \_\_\_\_\_ level with opt-out options at \_\_\_\_%.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 11<sup>th</sup> day of July, 2017 by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

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Myrna de Vera, Mayor

---

Lori Martin, MMC  
Administrative Services Director/City Clerk



## Legislation Details (With Text)

<b>File #:</b>	17-286	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Discussion/Action Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	7/5/2017	<b>In control:</b>		City Council	
<b>On agenda:</b>	7/11/2017	<b>Final action:</b>			
<b>Title:</b>	Receive Report on Strategic Planning Workshop and Hercules Strategic Plan 2017 Recommendation: Receive and file report on Strategic Planning Workshop and adopt the Hercules Strategic Plan 2017.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">XIII.5 - Strategic Plan</a> <a href="#">Staff Report - Strategic Plan 2017</a> <a href="#">Attachment 1 - Management Partners Report</a> <a href="#">Attachment 2 - Hercules Strategic Plan 2017</a>				

Date	Ver.	Action By	Action	Result
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### Receive Report on Strategic Planning Workshop and Hercules Strategic Plan 2017

**Recommendation:** Receive and file report on Strategic Planning Workshop and adopt the Hercules Strategic Plan 2017.

## AGENDA ITEM REQUEST FORM

Department: City Manager's Office

Department Director: David Biggs

Phone: 799-8216

Meeting Date: July 11, 2017

Final Decision Date Deadline: July 11, 2017

**SUBJECT:**

Report on Strategic Planning Workshop and Hercules Strategic Plan 2017

**INDICATE APPROPRIATE BODY**

☒ City  
Council

☐ Successor Agency to the  
Redevelopment Agency

☐ Public Finance  
Authority

☐ Finance  
Commission

☐ Planning  
Commission

☐ Community/Library  
Services Commission

☐ Oversight Board

☐ Other \_\_\_\_\_

**ITEM**

☐ Presentation/Introduction

☐ Study Session

☐ Grant Application/Acceptance

☐ Public Hearing

☐ Resolution

☐ Video/PowerPoint

☐ Consent Calendar

☐ Ordinance

☒ Discussion Action

☐ Contract/Agreement

**RECOMMENDED ACTION:**

Receive and File Report on Strategic Planning Workshop and Adopt the Hercules Strategic Plan 2017

☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

**REVIEWED AND APPROVED FOR AGENDA:**

City Attorney (if Contract, Ordinance or Resolution)

*Mark T...* 7.6.17  
Signature Date

Finance Department for Fiscal Impact

*Am...* 7/6/17  
Signature Date

City Manager

*David BM* 7/6/17  
Signature Date

**AGENDA ITEM NO:**





## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of July 11, 2017

**TO:** Members of the City Council

**SUBMITTED BY:** David Biggs, City Manager

**SUBJECT:** Report on Strategic Planning Workshop and Hercules Strategic Plan 2017

**RECOMMENDATION:** Receive and File Report on Strategic Planning Workshop and Adopt the Hercules Strategic Plan 2017

**COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:** Not Applicable

**FISCAL IMPACT OF RECOMMENDATION:** There is no direct fiscal impact from the recommended actions, though many components of the proposed Hercules Strategic Plan 2017 would have a positive fiscal impact if the strategies and objectives were to be accomplished.

**DISCUSSION:** The City of Hercules last developed a Strategic Plan on an internal basis in 2012 and this Strategic Plan was adopted by the City Council on April 24, 2012. An update of the Strategic Plan was initiated in late 2016, and an outside facilitator was selected to assist in this effort in early 2017. The firm of Management Partners facilitated the update process including a day-long workshop on April 22, 2017. Part of the update process included a community survey and an employee survey which was developed by staff and Management Partners and administered through Survey Monkey. The results these surveys were reviewed and utilized as part of the workshop. The Mayor and City Council, together with the City's Executive Management Team, worked together to update and enhance the Strategic Plan in the Workshop. Attached is the final report from the Workshop as prepared by Management Partners.

The final report on the day-long workshop prepared by Management Partners serves as the basis for the proposed Hercules Strategic Plan 2017 which has been developed for City Council consideration. The community and employee surveys were utilized in updating the Strengths Weaknesses Opportunities and Threats section which were refined by staff. The City Council reviewed the Vision and Mission, with the Mission modified as reflected in the Report and Hercules Strategic Plan 2017. The Goals, Strategies and Objectives reflect the outcomes from the workshop.

If adopted, the Hercules Strategic Plan 2017 Goals and Strategies will cover the next three to five year period, subject to occasional review and adjustment. The objectives are of a more immediate nature and are generally designed to be accomplished in a year or less. The objectives will be updated at

least annually prior to the preparation of the budget for each fiscal year. This will allow the City's spending plan to be focused towards the achievement of the overall Goals, Strategies, and Objectives set forth in the Strategic Plan.

**ATTACHMENTS:**

1. Management Partners Report from April 22, 2017, Workshop
2. Hercules Strategic Plan 2017



**City of Hercules**  
**City Council Workshop**  
**Held April 22, 2017**

**May 2017**

**Management  
Partners**



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## City Council Workshop Report

### ***Workshop Overview***

The City of Hercules, California held a workshop with the City Council, City Manager and executive staff on April 22, 2017 at the Hercules by the Bay Clubhouse (1299 Santa Fe Avenue). The purpose of the workshop was to discuss goals, new policies, effective governance and teamwork.

### **Workshop Objectives**

- Understanding Council communications styles.
- Review of vision and mission statements.
- Update of the 2012 strategic plan and goal setting.
- Strengthen the Council/staff team

### **Participants**

The City Council and executive team participated in the workshop.

#### **City Council**



**Mayor**  
**Myrna L. DeVera**



**Vice Mayor**  
**Chris Kelley**



**Councilmember**  
**Dan Romero**



**Councilmember**  
**Roland Esquivias**



**Councilmember**  
**Gerard Boulanger**

#### **Executive Team**

- David Biggs, City Manager
- Patrick Tang, City Attorney
- Bill Goswick, Chief of Police
- Lori Martin, Administrative Services Director/City Clerk
- Michael Roberts, Public Works Director/City Engineer
- Christopher Roke, Parks and Recreation Director
- Holly Smith, Planning Director
- Annie To, Finance Director

The workshop was facilitated by Patrick O’Keeffe with support from Julie C.T. Hernandez, both of whom are with Management Partners.

## **Workshop Agenda**

- Welcome
- Public Comment
- Review agenda, objectives, ground rules and bike rack
- Discuss Council communication styles
- Review vision and mission statements
- Review organizational values
- Review Council and staff recent accomplishments
- Presentation of community survey results
- Update of strategic plan goals, strategies and objectives
- Next steps and workshop evaluation
- Adjournment

## **Ground Rules**



The facilitator suggested several ground rules to help ensure a productive workshop.

- Seek consensus
- Everyone listen to each other (electronic gadgets off)
- Everyone participates
- Disagree agreeably
- Focus on issues not the person
- Seek to gain understanding

The facilitator noted the bike rack for items that will be addressed in another venue, not today.

## **Workshop Preparation**

Prior to the workshop, Pat O’Keeffe conducted individual interviews with each Councilmember and met with the executive team to learn about their desired outcomes for the session and to gather background information about the City’s accomplishments, issues, challenges and working relationships.

The City Manager prepared and issued two electronic surveys, one to the community and one to City’s employees. Through these surveys, the City gathered perspectives about how well the City is operating, the City’s current goals and suggestions for additional goals. The surveys also

included a strengths, weaknesses, opportunities and threats (SWOT) component. For the community survey, information was gathered about how long they had lived in the City, as well as how satisfied they are with living in Hercules. For the employee survey, information was gathered about how long they had worked for the City, as well as how satisfied they are working for the City of Hercules.

## ***Council Communication Styles***

To set the context for the discussion, facilitator Pat O’Keeffe presented information about the importance of understanding communication style differences. The four communication styles are: Direct, Spirited, Considerate, and Systematic.

<b>Direct</b>	<b>Spirited</b>
<b>Considerate</b>	<b>Systematic</b>

Pat then led the Council through a series of communication styles worksheets that resulted in identification of a primary and secondary communication style for each Councilmember.

Each Councilmember was asked to share with the group his or her primary communication style. A diagram was created that showed the primary communication style for each Councilmember in relation to the others. The results of the diagram visually showed that the communications style of each Councilmember is different from the others; no two are alike.

The combination of primary and secondary communication styles represented on the Council are as follows:

	<b>Primary Style</b>	<b>Secondary Style</b>
<b>Councilmember #1</b>	Direct	Spirited
<b>Councilmember #2</b>	Spirited	Direct and Systematic
<b>Councilmember #3</b>	Direct	Systematic
<b>Councilmember #4</b>	Systematic	Direct
<b>Councilmember #5</b>	Considerate	Systematic

## **Summary of Comments regarding Council Communication Styles**

Councilmembers offered comments during the debriefing of the styles, including:

- The variety of communication styles represented are diverse but balanced.
- Knowing the differing communication styles helps them to learn when and how to change their own style to contribute towards Council unity and effectiveness.

Each Councilmember was asked to offer comments on the strengths of their primary communication style, as well as to identify how that communication style can create trouble or impediments.

### **Style Strengths**

- Considerate: Explains; provides the background on a topic; states opinions and expectations
- Direct: Gets to the point immediately
- Spirited: Communicates with spirit and passion; heart is essential; uses information along with knowledge of the history of the city
- Systematic: Well informed

The Council consensus of the “Strengths” discussion was that they are learning and growing as Councilmembers, and that working together helps the city. They also agreed that they will strive to focus more on the ideas presented by others, rather than the style. They agreed that this will be a good tool to help them to find common ground.

### **Style Trouble**

- Systematic: Can hurt others’ feelings
- Spirited: Cares too much and won’t let go; can offend others
- Direct: Can offend others with directness
- Considerate: May not express unpopular opinions

The overall Council comments of the “In Trouble” discussion was that they need to have frank, honest discussions, not walk on egg shells, but discuss things without hurting others.



## Vision, Mission and Values



The Council reviewed its vision and mission statements and set of values to determine if changes are needed. The results are summarized below.

### Vision

The vision of the City of Hercules is as follows. After reviewing the City's current vision statement, the Council decided to maintain it as is.

*The City of Hercules is a richly diverse community, serving as a major transportation hub and a prime destination for the Bay Area. It is built on a sound economic and physical infrastructure, and its residents enjoy public safety, security, well-maintained parks, streets and public facilities. We conduct our work in an atmosphere of trust and respect. We constantly look for better ways to deliver services and always strive for excellence.*

Concern was expressed that the City's vision is not marketed enough and that there are opportunities to do so. Suggestions for ways to share the vision more broadly included:

- Read it aloud at Council meetings and budget hearings
- Post it prominently on the City's website
- Include it in other marketing materials

It was also noted that the 2015 strategic plan document includes an older version of the City's vision, and that the current vision should be added to the new version of the strategic plan.

### Mission

The current mission of the City of Hercules is as follows.

*Our mission is to lead our diverse community and enhance the quality of life in the City of Hercules, now and in the future. We do this by providing effective, efficient, responsive, and innovative services with integrity.*

After reviewing the City's mission statement, the Council decided that it still likes it with one addition by adding the words "... and a culture of transparency" to the end.

The **revised mission statement** reads as follows.

*Our mission is to lead our diverse community and enhance the quality of life in the City of Hercules, now and in the future. We do this by providing effective, efficient, responsive, and innovative services with integrity and a culture of transparency.*

## ***Review of Organizational Values***

The organizational values for the City of Hercules are shown in the following table. Each value has a definition. Councilmembers provided comments on some of the values as noted in the third column. The new words for the definitions as suggested have been added to the second column and are shown in *italics*.

Value	Definition	Comments
<b>Integrity</b>	Honesty, transparency, fair dealing	
<b>Professionalism</b>	Exemplary conduct, competence, continuous improvement, <i>respect</i>	Add " <i>respect</i> " to the definition. Other comments: Consensus that the existing practice of referring to Council and staff by using titles and last names, rather than the familiarity of addressing each other by first names, added to the professionalism of Council meetings and other public discussions. There was also consensus that the practice of attending Council meetings in business dress also adds to the professionalism of these meetings and public discussions. This formality is a Hercules tradition that is visible and symbolic, sets a good tone and reminds the Council that they are there for the public.
<b>Service</b>	Customer orientation, courtesy, hard work, <i>striving for excellence</i>	Add to the definition, " <i>striving for excellence</i> "
<b>Collaboration</b>	Teamwork, communication, community interaction <i>and outreach</i>	Add, " <i>and outreach</i> " at the end of the definitions
<b>Creativity</b>	Thinking, innovating, encouraging critical analysis	
<b>Tenacity</b>	Setting priorities, staying focused, not getting discouraged	
<b>Responsibility</b>	Taking ownership of one's work, accountability, going the extra mile	

## ***Highlights of Recent Council and Staff Accomplishments***

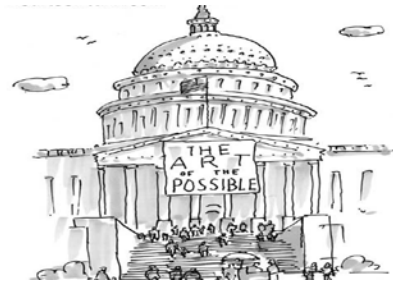
The Council and staff were invited to list the City's most recent accomplishments, resulting in the following list.

Recent Accomplishments	
<ul style="list-style-type: none"><li>• Selling HMU (Hercules Municipal Utility)</li><li>• "Let's Get I-80 Moving"</li><li>• Uniform cost accounting</li><li>• Sold Sycamore Crossing</li><li>• Repaid Ambac</li><li>• Due diligence with redevelopment</li><li>• Hosted Mayor's conference</li><li>• ULI review</li><li>• Increased police staffing</li><li>• Citizen's Police Academy</li><li>• Traffic program</li><li>• Neighborhood watch, business watch</li><li>• Movie nights</li><li>• Pool ADA lift</li><li>• Safest cities recognition</li><li>• Staff volunteer at events</li><li>• Design completed – Bay Trail West</li><li>• LLAD – 218 process</li><li>• Repair and replace facilities</li><li>• First CFD for storm water</li><li>• Upgrades to sewer collection system</li><li>• Vehicle replacements</li><li>• Budget for street work</li></ul>	<ul style="list-style-type: none"><li>• Willow Ave. paving and sidewalk developments</li><li>• Victoria Crescent is completed</li><li>• Muir Point is under construction</li><li>• Waterfront project is proceeding</li><li>• Aventine completed</li><li>• 1<sup>st</sup> parking district</li><li>• Volunteers in Planning Dept.</li><li>• Code enforcement</li><li>• Admin. Citation Program</li><li>• Transfer of PG&amp;E property</li><li>• Chelsea Wetlands</li><li>• Taker for the Queen Ann</li><li>• Began a circulation element update</li><li>• Made payroll – produced payroll</li><li>• First check scanner and other technology</li><li>• Body cameras</li><li>• Public image improved in wider community and region</li><li>• Hard working and committed staff</li><li>• Council interaction with staff – works well</li><li>• Changed City Manager contracting authority</li><li>• Stability in staffing</li><li>• No more interim staffing</li></ul>

## ***Presentation of Community Survey Results***

The City Manager provided an overview from both the Community Survey and the Employee Survey that were designed and implemented through the City Manager's Office. The survey results are included as Appendix A.

## ***Strategic Plan Update: Goals and Objectives***



The City has a strategic plan that contains a series of goals. Each goal has strategies that divide the goal into sub areas, and detailed objectives, or action items that implement each strategy. The following graphic shows this relationship.



The Council discussed each goal and reviewed the strategies and objectives. Modifications were made, as shown below. The Council further directed that the strengths, weaknesses, opportunities and

threats (SWOT) analysis described in the current strategic plan be updated by staff for the final 2017 Strategic Plan report.

## Goals

The Council reviewed the goals from the current 2015 strategic plan for the City. The goals are multi-year in nature and reflect broad policy intent of the Council. The current goals are listed below.

2015 Strategic Plan Goals
Goal A: Restore Trust in City Government
Goal B: Achieve and Maintain Financial Stability
Goal C: Solve Real Estate Problems and Create Opportunities
Goal D: Enhance Economic Development Efforts
Goal E: Plan and Guide the Remaining Build-Out of the City
Goal F: Facilitate and Regulate Quality Construction and Ensure Proper Maintenance of Public Infrastructure and Facilities
Goal G: Provide Outstanding Cultural and Recreational Services
Goal H: Provide Excellent Police Services to the Community
Goal I: Provide Exemplary City Administration

After discussion about the status of each of the current goals, the Council decided to delete goals that have been completed, keep or reword goals that are in process, and to add a new goal.

The revised goals for the City's 2017 strategic plan are as follows:

2017 Strategic Plan Goals
Goal A: Strengthen Financial Stability
Goal B: Continue to Provide Excellent Police Services to the Community
Goal C: Enhance Economic Development Efforts
Goal D: Enhance Transportation Access and Options
Goal E: Complete the Vision of the City's Development
Goal F: Provide Outstanding Cultural and Recreational Services
Goal G: Invest in and Enhance Maintenance of Public Infrastructure and Facilities
Goal H: Continue to Provide Exemplary Governance and City Administration

## Strategies and Objectives

Each of the goals has strategies and objectives. The Council reviewed the objectives for each goal and agreed to delete the ones that have been completed, keep or reword objectives that are in process, and add new ones.

Each of the goals, with the revised strategies and objectives are shown in the tables below.

<b>Goal A: Strengthen Financial Stability</b>
<b><i>Strategy 1(a): Maintain a balanced budget.</i></b> <b><u>Objectives</u></b> <ul style="list-style-type: none"><li>• Ensure ongoing revenues support ongoing costs.</li><li>• Ensure one-time revenues fund one-time expenditures.</li><li>• Restructure debt where possible to reduce near term debt payments.</li><li>• Continue a formal volunteer program to help various departments.</li><li>• Consider new ways to deliver municipal services in more cost-effective ways.</li><li>• Consider service-sharing with other communities when mutually beneficial.</li></ul>
<b><i>Strategy 1(b): Balance the budget and increase revenues.</i></b> <b><u>Objectives</u></b> <ul style="list-style-type: none"><li>• Review all Parks and Recreation fees before mid-year budget review.</li><li>• Consider cost effectiveness of increasing code enforcement activities.</li><li>• Consider annual fee review.</li><li>• Partner with other entities when beneficial for grant and cost-sharing opportunities.</li><li>• Take advantage of telecommunications and broadband opportunities.</li><li>• Push County and State elected officials to increase Hercules' share of each dollar of property taxes that is collected in Hercules.</li></ul>

<b>Goal B: Continue to Provide Excellent Police Services to the Community</b>
<b><i>Strategy 1: Protect life and property.</i></b> <b><u>Objectives</u></b> <ul style="list-style-type: none"><li>• Maintain core services, including police patrols and traffic enforcement.</li><li>• Continue to utilize community policing strategies.</li><li>• Maintain the special response team and school resource officers.</li><li>• Coordinate disaster preparedness with local police, fire, emergency medical services and the County and State office of emergency services.</li><li>• Utilize Reserve Police Officers when feasible to keep costs under control.</li><li>• Complete a succession plan to deal with anticipated future retirements.</li><li>• Complete an equipment replacement plan with a rationale, schedule and budget.</li><li>• Seek federal, state and other funding to enhance police department funding for staff and equipment.</li><li>• Recruit volunteers to assist office personnel with front counter duties, records processing and data entry.</li></ul>

### **Goal C: Enhance Economic Development Efforts**

#### ***Strategy 1: Pursue high priority economic development initiatives.***

##### **Objectives**

- Develop and implement economic development strategies.
- Consider whether the City's fee structure or permitting process might be impediments to new businesses opening in Hercules.
- Recruit qualified volunteer help on a regular and/or ad hoc basis from the City Council, Chamber of Commerce, local business leaders and the community at large.
- Participate in regional economic development efforts that will help Hercules.
- Focus on high priority sites for new development.

#### ***Strategy 2: Create a "brand" for Hercules and promote/market the brand.***

##### **Objectives**

- Enhance the entry gateways of the City with volunteer landscaping/beautifying projects, public art, and signage.
- Promote the waterfront/intermodal transportation center (ITC) Development – A special place that is distinctive of other planned developments and serves as the City's downtown.
- Work with the City Council, staff and volunteers to develop and implement a brand and marketing strategy in-house.
- Consider whether the City's fee structure or permitting process might be impediments to new businesses opening in Hercules.

#### ***Strategy 3: Recruit businesses that make sense for Hercules; retain and grow existing businesses.***

##### **Objectives**

- Prioritize and visit potential businesses to recruit to Hercules.
- Review various plans and ordinances for potential updates, with an eye toward balancing economic development with "new urbanism" planning principals.

### **Goal D: Enhance Transportation Access and Options**

#### ***Strategy 1: Promote alternative forms of transit***

##### **Objectives**

- Leverage RITC site control into grant funding for station and related infrastructure.
- Complete the RITC
- Look for opportunities to partner with rail for movement of goods.
- Pursue future ferry service.
- Work with WestCAT to expand service.
- Expand City's walkways and bike paths via Complete Streets program.
- Provide leadership role in BART's participation to enhance services at Hercules Transit Center.

**Goal E: Complete the Vision of the City's Development**

***Strategy 1: Undertake updates of General Plan and Zoning Code to implement the Vision.***

**Objectives**

- Complete the update of the City's Circulation Element.
- Review various plans and ordinances for potential updates.
- Revise the City Zoning Ordinance to be consistent with the General Plan and Specific Plans.
- Plan for the resources and funding to update the priority elements of the City's General Plan.
- Revisit the City's sign ordinance and update as needed.

**Goal F: Provide Outstanding Cultural and Recreational Services to the Community**

***Strategy 1: Evaluate programs for community impact and cost effectiveness, and make recommendations to improve the overall effectiveness of the City's efforts in services managed by the Parks and Recreation Department.***

**Objectives**

- Work with volunteer organizations to ensure full funding for a 40 hour per week Library.
- Work with the County to reinstate 45 hours per week of Library services.
- Cooperate with public/private partnerships to enhance City cultural and recreation services.
- Continue to provide high quality recreation programs that reinforce Hercules' reputation for a high quality of life.
- Continue to work on the current cost recovery objective of being budget neutral to minimize General Fund support.
- Annually analyze and report on costs and revenues on a program by program basis.
- Create and implement new ways to fund Parks and Recreation programs, including increasing participation.
- Continue to manage facilities rentals and find ways to increase number of rentals as well as income from rentals.

***Strategy 2: Continue to look for ways to augment City funding for parks and recreation programs and initiatives.***

**Objectives**

- Research federal, state and foundation funding availability under "Health and Wellness" and other programs.
- Apply for federal, state, and foundation grants as appropriate to support and enhance our parks, open space and recreation programs.



**Goal G: Invest in and Enhance Maintenance of Public Infrastructure and Facilities**

***Strategy 1: Re-evaluate and make recommendations to improve the City's capital improvement program, clean water program and all lighting and landscape assessment districts.***

**Objectives**

- Prioritize the City's capital improvement program.
- Develop and implement a new code compliance model based on the new administrative citation program.
- Secure maintenance and operations funding for all new capital facilities.
- Effectively manage day-to-day operations to ensure Hercules keeps its reputation as a well-maintained city.
- Update lighting and landscaping districts annually.
- Consider updating the lighting and landscaping districts to increase funding and level of service.

**Goal H: Continue to Provide Exemplary Governance and City Administration**

***Strategy 1: Improve administrative processes and overall quality of executive and administrative management.***

**Objectives**

- Enhance strategic planning and implementation efforts with linkages to the budget.
- Improve financial, personnel and administrative functions.
- Ensure all required state and federal financial reports are timely.
- Complete financial and operational audits in a timely manner.
- Provide regular financial reports including a mid-year review.
- Evaluate financial controls and streamline where advisable.
- Evaluate and re-engineer as necessary administrative processes.
- Evaluate IT systems, especially financial management to determine possible improvements.
- Ensure good inter-departmental communications and collaboration.

***Strategy 2: Enhance usage of the City's Finance Commission.***

**Objectives**

- Provide oversight of City tax measures.
- Serve as a resource to staff.
- Provide training to commissions.

***Strategy 3: Provide and enhance exemplary governance.***

**Objectives**

- Enhance relationships in support of education and schools.
- Encourage and engage in regional collaboration and cooperation.
- Continue to enhance transparency and open government.
- Foster an ethical environment free from conflicts of interest.
- Enhance access to information (sunshine provisions).
- Provide a means for employees to report concerns or possible wrong doing (whistle-blowing).
- Conduct annual review and update of anti-nepotism, anti-cronyism, conflict of interest, and Code of Ethics.
- Reduce exposure to litigation and claims.

## ***Next Steps and Evaluation***

Participants ended the workshop by reviewing next steps and sharing useful moments from the day with each other, which are summarized below.

### **Items for Further Discussion**

The following items were listed on the bike rack for staff research and further Council discussion:

- Review the rental inspection program ordinance

### **Closing Comments by Councilmembers**

Councilmembers offered comments about what went well in the workshop, as follows.

- Communicating openly with the Council
- Fun and informative
- Helpful to talk together about strategies and priorities
- It was engaging and gave us a plan and goals
- Communication with Council outside of normal business

### **Closing Comments by Staff**

A summary of the staff comments about what went well in the workshop follows.

- We ended up with more strategic goals
- Chance to be together to reach common goals
- Better understanding of Councilmember styles so we can provide better support to them
- Open communication among Councilmembers; the dialogue has changed
- Appreciated tone of the day—it was friendly, personal, not so formal, best Council
- Sharing of management discussion for implementing goals
- Learned communication styles
- Understanding priorities
- Better defined goals and objectives

### Evaluation Summary

At the end of the meeting thirteen participants completed a short evaluation form, including five Councilmembers and eight staff. Attachment A provides the evaluation and all written comments.

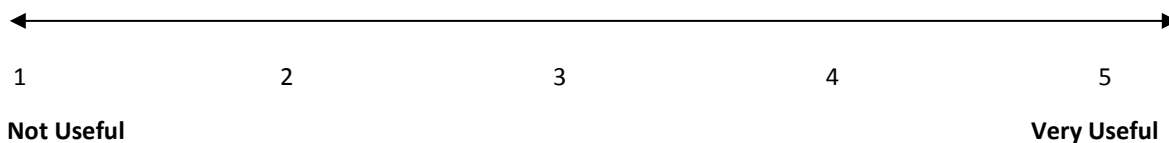


## Attachment A – Workshop Evaluation

The following is a compilation of responses to the evaluation form from the workshop participants. Council responses are shown first, followed by staff responses.

