

City of Hercules

*111 Civic Drive
Hercules, CA 94547*



Meeting Agenda

Tuesday, December 12, 2017

**Closed Session - None.
Regular Session - 7:00 p.m.
Council Chambers**

City Council

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

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

To view webcast of meetings, live or on demand, go to the City's website at www.ci.hercules.ca.us

I. CLOSED SESSION – None

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS - NONE

III. CONVENE INTO CLOSED SESSION - NONE

IV. REGULAR MEETING – 7:00 P.M. CALL TO ORDER - ROLL CALL

V. REPORT ON ACTION TAKEN IN CLOSED SESSION

VI. PLEDGE OF ALLEGIANCE

VII. MOMENT OF SILENCE

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

IX. AGENDA ADDITIONS/DELETIONS

X. PUBLIC COMMUNICATIONS

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

None.

XII. CONSENT CALENDAR

1. Approve Regular Meeting Minutes of November 14, 2017

Recommendation: Adopt Minutes

Attachments: [Meeting Minutes 111417](#)

2. **Approve Special Meeting Minutes of November 28, 2017**

Recommendation: Adopt Minutes

Attachments: [Meeting Minutes 112817 - Special](#)

3. **Appointment to the Contra Costa County Library Commission**

Recommendation: Appoint Brian Campbell-Miller to the Contra Costa County Library Commission for a term ending June 30, 2019.

Attachments: [Staff Report - LibraryComm appt - B.Miller](#)

4. **Annual Local Commission Appointment List**

Recommendation: Review and receive the Annual Local Commission Appointment List commonly referred to as the Maddy Act.

Attachments: [Staff Report - Maddy Act 121217](#)
 [2017 Maddy Act Appointment List](#)

5. **Approval of the Encroachment Easement and Agreement for Block N of the Bayfront Project**

Recommendation: Adopt a resolution approving the Encroachment Easement and Agreement for Block N of the Bayfront Project and authorizing the City Manager to execute said Agreement on behalf of the City Council.

Attachments: [Staff Report - Block N Easement Agreement](#)
 [Attach 1 - Resolution - Block N Easement Agreement](#)
 [Attach 2 - ENCROACHMENT EASEMENT AND AGREEMENT-SignedNewCover1](#)
 [Plat Map - BlockN Encroachment plat](#)

6. **Approval of the 2017 Speed Survey and Adoption of an Ordinance to Reduce Speed Limits on Sections of Sycamore Avenue and Refugio Valley Road**

Recommendation:

- 1) Adopt a resolution approving the 2017 Speed Survey; and
- 2) Waive the second reading and adopt an ordinance to amend Hercules Municipal Code Title 3, Chapter 4 to reduce the speed limit on Refugio Valley Road from 40 mph to 35 mph between Redwood Road and Bonaire Avenue and to reduce the speed limit on Sycamore Avenue from 40 mph to 35 mph between Civic Drive and Palm Avenue.

Attachments: [Staff Report - Speed Survey and Ordinance](#)
 [Attach 1 - Resolution - Speed Survey](#)
 [Attach 1 - Resolution Table 2 GL120417](#)
 [Attach 2 - Ord 505 - Speed Limits Amendment - redline](#)
 [Attach 2 - Ord 505 - Speed Limits Amendment - clean](#)
 [Attach 3 - Signed Speed Survey Report GL120417](#)

7. **Acceptance of the 2017 Pavement Maintenance Project and Budget Modification**

Recommendation: Adopt a resolution accepting the 2017 Pavement Maintenance Project contract with O.C. Jones as complete for a total amount of \$694,325.64, authorizing the filing of the Notice of Completion with the Contra Costa County Recorder's Office, and approving a budget modification to incorporate \$140,000 in new SB 1 "The Road Repair and Accountability Act" funding.

Attachments: [Staff Report - 2017 Street Resurfacing Acceptance](#)
 [Attach 1 - Resolution - 2017 Street Resurfacing](#)
 [Attach 2 - 2017 Street Resurfacing Notice of Completion](#)
 [2017 Pavement Maintenance Project - Location Map](#)

XIII. DISCUSSION AND/OR ACTION ITEMS

1. **Developer Update on Bayfront Project**

Recommendation: Receive presentation.

Attachments: [Staff Report - Bayfront Update 12122017](#)

2. **Municipal Resources Group (MRG) Contract Amendment No. 3 for Planning, Building, and Engineering Project Management Services**

Recommendation: Adopt a resolution authorizing the City Manager to execute Contract Amendment No. 3 with Municipal Resources Group for an additional \$75,000, for a total contract amount not to exceed \$300,000 for continued project management consulting services on development funded projects & programs, general plan related updates, planning related field inspections and conditions of approval verifications, and engineering special assignments as needed to finish out the 2017/18 Fiscal Year.

Attachments: [Staff Report - MRG Contract Amendment 12-12-2017](#)
 [Att 1 - MRG Contract Amendment No 3 Resolution](#)
 [Att 2-Signed Amendment City of Hercules Amendment 3 12 05 2017](#)
 [Att 3-City of Hercules Assistance Proposal 12 05 2017](#)

3. **Commission Appointments**

Recommendation: Consider making appointments to Hercules Boards and Commissions, make appointments for either vacancies that have occurred or for the start of new terms.

Attachments: [Staff Report - Commission Appointments](#)

4. **Landscape & Lighting Assessment District Options**

Recommendation: Receive Report, Discuss, and provide Direction, if any.

Attachments: [Staff Report - L&LAD Follow Up 12122017](#)

5. FY17-18 First Quarter Revenue and Expenditure Report

Recommendation: Receive a report on the FY 2017-18 First Quarter Budget Review and Forecast.

Attachments: [Staff Report - FY17-18 First Quarter Revenue and Expenditure Report](#)
[FY17-18 General Fund First Quarter Revenue and Expenditure Report](#)
[FY17-18 Wastewater First Quarter Revenue and Expenditure Report](#)

6. 2018 Council Appointments on Regional Committees and Council Subcommittees

Recommendation: Express interest and availability for the 2018 Council Appointments on Regional Committees and Council Subcommittees to be made by the Mayor in January 2018.

Attachments: [Staff Report - Council Appointments to Regional Committees](#)
[Attach 1 - 2017 CC Appointed Reps Approved 1.10.17](#)

XIV. PUBLIC COMMUNICATIONS

This time is reserved for members of the public who were unavailable to attend the Public Communications period during Section X of the meeting, or were unable to speak due to lack of time. The public speaker requirements specified in Section X of this Agenda apply to this Section.

XV. CITY COUNCIL/CITY MANAGER/CITY ATTORNEY ANNOUNCEMENTS, COMMITTEE, SUB-COMMITTEE AND INTERGOVERNMENTAL COMMITTEE REPORTS AND FUTURE AGENDA ITEMS

This is the time for brief announcements on issues of interest to the community. In accordance with the provisions of the Brown Act, matters which do not appear on this agenda but require City Council discussion may be either (a) referred to staff or other resources for factual information or (b) placed on a future meeting agenda.

XVI. ADJOURNMENT

The next Regular Meeting of the City Council will be held on Tuesday, January 9, 2018 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 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: December 7, 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 City Council meeting, please contact the City Clerk at 510-799-8215 at least 48 hours prior to the meeting.

2. AGENDA ITEMS: Persons wishing to add an item to an agenda must submit the final written documentation 12 calendar days prior to the meeting. The City retains the discretion whether to add items to the agenda. Persons wishing to address the City Council otherwise may make comments during the Public Communication period of the meeting.

3. AGENDA POSTING: Agendas of regular City Council meetings are posted at least 72 hours prior to the meeting at City Hall, the Hercules Swim Center, Ohlone Child Care Center, Hercules Post Office, and on the City's website (www.ci.hercules.ca.us),

4. PUBLIC COMMUNICATION: Persons who wish to address the City Council should complete the speaker form prior to the Council's consideration of the item on the agenda.

Anyone who wishes to address the Council on a topic that is not on the agenda and is relevant to the Council should complete the speaker form prior to the start of the meeting. Speakers will be called upon during the Public Communication portion of the meeting. In accordance with the Brown Act, the City Council may not take action on items not listed on the agenda. The Council may refer to staff any matters brought before them at this time and those matters may be placed on a future agenda.

In the interests of conducting an orderly and efficient meeting, speakers will be limited to three (3) minutes. Anyone may also submit written comments at any time before or during the meeting.

5. CONSENT CALENDAR: All matters listed under Consent Calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Council or a member of the public prior to the time the City Council votes on the motion to adopt.

6. LEGAL CHALLENGES: If you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered at, or prior to, the meeting. Actions challenging City Council decisions shall be subject to the time limitations contained in Code of Civil Procedure Section 1094.6.



City of Hercules

111 Civic Drive
Hercules, CA 94547

Meeting Minutes

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

Tuesday, November 14, 2017

Council Chambers

Closed Session - 6:00 p.m.

Regular Session - 7:00 p.m.