## CITY COUNCIL RESPONSES

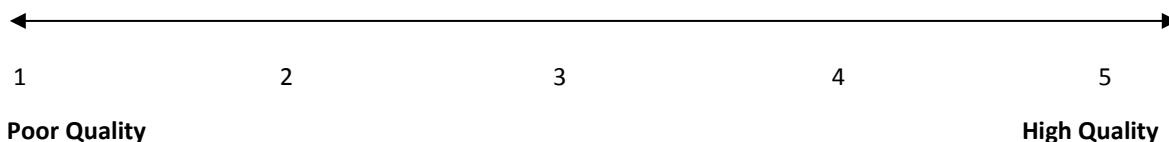
**Overall usefulness of the workshop**



Workshop participant ratings for the overall usefulness of the workshop

Rating	1	2	3	4	5
No. of Responses	0	0	1	0	4

Overall quality of the workshop



Workshop participant ratings for the overall quality of the workshop

Rating	1	2	3	4	5
No. of Responses	0	0	1	0	4

### The best thing about this workshop was...

- Engaging; educational; fun.
- Get us all to talk together on strategy and priorities.
- Communicating openly with Council.
- Fun. Communication styles validated. Updating goals/strategies. Fun and informative!
- To be with staff and Councilmembers outside of regular business.

### Some things that could have been better...

- More time.
- Well, not enough time to consider everything in depth.
- Discussion of expenditures and revenues.

- More time. Should have been video or audio taped.
- Organizing suggestions/strategies into a bigger picture.

### Other Comments

- We should do this every five years.
- What do we do next with the plan?

## STAFF RESPONSES

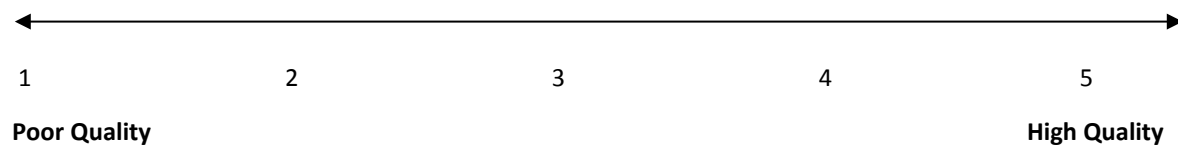
Overall usefulness of the workshop



Workshop participant ratings for the overall usefulness of the workshop

Rating	1	2	3	4	5
No. of Responses	0	0	0	4 (1@4.5)	2

**Overall *quality* of the workshop**



Workshop participant ratings for the overall quality of the workshop

Rating	1	2	3	4	5
No. of Responses	0	0	0	5	3

### The best thing about this workshop was...

- Collaboration between staff and Council helpful for staff to understand the priorities of Council and city.
- Team building; Council getting on same page.
- Knowing Council's priorities; updating the plan for the city; strategic and specific goals.
- Got to know each other's personalities better; provided a better foundation of relationships between Council/staff; allowed sharing some of management ideas/input for goal setting for tasks.

- Communicating openly with the Council; fun and informative; talk together strategies and priorities; ended up with more strategic goals; very positive comments; understanding common goals; chance to bring us all together and hear other perspectives to reach common goals.
- Team-building through development of common vision.
- Set future goals; identified the future; engaging for Councilmembers to work together; prioritized items.
- Updated goals and objectives; more strategic.

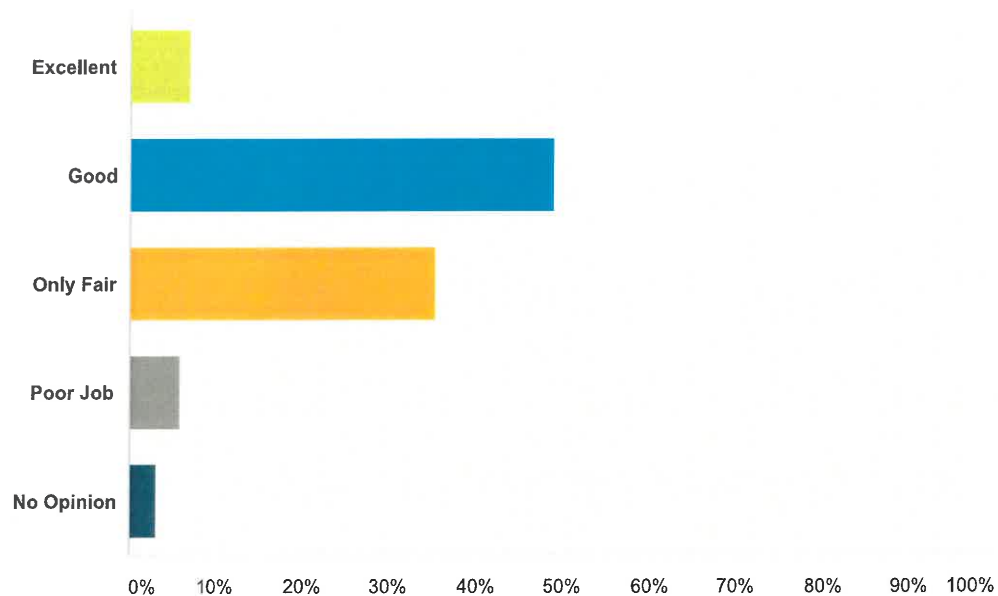
**Some things that could have been better...**

- Discussion of pay/benefits and workload.
- Have more involvement from staff.
- Print out the presentation charts.
- Focusing on available resources verses breadth/depth of goals.
- More time.

## Appendix A – City of Hercules Strategic Plan Survey

**Q1 Would you say that things in the City of Hercules are generally headed in the right direction or do you feel that things are off on the wrong track?**

Answered: 190 Skipped: 1

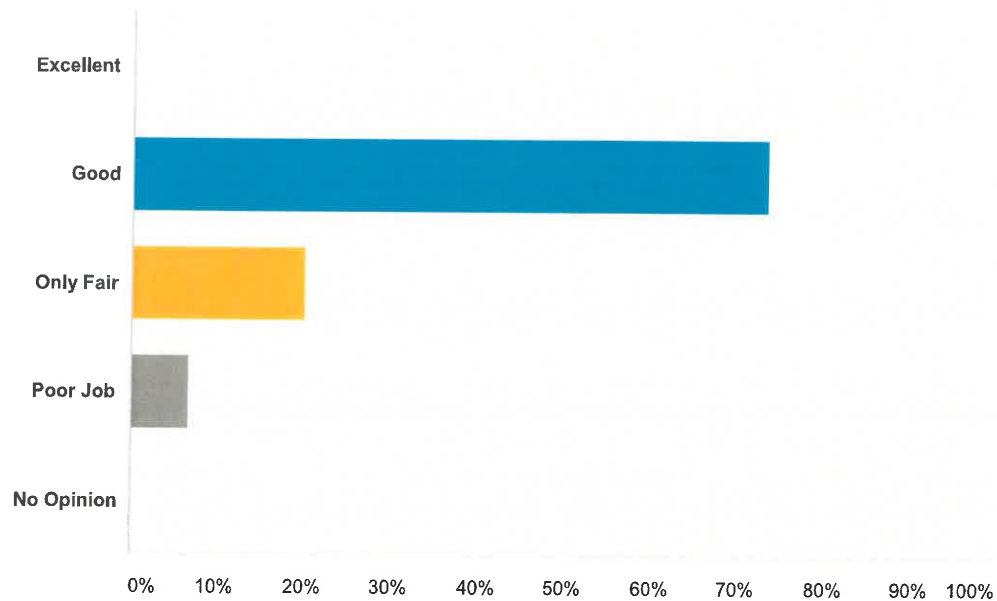


Answer Choices	Responses	
Excellent	6.84%	13
Good	48.95%	93
Only Fair	35.26%	67
Poor Job	5.79%	11
No Opinion	3.16%	6
<b>Total</b>		<b>190</b>



**Q1 Would you say that things in the City of Hercules are generally headed in the right direction or do you feel that things are off on the wrong track?**

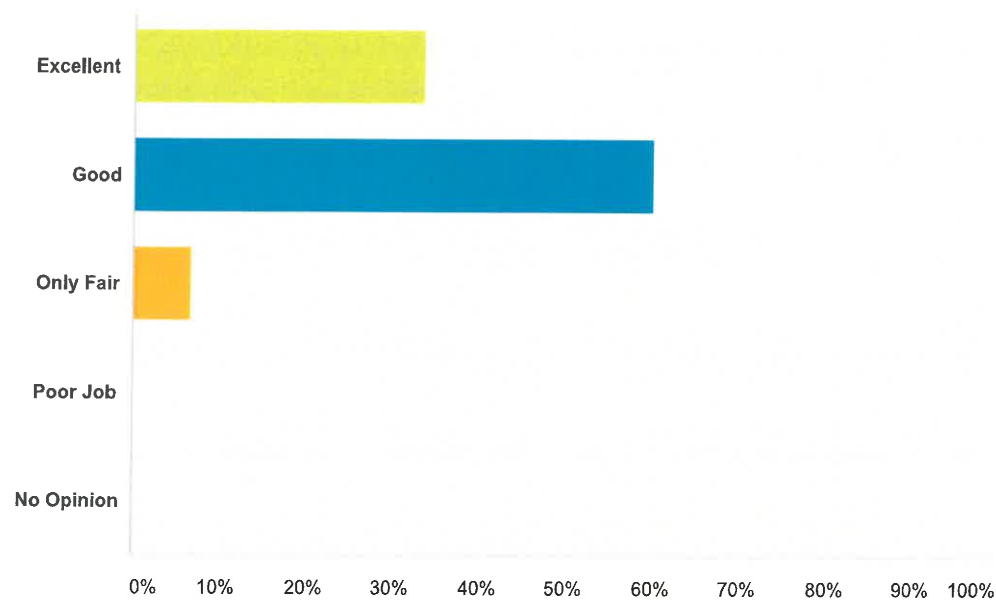
Answered: 15 Skipped: 0



Answer Choices	Responses	
Excellent	0.00%	0
Good	73.33%	11
Only Fair	20.00%	3
Poor Job	6.67%	1
No Opinion	0.00%	0
<b>Total</b>		<b>15</b>

**Q2 How would you rate the overall job being done by City employees in providing services to the City’s residents?**

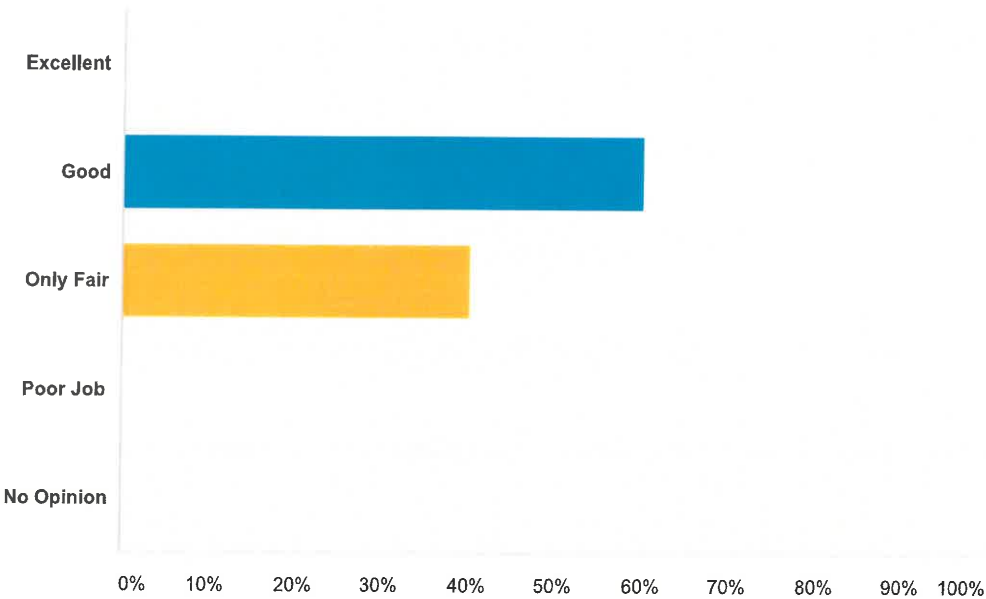
Answered: 15 Skipped: 0



Answer Choices	Responses	
Excellent	33.33%	5
Good	60.00%	9
Only Fair	6.67%	1
Poor Job	0.00%	0
No Opinion	0.00%	0
Total		15

**Q3 How would you rate the job being done by the City of Hercules in managing the City's budget and finances?**

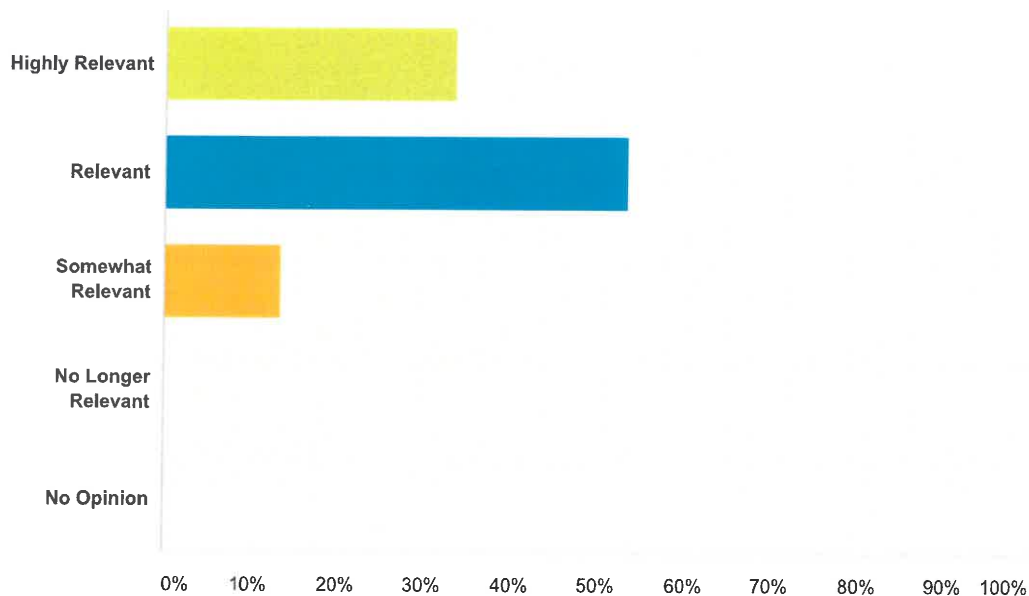
Answered: 15 Skipped: 0



Answer Choices	Responses	
Excellent	0.00%	0
Good	60.00%	9
Only Fair	40.00%	6
Poor Job	0.00%	0
No Opinion	0.00%	0
Total		15

**Q4 Restore Trust in Government (Enhance transparency and access to information, improve communication with the community, and regularly share financial information)**

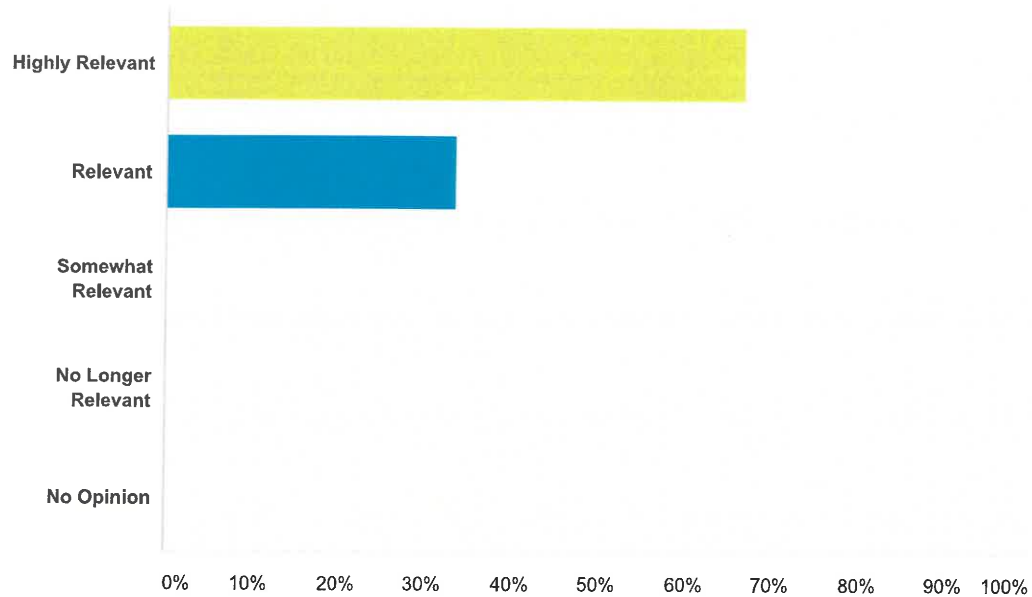
Answered: 15 Skipped: 0



Answer Choices	Responses	
Highly Relevant	33.33%	5
Relevant	53.33%	8
Somewhat Relevant	13.33%	2
No Longer Relevant	0.00%	0
No Opinion	0.00%	0
<b>Total</b>		<b>15</b>

**Q5 Achieve and Maintain Financial Stability**  
**(Adopt balanced annual budgets with**  
**expenditures not exceeding revenues,**  
**ensure one-time funds are used for on-time**  
**purposes, enhance revenues, control costs,**  
**and address threats to fiscal health)**

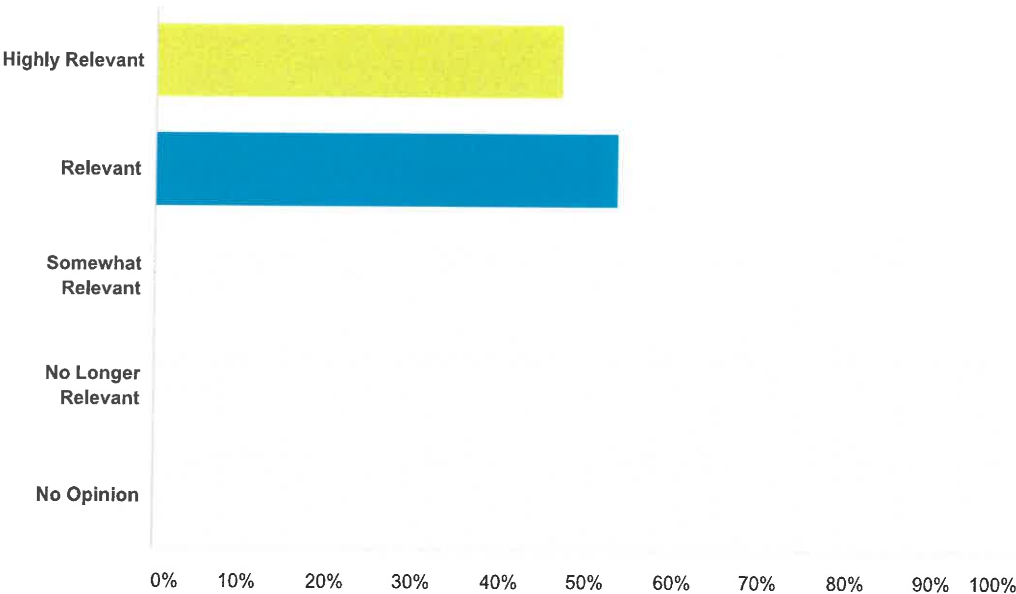
Answered: 15 Skipped: 0



Answer Choices	Responses	
Highly Relevant	66.67%	10
Relevant	33.33%	5
Somewhat Relevant	0.00%	0
No Longer Relevant	0.00%	0
No Opinion	0.00%	0
<b>Total</b>		<b>15</b>

**Q6 Solve Real Estate Problems and Create Opportunities (Sell former Redevelopment Agency properties for beneficial development – properties sold, development underway or pending)**

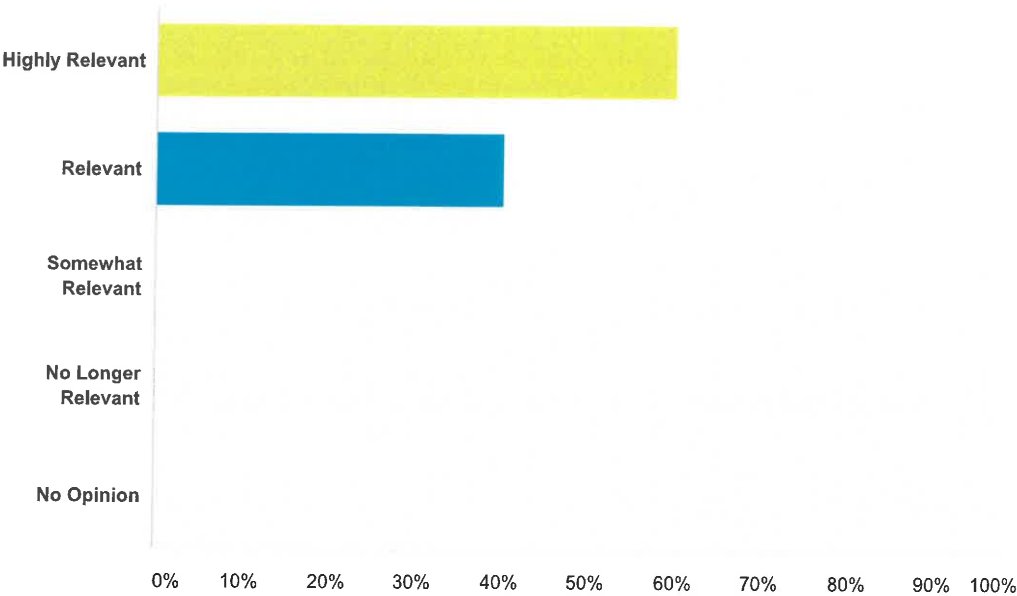
Answered: 15 Skipped: 0



Answer Choices	Responses	
Highly Relevant	46.67%	7
Relevant	53.33%	8
Somewhat Relevant	0.00%	0
No Longer Relevant	0.00%	0
No Opinion	0.00%	0
Total		15

**Q7 Enhance Economic Development Efforts  
(Diversify the City’s economic base and  
revenues, and provide more and enhanced  
shopping and dining opportunities)**

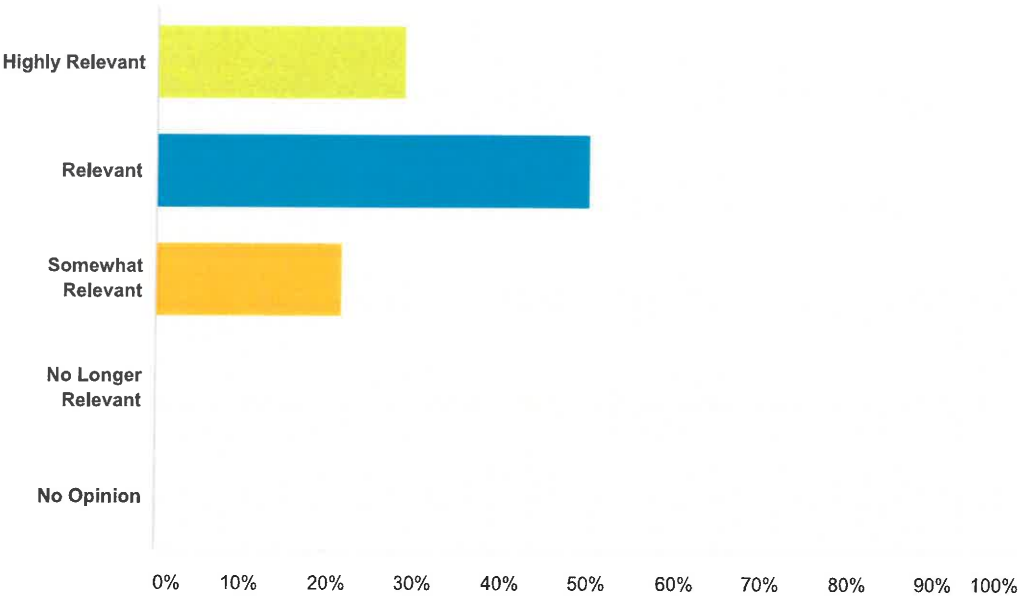
Answered: 15 Skipped: 0



Answer Choices	Responses	
Highly Relevant	60.00%	9
Relevant	40.00%	6
Somewhat Relevant	0.00%	0
No Longer Relevant	0.00%	0
No Opinion	0.00%	0
Total		15

**Q8 Plan and Guide Remaining Build-Out of the City (Update key planning documents with an eye towards economic development and ensuring quality projects)**

Answered: 14 Skipped: 1

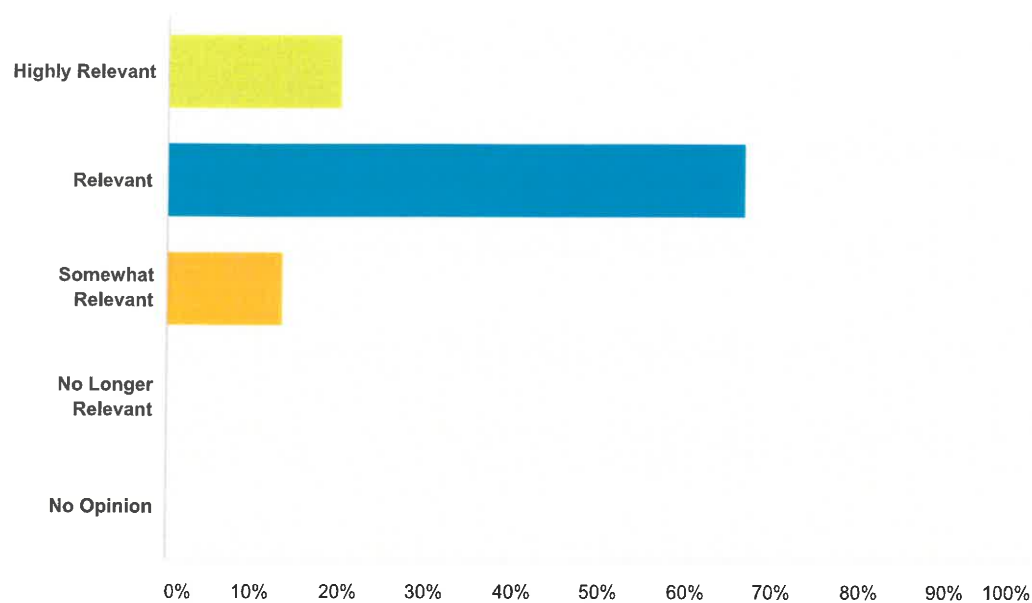


Answer Choices	Responses	
Highly Relevant	28.57%	4
Relevant	50.00%	7
Somewhat Relevant	21.43%	3
No Longer Relevant	0.00%	0
No Opinion	0.00%	0
Total		14



**Q9 Facilitate and Regulate Quality Construction and Ensure Proper Maintenance of Public Infrastructure and Facilities (Improve permitting and building inspection functions, enhance code compliance and maintenance efforts, and improve planning for and implementation of private development projects and City capital improvement projects such as the extension of John Muir Parkway)**

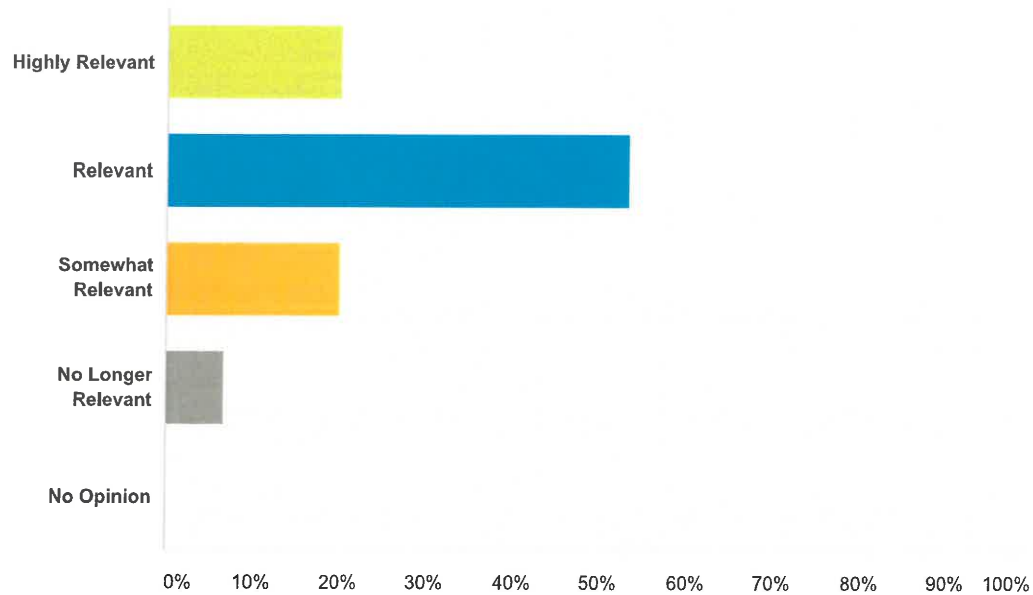
Answered: 15 Skipped: 0



Answer Choices	Responses
Highly Relevant	20.00% 3
Relevant	66.67% 10
Somewhat Relevant	13.33% 2
No Longer Relevant	0.00% 0
No Opinion	0.00% 0
<b>Total</b>	<b>15</b>

**Q10 Provide Outstanding Cultural and Recreational Services (Provide quality recreation programs with a high level of cost recovery directly or in partnership with others including volunteers, and identify non-city resources to do so)**

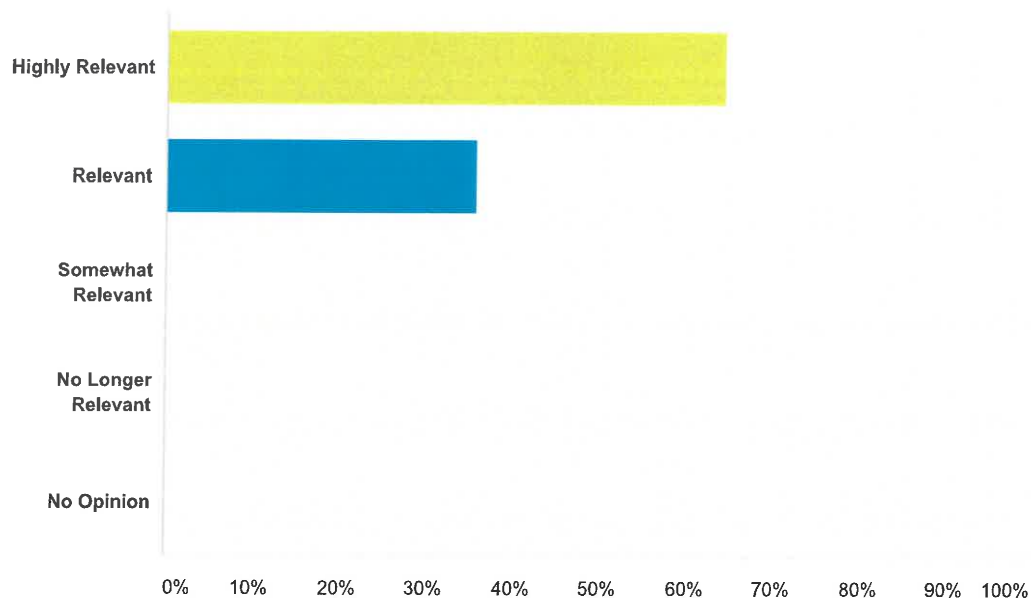
Answered: 15 Skipped: 0



Answer Choices	Responses	
Highly Relevant	20.00%	3
Relevant	53.33%	8
Somewhat Relevant	20.00%	3
No Longer Relevant	6.67%	1
No Opinion	0.00%	0
<b>Total</b>		<b>15</b>

**Q11 Provide Excellent Police Services to the Community (Protect life and property using a community policing model with the assistance of reserve officers and volunteers, seek funding to supplement public safety resources)**

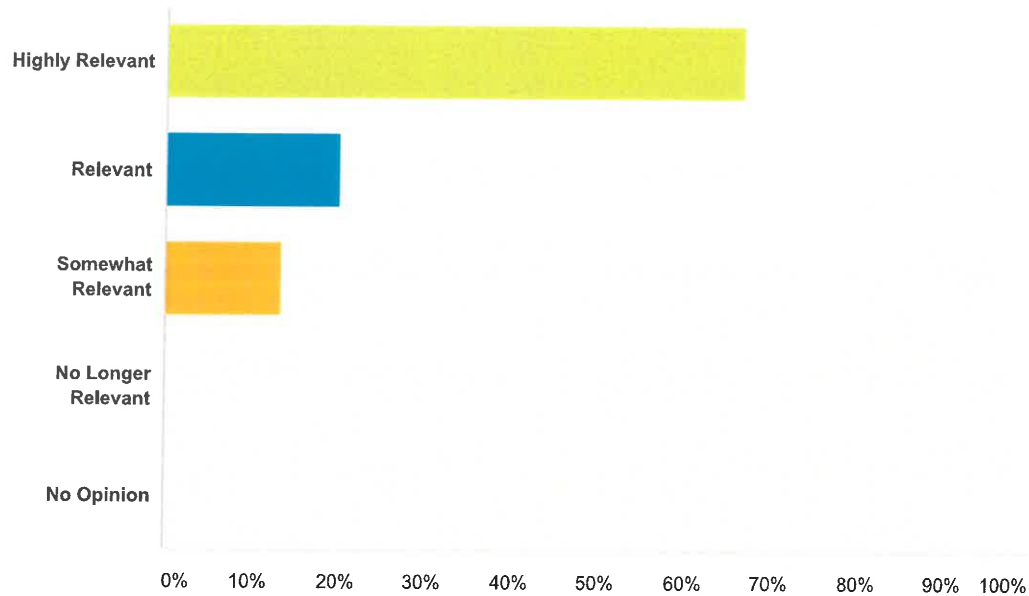
Answered: 14 Skipped: 1



Answer Choices	Responses	
Highly Relevant	64.29%	9
Relevant	35.71%	5
Somewhat Relevant	0.00%	0
No Longer Relevant	0.00%	0
No Opinion	0.00%	0
<b>Total</b>		<b>14</b>

**Q12 Provide Exemplary City Administration  
(Support the provision of quality City  
services by improving operations,  
enhancing financial reporting, managing  
our valuable human resources, improving  
technological capabilities, and connecting  
with the community)**

Answered: 15 Skipped: 0



Answer Choices	Responses	
Highly Relevant	66.67%	10
Relevant	20.00%	3
Somewhat Relevant	13.33%	2
No Longer Relevant	0.00%	0
No Opinion	0.00%	0
<b>Total</b>		<b>15</b>

**Q13 Do you have any other long term goals or strategic objectives which you believe should be part of the 2017 Strategic Plan update?**

Answered: 11 Skipped: 4

#	Responses	Date
1	Succession planning, employee retention and appreciation	4/12/2017 9:58 AM
2	Senior managers are working well over the 36 hours that they are compensated for. Senior manager should be compensated for at least 40 hrs.	4/11/2017 6:52 PM
3	Focus on current and future employee stability.	4/10/2017 12:28 PM
4	We absolutely need more viable businesses in Hercules. We don't need housing, we need business because it brings in the tax revenue we need. If there are any entities trying to do things in Hercules which bring in revenue we need to step up and let them come into town.	4/10/2017 9:25 AM
5	Departments need to become whole and we need to be financially compatible with surrounding departments.	4/3/2017 1:00 PM
6	Increasing staff wages and Increasing staff numbers. To many staff at all levels are working extra long hours, or wearing to many hats out of necessity	4/3/2017 11:49 AM
7	Not at this time	4/3/2017 7:01 AM
8	The city lacks enough police officers for the growth and future population and business increase. This should be a top priority for the city.	4/2/2017 11:07 AM
9		4/2/2017 8:27 AM
10	Increase staffing level. Current staff is overloaded a barely maintaining services to our the residents. In order to successfully reach most of these long term goals, additional staff will be needed. The City will continue to see a high turn over rate in staff due to the increase in workload and pressure to attain this goals.	3/31/2017 9:58 AM
11	I like the direction the city is going with plans for new infrastructure, businesses, etc. Ex: I saw the plan for the new Safeway, which I am looking forward to using. My only fear for this project would be the traffic issues. I hope the city's engineers are going to work this out! I have recently heard the city only has two patrol officers on any shift? This does not make me feel safe. Thank you	3/31/2017 8:59 AM

## Q14 What do you believe are the strengths, weaknesses, opportunities and threats for the City of Hercules?

Answered: 13 Skipped: 2

Answer Choices	Responses	
Strengths	92.31%	12
Weaknesses	84.62%	11
Opportunities	69.23%	9
Threats	92.31%	12

#	Strengths	Date
1	dedicated employees	4/12/2017 9:58 AM
2	City Leaders including department heads are committed to the success and future of this city	4/11/2017 6:52 PM
3	Hard working employees	4/10/2017 12:28 PM
4	Good people who want good things	4/10/2017 9:25 AM
5	Family oriented city, good amount of police, mostly middle class families	4/6/2017 3:24 PM
6	Diverse community	4/3/2017 6:24 PM
7	City of Hercules employees who work hard long hours, always pick up the slack and make sure that the job gets done.	4/3/2017 1:00 PM
8	Hard working dedicated staff	4/3/2017 11:49 AM
9	customer service	4/3/2017 7:01 AM
10	lean city staffing doing work of many	4/2/2017 11:07 AM
11	Great employees	4/2/2017 8:27 AM
12	Good community relations	3/31/2017 8:59 AM

#	Weaknesses	Date
1	lack of transparent and equal accountability of staff	4/12/2017 9:58 AM
2	Many feel that the city needs to compensate those who are working above and beyond the 36 hour work week. the common feeling is that the city may be taking advantage and not doing more for those who are working so many hour. if other work additional hours they are compensated with OT	4/11/2017 6:52 PM
3	Employee retention	4/10/2017 12:28 PM
4	Not looking into possible income sources, and stopping potential revenue bases because we want to keep Hercules a bedroom community	4/10/2017 9:25 AM
5	small tax revenue, not enough small businesses, less citywide events	4/6/2017 3:24 PM
6	Ability to recruit and retain quality employees	4/3/2017 6:24 PM
7	Not financially compatible with other cities.	4/3/2017 1:00 PM
8	Under staffed that is over worked and tired	4/3/2017 11:49 AM
9	not best talent due to salary issue	4/2/2017 11:07 AM
10	Haven't given any pay raises in a long time	4/2/2017 8:27 AM
11	Not enough city personnel; furlough Friday, what is this about?	3/31/2017 8:59 AM

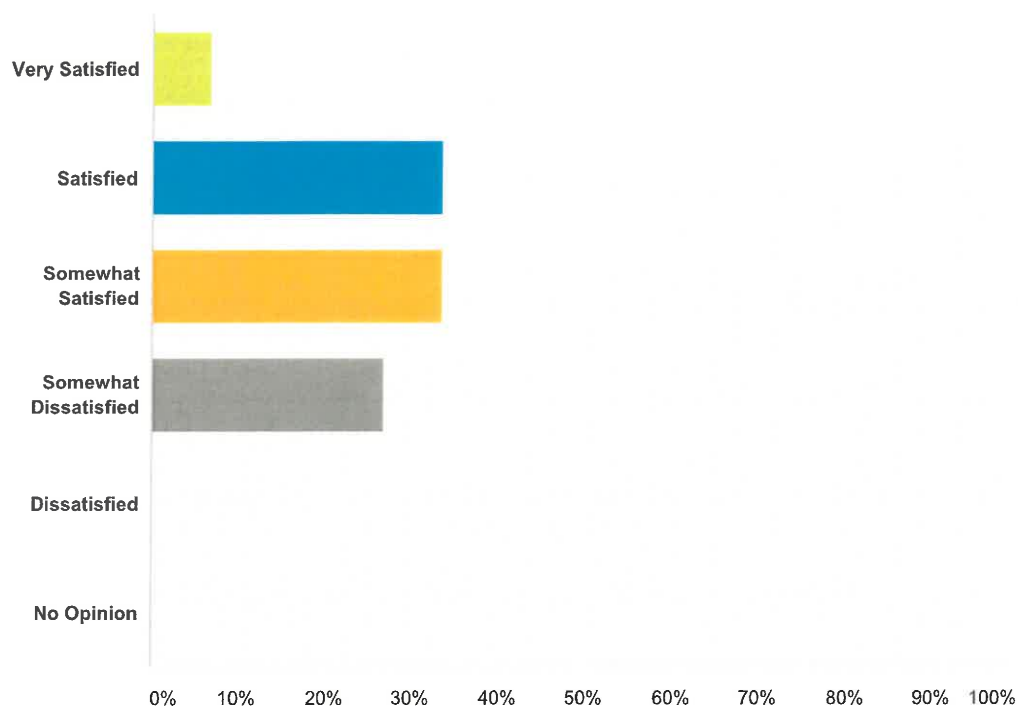
#	Opportunities	Date
1	create commercial development opportunities for fiscal sustainability	4/12/2017 9:58 AM

112 14a

2	Improve moral through compensation, focus on bring revenue generating businesses to Hercules	4/11/2017 6:52 PM
3	Other revenue sources, such as electronic signs.	4/10/2017 12:28 PM
4	We have the opportunity to grow and compete with other cities for businesses with the real estate we have	4/10/2017 9:25 AM
5	Have train station, ferry or bart, commercial businesses for job opportunities	4/6/2017 3:24 PM
6	Exposure to public as if we were a big city	4/3/2017 6:24 PM
7	Without growth within positions and salary increases I don't see any.	4/3/2017 1:00 PM
8	Need to bring in more businesses to make money	4/2/2017 8:27 AM
9	Small city, not much expectations	3/31/2017 8:59 AM
#	<b>Threats</b>	<b>Date</b>
1	self-serving managers who play favorites for personal gain	4/12/2017 9:58 AM
2	Lossing key personnel due to the lack of pay. with the lack of new revenue the city may be facing personnel and pay freezes	4/11/2017 6:52 PM
3	Not having enough staff to keep up with projects.	4/10/2017 12:28 PM
4	Not keeping the business in Hercules and letting residents go to other cities and spend thier money	4/10/2017 9:25 AM
5	If City opportunites are met, might have congested traffic.	4/6/2017 3:24 PM
6	Wages not competitive	4/3/2017 6:24 PM
7	Other cities with their financial stability and growth within positions.	4/3/2017 1:00 PM
8	long term knowledge leaving	4/3/2017 11:49 AM
9	Need to stay strong with police dept	4/3/2017 11:28 AM
10	bad management creating new problems	4/2/2017 11:07 AM
11	Employees leaving due to low morale	4/2/2017 8:27 AM
12	Umm?	3/31/2017 8:59 AM

### Q15 How satisfied are you with working for the City of Hercules?

Answered: 15 Skipped: 0

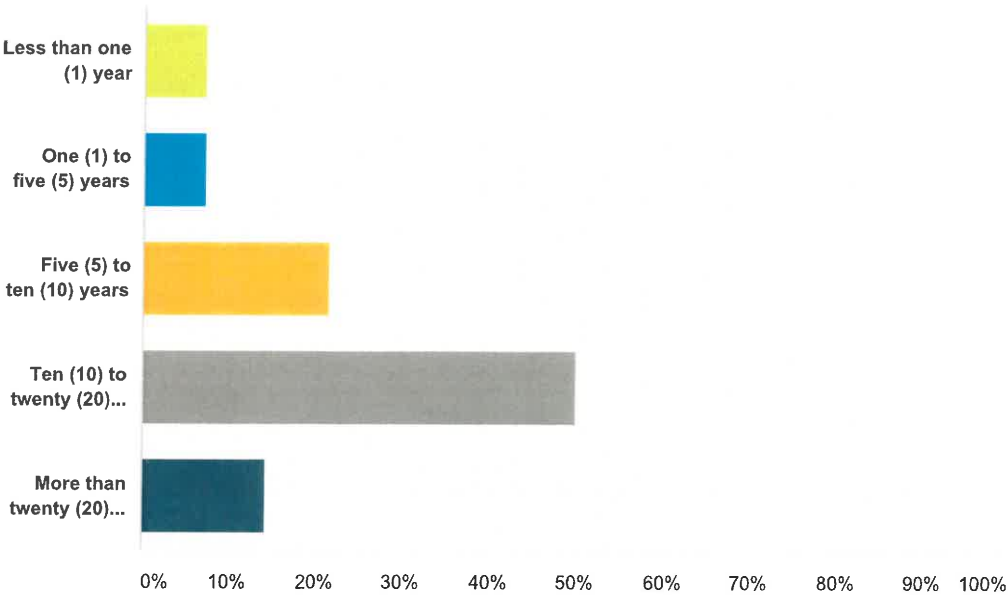


Answer Choices	Responses	
Very Satisfied	6.67%	1
Satisfied	33.33%	5
Somewhat Satisfied	33.33%	5
Somewhat Dissatisfied	26.67%	4
Dissatisfied	0.00%	0
No Opinion	0.00%	0
<b>Total</b>		<b>15</b>



Q16 How long have you been an employee of the City of Hercules?

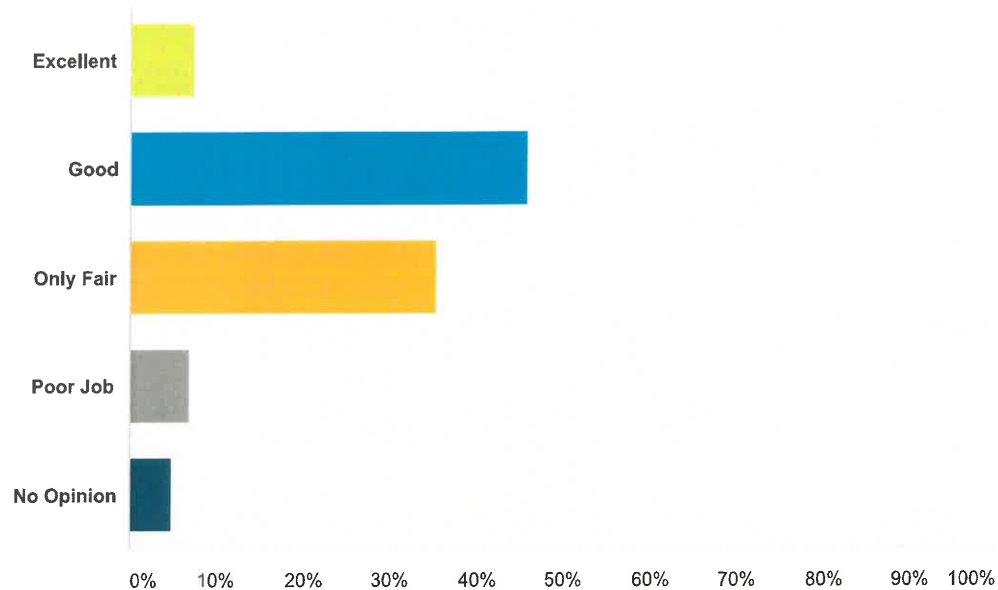
Answered: 14 Skipped: 1



Answer Choices	Responses	
Less than one (1) year	7.14%	1
One (1) to five (5) years	7.14%	1
Five (5) to ten (10) years	21.43%	3
Ten (10) to twenty (20) years	50.00%	7
More than twenty (20) years	14.29%	2
Total		14

## Q2 How would you rate the overall job being done by the City of Hercules in providing services to the City's residents?

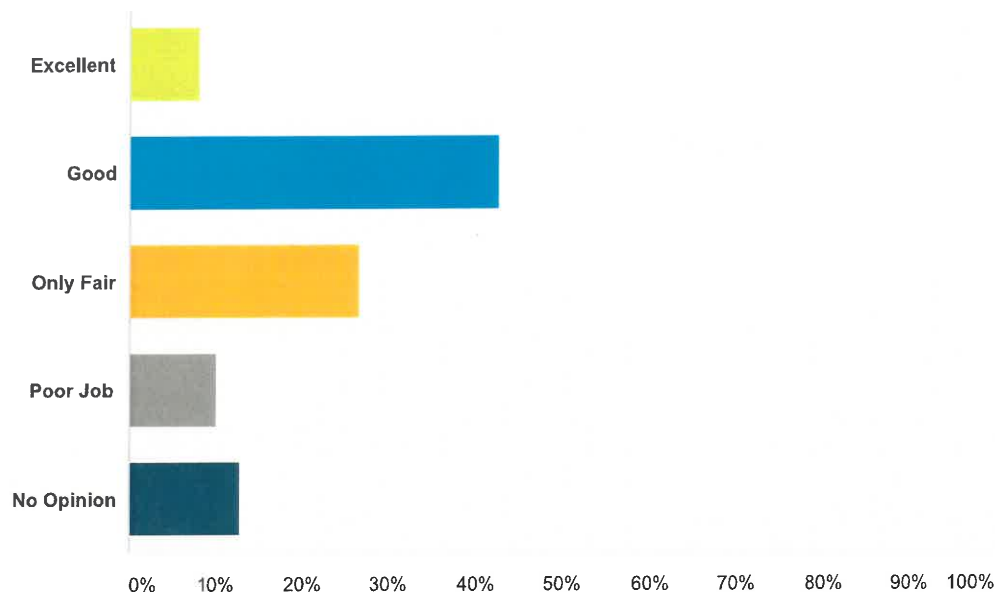
Answered: 190 Skipped: 1



Answer Choices	Responses	
Excellent	7.37%	14
Good	45.79%	87
Only Fair	35.26%	67
Poor Job	6.84%	13
No Opinion	4.74%	9
<b>Total</b>		<b>190</b>

**Q3 How would you rate the job being done by the City of Hercules in managing the City's budget and finances?**

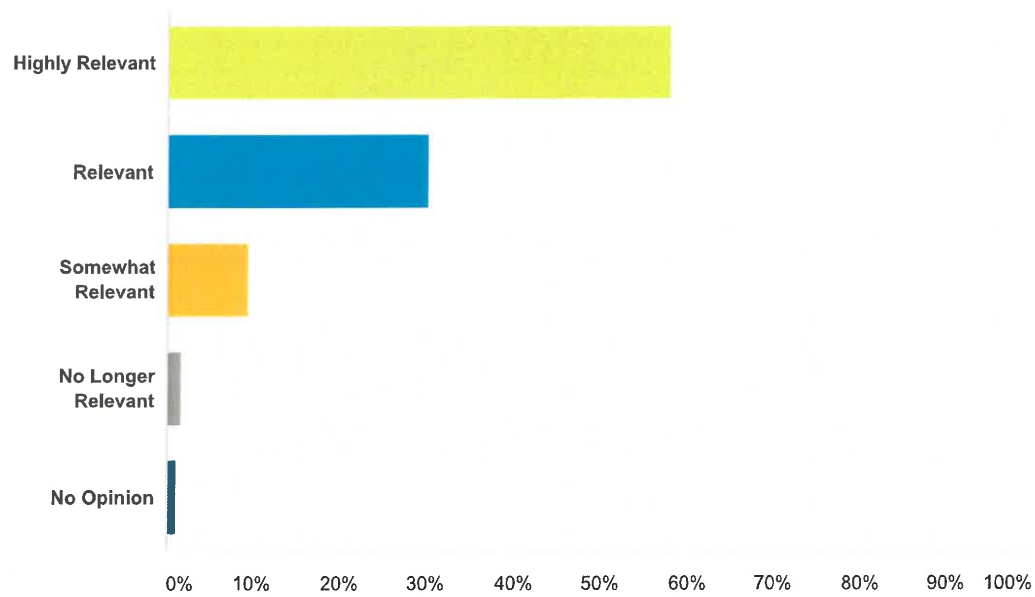
Answered: 188 Skipped: 3



Answer Choices	Responses	
Excellent	7.98%	15
Good	42.55%	80
Only Fair	26.60%	50
Poor Job	10.11%	19
No Opinion	12.77%	24
<b>Total</b>		<b>188</b>

**Q4 Restore Trust in Government (Enhance transparency and access to information, improve communication with the community, and regularly share financial information)**