I. CLOSED SESSION - 6:00 P.M. CALL TO ORDER - ROLL CALL

Mayor de Vera called the meeting to order at 6:00 p.m.

Present: 5 - Mayor M. de Vera, Vice Mayor C. Kelley, Council Member D. Romero, Council Member G. Boulanger, and Council Member R. Esquivias

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS

III. CONVENE INTO CLOSED SESSION

City Attorney Tang announced the closed session item.

Mayor de Vera recessed the meeting at 6:01 p.m.

1. Pursuant to Government Code Section 54956.9(e)(1), Conference with Legal Counsel
Significant exposure to litigation in one (1) matter.

IV. REGULAR MEETING – 7:00 P.M. CALL TO ORDER - ROLL CALL

Mayor de Vera called the meeting to order at 7:01 p.m.

Present: 5 - Mayor M. de Vera, Vice Mayor C. Kelley, Council Member D. Romero, Council Member G. Boulanger, and Council Member R. Esquivias

V. REPORT ON ACTION TAKEN IN CLOSED SESSION - NONE

City Attorney Tang reported that there were no final or reportable actions taken in closed session.

VI. PLEDGE OF ALLEGIANCE

VII. MOMENT OF SILENCE

Mayor de Vera called for a moment of silence for the victims of a shooting rampage which occurred in Northern California today which killed 5 and wounded several others.

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

1. Mayor de Vera to Present Proclamations Expressing Special Recognition to Eagle Scouts, Victor Wu, Justin Cheung and Simran Samra and Mrs. Ogura from Hercules Middle School and Victor Wu to Give a Brief Presentation on the Sensory Garden Project

Mayor de Vera read aloud and presented Proclamations to Eagle Scouts Victor Wu, Justin Cheung and Simran Samra. High School Middle School Teacher, Mrs. Ogura gave a short presentation on the Sensory Garden Project at Hercules Middle School where Eagle Scout Victor Wu as the project lead.

Mayor de Vera called for a short 5 minute recess to allow for a photo opportunity with the Eagle Scouts and City Council.

2. Sales Tax Presentation by Robert Hamud of Muni-Services

Robert Hamud of Muni-Services gave a presentation and update on current trends in California sales tax.

IX. AGENDA ADDITIONS/DELETIONS

City Manager Biggs identified the supplemental material handed out prior to the meeting.

X. PUBLIC COMMUNICATIONS

Speakers: Lynne Noone, Rich Kinney, Sherry McCoy.

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.

City Manager Biggs introduced the item and gave a staff report. Janna Coverston from Republic Services answered questions asked by City Council.

Mayor de Vera opened the public hearing at 8:13 p.m.

Mayor de Vera closed the public hearing at 8:13 p.m. with no comments offered by the public.

MOTION: A motion was made by Vice Mayor Kelley, seconded by Council Member Boulanger, to adopt Resolution 17-78. The motion carried by the following vote:

Aye: 5 - Mayor M. de Vera, Vice Mayor C. Kelley, Council Member D. Romero, Council Member G. Boulanger, and Council Member R. Esquivias

2. 2017 Speed Survey and Ordinance to Reduce Speed Limits on Sections of Sycamore Avenue and Refugio Valley Road

Recommendation: 1) Review the Draft 2017 Speed Survey; and 2) Introduce an Ordinance to amend Hercules Municipal Code Title 3, Chapter 4 to reduce the speed limit on Refugio Valley Road from 40 mph to 35 mph between Redwood Road and Bonaire Avenue and to reduce the speed limit on Sycamore Avenue from 40 mph to 35 mph between Civic Drive and Palm Avenue.

City Manager Biggs introduced the item. Public Works Director Roberts gave a staff report.

Mayor de Vera opened the public hearing at 8:25 p.m.

Mayor de Vera closed the public hearing at 8:25 p.m. with no comments offered from the public.

MOTION: A motion was made by Council Member Romero, seconded by Vice Mayor Kelley, to waive the reading and approve the first reading of Ordinance 505. The motion carried by the following vote:

Aye: 5 - Mayor M. de Vera, Vice Mayor C. Kelley, Council Member D. Romero, Council Member G. Boulanger, and Council Member R. Esquivias

XII. CONSENT CALENDAR

Council Member Boulanger requested Item 2 be pulled from the Consent Calendar for separate discussion.

1. Approve Regular Meeting Minutes of October 24, 2017

Recommendation: Adopt Minutes.

MOTION: A motion was made by Council Member Romero, seconded by Council Member Boulanger, to adopt the Minutes of October 24, 2017. The motion carried by the following vote:

Aye: 5 - Mayor M. de Vera, Vice Mayor C. Kelley, Council Member D. Romero, Council Member G. Boulanger, and Council Member R. Esquivias

2. Approval of a Professional Services Agreement with Rosenow Spevacek Group for Redevelopment Related Services in a not to Exceed Amount of \$50,000
Recommendation: Approve a Professional Services Agreement with the

Rosenow Spevacek Group for Redevelopment Related Services in an amount not to Exceed Amount of \$50,000 and authorize the City Manager to execute the contract.

City Manager Biggs introduced the item and gave a staff report. Council Member Boulanger asked a question in regards to the funding source being used. Council Member Romero requested that the Resolution be amended to clarify that there was a previous agreement with RSG in an amount not to exceed \$50,000 and that the Resolution before City Council tonight is for a new agreement in an amount not to exceed \$50,000. City Council gave direction to City Attorney Tang to amend the Resolution to reflect the direction given.

MOTION: A motion was made by Council Member Esquivias, seconded by Vice Mayor Kelley, to adopt Resolution 17-79 as amended. The motion carried by the following vote:

Aye: 5 - Mayor M. de Vera, Vice Mayor C. Kelley, Council Member D. Romero, Council Member G. Boulanger, and Council Member R. Esquivias

XIII. DISCUSSION AND/OR ACTION ITEMS

1. Status Report on Historic Structures Owned by Mr. David Cury on Railroad Avenue

Recommendation: Receive report, discuss, and provide direction, if any.

City Manager Biggs introduced the item. Mr. Lawton representative of Mr. Cury presented an update on the Cury properties.

2. Update on Landscape & Lighting Assessment Districts and Discussion of Options

Recommendation: Receive report, discuss, and provide direction, if any.

City Manager Biggs introduced the item and guided City Council through the detail and financial position of each District. City Manager Biggs and Public Works Director Roberts answered questions from City Council. City Council provided comments and input. City staff to bring back an update on this item at the next meeting.

Mayor de Vera called for a short recess at 9:49 p.m.

Mayor de Vera reconvened the meeting at 10:00 p.m.

3. Award of Street Tree Maintenance Contracts

Recommendation: 1) Appropriating \$164,663 in Landscaping & Lighting District (LLAD) funding for street tree maintenance; and 2) Authorizing the City Manager to execute the street tree maintenance contracts with A-Plus for Areas 1,2,4 and 6 in the amount of \$152,863 and Commercial Tree Service for Areas 3 and 5 in the amount of \$11,800.

City Manager Biggs introduced the item. Public Works Director Roberts gave a staff report.

MOTION: A motion was made by Vice Mayor Kelley, seconded by Council Member Romero, to adopt Resolution 17-80. The motion carried by the following vote:

Aye: 5 - Mayor M. de Vera, Vice Mayor C. Kelley, Council Member D. Romero, Council Member G. Boulanger, and Council Member R. Esquivias

4. Award of a Construction Contract to MCK Services, Inc. for Street Pavement Patching

Recommendation: Adopt a Resolution authorizing the City Manager to execute a construction contract with MCK Services, Inc. in the amount of \$259,020 for the Street Pavement Patching Project, and authorizing an additional expenditure of up to \$25,902 for a 10% contingency on said construction contract.

City Manager Biggs introduced the item. Public Works Director Roberts gave a staff report.

MOTION: A motion was made by Council Member Romero, seconded by Vice Mayor Kelley, to adopt Resolution 17-81. The motion carried by the following vote:

Aye: 5 - Mayor M. de Vera, Vice Mayor C. Kelley, Council Member D. Romero, Council Member G. Boulanger, and Council Member R. Esquivias

5. Long-Term Financial Projection for the General Fund

Recommendation: Review and discuss the long-term financial projection for the General Fund.

City Manager Biggs introduced the item and gave a staff report. Finance Director Annie To walked the City Council through the long term financial forecast.

Public Speaker: Sherry McCoy.

XIV. PUBLIC COMMUNICATIONS

None.

XV. CITY COUNCIL/CITY MANAGER/CITY ATTORNEY ANNOUNCEMENTS, COMMITTEE, SUB-COMMITTEE AND INTERGOVERNMENTAL COMMITTEE REPORTS AND FUTURE AGENDA ITEMS

City Attorney Tang reminded City Council that per the Council Rules of Procedure no new items can be opened after 11:00 p.m., therefore no announcement or comments were given.

XVI. ADJOURNMENT

Mayor de Vera adjourned the meeting at 11:11 p.m.