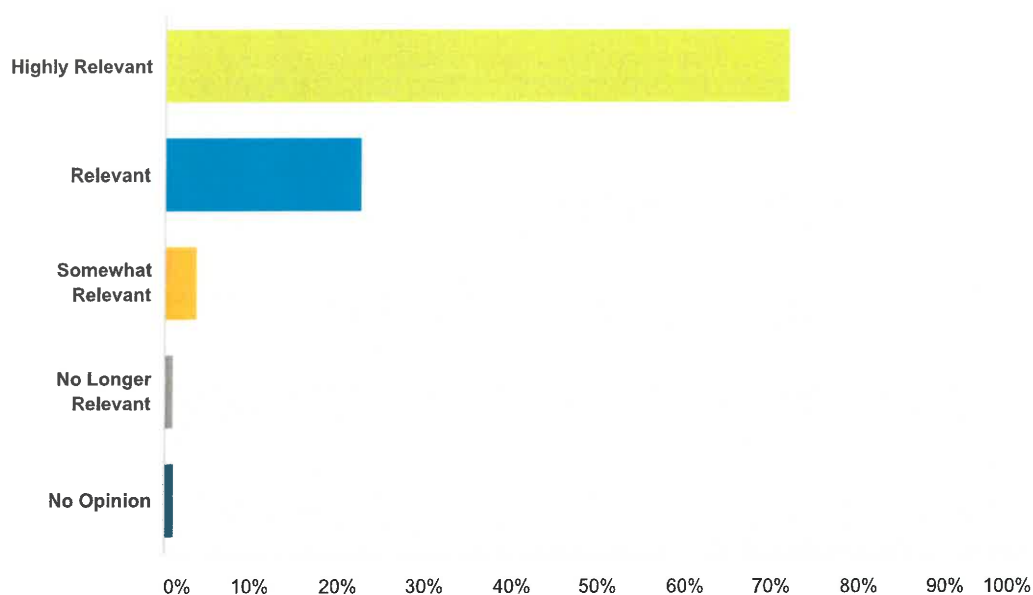
Answered: 190 Skipped: 1



Answer Choices	Responses	
Highly Relevant	57.89%	110
Relevant	30.00%	57
Somewhat Relevant	9.47%	18
No Longer Relevant	1.58%	3
No Opinion	1.05%	2
<b>Total</b>		<b>190</b>

**Q5 Achieve and Maintain Financial Stability**  
**(Adopt balanced annual budgets with**  
**expenditures not exceeding revenues,**  
**ensure one-time funds are used for on-time**  
**purposes, enhance revenues, control costs,**  
**and address threats to fiscal health)**

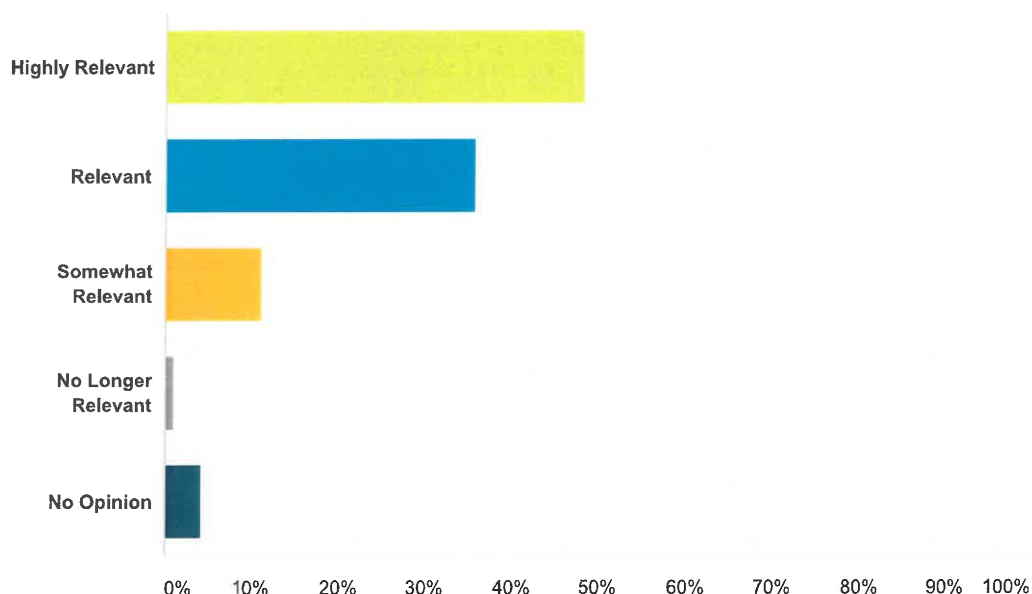
Answered: 191 Skipped: 0



Answer Choices	Responses	
Highly Relevant	71.73%	137
Relevant	22.51%	43
Somewhat Relevant	3.66%	7
No Longer Relevant	1.05%	2
No Opinion	1.05%	2
<b>Total</b>		<b>191</b>

**Q6 Solve Real Estate Problems and Create Opportunities (Sell former Redevelopment Agency properties for beneficial development – properties sold, development underway or pending)**

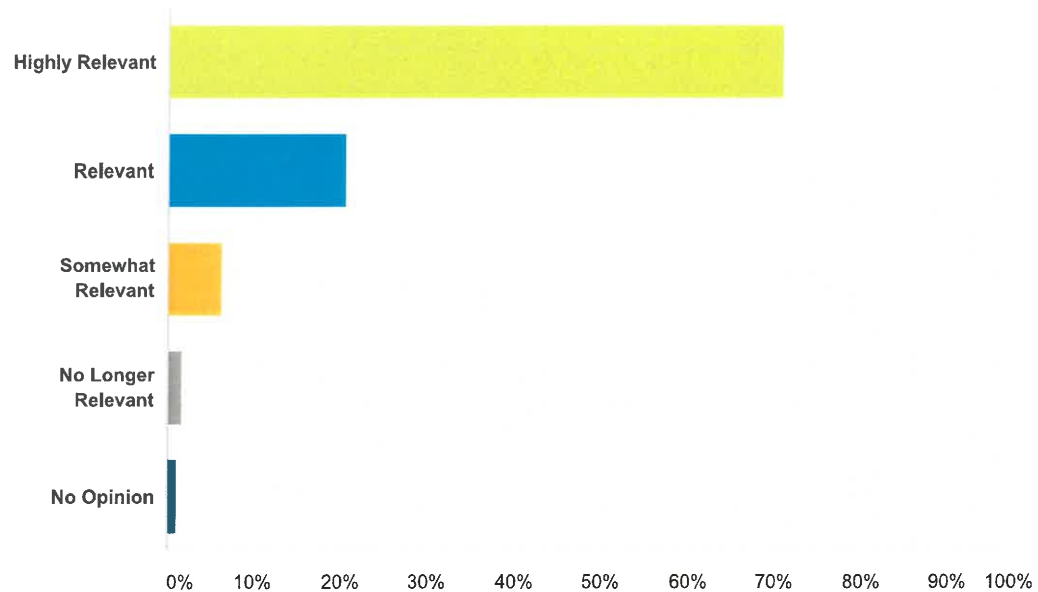
Answered: 191 Skipped: 0



Answer Choices	Responses	
Highly Relevant	48.17%	92
Relevant	35.60%	68
Somewhat Relevant	10.99%	21
No Longer Relevant	1.05%	2
No Opinion	4.19%	8
<b>Total</b>		<b>191</b>

**Q7 Enhance Economic Development Efforts  
(Diversify the City's economic base and  
revenues, and provide more and enhanced  
shopping and dining opportunities)**

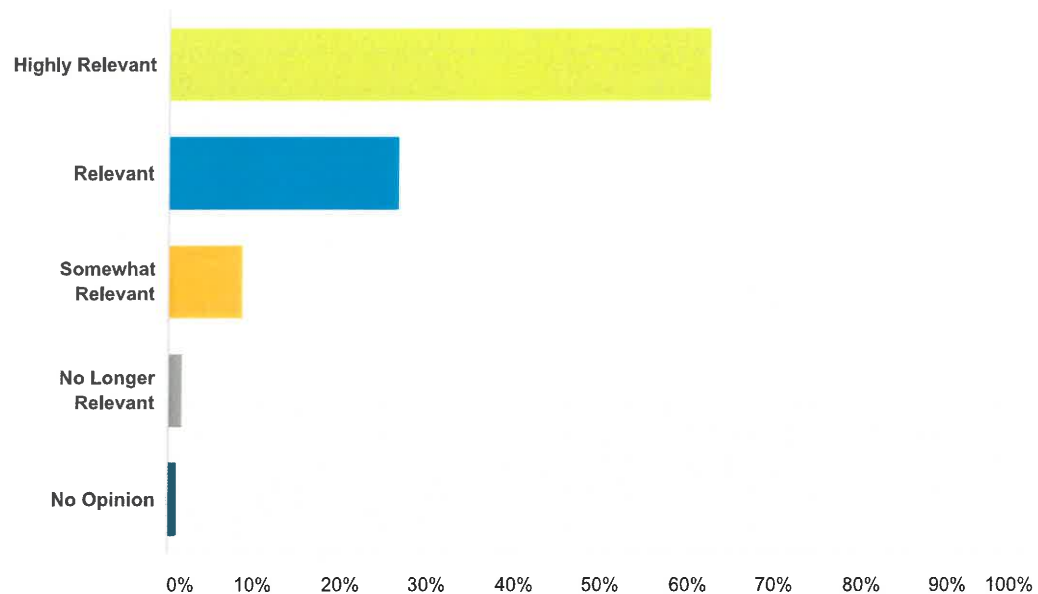
Answered: 191 Skipped: 0



Answer Choices	Responses	
Highly Relevant	70.68%	135
Relevant	20.42%	39
Somewhat Relevant	6.28%	12
No Longer Relevant	1.57%	3
No Opinion	1.05%	2
<b>Total</b>		<b>191</b>

**Q8 Plan and Guide Remaining Build-Out of the City (Update key planning documents with an eye towards economic development and ensuring quality projects)**

Answered: 189 Skipped: 2

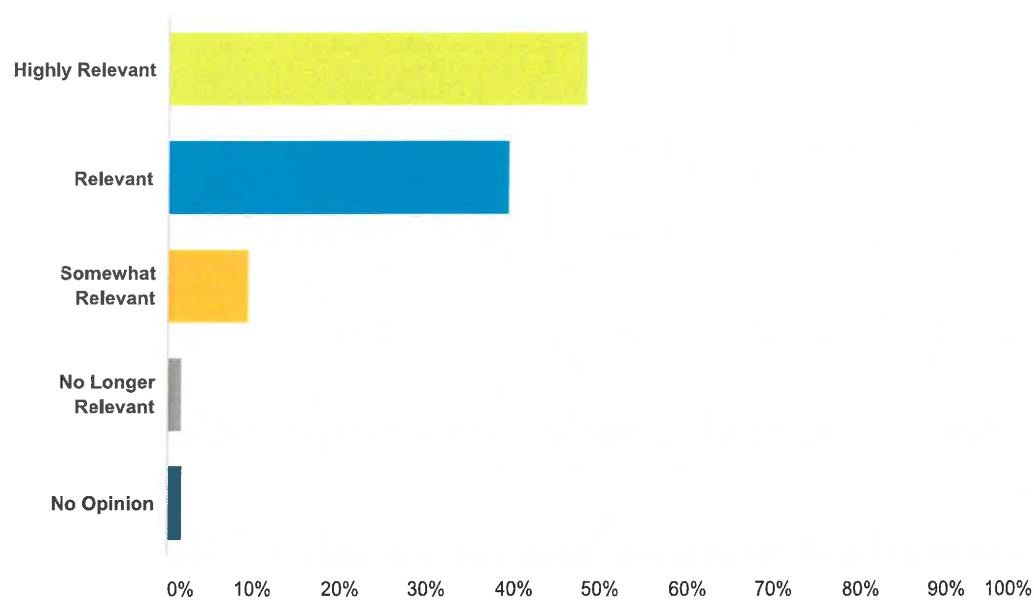


Answer Choices	Responses	
Highly Relevant	62.43%	118
Relevant	26.46%	50
Somewhat Relevant	8.47%	16
No Longer Relevant	1.59%	3
No Opinion	1.06%	2
<b>Total</b>		<b>189</b>



**Q9 Facilitate and Regulate Quality Construction and Ensure Proper Maintenance of Public Infrastructure and Facilities (Improve permitting and building inspection functions, enhance code compliance and maintenance efforts, and improve planning for and implementation of private development projects and City capital improvement projects such as the extension of John Muir Parkway)**

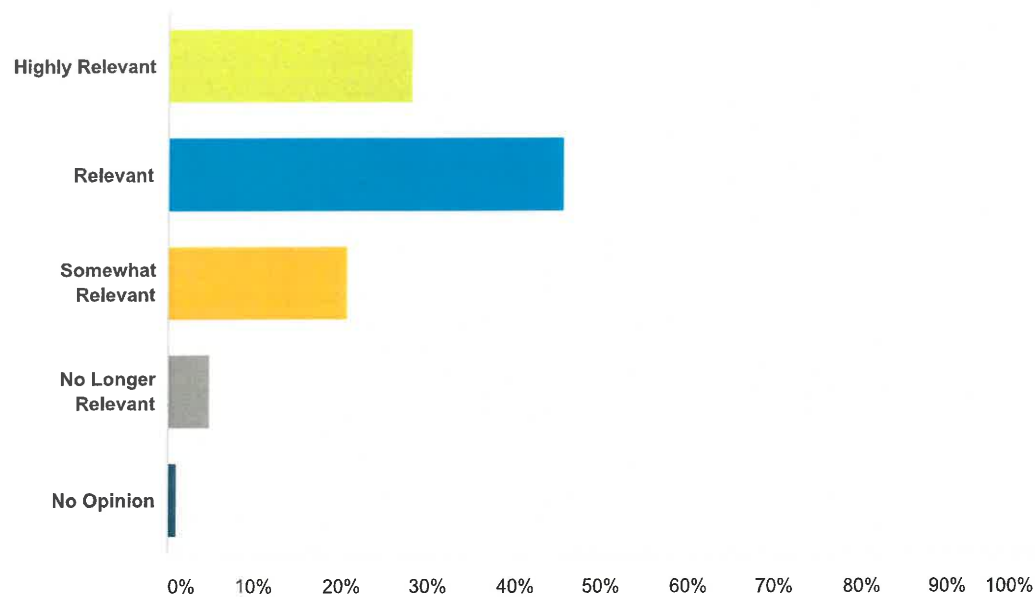
Answered: 191 Skipped: 0



Answer Choices	Responses	
Highly Relevant	48.17%	92
Relevant	39.27%	75
Somewhat Relevant	9.42%	18
No Longer Relevant	1.57%	3
No Opinion	1.57%	3
<b>Total</b>		<b>191</b>

**Q10 Provide Outstanding Cultural and Recreational Services (Provide quality recreation programs with a high level of cost recovery directly or in partnership with others including volunteers, and identify non-city resources to do so)**

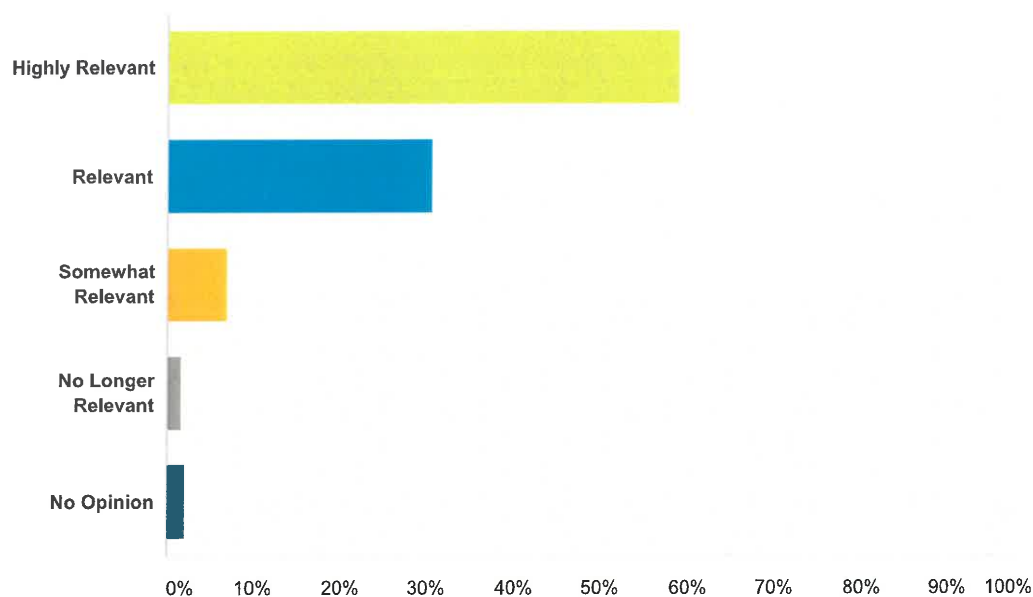
Answered: 189 Skipped: 2



Answer Choices	Responses	
Highly Relevant	28.04%	53
Relevant	45.50%	86
Somewhat Relevant	20.63%	39
No Longer Relevant	4.76%	9
No Opinion	1.06%	2
<b>Total</b>		<b>189</b>

**Q11 Provide Excellent Police Services to the Community (Protect life and property using a community policing model with the assistance of reserve officers and volunteers, seek funding to supplement public safety resources)**

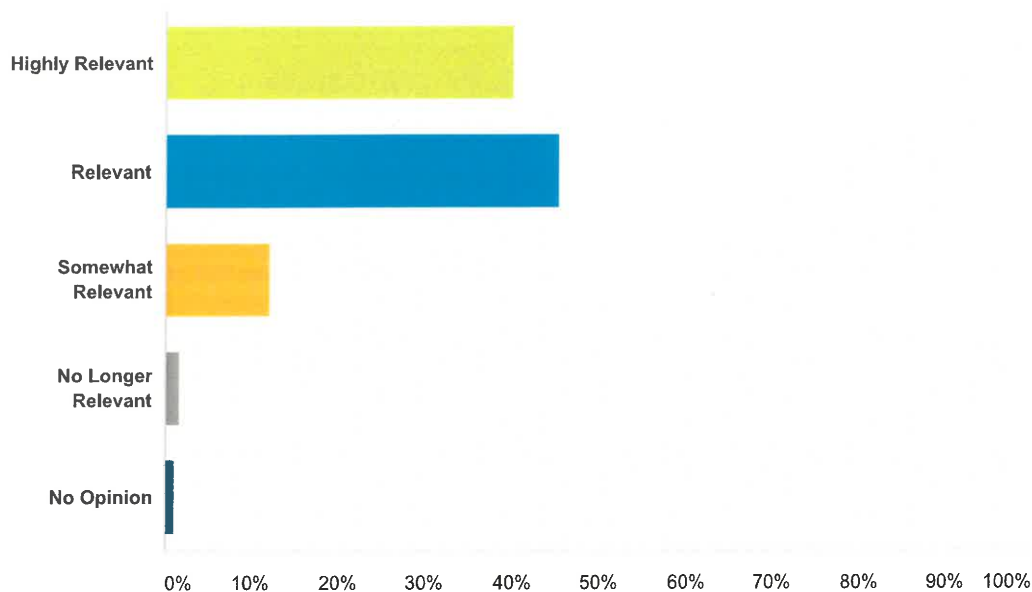
Answered: 190 Skipped: 1



Answer Choices	Responses	
Highly Relevant	58.95%	112
Relevant	30.53%	58
Somewhat Relevant	6.84%	13
No Longer Relevant	1.58%	3
No Opinion	2.11%	4
<b>Total</b>		<b>190</b>

**Q12 Provide Exemplary City Administration**  
**(Support the provision of quality City**  
**services by improving operations,**  
**enhancing financial reporting, managing**  
**our valuable human resources, improving**  
**technological capabilities, and connecting**  
**with the community)**

Answered: 190 Skipped: 1



Answer Choices	Responses	
Highly Relevant	40.00%	76
Relevant	45.26%	86
Somewhat Relevant	12.11%	23
No Longer Relevant	1.58%	3
No Opinion	1.05%	2
<b>Total</b>		<b>190</b>

**Q13 Do you have any other long term goals or strategic objectives which you believe should be part of the 2017 Strategic Plan update?**

Answered: 107 Skipped: 84

#	Responses	Date
1	Safeway + gas station. Other eating opportunities.	4/18/2017 9:15 AM
2	Continue working towards a ferry and train stop in hercules. Continue building a tax base with shopping and such by the waterfront.	4/17/2017 9:59 PM
3	Amtrak stop in Hercules ASAP Attract a Costco store near Hercules	4/17/2017 9:14 PM
4	A ferry terminal please!	4/17/2017 8:46 PM
5	With more housing projects coming up, City of Hercules need to improve on their transportation especially entries into Freeway 80 and Highway 4	4/17/2017 4:01 PM
6	Improve public transportation links to Bart, and pedestrian walkways into Pinole- create sidewalk on the east side of San Pablo.	4/17/2017 3:43 PM
7	I want to see projects like Safeway, train stop and ferry service actually happen. Also, the Creekside shopping center needs a makeover desperately. Landscape maintenance is important off of Lupine. The weeds grow so high then the gardeners come and weedwhack only 2 feet in leaving a mess. Can you please hire city gardeners that do a good job and clean up after themselves!	4/17/2017 11:39 AM
8	Higher standards for public schools.	4/17/2017 11:04 AM
9	Be a partner in solving the traffic challenges for the 1-80 corridor. Hercules is a bedroom community that calls for the vast majority of the residents to commute.	4/17/2017 9:59 AM
10	Put more effort in code compliance, so we can get the city back in shape.	4/16/2017 11:25 PM
11	Stop giving home builders everything they want without demanding parks and schools. Stop building homes instead of commercial, tax-providing developments. How have you learned NOTHING from Pinole's success?	4/16/2017 10:52 PM
12	W/ the continuous grow of the city, some major streets traffic signal lights should be synchronize to reduce traffic congestion especially around the intersection of Sycamore & Refugio Valley road area.	4/16/2017 9:36 PM
13	Redevelopment of Creekside Shopping Center Move the Corp Yard and convert property to City Park and recreation center.	4/16/2017 9:32 PM
14	We were promised Ferry, Amtrak, Waterfront etc... in 2005 when we purchased our home here. Still waiting!!!	4/16/2017 4:57 PM
15	To attract better businesses to the area. There are too few restaurants and businesses. Pinole is booming and Hercules has very few options.	4/16/2017 4:06 PM
16	Let's start by looking at the city's real estate investments and determine what can be developed by the city (such as the property across from the Shell station) and what should be sold to private developers. Also, let's try not to make any more bad deals like the mixed use building on Sycamore.	4/16/2017 2:32 PM
17	More info about the possible Safeway shopping center for Hercules as well as what will be done with the Market Hall area in San Pablo Ave. Also would like the city to look into expanding the Hercules Library hours to include being open on Sundays.	4/16/2017 2:30 PM

18	First, let's accept the reality. When Hercules City Council rejected BART extension proposal many years ago, that essentially killed any possibility of ever having BART extension to Hercules. That was and will be the worst decision ever in the history of this city. So please stop talking about it when someone brings it up. Just stop because it will never happen. Secondly, don't dangle the timeline of 3 years of having train stop in Hercules when none of train operators signed onto it. There will be no funding for public transportation for Hercules under the current administration in the White House. Any public discussion in discussing as if something (train stop, ferries, BART) will happen in the next 3-5 year time frame is misleading and doing disservice to the people of Hercules. Instead, focus on improving the poor school system, reducing the property taxes which is higher (if not the highest) than most cities in Contra Costa County. Do you think it is fair to assess taxes over \$1200/year for landscaping and park maintenance when our lawns yards that we are paying special taxes to maintain looks embarrassing (even in non-drought years). These are the immediate and urgent issues the city council needs to tackle. Not about pipe dream projects that sound good but mostly likely never come into fruition.	4/16/2017 2:08 PM
19	Striving to become a destination town rather than just another pit stop on 80. To do so, strive to seek commercial development that focuses on local and original offerings, rather than fast food (eg Chick a fil, etc).	4/16/2017 12:39 PM
20	Sustainable growth with new urbanism in mind. Make Hercules a "destination town" in line with its natural beauty	4/16/2017 12:14 PM
21	Traffic to the City is becoming a bigger problem as families are moving further away from the city. What took 1/2 hour to get home now is an 1 1/2. We need more choices for shopping and eating to remain in the area.	4/16/2017 10:57 AM
22	Work to speed up the Intermodal Transit Center.	4/15/2017 9:38 PM
23	Control the litter problem that is apparent in nearly all parts of the City and address the many blighted properties found in the neighborhoods without HOA's.	4/15/2017 8:05 PM
24	Just as I believed when I moved here in Jan 1978. More businesses, shopping and a multitude of restaurants, & qqqeateries would make me one happy Herculean.	4/15/2017 6:57 PM
25	Get the new Safeway store built. Delays have been interminable.	4/15/2017 3:46 PM
26	Streetlight replacement for Heights. Better trash upkeep throughout Hercules. Better common space landscape upkeep along Refugio Valley Road walking path. There is a lot of poison oak starting to extend onto the path and a lot of dead trees and brush that need removal.	4/15/2017 2:37 PM
27	Develop a sense of place that embraces what we love about this town; cultural diversity, open space, beautiful vista's, tranquility and safety.	4/15/2017 12:21 PM
28	I think that the city Council needs to support the Hercules public library more than they do at this time. Our library is a resource that is valued by thousands and it is the city's heart and center so I feel that it should be supported more than it is currently being supported by the city.	4/15/2017 12:07 PM
29	Developer public-private partnership relationships between businesses and public school system that enhance vocational-technical training for our youth.	4/15/2017 11:35 AM
30	no lighted pylon signs on the highway!	4/15/2017 9:08 AM
31	Improving and supporting our Middle/High School is vital.	4/15/2017 8:35 AM
32	Make sure that economic development includes viable plans to improve transportation options to job centers including Oakland and the south Bay. Traffic is terrible. We love living here but it is hard to get home if you work more than 20 miles away. Have you thought about getting BART extended to Hercules? The closest station is 30 minutes away due to freeway congestion.	4/15/2017 7:30 AM
33	Reduce and phase out reliance on special tax measures!	4/14/2017 11:53 PM
34	Invest and support Solar, Wind Power opportunities for the communities.	4/14/2017 10:49 PM
35	Use trains originating on the BNSF tracks next to Hercules transit center to connect to UP tracks to access Richmond BART and the Berkeley, Emeryville, and Jack London Square train stations (and maybe even San Jose.)	4/14/2017 10:05 PM
36	Extend BART All the way up to Crockett Area to minimize Commuting hours both ways. Make it part of Federal Gov't Trillion Dollars Infrastructures, 2018 Budget. This is Win, Win, Win...	4/14/2017 9:45 PM
37	We need to bring more retail and commercial service opportunities to generate income for the city instead of building more homes which increase traffic and costs the city more money to maintain	4/14/2017 7:35 PM
38	We want BART ASAP	4/14/2017 7:13 PM
39	Ensuring pedestrian-friendly development that is aesthetically compatible with the surrounding residential neighborhoods, particularly west of San Pablo Avenue.	4/14/2017 6:56 PM
40	Build the tax base by promoting more retail development and business opportunities (similar to what Pinole has done).	4/14/2017 6:43 PM

41	Need to have a sustainable tax base. Work on the transit issue. Connect the bay trails to Point Pinole to Rodeo. Bring back the Cultural Festival.	4/14/2017 6:35 PM
42	No	4/14/2017 6:23 PM
43	More business establishments.	4/14/2017 6:19 PM
44	local health clinic/services for Seniors.	4/14/2017 6:14 PM
45	Work on getting Hercules fair share of property taxes which is ~ 2.5% compared to Pinole 10% and El Cerrito ~ 15 - 20%.	4/14/2017 5:56 PM
46	More businesses for hercules	4/14/2017 5:49 PM
47	We need to bring people into our city to spend money. Pinole has done well at getting Trader Joe's and Sprouts, we need to do similar, but not Walmart.	4/14/2017 5:33 PM
48	A school bus system would be amazing.	4/14/2017 5:23 PM
49	Improve students' scholastic achievements	4/14/2017 5:18 PM
50	There needs to be greater diversity and inclusion within the strategic plan, building the community and greater collaborations to support community efforts.	4/14/2017 5:12 PM
51	Continue working to get the ITC going!	4/14/2017 11:32 AM
52	Fully supporting five hours of Library operation and maintenance of the library including replacing upholstered furniture that has been worn out after 10 years of continual use.	4/13/2017 8:23 PM
53	Pheasant Drive road needs repaving. There is no middle line to divide 2-way road and there are lumps in the road from previous construction.	4/12/2017 10:47 PM
54	Attracting desirable businesses to the community to create more desire ability	4/12/2017 7:38 PM
55	Build up waterfront, bring in more businesses to hercules ASAP	4/12/2017 11:35 AM
56	I think the intermodal transit hub idea is a good and worthy one. That said, I like Hercules being a fairly quiet little town, and have no wish to see it transformed into an extensive commercial hub. Downtown Pinole is an example of what I like. The commercial complex on Fitzgerald by the freeway is an example of what I do not want us to become.	4/11/2017 8:10 PM
57	provide better financial planning, watch to what dept the finances go towards and make sure it's being used properly and not being wasted.	4/11/2017 11:42 AM
58	FERRY!	4/10/2017 6:41 AM
59	Need fresh businesses, look at city of Pinole as a good example. Pinole gets things done in a timely manner and approves good businesses the community wants	4/9/2017 10:37 PM
60	Restore utilities to The Clubhouse and open it for community events.	4/7/2017 4:15 PM
61	Make local schools more attractive to local residents -- make them serve local population. Make schools reflect local population, take measures to reduce influx of high number of transfer students. Poor performing schools impact desirability of community and forces parents to look outside of Hercules to educate their children, either by requesting a transfer to public schools outside of Hercules or to private schools.	4/7/2017 12:38 PM
62	The city need to expand businesses and expand Bart to Hercules.	4/6/2017 9:31 PM
63	Repair and update the community rental properties so residents don't go outside of the City to spend their money. I have rented the Ohlone property twice for parties and the A/C did not work during summer and the property needed interior painting. Also, revisit using the large property for food trucks on a regular basis so money stays in Hercules.	4/6/2017 7:37 PM
64	I believe the city needs to return to offering the option of part-time childcare. Parks and Rec and fun activities are always cut and we rarely get new businesses or stores but there are housing developments all the time. Where will these people eat, shop, and go to school?	4/6/2017 6:09 PM
65	Yes. Bringing BART to Hercules. When I moved here 28 years ago I was told that BART will be coming to Hercules SOON. 28 years is SOON enough. When will it happen?	4/6/2017 4:03 PM
66	Attract more businesses/restaurants to Hercules	4/6/2017 3:59 PM
67	Create economic stability by bringing retail/commercial development to Hercules. Residential housing creates further drain on the smaller City staff, which continues to be furloughed.	4/6/2017 3:26 PM
68	As a new resident to Hercules, I am impressed by the growth that is taking place. However, my concern is about safety and the number of burglaries. What can the council and city do to help us feel safe in our homes and neighborhoods?	4/6/2017 2:53 PM

## Hercules Strategic Plan Survey 2017

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69	Work towards getting BART in Hercules. Build more restaurants and stores.	4/6/2017 2:42 PM
70	Improvement to the Hercules school system.	4/6/2017 2:36 PM
71	Adopt a development philosophy akin to Gross Domestic Happiness. Consider a holistic approach to development that will promote the values important to City residents.	4/6/2017 2:35 PM
72	Create better schools for all residents of Hercules. The only decent public school in Hercules is Hannah Ranch. The high school is average compared to other schools in East contra costa.	4/6/2017 1:28 PM
73	You HAVE to bring more retail/dining/entertainment opportunities to our city. We are tired of having to go to another city for these. When are WE going to get all the services in Hercules that keep popping up in Pinole? I dont want to have to keep driving over to the next town over to dine/shop/see a movie all the time. All that money is being given away to other cities that could remain right here in Hercules	4/6/2017 1:09 PM
74	Trying to get more businesses within our community in order to create revenue for improvements in our community. New stores would provide jobs, tax revenue, etc. New restaurants within our own community instead of giving neighboring cities (Pinole) all of our tax revenue.	4/6/2017 12:50 PM
75	Restore confidence in the City's financial well being.	4/6/2017 12:48 PM
76	No	4/6/2017 12:48 PM
77	Bathroom at Frog Pad.	4/6/2017 12:34 PM
78	With the new housing communities, discussion and/or development for new schools to address the growing community.	4/6/2017 12:05 PM
79	Repave the horrible streets and higher police presence. Criminals from other cities are capitalizing on our lack of police presence.	4/6/2017 11:59 AM
80	We need to have a legitimate plan to alleviate the congestion on 80. We are building more homes and apartment building but do not have in place viable public transportation options. This has created further congestion and no other options.	4/6/2017 11:57 AM
81	Be financial sound and be able to continue to support recreational programs	4/6/2017 11:54 AM
82	I know it is in process, but I would love to spend my money in Hercules instead of having to go to other cities. Nice restaurants and higher end retail would be great. We have a beautiful city, we need to use that to our strength and make it a place where people want to come spend a day. Many other ways we can do that besides restaurants and retail as well. Things like recreation - kayaking and paddle boarding of pier. Aside from the development options, traffic control is something I feel needs to be addressed. I don't feel safe walking down Sycamore as people speed well over 40 mph in a 25 mph zone. I saw that we recently setup the radar that flashes blue and red. I hope that works, but I don't think people will slow down until they are ticketed.	4/6/2017 8:25 AM
83	Address to control and reduce the ever-increasing traffic issues in our small, limited community.	4/5/2017 4:30 PM
84	Provide more opportunities for retail. and get the Hercules Transportation Center on track with Train Station, Ferry, and Bus Transportation. Mainly	4/5/2017 2:19 PM
85	public transit, ferry service, new waterfront, theater center, skate park, rezoning, advanced permitting opportunities	4/4/2017 9:13 PM
86	build bay front and Hercules Point ASAP before property prices come down.	4/3/2017 1:29 PM
87	Affordable housing to include low- and middle-income family homes,apartments,condos. Because the property taxes (including bonds and parcel taxes) are outrageously high for real estate surrounded by petroleum refineries, holding tanks, General Chemical, off-shore oil tanker loading, and which is a former brown field in some areas of Hercules, residents need to be able to pay a mortgage or rent and painful property taxes. Hercules will not have a thriving business/shopping sector unless residents can afford both to shop and to pay for a roof over their heads. Yes, nonresidents will be part of the shopping dollar income to this city, but since Hercules seems to be a Lands' End territory, it's the citizens here who will chose not to drive/online shop elsewhere, but to walk to or take a free neighborhood SHUTTLE to our new shopping district by the bay.	4/3/2017 12:42 PM
88	See weaknesses in 14 below.	4/3/2017 9:45 AM
89	school, bring in well paying jobs by bring in corporate offices.	4/3/2017 7:52 AM
90	Build a stronger economic base through a much better effort to attract and develop commercial and retail businesses (as opposed to residential). Why shouldn't Hercules be like Pinole in attracting businesses?	4/2/2017 11:23 PM
91	Open more transit options: ferry, Bart, Amtrak train and make priority!	4/2/2017 10:29 PM
92	Attract more businesses and quality restaurants in Hercules.	4/2/2017 9:40 PM

415 13d



93	We need restaurants and stores. We are tired of having no options. Bring stuff that will bring tax revenues. We only need part time childcare but the city no longer offers it. Our swimming lessons are more than triple the cost of them in Crockett. Our police force is way too small for a city this size.	4/2/2017 9:32 PM
94	How to improve transportation/commute options How to increase city revenue through increase economic development How to preserve green spaces that make Hercules unique	4/2/2017 7:42 PM
95	City needs improved services so we don't constantly leave the area for dining/shopping/recreation. We live here, meaning own a house and sleep here, but pretty much do everything else socially as a family outside the area. Schools, dining, and recreation.	4/2/2017 7:40 PM
96	We do not need anymore big chain stores in Hercules. Focus on what needs fixing first (i.e., potholes, gopher jokes on rufugio valley park green) before staring anything new. Keep things in proportion to the size. For instance, whatever goes onto market hall needs to be sized pppropriely to the lot.	4/2/2017 7:06 PM
97	Speed up transportation development to other areas of the Bay area, including San Francisco and Walnut Creek. Reduce taxation for city residents, and instead become more welcoming for businesses and rely on businesses for tax revenue (e.g. often we are going out of town for dinning and shopping, but would prefer to spend our money for the benefit of the our community). Encourage the building department to be more friendly towards home owner expansions and improvements.	4/2/2017 10:31 AM
98	Fix the clock tower,improve exit and entrance out of city,too much congestion during peek hours to San Pablo ave.	4/2/2017 9:16 AM
99	<b>Improve the schools, build out waterfront</b>	4/2/2017 7:16 AM
100	extend the bart system to hercules transit center; develop waterfront in rodeo or annex it to hercules if possible	4/1/2017 6:45 PM
101	Get BART and ferry service to Hercules.	3/31/2017 3:42 PM
102	Community-building opportunities; publicity of and outreach for such opportunities; partnership with other East Bay cities; bridge between residents and City; public art designed and painted by community	3/30/2017 11:46 PM
103	More restaurants and shop so I don't have to shop else where.	3/30/2017 9:48 PM
104	TRANSIT. TRANSIT. TRANSIT. BART needs to come to Hercules and Lynx needs more buses in mid day.	3/30/2017 9:21 PM
105	Begin planning a city center.	3/30/2017 7:20 PM
106	PLEASE--We NEED more restaurants & retail!!!!...Book stores, music stores, Apple Store, art store, clothing stores, mom & pop coffee shops & eateries....ferry to SF....pretty please!	3/30/2017 7:03 PM
107	Hercules needs more retail and restaurants and less housing. Hercules needs a new elementary school for residents of Victoria by the Bay and the Waterfront area.	3/30/2017 6:36 PM

## Q14 What do you believe are the strengths, weaknesses, opportunities and threats for the City of Hercules?

Answered: 126 Skipped: 65

Answer Choices	Responses
Strengths	92.06% 116
Weaknesses	92.06% 116
Opportunities	80.95% 102
Threats	84.92% 107

#	Strengths	Date
1	Location	4/18/2017 9:15 AM
2	Community	4/18/2017 6:20 AM
3	Is a Diamond in the Rough	4/17/2017 4:01 PM
4	Area along the Bay looks promising, I like the trails along the Bay as well	4/17/2017 3:47 PM
5	Lovely location by the Bay	4/17/2017 3:43 PM
6	Sense of Community	4/17/2017 1:29 PM
7	police and fire department	4/17/2017 11:39 AM
8	Above average literacy rate; above average household income	4/17/2017 11:04 AM
9	Clean, nice and safe community to live in	4/17/2017 9:59 AM
10	New communities and parks	4/17/2017 7:21 AM
11	Its people and the volunteers here.	4/16/2017 11:25 PM
12	Location	4/16/2017 10:52 PM
13	Good people running City now	4/16/2017 9:32 PM
14	Safe place to live, good schools.	4/16/2017 4:57 PM
15	Walkability. Everything is easy to walk to.	4/16/2017 4:06 PM
16	The people you serve, the citizens.	4/16/2017 2:32 PM
17	Strong community	4/16/2017 2:30 PM
18	Admission of past failures; Aspiration for brighter future	4/16/2017 2:08 PM
19	Natural beauty, racial and economic diversity, sense of community, proximity to the inner Bay Area. Probably the last affordable place along the water for middle-class folks	4/16/2017 12:39 PM
20	Natural beauty, diversity, family friendly	4/16/2017 12:14 PM
21	Live in a small community - quite living	4/16/2017 10:57 AM
22	Great staff, dedicated electeds, engaged community.	4/15/2017 9:38 PM
23	The City has a great location and concerned citizens.	4/15/2017 8:05 PM
24	Dedication of employees who stayed on during the recession, losing salaries, and staying, standing by the City.	4/15/2017 6:57 PM
25	The City Council seems focused and attentive.	4/15/2017 3:46 PM
26	Response time to reports or complaints. Very expedient.	4/15/2017 2:37 PM
27	cultural diversity, solidly middle class, open space, beautiful vista's, tranquility and safety.	4/15/2017 12:21 PM

1/13 14a

## Hercules Strategic Plan Survey 2017

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28	Our city Council has done a good job getting us through difficult times and I appreciate their service to our city. Are cities natural resources and diverse community is definitely a strength.	4/15/2017 12:07 PM
29	Location	4/15/2017 11:35 AM
30	Tenacity of Herculeans	4/15/2017 8:35 AM
31	Quiet and safe, reasonably priced homes	4/15/2017 7:30 AM
32	Beautiful and plentiful natural settings between bay and hills	4/14/2017 11:53 PM
33	Some good ideas & projects.	4/14/2017 10:45 PM
34	Diversity, Nice weather and good people.	4/14/2017 9:45 PM
35	Our location is amazing	4/14/2017 8:04 PM
36	Beautiful community and residents	4/14/2017 7:35 PM
37	Location. Undeveloped hills. Wetlands.	4/14/2017 6:56 PM
38	Focused leadership	4/14/2017 6:43 PM
39	crossroad of Hwy 4 and Hwy 80 need to market	4/14/2017 6:35 PM
40	Strong city government.	4/14/2017 6:19 PM
41	Clean and well maintained	4/14/2017 6:14 PM
42	Good, decent people overall and City Council trying in many ways.	4/14/2017 5:56 PM
43	Naturally beautiful.	4/14/2017 5:44 PM
44	Clean environment with minimal graffiti	4/14/2017 5:33 PM
45	Good rated city	4/14/2017 5:29 PM
46	Diversity	4/14/2017 5:18 PM
47	the diversity of our people	4/14/2017 5:10 PM
48	beautiful landscape and geography, family-oriented	4/14/2017 5:00 PM
49	Location, climate, available space for development	4/14/2017 11:32 AM
50	Hercules Community Library	4/13/2017 8:23 PM
51	Employed and educated residents	4/12/2017 10:47 PM
52	Waterfront and location to napa, sf, marin	4/12/2017 7:38 PM
53	PLENTY OF SPACE TO BUILD	4/12/2017 11:35 AM
54	Good people, nice area.	4/11/2017 8:10 PM
55	a lot of employees that care	4/11/2017 11:42 AM
56	Diversity	4/11/2017 9:52 AM
57	ethnic and cultural diversity, excellent fire/police dept, Bart extension	4/10/2017 5:45 PM
58	nicest city around, residents have good income	4/10/2017 6:41 AM
59	Community	4/9/2017 10:37 PM
60	proximity to SF	4/7/2017 4:15 PM
61	desire to improve.	4/7/2017 12:38 PM
62	Community	4/7/2017 9:59 AM
63	Has the potential to be great	4/6/2017 7:37 PM
64	Water views	4/6/2017 6:09 PM
65	That people want to see Hercules improve.	4/6/2017 4:30 PM
66	Environment. the Citizens. Library. Schools	4/6/2017 4:03 PM
67	Land available for commercial development	4/6/2017 3:26 PM

## Hercules Strategic Plan Survey 2017

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68	Opportunities for financial growth, location, waterfront	4/6/2017 2:53 PM
69	With Oakland becoming more expensive, Hercules is an affordable place to live with a managable commute.	4/6/2017 2:42 PM
70	Community based programs, launching new businesses	4/6/2017 2:36 PM
71	Diversity	4/6/2017 2:35 PM
72	Awesome community	4/6/2017 1:50 PM
73	Clean, safe and has activities for kids	4/6/2017 1:28 PM
74	Ongoing plans to help citizens commute and keep the city relevant	4/6/2017 1:25 PM
75	strenth of the community, leadership's desire to make good, longterm decisions.	4/6/2017 1:14 PM
76	Continued infrastructure improvements	4/6/2017 1:09 PM
77	Small community	4/6/2017 12:50 PM
78	Sought out place to live, community, commute	4/6/2017 12:48 PM
79	Cleanliness, new construction projects finished	4/6/2017 12:48 PM
80	Beautiful environment	4/6/2017 12:05 PM
81	diversity, small town, Lynx to SF, bay access/wetlands	4/6/2017 12:01 PM
82	Community and residents.	4/6/2017 11:59 AM
83	recreational programs; city pride	4/6/2017 11:54 AM
84	Small town feel	4/6/2017 12:29 AM
85	Small town with multi-cultural residents	4/5/2017 4:30 PM
86	Housing	4/5/2017 2:19 PM
87	underdeveloped	4/4/2017 9:13 PM
88	location	4/4/2017 4:49 PM
89	Great location but still more reasonable living costs than most of Bay Area.	4/3/2017 4:47 PM
90	Bay front access, Hercules Point	4/3/2017 1:29 PM
91	Relatively low-density population = better traffic flow	4/3/2017 12:42 PM
92	Clean, well maintained city with an outstanding public library, beautiful shoreline that is not emphasized enough. Diverse population. Easy access to surrounding areas with great public transportation.	4/3/2017 9:45 AM
93	location	4/3/2017 7:52 AM
94	Focussed smart administration	4/2/2017 11:23 PM
95	Diverse community	4/2/2017 10:29 PM
96	Location of Hercules where it is located. The Bay view. New bridge looks awesome, great job!	4/2/2017 9:40 PM
97	Location in relation to SF	4/2/2017 9:32 PM
98	Great neighborhood feel; excellent public library.	4/2/2017 8:23 PM
99	Location, opportunities for expansion	4/2/2017 10:31 AM
100	Dedicated City Staff and volunteers	4/2/2017 7:28 AM
101	City council, diversity, water front, ferry& train station	4/2/2017 7:16 AM
102	stable leadership, professional, open	4/1/2017 6:45 PM
103	affordable housing	4/1/2017 4:49 PM
104	We have the foundation for a transit-centered, foot traffic friendly, desirable waterfront area that could become a huge asset to the city	3/31/2017 3:42 PM
105	Community & "small town" feeling	3/31/2017 3:01 PM
106	Quiet, no major issues, safe	3/31/2017 12:23 PM

3/13 14c

107	Waterfront and good neighbors	3/31/2017 5:30 AM
108	proximity to San Francisco, Berkeley. Nice parks. Diverse community. Lots of dining. Good shopping centers in Pinole.	3/30/2017 9:21 PM
109	We are still here	3/30/2017 9:04 PM
110	an amazing diversity in the community	3/30/2017 7:55 PM
111	Quiet	3/30/2017 7:20 PM
112	Parks & Recs dept, public schools & library	3/30/2017 7:03 PM
113	Waterfront development	3/30/2017 6:58 PM
114	Lots of homes	3/30/2017 6:36 PM
115	Community Support	3/30/2017 6:18 PM
116	Dedication and loyalty of its employees.	3/30/2017 5:45 PM
#	<b>Weaknesses</b>	<b>Date</b>
1	Lack of revenue generating businesses	4/18/2017 9:15 AM
2	Better Transportation ie access to bart, buses, trains etc	4/17/2017 4:01 PM
3	Traffic during certain periods, eighborhood cleanup, particularly in the older neighborhoods	4/17/2017 3:47 PM
4	Lack of retail-restaurants and walkable environment.	4/17/2017 3:43 PM
5	Need more Retail	4/17/2017 1:29 PM
6	can't seem to attract viable businesses so we can get more revenue	4/17/2017 11:39 AM
7	lack of retail stores for goods and services	4/17/2017 9:59 AM
8	Unneccessary police activity	4/17/2017 7:21 AM
9	Following through, on what is told to the people.	4/16/2017 11:25 PM
10	Government	4/16/2017 10:52 PM
11	About 30% of the cars don't obey the WALK signals, they considered people or bikes should give the right of way to the cars regardless	4/16/2017 9:36 PM
12	Long term planning needs updating	4/16/2017 9:32 PM
13	Development, transportation, shopping	4/16/2017 4:57 PM
14	Few options for dining.	4/16/2017 4:06 PM
15	City council and city manager that feel they know better.	4/16/2017 2:32 PM
16	Lack of a developed waterfront area. Could be a Fabulous area for shops and dining	4/16/2017 2:30 PM
17	Legacy of corruption and incompetency; past missed opportunities to make this a great city	4/16/2017 2:08 PM
18	Lack of diversity of shopping - eg too many chain stores	4/16/2017 12:39 PM
19	Chain stores and lack of shopping	4/16/2017 12:14 PM
20	crime increase, more shopping and resturants	4/16/2017 10:57 AM
21	Limited fund sources, aging infrastructure and amenities.	4/15/2017 9:38 PM
22	Lack of effort in maintaining existing facilities.	4/15/2017 8:05 PM
23	In ability to bring in shopping, and restaurants. There is no tax base. Buried Oh My God more houses is not the answer	4/15/2017 6:57 PM
24	Inability to get Safeway store built in a reasonable time.	4/15/2017 3:46 PM
25	Landscaping upkeep. Poor code enforcement of homes. Many are not up kept and unsightly. Many homes have unpermitted additions in their garage as living space with multiple cars and overflowing trash due to more people in a home.	4/15/2017 2:37 PM

26	Old facilities like bathrooms in parks that are scary and out dated or complete lack of appropriate facilities in some parks and districts. Staffing at low level. Lack of support for independent businesses. Previous bad business deals and corruption by city	4/15/2017 12:21 PM
27	Many families cannot afford the recreational programs that the city offers so it is important for us to support the park and the library in our community that benefits everyone.	4/15/2017 12:07 PM
28	Transportation linkages with broader Bay Area	4/15/2017 11:35 AM
29	need more commercial businesses. get rid of waste water plant in pinole	4/15/2017 9:08 AM
30	Schools	4/15/2017 8:35 AM
31	Limited decent paying jobs, traffic congestion, schools, attractiveness	4/15/2017 7:30 AM
32	lack of sales tax revenue	4/14/2017 11:53 PM
33	But too slow in executing those good ideas & projects.	4/14/2017 10:45 PM
34	Lack of recognition from media outlets to our many successes in the past.	4/14/2017 9:45 PM
35	Council chooses big box/chains over small business. But even with the chains, which is better than nothing, nothing is getting done. Hoop after hoop... why does everything take so long... and why is Pinole getting all the decent retail? TJ's , Peet's, Sprouts, East Bay Coffee, etc.	4/14/2017 8:04 PM
36	Not a lot of business to produce tax income	4/14/2017 7:35 PM
37	Unimaginative, car-centric strip malls. Lack of easy pedestrian access to the Community Center from west of San Pablo Ave. Lack of clean restrooms at public parks.	4/14/2017 6:56 PM
38	Living with sins of the past	4/14/2017 6:43 PM
39	Hercules leadership, need to cultivate new leaders to take on with passion for the city, sewer issue not determined	4/14/2017 6:35 PM
40	Need more city personnel.	4/14/2017 6:19 PM
41	property crime	4/14/2017 6:14 PM
42	Lack of finances	4/14/2017 5:56 PM
43	Poor school district, low rating.	4/14/2017 5:44 PM
44	lack of attractions to bring in shoppers from outside city	4/14/2017 5:33 PM
45	80 hwy on ramp	4/14/2017 5:29 PM
46	Lack of Commercial businesses	4/14/2017 5:18 PM
47	not enough shopping and restaurants	4/14/2017 5:10 PM
48	too little shopping or dining places	4/14/2017 5:00 PM
49	Lack of retail income	4/14/2017 11:32 AM
50	lack of sales tax receipts	4/13/2017 8:23 PM
51	few shopping and dining options	4/12/2017 10:47 PM
52	Execution of ideas taking too long.	4/12/2017 7:38 PM
53	TAKE TOO MUCH TIME TO BUILD	4/12/2017 11:35 AM
54	Past financial mismanagement	4/11/2017 8:10 PM
55	lack of managing funds	4/11/2017 11:42 AM
56	No control over school performance, limited tax base	4/11/2017 9:52 AM
57	Unified School System, roads need repaving.	4/10/2017 5:45 PM
58	poor economic development	4/10/2017 6:41 AM
59	Funding, business opportunities	4/9/2017 10:37 PM
60	schools	4/7/2017 4:15 PM
61	finances are improving, but still struggling.	4/7/2017 12:38 PM
62	Funding	4/6/2017 7:41 PM