Chris Kelley, Mayor

Attest:

Lori Martin, MMC
Administrative Services Director/City Clerk



City of Hercules

111 Civic Drive
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Meeting Minutes

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

Tuesday, November 28, 2017

6:00 PM

Council Chambers

SPECIAL MEETING

I. SPECIAL MEETING - 6:00 P.M. CALL TO ORDER - ROLL CALL

Mayor de Vera called the meeting to order at 6:01 p.m.

Present: 5 - Mayor M. de Vera, Vice Mayor C. Kelley, Council Member D. Romero, Council Member G. Boulanger, and Council Member R. Esquivias

II. PUBLIC COMMUNICATION

None.

III. CONDUCT INTERVIEWS TO FILL UPCOMING VACANCIES ON THE COMMUNITY AND LIBRARY SERVICES COMMISSION, FINANCE COMMISSION AND PLANNING COMMISSION

City Council interviewed applicants for the Community and Library Services Commission, Planning Commission and Finance Commission.

IV. DISCUSSION AND/OR ACTIONS ITEMS

1. **Appointments to Commissions**

Recommendation: Consider making appointments to fill vacancies on Community and Library Services Commission, Finance Commission and the Planning Commission.

City Council to make appointments at the regular meeting of December 12, 2017.

V. ADJOURNMENT

Mayor de Vera adjourned the meeting at 8:01 p.m.

Chris Kelley, Mayor

Attest:

Lori Martin, MMC
Administrative Services Director/City Clerk



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of December 12, 2017

TO: Members of the City Council

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

SUBJECT: Appointment to Contra Costa County Library Commission

RECOMMENDED ACTION:

Approve Community and Library Services Commission recommendation to appoint Commissioner Member Brian Miller to the Contra Costa County Library Commission.

COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:

The Community and Library Services Commission voted unanimously at its December 11, 2017 meeting to recommend that Brian Miller be re-appointed to the Contra Costa County Library Commission for a term ending 06/30/19.

FISCAL IMPACT OF RECOMMENDATION:

There is no fiscal impact association with this item.

DISCUSSION:

The Community and Library Services Commission makes a recommendation to the City Council to appoint one or more of its members to the Contra Costa County Library Commission. The Commission made this recommendation recently at its December 11th meeting. This appointment is made by the City Council from the membership of the Community and Library Services Commission. The term of the appointment will run for two years through June 30, 2019.

ATTACHMENTS:

None



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of December 12, 2017

TO: Members of the City Council

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

SUBJECT: Annual Local Commission Appointment List

RECOMMENDED ACTION: Review and receive the Annual Local Commission Appointment List commonly referred to as the Maddy Act Local Appointments List.

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:
Government Code Section 54972 requires the legislative body to annually, on or before December 31, prepare and post a list of "...all regular and ongoing boards, commissions, and committees which are appointed by the legislative body of the local agency...with the name of the incumbent appointee, the date of appointment, the date the term expires and the necessary qualifications for the position." The list is attached for your review and information.

City Council will be considering and making new appointments at the December 12th meeting and the attached Appointment List will be updated to reflect the new appointments and will then be posted on bulletin boards located at City Hall and the Community Center as required by law. In addition the Appointment List will be posted on the City's website.

ATTACHMENTS:

1. City of Hercules Appointment List

CITY OF HERCULES APPOINTMENT LIST

Revised August 10, 2017

FINANCE COMMISSION	COMMUNITY & LIBRARY SERVICES COMMISSION	PLANNING COMMISSION
Meets the 4 th Monday of every month at 7:00 p.m. in the Council Chambers Staff: Annie To	Meet the 2 nd Monday of every month at 7:00 p.m., in the Council Chambers Staff: Christopher Roke	Meet the 1 st and 3 rd Mondays of every month at 7:00 p.m., in the Council chambers Staff: Holly Smyth
Vacant 12/31/2018	Chen, Han Appointed: 4/1/2010 Latest Term: 4/12/2016 12/31/2018	Bailey, Dion Appointed: 6/23/2015 Latest Term: 4/12/2016 12/31/2018
Harris, Zania Appointed: 8/8/17 12/31/2018	Vacant 12/31/2018	Morrison, Kenneth Appointed: 3/26/2013 Latest Term: 4/12/2016 12/31/2018
Yamamoto, Judy Appointed: 2/9/2016 12/31/2017	Campbell-Miller, Brian Appointed: 4/10/2013 Latest Term: 4/2/2016 12/31/2018	Rubio, Hector Appointed: 4/15/2015 12/31/2017
Tom, Stanley Appointed: 11/25/2014 Latest Term: 1/10/2017 12/31/2018	Ward-Jackson, Evangelia Appointed 05/15/2015 12/31/2017	Tolley, Susan Appointed: 3/22/2011 Latest Term: 4/14/2015 12/31/2017
Freese, Paul A. Appointed: 2/9/2016 12/31/2017	Student Commissioner Nguyen, Nina Appointed: 9/26/17 12/31/2017	Galieva, Irina Appointed: 1/10/17 12/31/2018

APPOINTMENTS THE CITY COUNCIL MAKES TO OUTSIDE AGENCIES	
CONTRA COSTA COUNTY COUNCIL ON AGING	MOSQUITO AND VECTOR CONTROL DISTRICT
Meetings are not set or scheduled by the City; they are set by the County	Meetings are not set or scheduled by the City; they are set by the County
Jennifer Doran Appointed: 1/10/17 9/31/2018	Vacant – 2 year term

In compliance with the requirements of the Maddy Act, Government Code 54970, the following commission, board and committee appointment list is posted on an annual basis by December 31. It shows all current members of commissions, boards and committees and the dates of their terms of office as of the time of this posting. Commissioners must be 18 years of age or older and residents of the City unless otherwise stated.

NOTE: The names on this list are subject to change based on term expirations and resignations that occur during the year. For a current list of members, please refer to the Commission Pages on the City's website or call the City Clerk's Office at 799-8215.



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of December 12, 2017

TO: Members of the City Council

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

SUBJECT: Approval of the Encroachment Easement and Agreement for Block N of the Bayfront Project

RECOMMENDED ACTION:

Adopt a resolution approving the Encroachment Easement and Agreement for Block N of the Bayfront Project and authorizing the City Manager to execute said Agreement on behalf of the City Council.

FISCAL IMPACT OF RECOMMENDATION:

There are no fiscal impacts associated with the approval of the final map.

DISCUSSION:

In June of this year Council approved the Final Map for Block N, which is a triangular, 2.2 acre lot bounded by John Muir Parkway to the east, Bayfront Boulevard to the north, and Refugio Creek to the south. A multi-family, mixed use retail development has been approved for this site and is in building plan review with an anticipated construction start date as soon as January 2018.

The Encroachment Easement and Agreement grants the property owner (i.e. developer) rights to construct and maintain overhead structures such as building arcades and shopfront awnings on the second floor that will encroach 5-12 feet into the public rights of way on John Muir Parkway and Bayfront Boulevard. The easement was included in the approved vesting tentative map and the overhead structures are included in the approved project as well as the Hercules Waterfront District Master Plan guiding document.

ATTACHMENTS:

1. Resolution
2. Encroachment Easement and Agreement

Financial Impact

Description: Not applicable.

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"/>		

RESOLUTION NO. 17-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES
APPROVING AN ENCROACHMENT EASEMENT AND AGREEMENT FOR BLOCK
N OF THE BAYFRONT PROJECT AND AUTHORIZING THE CITY MANAGER TO
EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY COUNCIL**

WHEREAS, Final Map for Block N was approved by City Council in June 2017; and

WHEREAS, the Encroachment Easement and Agreement for Block N grants the property owner an easement and rights to install and maintain overhead structures such as awnings and building arcades in the public right of way as shown on the previously approved vesting tentative map, approved project, and Hercules Waterfront District Master Plan; and

WHEREAS, the Encroachment Easement and Agreement has been reviewed for technical correctness and is recommended for approval by the City Attorney, contract Land Surveyor, and City Engineer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hercules that the City Council hereby approves the Encroachment Easement and Agreement for Block N of the Bayfront Project and authorizes the City Manager to execute said Agreement on behalf of the City Council subject to minor revisions by the City Attorney.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 12th day of December, 2017 by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chris Kelley, Mayor

ATTEST:

Lori Martin, MMC
Administrative Services Director/City Clerk

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

City of Hercules
111 Civic Drive,
Hercules, CA 94547

Area Above Reserved for Recorder's Use

ENCROACHMENT EASEMENT AND AGREEMENT

STATE OF CALIFORNIA
CONTRA COSTA COUNTY
CITY OF HERCULES

THIS ENCROACHMENT EASEMENT AND AGREEMENT (this "**Easement**") is made, dated, and entered into as of the ____ day of _____, _____, by and between the City of Hercules, a California municipal corporation ("**City**"), and Hercules Development Partners a limited partner company ("**HDP**").