## Hercules Strategic Plan Survey 2017

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63	Lack of advertising events	4/6/2017 7:37 PM
64	Full time child care	4/6/2017 6:09 PM
65	Too many broken promises or missed opportunities	4/6/2017 4:30 PM
66	Crimes are beginning to creep up	4/6/2017 4:03 PM
67	not attracting businesses/restaurants to hercules	4/6/2017 3:59 PM
68	reduced staffing in number and hours	4/6/2017 3:26 PM
69	Safety, traffic	4/6/2017 2:53 PM
70	Not enough stores and restaurants to generate interest to potential Hercules residents.	4/6/2017 2:42 PM
71	Traffic and commute, due to expansion launching and building new retail space	4/6/2017 2:36 PM
72	Lack of cohesiveness. Based on roadway behavior, people don't care about courtesy and each other's safety.	4/6/2017 2:35 PM
73	Dining, retail	4/6/2017 1:50 PM
74	Poor schools, no dining/shopping( we have to go out of Hercules).	4/6/2017 1:28 PM
75	Lack of communication	4/6/2017 1:25 PM
76	multiple viewpoints and agendas seems to stifle opportunities that benefit the city. Executing on promises made to its residents many years ago seems to be delayed. Pinole seems to be make changes at a quicker pace.	4/6/2017 1:14 PM
77	Nothing for youth to do (skateboard park anyone). Not enough being done to keep Hercules money in Hercules.	4/6/2017 1:09 PM
78	Poor management in the past created fiscal issues now	4/6/2017 12:50 PM
79	Big Lots, Sycamore Shopping area outdated with businesses not in demand, Community gatherings, seasonal celebrations, patriotism, development, roads and lighting	4/6/2017 12:48 PM
80	Previous embezzeling lead to lack of trust in officials	4/6/2017 12:48 PM
81	Too many homes, and not many quality businesses. Also, with all the new developments it is limiting the beauty of our natural environment.	4/6/2017 12:05 PM
82	project delays	4/6/2017 12:01 PM
83	Our roads and police presence.	4/6/2017 11:59 AM
84	financial management; it is better better, but low way to go	4/6/2017 11:54 AM
85	Lack of retail tax base	4/6/2017 12:29 AM
86	Backward thinking- reliance on retail and transit	4/5/2017 4:30 PM
87	Lack of Retail and Businesses	4/5/2017 2:19 PM
88	short sighted, poor execution	4/4/2017 9:13 PM
89	business(lack of retail, lack of restaurants)	4/4/2017 4:49 PM
90	City planning got me to buy a home in 2002, but the unrealistic plan never materialized. I still cannot walk to an Amtrak/commuter train station for travel/connection to BART. Etc.	4/3/2017 12:42 PM
91	Not doing enough to promote the city as a family friendly, affordable place to live with mass transit options for all. Same goes for attracting business, especially restaurants to Hercules, not neighboring towns.	4/3/2017 9:45 AM
92	low real estate prices	4/3/2017 7:52 AM
93	In the past, too much catering to special interests. Things never got done quickly or efficiently.	4/2/2017 11:23 PM
94	Need more experienced professionals running city government	4/2/2017 10:29 PM
95	Not enough quality businesses and restaurants. We need to attract more businesses instead of being only a bedroom community.	4/2/2017 9:40 PM
96	Way too much housing	4/2/2017 9:32 PM
97	Very few dining/recreational/shopping options; transportation into SF is unpredictable and very lengthy;	4/2/2017 8:23 PM
98	Mismanagement by government, not business friendly	4/2/2017 10:31 AM
99	Need a back exit to highway from the High School, too much traffic.	4/2/2017 9:16 AM

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# Hercules Strategic Plan Survey 2017

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100	Lack of retail/sales tax base	4/2/2017 7:28 AM
101	Financial strength	4/2/2017 7:16 AM
102	too much dense housing, section 8 abuses, high school busing of non residents	4/1/2017 6:45 PM
103	poor street layout and connectivity to Pinole and other cities.	4/1/2017 4:49 PM
104	We still need to finish the job and make the waterfront nice, and connect Hercules by train, ferry & BART to the rest of the Bay. We could have all the good things that Orinda got when BART moved in plus a waterfront that could rival Sausalito, but we need our city counsel to start showing more leadership in moving us toward that goal	3/31/2017 3:42 PM
105	Financial stability, little retail	3/31/2017 3:01 PM
106	Financially insecure, economically stagnant, bad school system	3/31/2017 12:23 PM
107	Lack of good cafes and coffee shops	3/31/2017 5:30 AM
108	no city activities that build community. Very few block parties and civic center activities. LACK OF TRANSIT OPTIONS. Very, very difficult to the nearby big cities without a car.	3/30/2017 9:21 PM
109	But barely	3/30/2017 9:04 PM
110	not pedestrian friendly. this is a very car centric city	3/30/2017 7:55 PM
111	Must drive to Berkeley for palatable dining.	3/30/2017 7:20 PM
112	Not nearly enough restaurants & quality retail	3/30/2017 7:03 PM
113	Retail and Dining options	3/30/2017 6:58 PM
114	Not enough retail and restaurants. I shop mainly in Pinole	3/30/2017 6:36 PM
115	Money	3/30/2017 6:18 PM
116	Failure of city administrations to ensure city employees are fairly compensated in comparison to similar cities.	3/30/2017 5:45 PM
#	<b>Opportunities</b>	<b>Date</b>
1	Development of new commercial for residents & bay front development	4/18/2017 9:15 AM
2	Businesses can be created here to provide job opportunities	4/17/2017 4:01 PM
3	Continued fiscal improvement, parks improvement	4/17/2017 3:47 PM
4	Establish community network of free jitneys for getting around to shop in Pinole and dine in Hercules. Improve Westcat schedules.	4/17/2017 3:43 PM
5	need new restaurants and shops- need BART to stop here	4/17/2017 11:39 AM
6	Being on Bay Area I-80 corridor should provide ample economic opportunities	4/17/2017 11:04 AM
7	to be the gem of the east bay	4/17/2017 9:59 AM
8	City Clean up, Garage Sale	4/17/2017 7:21 AM
9	Be straightforward with the people in the city.	4/16/2017 11:25 PM
10	Restore commitment to Waterfront development plan	4/16/2017 10:52 PM
11	North Shore business park growth, increase city jobs	4/16/2017 9:32 PM
12	Great location to improve quality of life. What is the City waiting for? Look at Emeryville!	4/16/2017 4:57 PM
13	Attract better retail.	4/16/2017 4:06 PM
14	Try creating some and ask your citizens what they think before making an expensive decision.	4/16/2017 2:32 PM
15	Create more job growth for residents	4/16/2017 2:30 PM
16	Focus on things that would make Hercules more attractive place to live: number #1 priority is improving school system.	4/16/2017 2:08 PM
17	To become a true Bay destination spot, like Sausalito, but more welcoming, less elitist	4/16/2017 12:39 PM
18	Opportunity to become a destination	4/16/2017 12:14 PM
19	Upcoming businesses, transportation hub, one of the ideal places to live and visit.	4/15/2017 9:38 PM
20	Development of vacant commercial properties.	4/15/2017 8:05 PM

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## Hercules Strategic Plan Survey 2017

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21	Fix or remove the non-working clock tower on Sycamore.	4/15/2017 2:37 PM
22	Growth potential on waterfront	4/15/2017 12:21 PM
23	It is important that we work to protect and keep our green space	4/15/2017 12:07 PM
24	Build out waterfront area in keeping with plan	4/15/2017 11:35 AM
25	Develop the water front with strategic mixed use	4/15/2017 9:08 AM
26	With better schools, more families would want to live in Hercules	4/15/2017 8:35 AM
27	Low rated public high school, reputation for being a great place to live	4/15/2017 7:30 AM
28	Planned development while maintaining natural beauty	4/14/2017 11:53 PM
29	Get the deal finalized with Safeway.	4/14/2017 10:45 PM
30	Must add future junior college facilities in medical field and computer science that will be funded by Hercules, Rodeo, Crockett and Pinole residential owners.	4/14/2017 9:45 PM
31	To Truly be like Saucalito	4/14/2017 8:04 PM
32	The potential to be a great and successful city	4/14/2017 7:35 PM
33	Develop parcels west of San Pablo Avenue in a pedestrian-oriented fashion in an aesthetic that compliments the adjacent residential neighborhoods.	4/14/2017 6:56 PM
34	More retail/business development to enhance the tax base	4/14/2017 6:43 PM
35	Beautiful bay views	4/14/2017 6:35 PM
36	Find/create more small businesses or larger.	4/14/2017 6:19 PM
37	Increase police, fire, city staff as finances allow.	4/14/2017 5:56 PM
38	Waterfront development	4/14/2017 5:33 PM
39	Engage Herculeans to take on civic duties for the city	4/14/2017 5:29 PM
40	nice homes for somewhat more reasonable prices	4/14/2017 5:10 PM
41	attract business after Safeway is completed	4/14/2017 5:00 PM
42	Developing remaining properties especially Waterfront	4/14/2017 11:32 AM
43	intermodal transit center, building out retail	4/13/2017 8:23 PM
44	open land for development	4/12/2017 10:47 PM
45	Attract more aspirational tenants that raise the value of city	4/12/2017 7:38 PM
46	HUGE OPPORTUNITY TO BUILD	4/12/2017 11:35 AM
47	lots of land to get good business revenue, but poor choice of use of land	4/11/2017 11:42 AM
48	BART extension and ferry	4/11/2017 9:52 AM
49	Bart Extension, Ferry, develop water-front	4/10/2017 5:45 PM
50	retails, shops, hotel, etc;	4/10/2017 6:41 AM
51	Not much	4/9/2017 10:37 PM
52	commute alternatives	4/7/2017 4:15 PM
53	location offers opportunity to be regional transportation and shopping hub.	4/7/2017 12:38 PM
54	Offer more activities for kids and adults during the evenings and weekends	4/6/2017 7:37 PM
55	Expand the preschool program to longer hours, consider offering infant care	4/6/2017 6:09 PM
56	To feel like a community again. Pride in community.	4/6/2017 4:30 PM
57	neighborhoods have an opportunity to be cleaner	4/6/2017 4:22 PM
58	Bring shopping center/s, Gas stations (the SHELL station is the most expensive in the bay area....Monopoly.	4/6/2017 4:03 PM
59	Create financial sustainability by properly developing available land.	4/6/2017 3:26 PM

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60	Diversify and update transportation and retail	4/6/2017 2:53 PM
61	Use the empty land on the two corners fo San Pablo and Sycamore to build restaurants and stores.	4/6/2017 2:42 PM
62	Improving traffic, commute time improvement, faster timeline for bringing in the ferry/bart-Better lighting in public areas such as parks-solar, improvement in the public school system	4/6/2017 2:36 PM
63	Improve schools/ create a charter school.	4/6/2017 1:28 PM
64	Local mailers and the like to bring our community abreast if plans, timelines, and changes	4/6/2017 1:25 PM
65	Addition of retail and restaurant developments (Costo would be great). Bringing BART to the city.	4/6/2017 1:14 PM
66	Better shopping choices, beautifully decorated streets, updated parks, social community events	4/6/2017 12:48 PM
67	finish ongoing construction that is planned (safeway)	4/6/2017 12:48 PM
68	To be a thriving self-sufficient community. Need more schools, better stores and restaurants.	4/6/2017 12:05 PM
69	need for hotel	4/6/2017 12:01 PM
70	By improving our roads and police presence, we will increase our property values and attract more tax revenue sales and real estate.	4/6/2017 11:59 AM
71	potential growth and location	4/6/2017 11:54 AM
72	Transit center, ferry service	4/6/2017 12:29 AM
73	There's room to expand away from the "main" intersection of San Pablo and Sycamore.	4/5/2017 4:30 PM
74	Invest in what is already here (Old Club House )	4/5/2017 2:19 PM
75	raise affluence	4/4/2017 9:13 PM
76	waterfront neighborhood development	4/4/2017 4:49 PM
77	Would like to see focus on incentivizing tech companies to have operations here. Tech will continue as a major growth industry with high paying jobs. This is good for residents and also as a tax base.	4/3/2017 4:47 PM
78	Develop Bay front and Hercules Point	4/3/2017 1:29 PM
79	1) Secure the federal, state, ? funding to complete the train/bus station. 2) Lobby effectively to secure more tax dollars from Sacramento. Petroleum is no longer our source of tax income, right?	4/3/2017 12:42 PM
80	Hercules is still affordable compared to surrounding areas.	4/3/2017 9:45 AM
81	strengthen public schools	4/3/2017 7:52 AM
82	Attracting commercial / retail businesses	4/2/2017 11:23 PM
83	Build transit options	4/2/2017 10:29 PM
84	So many opportunities, as long as the City Council makes the right decisions. Hercules has a lot of potential!	4/2/2017 9:40 PM
85	Restaurants and clothing stores	4/2/2017 9:32 PM
86	Heading in right direction with Aventine apartments and intermodal transit hub. People want to spend money in Hercules but there aren't enough shops.	4/2/2017 8:23 PM
87	Opportunity to be a commute/transportation hub. To support small businesses that add to sense of community.	4/2/2017 7:42 PM
88	Become a wonderful city that people would love to call home, and to simply visit for shopping and quality entertainment	4/2/2017 10:31 AM
89	Need more community events, we used to have festivals at Refugio.	4/2/2017 9:16 AM
90	Intermodal transit station	4/2/2017 7:28 AM
91	waterfront development and bart	4/1/2017 6:45 PM
92	improved transit	4/1/2017 4:49 PM
93	Our waterfront could be transformed into a beautiful downtown area with shopping and public transportation that would rival anything the Bay Area has to offer. We had the good fortune to have that space left vacant when the industrial uses moved out and the city did the right thing in the early planning stages to make it possible to move toward something truly great.	3/31/2017 3:42 PM
94	Increase retail & restaurants	3/31/2017 3:01 PM

95	Not much	3/31/2017 5:30 AM
96	Cultural events (MultiCultural Festival?!), Bring BART, Build more affordable housing (\$2000/mo studio apartment is insane.)	3/30/2017 9:21 PM
97	Bring workshops and restaurants	3/30/2017 9:04 PM
98	creating a walkable downtown. encourage artists, small businesses etc...	3/30/2017 7:55 PM
99	Create a downtown. A small Main Street.	3/30/2017 7:20 PM
100	Real Estate Development	3/30/2017 6:58 PM
101	Hotel	3/30/2017 6:18 PM
102	Attracting business not available nearby such as a Whole Foods, Sam's Club, etc.	3/30/2017 5:45 PM
#	Threats	Date
1	Lack of development	4/18/2017 9:15 AM
2	Commuting & employment opportuniyied	4/18/2017 6:20 AM
3	Over spending	4/17/2017 9:14 PM
4	Alarming increase in homeless in Lucks and Creekside Shopping Centers.	4/17/2017 6:13 PM
5	Insufficient funding to police and fire	4/17/2017 4:01 PM
6	Slow development, lack of progress on fiscal improvements	4/17/2017 3:47 PM
7	The increasing impact of I80 congestion that creates overflows on Hercules streets primarily San Pablo.l	4/17/2017 3:43 PM
8	more crime	4/17/2017 11:39 AM
9	Financial stability	4/17/2017 11:04 AM
10	increases in crime	4/17/2017 9:59 AM
11	Safeway	4/17/2017 7:21 AM
12	The supervision of the parks here in the City.	4/16/2017 11:25 PM
13	Government	4/16/2017 10:52 PM
14	congestion in & out of the city	4/16/2017 9:36 PM
15	Low Property tax rate city receives	4/16/2017 9:32 PM
16	We are falling behind other Cities. Look at City Of Richmond waterfront. What's the hold up in Hercules????	4/16/2017 4:57 PM
17	New housing may lead to congestion.	4/16/2017 4:06 PM
18	City council and city manager that feel they know better.	4/16/2017 2:32 PM
19	n/a	4/16/2017 2:30 PM
20	Uncontrolled crimes and vandalism; chasing after unrealistic pipe dreams (transit center; BART extension)	4/16/2017 2:08 PM
21	Chain stores	4/16/2017 12:39 PM
22	Big box store and chain development interests	4/16/2017 12:14 PM
23	Undesirable transients and higher crime rate.	4/15/2017 9:38 PM
24	Traffic congestion in I 80 and failure to address blighted properties.	4/15/2017 8:05 PM
25	Bankruptcy	4/15/2017 6:57 PM
26	Garbage/debris collecting along our highway exit. Trash starting to collect in water drains. There is no pedestrian walk in many routes to get to the transit lot and someone is going to get hit by a car.	4/15/2017 2:37 PM
27	Cheapening of cities image with things like blinking freeway signs for what amounts to a few bucks per house hold. Shortsighted planning and lack of creativity.	4/15/2017 12:21 PM
28	As our city grows we want to keep our sense of community that might get lost when the city becomes super big	4/15/2017 12:07 PM
29	Enhance our Tax base so we can thrive without raising taxes	4/15/2017 11:35 AM
30	Crime	4/15/2017 8:35 AM

## Hercules Strategic Plan Survey 2017

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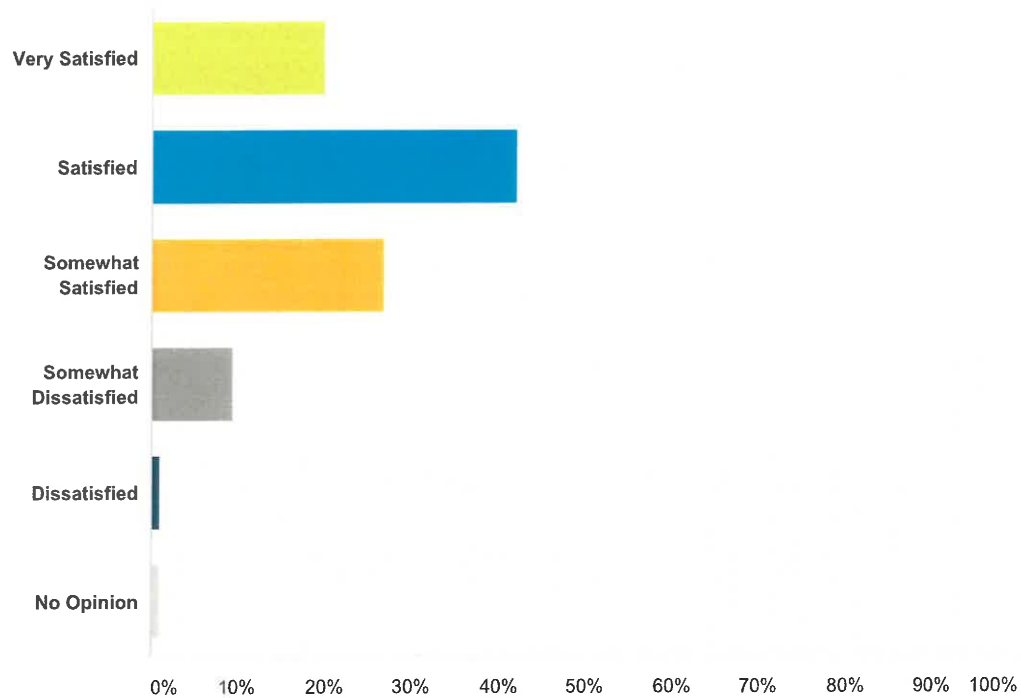
31	Overbuilding, too much reliance on low quality retail to expand tax base	4/15/2017 7:30 AM
32	demographic changes and gang activity	4/14/2017 11:53 PM
33	Extending times of Bonds on our property taxes. When their due to expire let them expire. We have the highest taxes around.	4/14/2017 10:45 PM
34	Unpredictable of neighboring cities promoting legalization of Marijuana.	4/14/2017 9:45 PM
35	Poor decision making, lack of foresite, sluggish decision making	4/14/2017 8:04 PM
36	Will continue to struggle if changes aren't made	4/14/2017 7:35 PM
37	Cookie-cutter, car-centric development.	4/14/2017 6:56 PM
38	Neighboring cities capitalizing on opportunities before Hercules does	4/14/2017 6:43 PM
39	People not working together, i.e. agencies, cities, businesses, etc.	4/14/2017 6:35 PM
40	Our fire district. Overpaid or underpaid?	4/14/2017 6:19 PM
41	Traffic congestion	4/14/2017 6:14 PM
42	Smog, pollution, no BART station	4/14/2017 5:56 PM
43	Infrastructure requires maintenance	4/14/2017 5:44 PM
44	Inefficient handing of new development	4/14/2017 5:33 PM
45	Kids outside of Hercules going to school in Hercules	4/14/2017 5:29 PM
46	Too many housing needing city services	4/14/2017 5:18 PM
47	possibly the oil tankers and transport of oil via RR	4/14/2017 5:10 PM
48	too much housing development that needs more services we cannot afford to supply	4/14/2017 5:00 PM
49	Not aggressively developing and going back to residential development	4/14/2017 11:32 AM
50	Traffic on Rt. 80	4/13/2017 8:23 PM
51	crime	4/12/2017 10:47 PM
52	Pinole shopping is better.... crime	4/12/2017 7:38 PM
53	N/A	4/12/2017 11:35 AM
54	finance issues, need to make sure the wrong people aren't running the city or funds, don't let the CM decisions be bullied by other dept heads	4/11/2017 11:42 AM
55	No retail tax base	4/11/2017 9:52 AM
56	corrupt officials	4/10/2017 5:45 PM
57	economic downturn	4/10/2017 6:41 AM
58	City council	4/9/2017 10:37 PM
59	not enough restaurants and bars	4/7/2017 4:15 PM
60	traffic gridlock on 80; under-performing schools, that may not adequate reflect local population.	4/7/2017 12:38 PM
61	Crime especially property crime	4/7/2017 9:59 AM
62	Crime rate	4/6/2017 7:41 PM
63	Idleness; Pinole now has Sprouts and T Joe's. We should have gotten Whole Foods or Costco	4/6/2017 6:09 PM
64	Too much crime	4/6/2017 4:30 PM
65	outside crime coming into Hercules	4/6/2017 4:22 PM
66	Crime. Lack of Revenue producing businesses. No major entertainment facilities, etc	4/6/2017 4:03 PM
67	Employee retention and ability to attract most qualified employees.	4/6/2017 3:26 PM
68	Safety	4/6/2017 2:53 PM
69	There isn't much in walking distance, so outsiders would see living in areas like Aventine pointless.	4/6/2017 2:42 PM

70	With the retail expansion & building more houses, commute times parking, commute will be greatly impacted which will take away from the cozy small community feeling. If commute options are not improved then there is a risk of people moving out of the community.	4/6/2017 2:36 PM
71	Robberies	4/6/2017 1:50 PM
72	crime, unsatisfied community members who make it seem like Hercules is an undesirable place to live.	4/6/2017 1:14 PM
73	Crime being committed by non-residents. Too much low-income housing that helps bring in an undesirable element to our city.	4/6/2017 1:09 PM
74	Financial instability, Security	4/6/2017 12:48 PM
75	burglary, but it is rare	4/6/2017 12:48 PM
76	Crime has been rising; break-ins and robberies	4/6/2017 12:05 PM
77	too much housing, not enough retail	4/6/2017 12:01 PM
78	Criminals are capitalizing on our weak police presence.	4/6/2017 11:59 AM
79	increase in crime	4/6/2017 11:54 AM
80	Congestion at San Pablo and Sycamore with no plan for alternate routes or to balance the traffic flow to other areas of town	4/5/2017 4:30 PM
81	Not acting on the above.	4/5/2017 2:19 PM
82	crime, sexual predators	4/4/2017 9:13 PM
83	crime	4/4/2017 4:49 PM
84	Good people will be priced out of Hercules if this city does not embrace the moral necessity of building truly affordable housing.	4/3/2017 12:42 PM
85	Continuing to be only a bedroom community unless city does more to promote itself.	4/3/2017 9:45 AM
86	Outside governmental agencies (e.g., other cities, county, special districts)	4/2/2017 11:23 PM
87	Worsening commute	4/2/2017 10:29 PM
88	Neighboring cities like Richmond. We need to ensure safety for residence and business. Take precautionary measures. Be proactive instead of reactive. Police visibility will drive danger away for the most part.	4/2/2017 9:40 PM
89	lack of police	4/2/2017 9:32 PM
90	Need to figure out the transportation issue, otherwise people will leave. It takes more than an hour to get into SF. People go to Pinole to spend their money on groceries/dining options.	4/2/2017 8:23 PM
91	Loss of greenspaces	4/2/2017 7:42 PM
92	Growing too big.	4/2/2017 7:06 PM
93	Hercules just to remain a little town that is grossly undervalued and under appreciated	4/2/2017 10:31 AM
94	Paying off former Redevelopment costs	4/2/2017 7:28 AM
95	section 8, increase of crime/buglaries	4/1/2017 6:45 PM
96	crime	4/1/2017 4:49 PM
97	We can't let ourselves be guided by those who would settle for isolation, let fear of public transportation cause us to miss out on our opportunities. We can't settle for Walmart type proposal or other options that do not help Hercules get better, but hurt small businesses instead of growing opportunities for those in our community to get high paying jobs and improve our way of life.	3/31/2017 3:42 PM
98	Lots of growth in retail in Pinole	3/31/2017 3:01 PM
99	Lack of government transparency, lack of government efficiency	3/31/2017 12:23 PM
100	Quite a few burglaries	3/31/2017 5:30 AM
101	lol what?	3/30/2017 9:21 PM
102	Bureaucracy	3/30/2017 9:04 PM
103	strip malls and big box stores	3/30/2017 7:55 PM

104	Low income housing	3/30/2017 7:20 PM
105	Maintains Staffing levels to meet city needs	3/30/2017 6:58 PM
106	Sanctuary City	3/30/2017 6:18 PM
107	City employees leaving for better opportunities.	3/30/2017 5:45 PM

### Q15 How satisfied are you with living in Hercules?

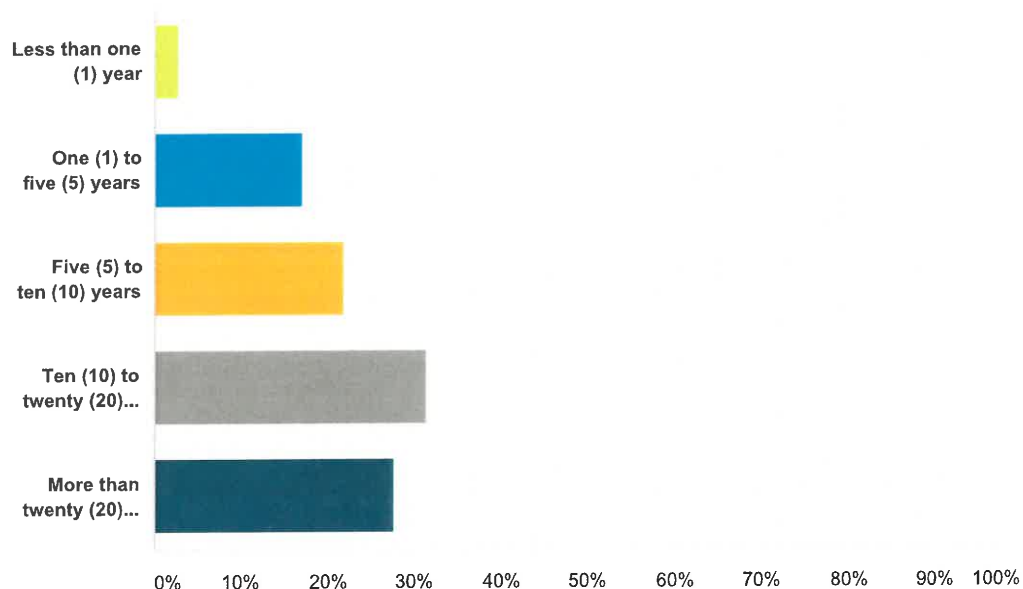
Answered: 191 Skipped: 0



Answer Choices	Responses	
Very Satisfied	19.90%	38
Satisfied	41.88%	80
Somewhat Satisfied	26.70%	51
Somewhat Dissatisfied	9.42%	18
Dissatisfied	1.05%	2
No Opinion	1.05%	2
<b>Total</b>		<b>191</b>

## Q16 How long have you been a resident of the City of Hercules?

Answered: 189 Skipped: 2



Answer Choices	Responses	
Less than one (1) year	2.65%	5
One (1) to five (5) years	16.93%	32
Five (5) to ten (10) years	21.69%	41
Ten (10) to twenty (20) years	31.22%	59
More than twenty (20) years	27.51%	52
<b>Total</b>		<b>189</b>





# HERCULES STRATEGIC PLAN 2017



**Adopted TBD**

## **Background**

The City of Hercules last developed a Strategic Plan on an internal basis in 2012 and this Strategic Plan was adopted by the City Council on April 24, 2012. An update of the Strategic Plan was initiated in late 2016, and an outside facilitator was selected to assist in this effort in early 2017. The firm of Management Partners facilitated the update process including a day-long workshop on April 22, 2017. The Mayor and City Council, together with the City's Executive Management Team, worked together to update and enhance the Strategic Plan.