R E C I T A L S

A. City is the owner of that certain real property located in the City of Hercules and identified as Lot 26, John Muir Parkway, and Lot 34, Bayfront Boulevard, (collectively, "**Lots 26 & 34**"), which lots are a portion of "Parcel D" as said parcel is shown on that certain map entitled "Parcel Map MS 476-00," filed October 12, 2000, in Book 179 of Parcel Maps 38, 39, and 40 (179 PM 38) ("**Parcel D**"), in the office of the Contra Costa County Recorder; and

B. HDP is the owner of that certain real property located in the City of Hercules identified as Lot 25, which is also a portion of Parcel D, as more particularly described on **Exhibit A** attached hereto and incorporated herein by this reference (the "**HDP Lot**"), upon which the HDP's mixed-use building (the "**HDP Building**") shall be located; and

C. HDP desires to construct exterior overhead frontage structures of types that may include a building arcade or shopfront awning on the second floor and above on the HDP Building facing northeast towards Lot 26 and northwest towards Lot 34 (collectively, the "**HDP Overhead Structures**," and each individually a "**HDP Overhead Structure**"); and.

D. Each HDP Overhead Structure will encroach onto Lots 26 & 34 as depicted on **Exhibit B** attached hereto and incorporated herein by this reference; and

E. City, as the owner of Lots 26 & 34, desires to grant certain easement rights over Lots 26 & 34 in order to allow HDP, as the owner of the HDP Lot, to install, maintain, repair, replace and use the HDP Overhead Structures; and

F. HDP, as the owner of the HDP Lot, desires to execute this Easement for the purpose of acknowledging the terms of its use of Lots 26 & 34 for the installation, maintenance, repair, replacement and use of the HDP Overhead Structures.

A G R E E M E N T

NOW, THEREFORE, in consideration of the premises; to enhance and protect the value of Lots 26 & 34 and the HDP Lot; and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City does hereby grant, bargain and convey unto HDP, its successors, heirs and assigns, the following easements, rights, covenants and undertakings pursuant to which Lots 26 & 34 and the HDP Lot shall be owned, conveyed, transferred, occupied and used:

1. Incorporation of Recitals. The foregoing Recitals A through F shall constitute an integral part of this Easement, and this Easement shall be construed in accordance therewith.

2. Establishment of HDP Overhead Structures Easement. City hereby grants, bargains, and conveys to HDP, as owner of the HDP Lot, a non-exclusive, perpetual right, privilege and easement to install the HDP Overhead Structures over Lots 26 & 34 in the locations shown on Exhibit B, attached hereto and incorporated herein by this reference (the “**HDP Overhead Structures Easement**”).

The HDP Overhead Structures Easement shall include, but not be limited to, the right of construction, maintenance, repair, use and operation of the HDP Overhead Structures by HDP within the portion of Lots 26 & 34 shown on Exhibit B. The HDP Overhead Structures shall be considered a portion of the HDP Building for *ad valorem* property tax purposes.

3. Maintenance of HDP Overhead Structures. The owner of the HDP Lot shall be solely responsible for the maintenance, repair and replacement of the HDP Overhead Structures. The City shall have the right to enter the building located upon the HDP Lot in order to inspect the HDP Overhead Structures after providing reasonable prior written notice to the owner of the HDP Lot, unless the City has reasonable cause to believe that a health or safety risk to Lots 26 & 34 is posed by the HDP Overhead Structures, in which case no prior notice shall be required, but City shall inform the owner of the HDP Lot thereof in writing as soon as reasonably possible thereafter. Should HDP fail to repair the HDP Overhead Structures within thirty (30) days after receipt of written notice (or such longer period of time as is reasonably necessary, so long as HDP promptly commences and diligently pursues the repair), or in the case of a health or safety risk to Lots 26 & 34, ten (10) days (or such longer period of time as is reasonably necessary, so long as HDP promptly commences and diligently pursues the repair), the City shall have the right to take reasonable measures to eliminate the health or safety risk posed to Lots 26 & 34. The owner of the HDP Lot shall be responsible for the actual, out-of-pocket costs of such measures, and the provisions of Section 4 herein may also be applicable. Exercising this right shall not limit or waive any other rights or remedies the City may have under this Easement.

4. Insurance and Indemnification.

a. Insurance. The owner of the HDP Lot agrees to maintain, on a primary basis and at its sole expense, at all times during the life of this Agreement the following applicable coverages and limits. The requirements contained herein, as well as City's review or acceptance of insurance maintained by the owner of the HDP Lot is not intended to and shall not in any manner limit or qualify the liabilities or obligations assumed by the owner of the HDP Lot under this Agreement.

Commercial General Liability – Combined single limit of no less than \$1,000,000 each occurrence and \$2,000,000 aggregate. Coverage shall not contain any endorsement(s) excluding nor limiting Product/Completed Operations, Contractual Liability or Cross Liability. The owner of the HDP Lot shall endorse the City as an Additional Insured on the Commercial General Liability policy. The Additional Insured endorsement shall read 'City of Hercules as its interest may appear'.

Umbrella or Excess Liability – Annual Aggregate limits on Umbrella or Excess Liability policies shall not be less than the highest 'Each Occurrence' limit for required policies. The owner of the HDP Lot shall endorse City of Hercules as an 'Additional Insured' on the Umbrella or Excess Liability policy, unless the Certificate of Insurance states the Umbrella or Excess Liability provides coverage on a "Follow-Form" basis.

Certificate of Insurance – The owner of the HDP Lot shall provide a Certificate of Insurance to City evidencing that all coverages, limits and endorsements required by this Easement are maintained and in full force and effect. If the owner of the HDP Lot receives a non-renewal or cancellation notice from an insurance carrier affording coverage required herein, or receives notice that coverage no longer complies with the insurance requirements herein, the owner of the HDP Lot shall notify the City within five (5) business days with a copy of the non-renewal or cancellation notice, or written specifics as to which coverage is no longer in compliance. The Certificate Holder address should read:

City of Hercules
Attn: Planning Department
111 Civic Drive
Hercules, California 94547

b. Indemnification. To the maximum extent allowed by law, the owner of the HDP Lot shall defend, indemnify, and hold harmless Indemnitees (hereinafter defined) from and against all Charges (hereinafter defined) that arise in any manner from, in connection with, or out of this Easement as a result of acts or omissions of the owner of the HDP Lot or its contractors or anyone directly or indirectly employed by any of them, or, as determined by a court of law, anyone for whose acts any of the forenamed may be liable. In performing its duties described in the preceding sentence, the owner of the HDP Lot shall at its sole expense defend Indemnitees with legal counsel reasonably acceptable to City. Notwithstanding the foregoing, in no event shall the owner of the HDP Lot be required to defend, indemnify or hold harmless the Indemnities for any Charges arising directly as a result of the negligence or willful misconduct of any of the

Indemnitees. As used in the preceding sentences of this paragraph: (i) "**Charges**" means claims, judgments, costs, damages, losses, demands, liabilities, fines, penalties, settlements and expenses included without limitation within interest and reasonable attorneys' fees assessed as part of any such item; and amounts for alleged violations of environmental laws, regulations, ordinances, rules, or orders, and (ii) "**Indemnitees**" means City and its officers, officials, agents, and employees, excluding the owner of the HDP Lot. Nothing in this Section 4(b) shall affect any warranties, rights or duties in favor of the City that are otherwise provided in or arise out of this Easement. This Section 4(b) is in addition to and shall be construed separately from any other indemnification provisions that may be in this Easement. This Section 4(b) shall remain in force despite termination of this Easement (whether by expiration of the term or otherwise).

5. Covenants Running with the Land. The HDP Overhead Structures Easement and the easements, rights, covenants and undertakings contained within this Easement shall run with the land and be appurtenant to, and for the benefit of, the owner of the HDP Lot and shall be a burden upon the title to Lots 26 & 34. Any conveyance of the HDP Lot or Lots 26 & 34, or any portions thereof, shall be subject to the HDP Overhead Structures Easement and the easements, rights, covenants and undertakings contained in this Easement, and, at the time of conveyance, the grantor in any deed of conveyance shall be relieved of future obligations thereafter arising by the owners of the lot or property interest so conveyed, but the grantor in any deed of conveyance shall not be relieved of obligations that are based on acts, omissions, or events that occurred before the time of conveyance. Any grantee of HDP or the City, as applicable, or their successors, heirs, or assigns, by recordation of a deed or other instrument of transfer or conveyance, shall be deemed to have assumed the obligations under this Easement with respect to such lot (Lot 26, Lot 34, and/or the HDP Lot, as the case may be).

6. Amendment and Termination. This Easement may be modified, amended or terminated only by written agreement of the owners of the HDP Lot and the owners of Lots 26 & 34, and shall be duly acknowledged in a manner suitable for and effective upon recording in the Office of the Register of Deeds of Contra Costa County, California. In addition, should the HDP Overhead Structures be removed and not replaced by the owner of the HDP Lot (or its authorized agents) for a period of ten (10) consecutive years, this Easement shall be terminated upon recording a notice of termination in the Office of the Register of Deeds of Contra Costa County. This Section 6 is subject to Section 13 (Performance of Government Functions).

7. Governing Law. This Easement shall be governed by and construed in accordance with the laws of the State of California without regard to principles of conflict of laws.

8. No Public Dedication; No Third Party Beneficiaries or Consents. This Easement is not intended, and shall not be construed: (a) as a dedication to the public of any interests in the HDP Overhead Structures described herein, (b) to give any member of the public, or any person, entity, or party other than as provided herein, any right whatsoever herein or therein or (c) to require any consent or other action of any other person, entity, or party other than as expressly provided herein to any amendment to or waiver of any provision of this Easement.

9. Severability. This Easement is intended to be performed in accordance with, and only to the extent permitted by, all applicable laws, ordinances, rules and regulations. If any provision of this Easement or the application thereof to any person or circumstance shall, for any

reason and to any extent, be invalid or unenforceable, but the extent of such invalidity or unenforceability does not destroy the basis of the bargain expressed herein, the remainder of this Easement and the application of such provision to other persons or circumstances shall not be affected thereby, but rather shall be enforced to the greatest extent permitted by law.

10. Compliance Certificate. Upon the written request of the owner of the HDP Lot or Lots 26 & 34, or the holder of any first lien deed of trust or first lien mortgage on any such parcel, any such owner shall execute, have acknowledged and deliver a certificate stating whether, to the knowledge of the signatory party, the requesting party is otherwise in compliance with this Easement.

11. Waiver. This Easement may not be waived orally or impliedly, but only by written document executed by the party against which such waiver is sought. Neither the failure of a party to complain of any violation of this Easement, regardless of how long such failure continues, nor the failure of a party to invoke (or the election by a party not to invoke) any right, remedy or recourse for a violation hereof, shall waive the rights, remedies and recourses of the party with respect to such violation. No waiver by a party of any provision of this Easement shall be deemed to be a waiver of any other provision hereof.

12. Rights Cumulative. All rights, powers and privileges conferred hereunder shall be cumulative and in addition to, and not to the exclusion of, those provided at law or in equity.

13. Performance of Government Functions. Nothing contained in this Easement shall be deemed or construed to in any way estop, limit, or impair the City from exercising or performing any regulatory, policing, legislative, governmental, or other powers or functions, including the power of eminent domain.

14. Authority to Perform. City covenants that it has done nothing to impair title to Lots 26 & 34 in any manner that would impair, in part or in whole, City's ability to perform its obligations under this Easement.

15. Counterparts. This Easement may be executed in one or more counterparts, each of which shall be deemed to be an original and all of which taken together shall be considered as one and the same instrument.

16. Headings. The paragraph headings in this Easement are for convenience only, and shall in no way define or limit the scope or content of this Easement, and shall not be considered in any construction or interpretation of this Easement or any part thereof.

17. Notice.

a. All notices and other communications required or permitted by this Easement shall be in writing and shall be given either by personal delivery, fax, or certified United States mail, return receipt requested, addressed as follows:

To the City:

City Manager
City of Hercules
111 Civic Drive
Hercules, California 94547
Fax: (510)799-2521

To HDP:


Hercules Development Partners, LP
c/o Ledcor Properties, Inc.
6405 Mira Mesa Blvd. Suite 100
San Diego, California 92121

b. A change of address, fax number, or person to receive notice may be made by either party by notice given to the other party. Any notice or other communication under this Easement shall be deemed given at the time of actual delivery, if it is personally delivered or sent by fax. If the notice or other communication is sent by United States mail, it shall be deemed given upon the third calendar day following the day on which such notice or other communication is deposited with the United States Postal Service or upon actual delivery, whichever first occurs.

18. Confirmation of Grant of Easement. City as grantor hereby expressly grants to HDP as grantee the Overhead Structures Easement and all privileged and appurtenances thereunto.

<p>Attest:</p>	<p>CITY / GRANTOR :</p>
_____ City Clerk	<p>City of Hercules</p> <p>By: _____</p> <p>David Biggs, City Manager</p>

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	<p>HDP/GRANTEE:</p> <p>Hercules Development Partners, LP a California limited partner company</p> <p>By: Hercules Development, Incorporated, its General Partner</p> <p>By: </p> <p>Patrick B. Patterson, Senior Vice President</p>
--	--

STATE OF CALIFORNIA

COUNTY OF _____

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Patrick B. Patterson, Senior Vice President

Date: _____ Official Signature of Notary: _____

Notary's printed or typed name: _____

My commission expires: _____

(MUST BE FULLY LEGIBLE)

(Notarial Stamp/Seal)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California Orange
County of _____)

On December 6, 2017 before me, Nicole Amaya, Notary Public
(insert name and title of the officer)

personally appeared Patrick B. Patterson,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Nicole Amaya

(Seal)

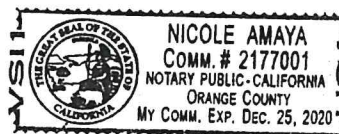


EXHIBIT "A"

LEGAL DESCRIPTION

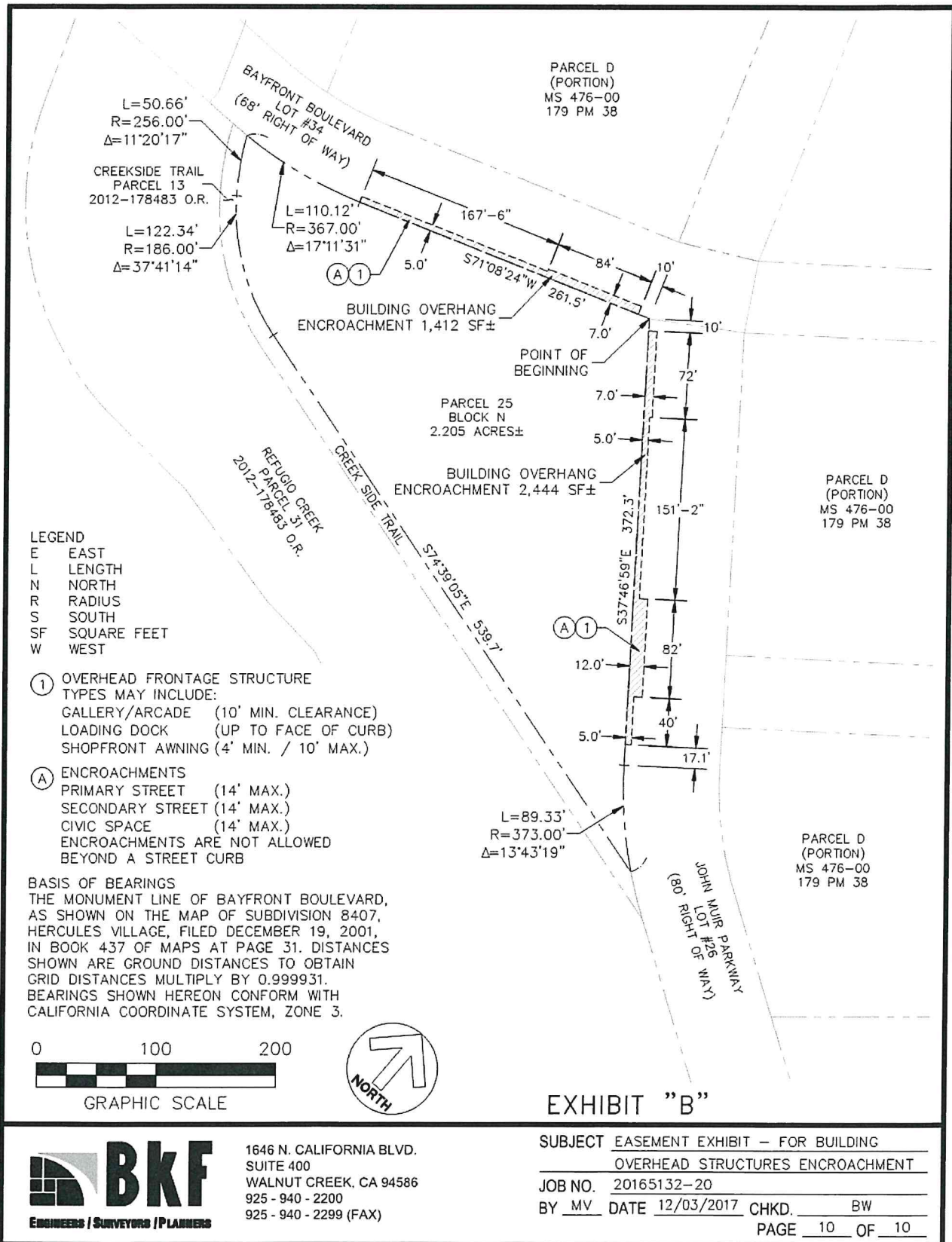
Real property in the City of Hercules , County of Contra Costa, State of California, described as follows:

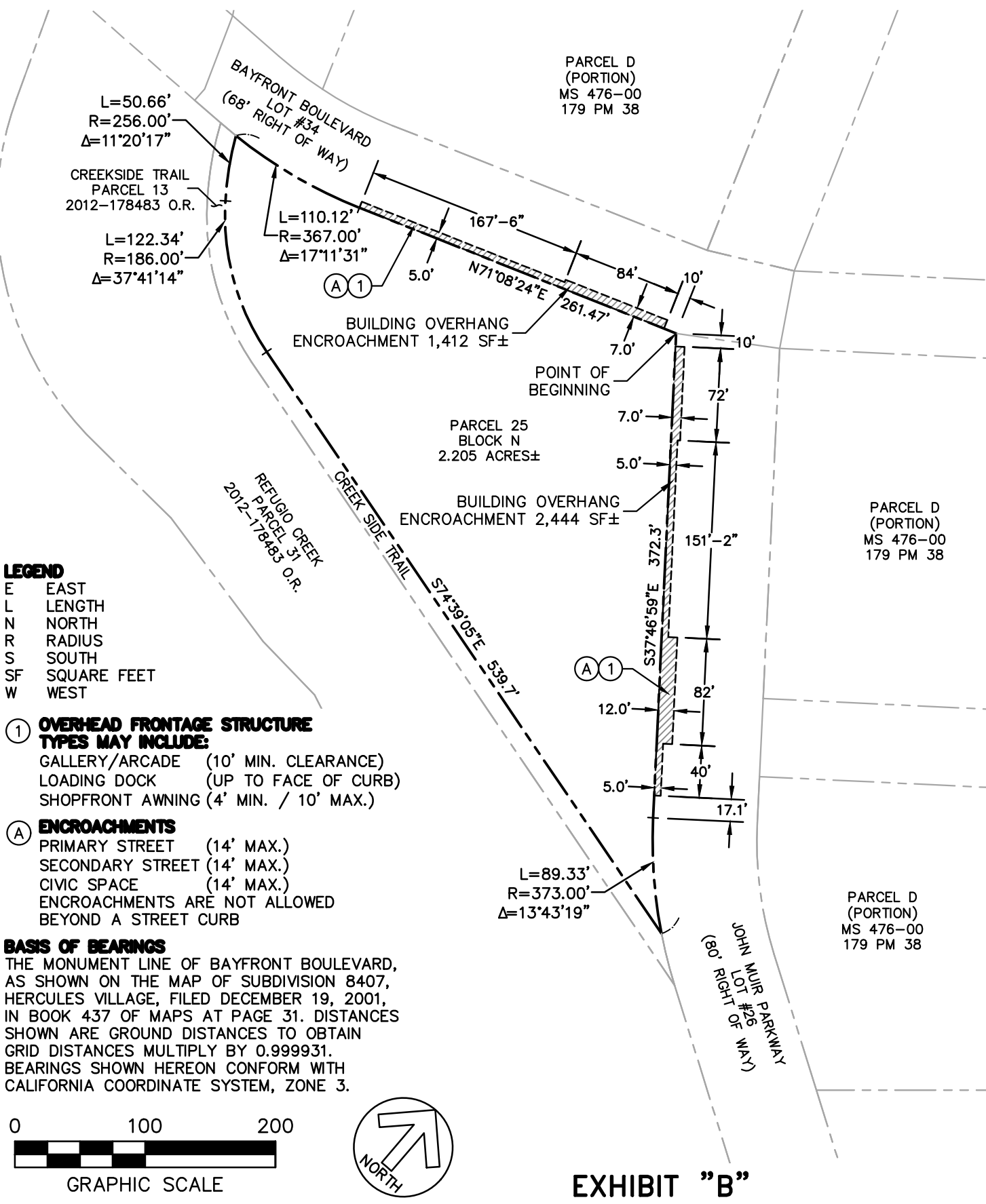
BEING A PORTION OF PARCEL D AS SAID PARCEL IS SHOWN ON THAT CERTAIN MAP ENTITLED "PARCEL MAP MS 476-00", FILED OCTOBER 12, 2000, IN BOOK 179 OF PARCEL MAPS AT PAGES 38, 39, AND 40 (179 PM 38), IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF BAYFRONT BOULEVARD (PUBLIC RIGHT OF WAY VARIES) AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF JOHN MUIR PARKWAY (PUBLIC RIGHT OF WAY VARIES) AS SAID BOULEVARD AND PARKWAY ARE DESCRIBED AS PARCEL 34 AND PARCEL 26, RESPECTIVELY, IN THE GRANT DEED TO THE CITY OF HERCULES RECORDED JULY 27, 2012, AS DOCUMENT NUMBER 2012-0178483-00 (2012-178483), CONTRA COSTA COUNTY RECORDS; THENCE SOUTHEASTERLY ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE OF JOHN MUIR PARKWAY THE FOLLOWING TWO (2) COURSES: 1) SOUTH 37°46'59" EAST 372.32 FEET; 2) ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 373.00 FEET THROUGH A CENTRAL ANGLE OF 13°43'19", AN ARC DISTANCE OF 89.33 FEET TO THE NORTHEASTERLY LINE OF CREEKSIDE TRAIL AS SAID TRAIL IS DESCRIBED AS PARCEL 13 IN SAID GRANT DEED (2012-1782483); THENCE LEAVING SAID SOUTHWESTERLY RIGHT OF WAY LINE OF JOHN MUIR PARKWAY ALONG SAID NORTHEASTERLY LINE THE FOLLOWING THREE (3) COURSES: 1) NORTH 74°39'05" WEST 539.71 FEET; 2) ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 186.00 FEET THROUGH A CENTRAL ANGLE OF 37°41'14", AN ARC DISTANCE OF 122.34 FEET TO THE BEGINNING OF A COMPOUND CURVE HAVING A RADIUS OF 256.00 FEET; 3) ALONG SAID COMPOUND CURVE HAVING A RADIUS OF 256.00 FEET THROUGH A CENTRAL ANGLE OF 11°20'17", AN ARC DISTANCE OF 50.66 FEET TO THE AFOREMENTIONED SOUTHERLY RIGHT OF WAY LINE OF BAYFRONT BOULEVARD AND A POINT ON A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 367.00 FEET, FROM WHICH THE CENTER BEARS NORTH 01°40'05" WEST; THENCE EASTERLY ALONG THE LAST SAID LINE THE FOLLOWING TWO (2) COURSES: 1) ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17°11'31", AN ARC DISTANCE OF 110.12 FEET; 2) NORTH 71°08'24" EAST 261.47 FEET TO THE POINT OF BEGINNING.

APN: 404-730-004-3

EXHIBIT "B"





LEGEND

- E EAST
- L LENGTH
- N NORTH
- R RADIUS
- S SOUTH
- SF SQUARE FEET
- W WEST

① OVERHEAD FRONTAGE STRUCTURE TYPES MAY INCLUDE:

- GALLERY/ARCADE (10' MIN. CLEARANCE)
- LOADING DOCK (UP TO FACE OF CURB)
- SHOPFRONT AWNING (4' MIN. / 10' MAX.)

(A) ENCROACHMENTS

- PRIMARY STREET (14' MAX.)
- SECONDARY STREET (14' MAX.)
- CIVIC SPACE (14' MAX.)
- ENCROACHMENTS ARE NOT ALLOWED BEYOND A STREET CURB

BASIS OF BEARINGS

THE MONUMENT LINE OF BAYFRONT BOULEVARD, AS SHOWN ON THE MAP OF SUBDIVISION 8407, HERCULES VILLAGE, FILED DECEMBER 19, 2001, IN BOOK 437 OF MAPS AT PAGE 31. DISTANCES SHOWN ARE GROUND DISTANCES TO OBTAIN GRID DISTANCES MULTIPLY BY 0.999931. BEARINGS SHOWN HEREON CONFORM WITH CALIFORNIA COORDINATE SYSTEM, ZONE 3.

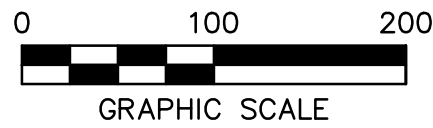


EXHIBIT "B"



1646 N. CALIFORNIA BLVD.
SUITE 400
WALNUT CREEK, CA 94586
925 - 940 - 2200
925 - 940 - 2299 (FAX)

SUBJECT EASEMENT EXHIBIT - FOR BUILDING
OVERHEAD STRUCTURES ENCROACHMENT
 JOB NO. 20165132-20
 BY MV DATE 12/03/2017 CHKD. BW
 PAGE 10 OF 10



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of December 12, 2017

TO: The Mayor and Members of the City Council

SUBMITTED BY: Mike Roberts, Public Works Director/City Engineer

SUBJECT: Approval of the 2017 Speed Survey and Adoption of an Ordinance to Reduce Speed Limits on Sections of Sycamore Avenue and Refugio Valley Road

RECOMMENDED ACTION:

It is recommended the City Council:

- 1) Adopt a resolution approving the 2017 Speed Survey; and
- 2) Waive the second reading and adopt an ordinance to amend Hercules Municipal Code Title 3, Chapter 4 to reduce the speed limit on Refugio Valley Road from 40 mph to 35 mph between Redwood Road and Bonaire Avenue and to reduce the speed limit on Sycamore Avenue from 40 mph to 35 mph between Civic Drive and Palm Avenue.