Part of the update process included a community survey and an employee survey which was developed by staff and Management Partners and administered through Survey Monkey. The results these surveys were reviewed and utilized as part of the workshop and in the development of the update.

The final report on the day-long workshop prepared by Management Partners serves as the basis for the Hercules Strategic Plan 2017.

## **Vision**

The vision of the City of Hercules is as follows:

*The City of Hercules is a richly diverse community, serving as a major transportation hub and a prime destination for the Bay Area. It is built on a sound economic and physical infrastructure, and its residents enjoy public safety, security, well-maintained parks, streets and public facilities. We conduct our work in an atmosphere of trust and respect. We constantly look for better ways to deliver services and always strive for excellence.*

## **Mission**

The current mission of the City of Hercules is as follows.

*Our mission is to lead our diverse community and enhance the quality of life in the City of Hercules, now and in the future. We do this by providing effective, efficient, responsive, and innovative services with integrity and a culture of transparency.*

## **Organizational Values**

The organizational values for the City of Hercules are as follow:

<b>Value</b>	<b>Definition</b>
<b>Integrity</b>	Honesty, transparency, fair dealing
<b>Professionalism</b>	Exemplary conduct, competence, continuous improvement, respect
<b>Service</b>	Customer orientation, courtesy, hard work, striving for excellence
<b>Collaboration</b>	Teamwork, communication, community interaction and outreach
<b>Creativity</b>	Thinking, innovating, encouraging critical analysis
<b>Tenacity</b>	Setting priorities, staying focused, not getting discouraged
<b>Responsibility</b>	Taking ownership of one's work, accountability, going the extra mile

## SWOT Analysis

### (Strengths, Weaknesses, Opportunities, Threats)

An assessment and understanding of the environment in which the City operates is helpful in shaping the Goals, Strategies, and Objectives.

<b>Strengths</b>	<b>Weaknesses</b>
<ul style="list-style-type: none"><li>• Location</li><li>• Low Crime Rate/Safe Community</li><li>• High median incomes</li><li>• Bay/Waterfront Community</li><li>• Well Maintained</li><li>• Parks &amp; Open Space</li><li>• Strong Sense of Community</li><li>• Diverse</li><li>• Quality Housing Stock/Affordable</li><li>• Access to Employment</li><li>• Transportation options</li></ul>	<ul style="list-style-type: none"><li>• Weak revenue base</li><li>• Past mismanagement</li><li>• Residential doesn't pay its way</li><li>• Limited staffing/resources</li><li>• Staff turnover</li><li>• Limited retail/dining/commercial</li><li>• Not well branded</li><li>• Attractiveness to businesses limited</li><li>• Few remaining development sites</li><li>• Access somewhat limited</li><li>• Quality of schools</li></ul>
<b>Opportunities</b>	<b>Threats</b>
<ul style="list-style-type: none"><li>• Economic development</li><li>• Hotel development interest</li><li>• Sycamore Crossing, Market Hall, Bayfront, and Hillcrest developments proceeding</li><li>• Dedicated City Council and staff</li><li>• Regional Intermodal Transportation Center</li><li>• Community supported local revenue measures</li><li>• Linkages to regional trails</li><li>• Employee concessions ended</li><li>• Grant funding</li></ul>	<ul style="list-style-type: none"><li>• Weakening revenues</li><li>• Redevelopment issues</li><li>• Next economic downturn</li><li>• Ignoring capacity constraints</li><li>• Increasing demand on and expansion of service pressures</li><li>• Limited institutional knowledge</li><li>• State/Federal unfunded mandates/revenue impacts</li><li>• Need to renew local UUT measure in future</li></ul>

## Goals Strategies, and Objectives

The City strategic plan contains a series of goals. Each goal has strategies that divide the goal into sub areas, and detailed objectives, or action items that implement each strategy. The following graphic shows this relationship.



The Goals and Strategies are intended to be operative for a three to five year period, subject to occasional review and adjustment. The objectives are of a more immediate nature and are generally designed to be accomplished in a year or less. The objectives will be updated at least annually prior to the preparation of the budget for each fiscal year. This will allow the City's spending plan to be focused towards the achievement of the overall Goals, Strategies, and Objectives set forth in the Strategic Plan.

## **Goals**

The goals for the City's 2017 strategic plan are as follows:

### **2017 Strategic Plan Goals**

- Goal A: Strengthen Financial Stability
- Goal B: Continue to Provide Excellent Police Services to the Community
- Goal C: Enhance Economic Development Efforts
- Goal D: Enhance Transportation Access and Options
- Goal E: Complete the Vision of the City's Development
- Goal F: Provide Outstanding Cultural and Recreational Services
- Goal G: Invest in and Enhance Maintenance of Public Infrastructure and Facilities
- Goal H: Continue to Provide Exemplary Governance and City Administration

# Strategies and Objectives

Each of the goals, with the revised strategies and objectives are shown as follow:

## Goal A: Strengthen Financial Stability

### ***Strategy 1(a): Maintain a balanced budget.***

#### **Objectives**

- Ensure ongoing revenues support ongoing costs.
- Ensure one-time revenues fund one-time expenditures.
- Restructure debt where possible to reduce near term debt payments.
- Continue a formal volunteer program to help various departments.
- Consider new ways to deliver municipal services in more cost-effective ways.
- Consider service-sharing with other communities when mutually beneficial.

### ***Strategy 1(b): Balance the budget and increase revenues.***

#### **Objectives**

- Review all Parks and Recreation fees before mid-year budget review.
- Consider cost effectiveness of increasing code enforcement activities.
- Consider annual fee review.
- Partner with other entities when beneficial for grant and cost-sharing opportunities.
- Take advantage of telecommunications and broadband opportunities.
- Push County and State elected officials to increase Hercules' share of each dollar of property taxes that is collected in Hercules.

## Goal B: Continue to Provide Excellent Police Services to the Community

### ***Strategy 1: Protect life and property.***

#### **Objectives**

- Maintain core services, including police patrols and traffic enforcement.
- Continue to utilize community policing strategies.
- Maintain the special response team and school resource officers.
- Coordinate disaster preparedness with local police, fire, emergency medical services and the County and State office of emergency services.
- Utilize Reserve Police Officers when feasible to keep costs under control.
- Complete a succession plan to deal with anticipated future retirements.
- Complete an equipment replacement plan with a rationale, schedule and budget.
- Seek federal, state and other funding to enhance police department funding for staff and equipment.
- Recruit volunteers to assist office personnel with front counter duties, records processing and data entry.

## Goal C: Enhance Economic Development Efforts

### ***Strategy 1: Pursue high priority economic development initiatives.***

#### **Objectives**

- Develop and implement economic development strategies.
- Consider whether the City's fee structure or permitting process might be impediments to new businesses opening in Hercules.
- Recruit qualified volunteer help on a regular and/or ad hoc basis from the City Council, Chamber of Commerce, local business leaders and the community at large.
- Participate in regional economic development efforts that will help Hercules.
- Focus on high priority sites for new development.

### ***Strategy 2: Create a "brand" for Hercules and promote/market the brand.***

#### **Objectives**

- Enhance the entry gateways of the City with volunteer landscaping/beautifying projects, public art, and signage.
- Promote the waterfront/intermodal transportation center (ITC) Development – A special place that is distinctive of other planned developments and serves as the City's downtown.
- Work with the City Council, staff and volunteers to develop and implement a brand and marketing strategy in-house.
- Consider whether the City's fee structure or permitting process might be impediments to new businesses opening in Hercules.

### ***Strategy 3: Recruit businesses that make sense for Hercules; retain and grow existing businesses.***

#### **Objectives**

- Prioritize and visit potential businesses to recruit to Hercules.
- Review various plans and ordinances for potential updates, with an eye toward balancing economic development with "new urbanism" planning principals.

## Goal D: Enhance Transportation Access and Options

### ***Strategy 1: Promote alternative forms of transit***

#### **Objectives**

- Leverage RITC site control into grant funding for station and related infrastructure.
- Complete the RITC
- Look for opportunities to partner with rail for movement of goods.
- Pursue future ferry service.
- Work with WestCAT to expand service.
- Expand City's walkways and bike paths via Complete Streets program.
- Provide leadership role in BART's participation to enhance services at Hercules Transit Center.

## **Goal E: Complete the Vision of the City's Development**

***Strategy 1: Undertake updates of General Plan and Zoning Code to implement the Vision.***

### **Objectives**

- Complete the update of the City's Circulation Element.
- Review various plans and ordinances for potential updates.
- Revise the City Zoning Ordinance to be consistent with the General Plan and Specific Plans.
- Plan for the resources and funding to update the priority elements of the City's General Plan.
- Revisit the City's sign ordinance and update as needed.

## **Goal F: Provide Outstanding Cultural and Recreational Services to the Community**

***Strategy 1: Evaluate programs for community impact and cost effectiveness, and make recommendations to improve the overall effectiveness of the City's efforts in services managed by the Parks and Recreation Department.***

### **Objectives**

- Work with volunteer organizations to ensure full funding for a 40 hour per week Library.
- Work with the County to reinstate 45 hours per week of Library services.
- Cooperate with public/private partnerships to enhance City cultural and recreation services.
- Continue to provide high quality recreation programs that reinforce Hercules' reputation for a high quality of life.
- Continue to work on the current cost recovery objective of being budget neutral to minimize General Fund support.
- Annually analyze and report on costs and revenues on a program by program basis.
- Create and implement new ways to fund Parks and Recreation programs, including increasing participation.
- Continue to manage facilities rentals and find ways to increase number of rentals as well as income from rentals.

***Strategy 2: Continue to look for ways to augment City funding for parks and recreation programs and initiatives.***

### **Objectives**

- Research federal, state and foundation funding availability under "Health and Wellness" and other programs.
- Apply for federal, state, and foundation grants as appropriate to support and enhance our parks, open space and recreation programs.



## Goal G: Invest in and Enhance Maintenance of Public Infrastructure and Facilities

***Strategy 1: Re-evaluate and make recommendations to improve the City's capital improvement program, clean water program and all lighting and landscape assessment districts.***

### **Objectives**

- Prioritize the City's capital improvement program.
- Develop and implement a new code compliance model based on the new administrative citation program.
- Secure maintenance and operations funding for all new capital facilities.
- Effectively manage day-to-day operations to ensure Hercules keeps its reputation as a well-maintained city.
- Update lighting and landscaping districts annually.
- Consider updating the lighting and landscaping districts to increase funding and level of service.

## Goal H: Continue to Provide Exemplary Governance and City Administration

***Strategy 1: Improve administrative processes and overall quality of executive and administrative management.***

### **Objectives**

- Enhance strategic planning and implementation efforts with linkages to the budget.
- Improve financial, personnel and administrative functions.
- Ensure all required state and federal financial reports are timely.
- Complete financial and operational audits in a timely manner.
- Provide regular financial reports including a mid-year review.
- Evaluate financial controls and streamline where advisable.
- Evaluate and re-engineer as necessary administrative processes.
- Evaluate IT systems, especially financial management to determine possible improvements.
- Ensure good inter-departmental communications and collaboration.

***Strategy 2: Enhance usage of the City's Finance Commission.***

### **Objectives**

- Provide oversight of City tax measures.
- Serve as a resource to staff.
- Provide training to commissions.

***Strategy 3: Provide and enhance exemplary governance.***

### **Objectives**

- Enhance relationships in support of education and schools.
- Encourage and engage in regional collaboration and cooperation.

- Continue to enhance transparency and open government.
- Foster an ethical environment free from conflicts of interest.
- Enhance access to information (sunshine provisions).
- Provide a means for employees to report concerns or possible wrong doing (whistle-blowing).
- Conduct annual review and update of anti-nepotism, anti-cronyism, conflict of interest, and Code of Ethics.
- Reduce exposure to litigation and claims.



## Legislation Details (With Text)

<b>File #:</b>	17-282	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Discussion/Action Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	7/5/2017	<b>In control:</b>		City Council	
<b>On agenda:</b>	7/11/2017	<b>Final action:</b>			
<b>Title:</b>	Approve City Council Rules of Procedure, Sections 2.8, 4.7 and 6 and Review Sections 7 and 8 Recommendation: Approve Council Rules of Procedure, Sesction 2.8, 4.7 and 6 amended at the May 23, 2017 City Council meeting and review and recommend changes to Sections 7 and 8, if any.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	<a href="#">XIII.6 - Council Rules of Procedure</a> <a href="#">Staff Report - Council Rules of Procedure</a> <a href="#">Att. 1 - Sections 2.8, 4.7 and Section 6 - Redlined</a> <a href="#">Att. 2 - Sections 2.8, 4.7 and Section 6 - clean version</a> <a href="#">Att. 3 - Council Rules of Procedure - Sections 7 and 8 - redlined</a> <a href="#">Att. 4 - Council Rules of Procedure - Sections 7 and 8 - clean version</a>				

Date	Ver.	Action By	Action	Result
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**Approve City Council Rules of Procedure, Sections 2.8, 4.7 and 6 and Review Sections 7 and 8**  
**Recommendation:** Approve Council Rules of Procedure, Sesction 2.8, 4.7 and 6 amended at the May 23, 2017 City Council meeting and review and recommend changes to Sections 7 and 8, if any.

## AGENDA ITEM REQUEST FORM

Department: Administrative Services

Department Director: Lori Martin

Phone: 799-8215

Meeting Date: July 11, 2017

Final Decision Date Deadline:

**SUBJECT:**

City Council Rules of Procedure Sections 2.8, 4.7, 6, 7 and 8.

### INDICATE APPROPRIATE BODY

☒ City  
Council

☐ Successor Agency to the  
Redevelopment Agency

☐ Public Finance  
Authority

☐ Finance  
Commission

☐ Planning  
Commission

☐ Community/Library  
Services Commission

☐ Oversight Board

☐ Other \_\_\_\_\_

### ITEM

☐ Presentation/Introduction

☐ Study Session

☐ Grant Application/Acceptance

☐ Public Hearing

☐ Resolution

☐ Video/PowerPoint

☐ Consent Calendar

☐ Ordinance

☒ Discussion Action

☐ Contract/Agreement

### RECOMMENDED ACTION:

Approve final version of Council Rules of Procedure Sections 2.8, 4.7 and 6 amended at the May 23, 2017 City Council meeting and review and discuss Sections 7 and 8 and make any recommended changes.

☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

### REVIEWED AND APPROVED FOR AGENDA:

City Attorney (if Contract, Ordinance or Resolution)

*[Signature]*  
Signature

7.6.17  
Date

Finance Department for Fiscal Impact

*[Signature]*  
Signature

7/6/17  
Date

City Manager

*[Signature]*  
Signature

7/6/17  
Date

AGENDA ITEM NO:



## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of July 11, 2017

**TO:** Members of the City Council

**SUBMITTED BY:** Lori Martin, Administrative Services Director/City Clerk

**SUBJECT:** City Council Rules of Procedure, Sections 2.8, 4.7, 6, 7 and 8

### **RECOMMENDED ACTION:**

Review and Approve Final Version of the Council Rules of Procedure, Sections 2.8, 4.7 and 6 as amended at the May 23, 2017 City Council meeting, and review and recommend changes to Sections 7 and 8, if any.

### **COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:**

There was no commission or subcommittee review of this item.

### **FISCAL IMPACT OF RECOMMENDATION:**

There is no fiscal impact associated with review of the Council Rules of Procedure.

### **DISCUSSION:**

At the May 23, 2017 City Council meeting, City Council reviewed and made amendments to Council Rules of Procedure Sections 4.7 and 6 and directed staff to bring back the amended Sections 4.7 and 6 in final form for approval. The Council also directed moving portions of renumbered Section 6.4 regarding City Attorney functions to Section 2.8. In addition, the Council directed staff to provide Council Rules of Procedure Sections 7 and 8 for a first look and review. Included with this staff report is a red-lined and clean version of Council Rules of Procedure Sections 2.8, 4.7 and 6 for consideration of approval. In addition, for City Council review, Sections 7 and 8 are included.

### **BACKGROUND:**

- January 26, 2017 – City Council adopted amendments to Council Rules of Procedure Sections 1 -4, with the exception of 4.7.
- March 14, 2017 – City Council made amendments to Council Rules of Procedure Section 5.
- April 25, 2017 – City Council adopted amendments to Council Rules of Procedure 5 and made amendments to Sections 4.7 and 6.
- May 23, 2017- City Council made amendments to Council Rules Sections 2.8, 4.7 and 6.
- July 11, 2017 – Council Rules of Procedure Sections 2.8, 4.7 and 6 in final form are presented to City Council for approval. Sections 7 and 8 are brought forward for a first look.

### **ATTACHMENTS:**

1. Attachment 1 – Council Rules of Procedure Sections 2.8, 4.7 and 6 (Redlined Version)
2. Attachment 2 – Council Rules of Procedure, Sections 2.8, 4.7 and 6 (Clean Version)
3. Attachment 3 – Council Rules of Procedure, Sections 7 and 8 for review
4. Attachment 4 – Council Rules of Procedure, Sections 7 and 8 with comments from City Attorney.

## Sections 2.8, 4.7 and 6

*[Includes Council comments and edits from the May 23, 2017 Council meeting]*

### **CITY COUNCIL RULES OF PROCEDURE**

**Adopted - April 23, 2002**

**Amended - April 27, 2004**

**Amended - February 8, 2005**

**Amended – July 10, 2012**

**Amended – March 10, 2015**

**Amended – January 26, 2016**

**Amended – April 25, 2017**

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8. Citizen's Rights
9. Suspension and Amendment of These Rules
10. Amendments
11. Rules of Conduct

....

**2.8 City Attorney:** The City Attorney shall attend all regular meetings of the Council unless excused by the Mayor with the consent of the Council and shall attend special meetings and Council workshops upon request. The City Attorney shall also attend meetings of the City Commissions at the request of the City Council or on an as-needed basis. The City Attorney shall act as the Council's parliamentarian.

[Moved from Sec. 6.4]

The City Attorney shall render legal opinions, either written or oral, on questions of law. Individual members of the City Council may consult with the City Attorney regarding legal issues pertaining to City business, and may request written legal advice regarding a potential conflict of interest which may affect that council member's ability to participate in an

upcoming decision.

All City Attorney responses to council member legal inquiries requiring a substantial commitment of City Attorney time must be provided in writing to all members of the City Council, and all staff legal inquiries requiring a substantial commitment of City Attorney time must be authorized by the City Manager.

The City Attorney should do no work on a policy proposal from one or more members of the Council that would require a substantial commitment of City Attorney time when the consideration of such a proposal has not been discussed by the full Council.

The City Attorney has the discretion to decline to provide advice to individual members of the Council when in his or her professional opinion, the request for legal advice requires the approval of the full Council.

....

4.7 Rights of Council to Discipline: A deliberative body has the inherent right to make and enforce its own rules and laws, including rules providing for the discipline of a member of the deliberative body.

The City Council shall have a right to discipline, admonish, and censure a member where a standard majority of the Council finds that actions of a member are detrimental to the City of Hercules. Such discipline, after the Council duly notices and publicly conducts a hearing, can include admonishment and in more serious cases, public censure. , As a rule, the City Council has no right to go beyond what is necessary for its self-protection.

## 6. Ordinances

### 6.1 Effective Date:

Pursuant to California Government Code Sec. 36937, ordinances take effect 30 days after their final passage. An ordinance takes effect immediately, if it is an ordinance:

(a) Relating to an election.

(b) For the immediate preservation of the public peace, health or safety, containing a declaration of the facts constituting the urgency, and is passed by a four-fifths vote of the council.

(c) Relating to street improvement proceedings.

(d) Related to taxes for the usual and current expenses of the city.

(e) Covered by particular provisions of law prescribing the manner of its passage and adoption.

6.2 Reading by Title Only: Upon being introduced, each proposed ordinance shall be read by title only, with further reading waived unless any member of the Council requests a full reading of the ordinance.

6.3 Majority Vote Required: Resolutions, orders for the payment of money, and all ordinances require a recorded majority vote of the total membership of the Council, pursuant to Government Code Section 36936. A motion, or any other proposition may be adopted by a majority voting on the issue except as otherwise specified by City Ordinance or State Statutes. When any vote is called, each Council Member shall respond “yes (aye),” “no”, “abstain”, or “pass”. Any Council Member who responds, “pass” will be given the opportunity at the end of the roll call to change their vote. Any “pass” response not changed shall be recorded as an abstention. A Council Member shall recuse himself or herself from a vote if required to do so by State conflict of interest laws, pursuant to the process provided under state law.

6.4 Requests for Preparation of Ordinances or Issuance of Legal Opinions: Any member of the City Council, with the approval of a majority of the Council, may request the City Manager to place the proposed adoption of an ordinance or resolution on the City Council agenda for discussion purposes. The City Attorney shall review proposed ordinances and resolutions for form and provide legal advice prior to and during discussion, consideration, and adoption by the City Council.

[Move to Sec. 2.8]

All ordinances and resolutions prepared by the City Attorney shall be provided to the City Manager, who shall distribute them to all members of the City Council so that they may be fully informed of the status of City affairs.



## **Sections 2.8, 4.7 and 6**

*[Includes Council comments and edits from the May 23, 2017 Council meeting]*

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### **7. Creation of Committees, Boards and Commissions**

7.1 Citizen Committees, Boards and Commissions: The Council may create committees, boards, sub-committees and commissions to assist in the conduct of the operation of the City government with such duties as the Council may specify which are consistent with the City Code.

7.2 Membership and Selections: Membership and selection of members shall be as provided by the Council if not specified by the City Code. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the City Manager, except as otherwise specified by the City Code.

7.3 Removal of Members of Boards and Commissions: The Council may remove any member of any board or commission which it has created or as created by the City Code by a vote of at least a majority of the Council.

7.4 Sub-Committees - Operation of City Council Sub-Committees: The City Council shall utilize the Sub-Committee process to assist the work of staff and to conduct preliminary policy evaluation for purpose of recommendation to the full City Council. Such Sub-Committee shall have no authority to resolve and act on policy issues and shall not act as a committee of the whole Council. With the exception of urgency items and personnel issues, notice of a scheduled Sub-Committee meeting shall be posted not later than seven (7) days prior to the scheduled Sub-Committee meeting. Such notice shall include the date, time, location and item to be discussed. In addition, the Sub-Committee shall cause a summary report of the discussion held to be prepared and submitted to all Council Members and appropriate staff. A Council Sub-Committee is considered a standing committee subject to open meeting requirements, unless it meets the “ad hoc committee” exception under the Brown Act.

## 8. Citizens' Rights

8.1 Public Comment: Any person desiring to address the Council, Commission, Subcommittee or other duly established body shall first present a speaker's card to the Chair and shall be recognized by the Chair. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked the Council Members, except through the presiding officer.

8.2 Time Limits on Speakers: Disruptive Conduct: The Mayor or presiding officer may establish reasonable limits on the amount of time allocated for public comment on particular issues and for each individual speaker. In addition, the Mayor may rule a speaker to be out of order if that speaker engages in disorderly conduct, which disrupts, disturbs or otherwise impedes the orderly conduct of City Council business by, among other things: a) uttering threatening or abusive language; b) by being unduly repetitious or making comments which are not relevant to the City Council's business, or c) speaking in excess of the time limits established by the Mayor or presiding officer, or repeatedly attempting to enter into discussion with staff, Council Members, or other members of the public.

8.3 Reading of Protests: Interested persons, or their authorized representatives, may address the Council for the reading of protests, petitions, or communications relating to any matter over which the Council has control when the item is under consideration by the Council, if a majority of the Council present agrees to let them be heard.

8.4 Mayor May Appoint A Committee or Refer Citizen's Complaints: The Mayor may appoint a committee of two members of the City Council to hear Citizens' complaints as the same are referred thereto by the Mayor or may refer Citizens' complaints to a Closed Session of the City Council, whenever the subject meets the criteria specified in the Brown Act.

8.5 Written Communications: Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the City's business or over which the Council has control at any time by direct mail, email, or by addressing the City Clerk, who will distribute copies to the Councilmembers.

## **CITY COUNCIL RULES OF PROCEDURE**

**Adopted - April 23, 2002**

**Amended - April 27, 2004**

**Amended - February 8, 2005**

**Amended – July 10, 2012**

**Amended – March 10, 2015**

**Amended – January 26, 2016**

**Amended – April 25, 2017**

### **7. Creation of Committees, Boards and Commissions**

7.1 Citizen Committees, Boards and Commissions: The Council may create committees, boards, sub-committees and commissions to assist in the conduct of the operation of the City government with such duties as the Council may specify which are consistent with the City Code.

7.2 Membership and Selections: Membership and selection of members shall be as provided by the Council if not specified by the City Code. Any committee, board, or commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the City Manager, except as otherwise specified by the City Code.

7.3 Removal of Members of Boards and Commissions: The Council may remove any member of any board or commission which it has created or as created by the City Code by a vote of at least a majority of the Council.

7.4 Sub-Committees - Operation of City Council Sub-Committees: The City Council shall utilize the Sub-Committee process to assist the work of staff and to conduct preliminary policy evaluation for purpose of recommendation to the full City Council. Such Sub-Committee shall have no authority to resolve and act on policy issues and shall not act as a committee of the whole Council. With the exception of urgency items and personnel issues, notice of a scheduled Sub-Committee meeting shall be posted not later than seven (7) days prior to the scheduled Sub-Committee meeting. Such notice shall include the date, time, location and item to be discussed. In addition, the Sub-Committee shall cause a summary report of the discussion held to be prepared and submitted to all Council Members and appropriate staff. A Council Sub-Committee is considered a standing committee subject to open meeting requirements, unless it meets the “ad hoc committee” exception under the Brown Act.