FISCAL IMPACT OF RECOMMENDATION:

There is no additional cost associated with this action. Gas Tax funding to replace regulatory signs including speed limit signs is included in the adopted FY 2017-18 Budget.

DISCUSSION:

Summary

The speed survey and ordinance were introduced at the November 14, 2017 Council meeting. In accordance with the discussion that occurred, the ordinance remains unchanged while the speed survey has been modified to include minor edits and the full appendix. Once the ordinance is in effect, traffic enforcement officers will be given a binder containing all related items including the resolution approving the speed survey that they can take to traffic court and submit into evidence if a speeding ticket is challenged.

Background

The 2017 Speed Survey recommends existing speed limits on all City streets remain the same, except for reductions from 40 mph to 35 mph on sections of Refugio Valley and Sycamore. Per the California Vehicle Code (CVC), speed limit reductions must be adopted by ordinance. The 2017 Speed Survey and ordinance were introduced at the November 14, 2017 Council meeting and are now recommended for approval and adoption, respectively.

Detailed Discussion

The primary purpose of the 2017 Speed Survey is to justify the use of radar for speed limit enforcement as enforcement helps ensure streets are safe for all users. For radar speeding tickets to be valid in traffic court, the California Vehicle Code requires busier or “non-local” roads as defined by the California Road System (*Appendix C of Speed Survey*) undergo a Speed Survey every 5 years (*CVC Section 40802 (a)(2)/Pg. 11 of Speed Survey*). For Hercules, these non-local roads are San Pablo, Willow, Sycamore, and Refugio Valley. The 2017 Speed Survey analyzed these streets and justifies keeping the existing speed limits the same, except for reductions from 40 mph to 35 mph on Refugio between Redwood & Bonaire and on Sycamore between Civic & Palm (*Table 2, Pg. 7 of Speed Survey*).

The remaining streets in Hercules are categorized as local streets under the California Road System and have a default or “prima facie” speed limit of 25 mph per the CVC (*Section 22352 (b)(1) /Pg. 9 of Speed Survey*). The vast majority of streets in Hercules, including residential streets, fall in this category. Local streets are not subject to the 5 year speed survey requirement (*Section 40802 (b)(1)/Pg. 11 of Speed Survey*) and so are not studied in the Speed Survey.

Reducing or increasing speed limits on any City street (i.e. local and non-local) can occur if justified by a speed survey and established by ordinance (*CVC Section 22357/Pg. 10 of Speed Survey*). Once a speed limit is changed, it must also be justified every 5 years through a radar speed survey. The City previously increased speeds on local streets in the Business Park (including Alfred Nobel Drive and Linus Pauling Drive), and sections of Coronado Street and Turquoise Drive. These changed speed limits are codified in Hercules Municipal Code Title 3, Chapter 4 (Attachment 2). The 2017 Speed Survey analyzed these streets and also recommends keeping the existing speed limits (*Table 2/ Pg. 7 of Speed Survey*). As discussed above, the ordinance introduced tonight is to reduce speed limits from 40 mph to 35 mph on sections of Refugio and Sycamore and is justified by the Speed Survey.

Once the ordinance is adopted and the 2017 Speed Survey is approved by City Council resolution, traffic enforcement officers will be given a binder containing all related items that they can take to traffic court and submit into evidence if a speeding ticket is challenged.

ATTACHMENTS:

1. Resolution
2. Ordinance
3. Attachment 1 –Speed Survey

<i>Financial Impact</i>			
Description: Not Applicable			
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"/>			

RESOLUTION NO. 17-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES APPROVING THE 2017 ENGINEERING AND TRAFFIC SURVEY

WHEREAS, the 2017 Engineering & Traffic Survey (i.e. Speed Survey) was reviewed by City Council on November 14 and December 12, 2017; and

WHEREAS, the Survey evaluated speed limits on 15 road segments and recommended speed limits remain the same except reductions on Refugio Valley Road from 40 mph to 35 mph between Redwood Road and Bonaire Avenue and on Sycamore Avenue from 40 mph to 35 mph between Civic Drive and Palm Avenue as shown on attached Table 2; and

WHEREAS, the aforementioned speed limit reductions are being codified into the Hercules Municipal Code by ordinance under separate Council action; and

WHEREAS, all remaining streets in the City of Hercules, excepting alleys, are local streets per the California Road System Maps in accordance with Section 40802(b)(1) of the California Vehicle Code (CVC), have a prima facie speed limit of 25 mph per Section 22352 (b)(1) of the CVC, and are not required to be surveyed for the use of radar speed enforcement per Section 40802(a)(2) of the CVC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hercules that the City Council hereby approves the 2017 Engineering and Traffic Survey.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 12th day of December, 2017 by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chris Kelley, Mayor

ATTEST:

Lori Martin, MMC
Administrative Services Director/City Clerk

Table 2

Summary of Recommendations

No.	Street	Between		Critical Speed	Existing Limit	Recommended Speed Limit	Comments
1	Alfred Nobel Drive	John Muir Parkway	End	40	35	35	MUTCD Option 2
2	Coronado Street	Refugio Valley Road	Carson Street	39	30	30	E&T not needed; ADT=977 vehicles
3	Linus Pauling Drive	San Pablo Avenue	West End	38	35	35	MUTCD Option 2
4	Refugio Valley Road	Sycamore Avenue	Partridge Drive	40	35	35	MUTCD Option 2
5	Refugio Valley Road	Partridge Drive	Falcon-Redwood	44	40	40	MUTCD Option 2; Posted Limit=25 when children are present
6	Refugio Valley Road	Falcon Way-Redwood	Bonaire Avenue	40	40	35	MUTCD Option 2; Posted Limit=35
7	San Pablo Avenue	Willow Avenue	Linus Pauling Drive	48	45	45	MUTCD Option 2
8	San Pablo Avenue	Linus Pauling Drive	Sycamore Avenue	49	45	45	MUTCD Option 2
9	San Pablo Avenue	Sycamore Avenue	South City Limit	50	45	45	MUTCD Option 2
10	Sycamore Avenue	Civic Drive	Palm Avenue	39	40	35	MUTCD Option 2
11	Sycamore Avenue	Palm Avenue	SR 4 Ramps	45	40	40	MUTCD Option 2
12	Turquoise Drive	Sycamore Avenue	Cinnabar Way	33	30	30	MUTCD Option 2
13	Willow Avenue	San Pablo Avenue	Canterbury Drive	42	40	40	Closest 5 mph increment
14	Willow Avenue	Canterbury Drive	Palm Avenue	38	40	40	Closest 5 mph increment
15	Willow Avenue	Palm Avenue	Sycamore Avenue	41	40	40	Closest 5 mph increment

ORDINANCE NO. 505

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERCULES AMENDING HERCULES MUNICIPAL CODE TITLE 3, CHAPTER 4 BY AMENDING SECTION 3-4.1601 TO REDUCE THE SPEED LIMIT ON REFUGIO VALLEY ROAD FROM 40 MPH TO 35 MPH BETWEEN REDWOOD ROAD AND BONAIRE AVENUE AND TO REDUCE THE SPEED LIMIT ON SYCAMORE AVENUE FROM 40 MPH TO 35 MPH BETWEEN CIVIC DRIVE AND PALM AVENUE.

WHEREAS, the 2017 Engineering and Traffic Survey (i.e. Speed Survey) was conducted in accordance with applicable provisions of the California Vehicle Code following procedures outlined in the November 14, 2014 California Manual on Uniform Traffic Control Devices; and

WHEREAS, the 2017 Engineering and Traffic Survey recommends the posted speed be reduced from 40 mph to 35 mph on Refugio between Redwood & Bonaire and on Sycamore between Civic & Palm; and

WHEREAS, this ordinance becomes effective thirty (30) days after its final passage and adoption.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERCULES DOES ORDAIN AS FOLLOWS:

SECTION 1. Title 3, Chapter 4, Section 3-4.1601, Changed Speed Limits, is hereby amended as follows:

Article 16. Special Speed Zones

Sec. 3-4.1601 Changed Speed Limits.

When the Director of Public Works has determined upon the basis of an engineering and traffic investigation that speed limits other than those prescribed by State law are necessary for the safe operation of vehicles, the City Council may by ordinance designate those streets or portions of streets where such changed speed limits shall apply. The Director of Public Works shall place and maintain appropriate signs giving notice of such speed limits.