## 8. Citizens' Rights

8.1 Public Comment: Any person desiring to address the Council, Commission, Subcommittee or other duly established body shall first present a speaker's card to the Chair and shall be recognized by the Chair. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked the Council Members, except through the presiding officer.

8.2 Time Limits on Speakers: Disruptive Conduct: The Mayor or presiding officer may establish reasonable limits on the amount of time allocated for public comment on particular issues and for each individual speaker. In addition, the Mayor may rule a speaker to be out of order if that speaker engages in disorderly conduct, which disrupts, disturbs or otherwise impedes the orderly conduct of City Council business by, among other things: a) uttering threatening or abusive language; b) by being unduly repetitious or making comments which are not relevant to the City Council's business, or c) speaking in excess of the time limits established by the Mayor or presiding officer, or repeatedly attempting to enter into discussion with staff, Council Members, or other members of the public.

8.3 Reading of Protests: Interested persons, or their authorized representatives, may address the Council for the reading of protests, petitions, or communications relating to any matter over which the Council has control when the item is under consideration by the Council, if a majority of the Council present agrees to let them be heard.

8.4 Mayor May Appoint a Committee or Refer Citizen's Complaints: The Mayor may appoint a committee of two members of the City Council to hear Citizens' complaints as the same are referred thereto by the Mayor or may refer Citizens' complaints to a Closed Session of the City Council, whenever the subject meets the criteria specified in the Brown Act.

8.5 Written Communications: Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the City's business or over which the Council has control at any time by direct mail, email, or by addressing the City Clerk, who will distribute copies to the Councilmembers.



## Legislation Details (With Text)

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**File #:** 17-281      **Version:** 1      **Name:**

**Type:** Discussion/Action Item      **Status:** Agenda Ready

**File created:** 7/5/2017      **In control:** City Council

**On agenda:** 7/11/2017      **Final action:**

**Title:** Designation of Voting Delegate and Alternates for the League of California Cities Annual Conference and Business Meeting  
Recommendation: Discuss and appoint a voting delegate and alternate(s) for the League of California Cities Annual Conference and Business Meeting to be held September 13-15, 2017 in Sacramento, CA.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [XIII.8 - Designation of Voting Delegate LOCC](#)  
[Staff Report - LOCC Voting Delegate](#)  
[Attach 1 - Voting Delegate Form and Procedures](#)

Date	Ver.	Action By	Action	Result
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### Designation of Voting Delegate and Alternates for the League of California Cities Annual Conference and Business Meeting

**Recommendation:** Discuss and appoint a voting delegate and alternate(s) for the League of California Cities Annual Conference and Business Meeting to be held September 13-15, 2017 in Sacramento, CA.



## AGENDA ITEM REQUEST FORM

Department: Administrative Services

Department Director: Lori Martin

Phone: 799-8215

Meeting Date: July 11, 2017

Final Decision Date Deadline:

**SUBJECT:**

League of California Cities Voting Delegates for 2017 Annual Conference and Business Meeting

### INDICATE APPROPRIATE BODY

☒ City  
Council

☐ Successor Agency to the  
Redevelopment Agency

☐ Public Finance  
Authority

☐ Finance  
Commission

☐ Planning  
Commission

☐ Community/Library  
Services Commission

☐ Oversight Board

☐ Other \_\_\_\_\_

### ITEM

☐ Presentation/Introduction

☐ Study Session

☐ Grant Application/Acceptance

☐ Public Hearing

☒ Resolution

☐ Video/PowerPoint

☐ Consent Calendar

☐ Ordinance

☒ Discussion Action

☐ Contract/Agreement

### RECOMMENDED ACTION:

Conduct discussion and designate voting delegate and alternates for the League of California Cities Annual Conference and Business Meeting to be held September 13 -15 in Sacramento, CA.

☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

### REVIEWED AND APPROVED FOR AGENDA:

City Attorney (if Contract, Ordinance or Resolution)

W. Perera T. - r  
Signature

7.6.17  
Date

Finance Department for Fiscal Impact

[Signature]  
Signature

7/6/17  
Date

City Manager

[Signature]  
Signature

7/6/17  
Date

AGENDA ITEM NO:



## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of July 11, 2017

**TO:** Members of the City Council

**SUBMITTED BY:** Lori Martin, Administrative Services Director/City Clerk

**SUBJECT:** Designation of Voting Delegate and Alternates for the League of California Cities Annual Conference and Business Meeting

### **RECOMMENDED ACTION:**

Conduct discussion and designate voting delegate and alternates for the League of California Cities Annual Conference and Business Meeting to be held September 13 – 15 in Sacramento, CA.

### **COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:**

There was no commission or subcommittee review on this item.

### **FISCAL IMPACT OF RECOMMENDATION:**

The cost for one City delegate to attend the League Annual Conference is included in the proposed FY 2017/18 annual budget. The early bird registration cost is \$525. Registration cost after August 11<sup>th</sup> is \$575.

### **DISCUSSION:**

The League of California Cities bylaws outline the procedures regarding the designation of delegates and alternates by the City Council.

The League's 2017 Annual Conference is scheduled for September 13 – 15, 2017 in Sacramento, CA at the Sacramento Convention Center. An important part of the Annual Conference is the Annual Business meeting at which the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, the City Council must formally designate a voting delegate and up to two alternates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

The voting delegate and alternates must be registered to attend the conference. In order to cast a vote, at least one must be present at the business meeting and in possession of a voting card. Voting delegates and alternates should pick up their conference badges before signing in and picking up the voting card at the voting delegates desk. This will enable the delegate and alternates to receive the special stamp on their badges that will admit them into the voting area during the business meeting.

At the business meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with the special stamp on their name badge identifying them as a voting delegate or alternate.

The voting card may be transferred between the voting delegate and alternates only. Transferring voting cards to non-designated individuals is not allowed. If the voting delegate and alternates are unable to attend the business meeting, they may **not** transfer the voting card to another city official.

#### **ATTACHMENTS:**

1. Voting Procedures/Delegate Form



1400 K Street, Suite 400 • Sacramento, California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
[www.cacities.org](http://www.cacities.org)

**Council Action Advised by July 31, 2017**

May 3, 2017

**TO: Mayors, City Managers and City Clerks**

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES**  
**League of California Cities Annual Conference – September 13 – 15, Sacramento**

The League's 2017 Annual Conference is scheduled for September 13 – 15 in Sacramento. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for 12:30 p.m. on Friday, September 15, at the Sacramento Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

**Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, September 1, 2017. This will allow us time to establish voting delegate/alternate records prior to the conference.**

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates must be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: [www.cacities.org](http://www.cacities.org). In order to cast a vote, at least one voter must be present at the



Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Sacramento Convention Center, will be open at the following times: Wednesday, September 13, 8:00 a.m. – 6:00 p.m.; Thursday, September 14, 7:00 a.m. – 4:00 p.m.; and Friday, September 15, 7:30 a.m.– Noon. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, September 1. If you have questions, please call Carly Shelby at (916) 658-8279.

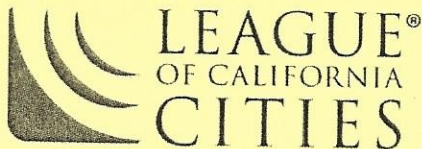
**Attachments:**

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

## Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.





**CITY:** \_\_\_\_\_

**2017 ANNUAL CONFERENCE  
VOTING DELEGATE/ALTERNATE FORM**

**Please complete this form and return it to the League office by Friday, September 1, 2017. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.**

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

**Please note:** Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

**1. VOTING DELEGATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**2. VOTING DELEGATE - ALTERNATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**3. VOTING DELEGATE - ALTERNATE**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.**

**OR**

**ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).**

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mayor or City Clerk \_\_\_\_\_ Phone: \_\_\_\_\_  
(circle one) (signature)

Date: \_\_\_\_\_

**Please complete and return by Friday, September 1, 2017**

League of California Cities  
ATTN: **Carly Shelby**  
1400 K Street, 4<sup>th</sup> Floor  
Sacramento, CA 95814

**FAX: (916) 658-8240**  
E-mail: [cshelby@cacities.org](mailto:cshelby@cacities.org)  
(916) 658-8279



## Legislation Details (With Text)

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**File #:** 17-287      **Version:** 1      **Name:**  
**Type:** Discussion/Action Item      **Status:** Agenda Ready  
**File created:** 7/5/2017      **In control:** City Council  
**On agenda:** 7/11/2017      **Final action:**  
**Title:** Receive Report Regarding an Update on Current Development Sites within the City of Hercules  
Recommendation: Receive report.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** [XIII.9 - Update on Development Sites](#)  
[Staff Report - Development Site Update](#)  
[Attachment 1 - Development Site Listing](#)  
[Attachment 2 - Power Point](#)

Date	Ver.	Action By	Action	Result
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### Receive Report Regarding an Update on Current Development Sites within the City of Hercules

**Recommendation:** Receive report.



## AGENDA ITEM REQUEST FORM

Department: City Manager's Office

Department Director: David Biggs

Phone: 799-8216

Meeting Date: July 11, 2017

Final Decision Date Deadline: July 11, 2017

SUBJECT:  
Development Site Update and Review

### INDICATE APPROPRIATE BODY

☒ City  
Council

☐ Successor Agency to the  
Redevelopment Agency

☐ Public Finance  
Authority

☐ Finance  
Commission

☐ Planning  
Commission

☐ Community/Library  
Services Commission

☐ Oversight Board

☐ Other \_\_\_\_\_

### ITEM

☐ Presentation/Introduction

☐ Study Session

☐ Grant Application/Acceptance

☐ Public Hearing

☐ Resolution

☐ Video/PowerPoint

☐ Consent Calendar

☐ Ordinance

☒ Discussion Action

☐ Contract/Agreement

### RECOMMENDED ACTION:

Receive Report

☐ Copy of executed Resolution/Ordinance/Contract/Application required immediately upon approval.

### REVIEWED AND APPROVED FOR AGENDA:

City Attorney (if Contract, Ordinance or Resolution)

Signature

Date

7.6.17

AGENDA ITEM NO:

Finance Department for Fiscal Impact

Signature

Date

7/6/17

City Manager

Signature

Date

7/6/17



## **STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of July 11, 2017

**TO:** The Mayor and Members of the City Council

**SUBMITTED BY:** David Biggs, City Manager

**SUBJECT:** Development Site Update and Review

### **RECOMMENDED ACTION:**

Receive Report

### **FISCAL IMPACT OF RECOMMENDATION:**

None as a result of this action. The successful development of remaining development sites can result in additional revenues for the City in the form of property tax, sales tax, hotel bed tax, utility users tax and other revenues. There will also be an increase in expenses associated with providing municipal services to these developments and depending on the type, new revenues may or may not exceed these incremental expenses.

### **DISCUSSION:**

The City Council requested that an update on development sites in the City be made at a Council meeting in order to ensure the Council and community are informed of the current status and future plans for remaining sites.

Attached is a list of the primary development sites in Hercules. This exhibit list sites in two categories – committed or pending. Committed sites are those which have specific entitlements in place. Pending sites are those where there are pending development proposals or in the case of one site where there is a Development Agreement in place, or where there is active development interest. The listing identifies each site, the location, the current status/scope and area, and the property owner/developer.

In addition to the sites listed, there a number of other possible in-fill sites which are not listed as there is no current or pending activity of which the City is aware or the possibility of development is further in the future. These sites include the current BART park & ride lot area, and a parcel east of Willow adjacent to Highway 4. In addition, there are remaining development sites in the North Shore Business Park including a number of areas where Bio-Rad can accommodate future expansion of their operations.

Most of the development sites are north-west of Interstate 80 and are part of the City's Bayfront District. The recent completion of the Path to Transit Phase of Hercules Regional Intermodal

Transportation Center will facilitate the commencement of development in this area as seen by the recent approval of the first phase of the Bayfront master plan. The completion of development in this area is a high priority for the City.

**ATTACHMENTS:**

Attachment 1 – Development Site Listing

Attachment 2 – PowerPoint Presentation

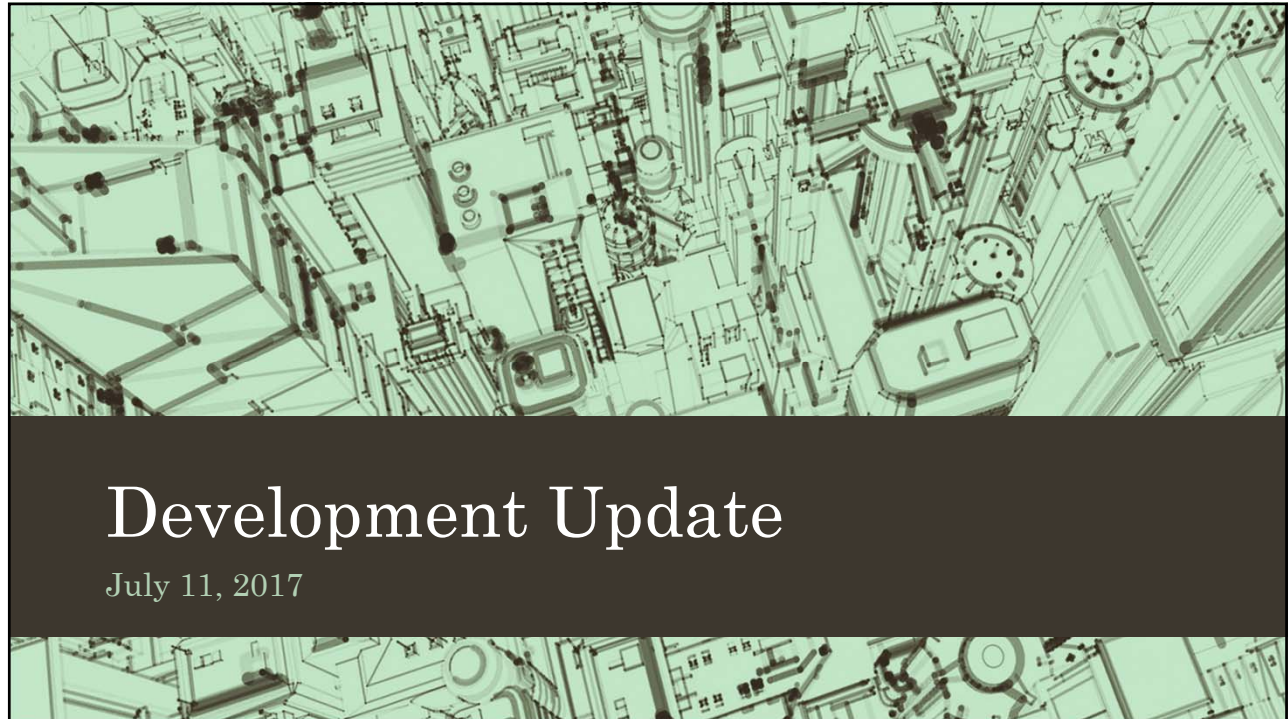
<i>Financial Impact</i>			
<b>Description:</b>			
<b>Funding Source:</b>			
<b>Budget Recap:</b>			
Total Estimated cost:	\$	New Revenue:	\$
Amount Budgeted:	\$	Lost Revenue:	\$
New funding required:	\$	New Personnel:	\$
Council Policy Change: Yes <input type="checkbox"/> No <input type="checkbox"/>			

Attachment 1

Committed	Location	Status/Scope/Area	Property Owner/Developer
Aventine	Sycamore Avenue between Tsushima and Front Streets.	Project completed and rental apartments at stabilized occupancy. 10,000 square feet of ground floor retail available for lease; tenant improvements underway for 1,530 sq. ft. florist/boutique plus two other spaces.	Presidio Partners/Carmel Partners
Muir Pointe/Parcel C	John Muir Parkway north of Alfred Noble	17.27 acre site conveyed to developer in August, 2014, with construction underway on 144 single family homes. First occupancies expected this summer.	Taylor Morrison
Hercules Bayfront	Bayfront holdings from just east of the extension of John Muir Parkway to just past Railroad Avenue with the ITC location in the center of the site. Home to two historic structures.	+/- 20 acres with a Development Agreement providing for a mix of residential, retail, office, and hospitality. First phase of 172 apartments and ground floor retail approved for Block N with construction to start in Fall, 2017.	Hercules Development Partners LP/ Leducor Properties, Inc.
Market Hall Site	San Pablo Avenue at Sycamore	Approximately 6.62 acres with developer proposed scope consisting of a new Safeway and fueling center and 6,000 square feet of retail. Planning Commission review to be completed in September.	McNellis Partners
Sycamore Crossings	Sycamore Avenue between San Pablo Avenue and Tsushima.	12 acre site sold to Lewis Operating Companies. An approximately 2.6 acre parcel has been sold to a hotel developer for a proposed 100 room Hampton Inn & Suites. A	Lewis Operating Companies

		retail component consisting of approximately 27,200 square feet is being planned for the 3.22 acre Sycamore & San Pablo corner. Uses for the balance of the site are still being explored.	
Hill Town	Between San Pablo Avenue and Interstate 80 east of Highway 4	Former industrial site targeted for residential and commercial development consisting of 44 acres. Conceptual proposal includes a 13 acre upper site (residential) and a 6 acre lower site (commercial). Now proposed to be called Hillcrest. Development concepts submitted and being reviewed by Planning Commission.	SCS Development Co

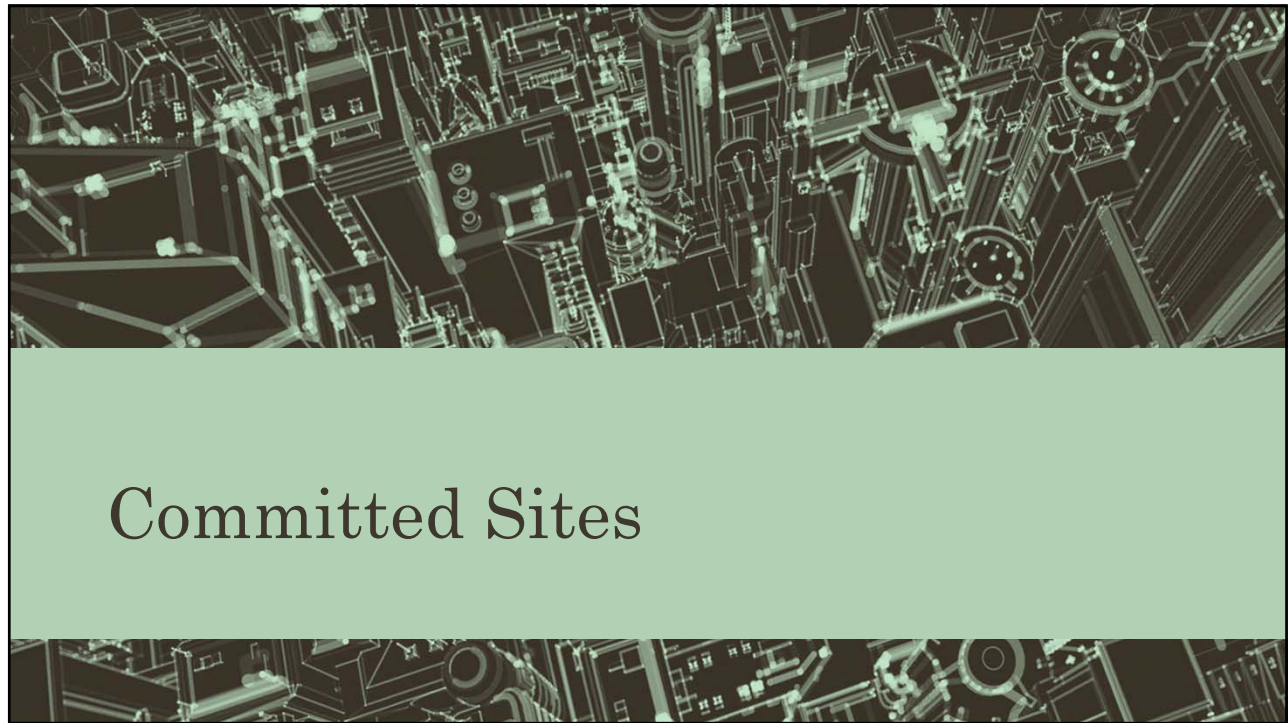
Pending	Location	Status/Scope/Area	Property Owner/Developer
Willow/Palm site	S/E corner of Willow and Palm.	Privately owned 7.1 acre site being considered for a mix of an auto service park (28,000 sf) and self-storage 80,000 sf).	Claremont Home, Inc Art Lorenzini
Willow Loop	Willow at Highways 80/4	6.25 acres gross	HHDG LLC Mike Amin
Cury Parcel	Railroad Avenue between Main and Park.	.93 acres with three historic structures	David Cury Park Place
Willow & Hwy 4 Site	Lower parcel along east side of Willow at Highway 4	6.98 acres gross	Five Giants, Inc



## Overview

- Former Redevelopment Properties All Sold to Private Parties
- Urban Land Institute Technical Advisory Panel & Follow-Up
- American Architectural Foundation City Manager Design Academy
- Investment in Infrastructure Facilitates Development
- Update of Circulation Element Underway
- Supported by Strong Economy and Demand
- Aspirational in Outlook and Realistic in Expectations





## Committed Sites

### Aventine

Completed project with 144 apartments and 10,000 sq. ft. retail.

Four retail spaces now in tenant improvement process – one space for a Florist, a second for a Tanning Salon.





## Muir Pointe

144 new home community now under construction on 17 acres with first occupancies Summer 2017



## Bayfront

40 acre transit-oriented development with a mix of residential, retail, office and hospitality.

First phase approved – 172 apartments and ground floor retail to start construction in late 2017







## Market Hall/Safeway

New Safeway and fueling center, and 6,000 sq. ft. of shop space on 6.62 acres at San Pablo & Sycamore

Under Planning Commission review.



## Sycamore Crossing

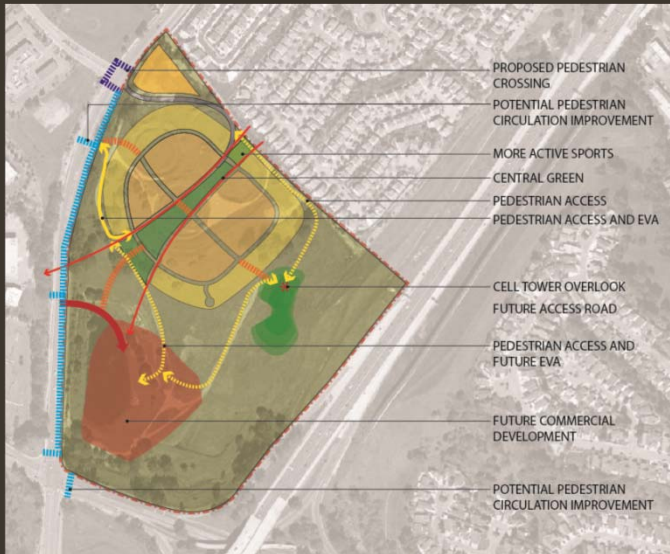
12 acre site at Sycamore & San Pablo being developed by Lewis Operating Companies.

2.6 acres site sold for hotel development – 100 room Hampton Inn.

27,000 sq. ft. retail center planned for 3.22 acres on corner.

Uses for balance of site being explored

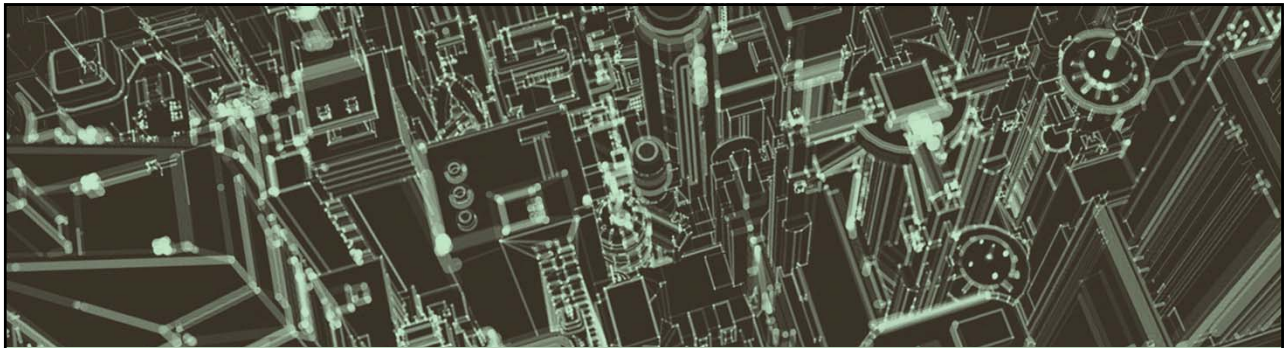
Under Planning Commission review.



## Hilltown/ Hillcrest

44 acre site proposed for residential and commercial development on 13 acre upper site and a 6 acre lower site.

Conceptual review on-going before Planning Commission



## Pending Sites







## Cury Parcel

.93 acres with three historic structures

## Willow/Palm Site

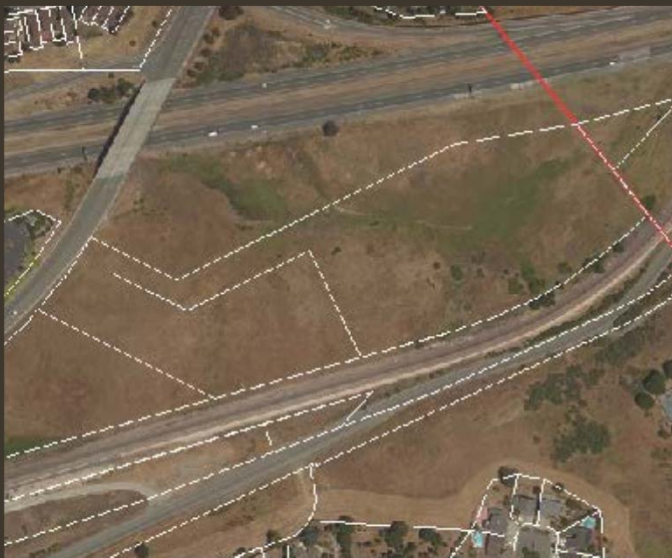
7.1 acre privately owned site being considered for a 28,000 sq. ft. auto service park and self-storage facility.





## Willow Loop

6.25 acre gross site



## Willow & Highway 4

6.98 acre gross site



## Regional Intermodal Transportation Center

Bay Trail and Path to Transit  
Phases completed. Bay Trail West  
to start in Fall 2017.





## Regional Intermodal Transportation Center

Utility relocation, track improvements, and station facilities next phases - seeking funding



Questions?