Pursuant to the provisions of this section, changed speed limits are in effect on the following streets:

STREET LOCATION	SPEED LIMITS
ALFRED NOBEL DRIVE	
John Muir Parkway to End	35
BAYBERRY STREET	
Sycamore to End	40
BONAIRE AVENUE	
Mandalay to End	25
CANTERBURY DRIVE	
Brighton to Willow	25
CARSON STREET	
Coronado to Refugio Valley	25
CORONADO STREET	
Refugio Valley to Carson	30
Carson to End	25
FALCON WAY	
Refugio Valley to Sparrow	25
HERCULES AVENUE	
Village Parkway to Titan	25
Titan to Fawcett	25
HIGHWAY 4	
San Pablo to City Limits	50
JAMES WATSON DRIVE	
Linus Pauling to End	35
JOHN MUIR PARKWAY	

STREET LOCATION	SPEED LIMITS
San Pablo to Alfred Nobel Drive	35
LINUS PAULING DRIVE	
San Pablo Avenue to End	35
LUPINE ROAD	
Sycamore to Redwood	25
MANDALAY AVENUE	
Refugio Valley to Grenadine	25
PALM/SYCAMORE AVENUE	
City Limits to End	40
PARTRIDGE DRIVE	
Pheasant to Refugio Valley	25
PHEASANT DRIVE	
Refugio Valley to Turquoise	25
REDWOOD ROAD	
Sycamore to Refugio Valley	25
REFUGIO VALLEY ROAD	
Sycamore to Partridge	35
Partridge to Redwood	40
Redwood to Bonaire	40 35
SAN PABLO AVENUE	
City Limit to City Limit	45

STREET LOCATION	SPEED LIMITS
SANTA FE AVENUE	
Hercules to Fawcett	25
Fawcett to Railroad	25
SHEPARD STREET	
Coronado to End	25
SPARROW DRIVE	
Partridge to Pheasant	25
SYCAMORE AVENUE	
San Pablo to Civic Drive	35
Civic Drive to Palm/Sycamore	40 35
TURQUOISE DRIVE	
Sycamore to Cinnabar	30
Cinnabar to Pheasant	25
VILLAGE PARKWAY	
Hercules to Hercules	25
VIOLET ROAD	
Lupine to Lupine	25
WILLOW AVENUE	
City Limit to Highway 4	40

SECTION 2. Effective Date. This ordinance becomes effective thirty (30) days after its final passage and adoption.

SECTION 3. Publication. The City of Hercules shall cause this Ordinance to be published pursuant to the requirements specified in California Government Code Section 36932.

SECTION 4. CEQA Exemption. The City Council finds pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 5. Severability. If any provision of the Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provisions or applications of the Ordinance. To this end, the provisions of this Ordinance are severable. The City Council of the City of Hercules hereby declares that I would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

The foregoing Ordinance was introduced at a regular meeting of the Hercules City Council held on November 14, 2017 and was adopted and ordered published at a regular meeting of the City Council on December 12, 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chris Kelley, Mayor

Attest:

Lori Martin, City Clerk

ORDINANCE NO. 505

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERCULES AMENDING HERCULES MUNICIPAL CODE TITLE 3, CHAPTER 4 BY AMENDING SECTION 3-4.1601 TO REDUCE THE SPEED LIMIT ON REFUGIO VALLEY ROAD FROM 40 MPH TO 35 MPH BETWEEN REDWOOD ROAD AND BONAIRE AVENUE AND TO REDUCE THE SPEED LIMIT ON SYCAMORE AVENUE FROM 40 MPH TO 35 MPH BETWEEN CIVIC DRIVE AND PALM AVENUE.

WHEREAS, the 2017 Engineering and Traffic Survey (i.e. Speed Survey) was conducted in accordance with applicable provisions of the California Vehicle Code following procedures outlined in the November 14, 2014 California Manual on Uniform Traffic Control Devices; and

WHEREAS, the 2017 Engineering and Traffic Survey recommends the posted speed be reduced from 40 mph to 35 mph on Refugio between Redwood & Bonaire and on Sycamore between Civic & Palm; and

WHEREAS, this ordinance becomes effective thirty (30) days after its final passage and adoption.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HERCULES DOES ORDAIN AS FOLLOWS:

SECTION 1. Title 3, Chapter 4, Section 3-4.1601, Changed Speed Limits, is hereby amended as follows:

Article 16. Special Speed Zones

Sec. 3-4.1601 Changed Speed Limits.

When the Director of Public Works has determined upon the basis of an engineering and traffic investigation that speed limits other than those prescribed by State law are necessary for the safe operation of vehicles, the City Council may by ordinance designate those streets or portions of streets where such changed speed limits shall apply. The Director of Public Works shall place and maintain appropriate signs giving notice of such speed limits.

Pursuant to the provisions of this section, changed speed limits are in effect on the following streets:

STREET LOCATION	SPEED LIMITS
ALFRED NOBEL DRIVE	
John Muir Parkway to End	35
BAYBERRY STREET	
Sycamore to End	40
BONAIRE AVENUE	
Mandalay to End	25
CANTERBURY DRIVE	
Brighton to Willow	25
CARSON STREET	
Coronado to Refugio Valley	25
CORONADO STREET	
Refugio Valley to Carson	30
Carson to End	25
FALCON WAY	
Refugio Valley to Sparrow	25
HERCULES AVENUE	
Village Parkway to Titan	25
Titan to Fawcett	25
HIGHWAY 4	
San Pablo to City Limits	50
JAMES WATSON DRIVE	
Linus Pauling to End	35
JOHN MUIR PARKWAY	

STREET LOCATION	SPEED LIMITS
San Pablo to Alfred Nobel Drive	35
LINUS PAULING DRIVE	
San Pablo Avenue to End	35
LUPINE ROAD	
Sycamore to Redwood	25
MANDALAY AVENUE	
Refugio Valley to Grenadine	25
PALM/SYCAMORE AVENUE	
City Limits to End	40
PARTRIDGE DRIVE	
Pheasant to Refugio Valley	25
PHEASANT DRIVE	
Refugio Valley to Turquoise	25
REDWOOD ROAD	
Sycamore to Refugio Valley	25
REFUGIO VALLEY ROAD	
Sycamore to Partridge	35
Partridge to Redwood	40
Redwood to Bonaire	35
SAN PABLO AVENUE	
City Limit to City Limit	45

STREET LOCATION	SPEED LIMITS
SANTA FE AVENUE	
Hercules to Fawcett	25
Fawcett to Railroad	25
SHEPARD STREET	
Coronado to End	25
SPARROW DRIVE	
Partridge to Pheasant	25
SYCAMORE AVENUE	
San Pablo to Civic Drive	35
Civic Drive to Palm/Sycamore	35
TURQUOISE DRIVE	
Sycamore to Cinnabar	30
Cinnabar to Pheasant	25
VILLAGE PARKWAY	
Hercules to Hercules	25
VIOLET ROAD	
Lupine to Lupine	25
WILLOW AVENUE	
City Limit to Highway 4	40

SECTION 2. Effective Date. This ordinance becomes effective thirty (30) days after its final passage and adoption.

SECTION 3. Publication. The City of Hercules shall cause this Ordinance to be published pursuant to the requirements specified in California Government Code Section 36932.

SECTION 4. CEQA Exemption. The City Council finds pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3), that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 5. Severability. If any provision of the Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provisions or applications of the Ordinance. To this end, the provisions of this Ordinance are severable. The City Council of the City of Hercules hereby declares that I would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

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AYES:

NOES:

ABSTAIN:

ABSENT:

Chris Kelley, Mayor

Attest:

Lori Martin, City Clerk

2017 ENGINEERING AND TRAFFIC SURVEY



Prepared for:

Mr. Mike Roberts, PE
Public Works Director/City Engineer

City of Hercules

111 Civic Drive
Hercules, CA 94519

Prepared by:

Willdan Engineering

9281 Office Park Circle, Suite 135
Elk Grove, California 95758
Telephone (510) 695-7434
Fax (916) 478-6005


672 Gordon Lum, TE #1542
Licensed CA Traffic Engineer

12/4/17

Date

November 30, 2017

Mr. Mike Roberts
Public Works Director/City Engineer
City of Hercules
111 Civic Drive
Hercules, CA 94519
MikeRoberts@ci.hercules.ca.us (via email only)

Subject: 2017 Engineering and Traffic Surveys

Dear Mr. Roberts:

As requested, Willdan has completed an Engineering and Traffic Survey to justify and update the posted speed limits along 15 street segments in the City of Hercules. These segments require an update to comply with the 5-year limitation set forth in the California Vehicle Code (CVC).

We are pleased to submit the enclosed Report that describes the E&T survey procedures and contains recommendations for posted speed limits on the City's arterial and collector street system. A summary of these recommendations is included in the Analysis. Supporting documentation for each speed zone recommendation is provided in the Appendices.

The Report was conducted in accordance with applicable provisions of the CVC, following procedures outlined in the California Manual on Uniform Traffic Control Devices dated November 2014, and as required by Section 627 of the CVC. The Report is intended to satisfy the requirements of Section 40802 of the CVC to enable the continued use of radar for traffic speed enforcement.

We appreciate the opportunity to serve the City of Hercules and the assistance and cooperation afforded to us during this study.

Very truly yours,

WILLDAN ENGINEERING


072

Gordon Lum, T.E.
Traffic Engineer II

Enclosure

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INTRODUCTION

This Engineering and Traffic Survey is intended to be the basis for the establishment, revision, and enforcement of speed limits for selected streets within the City of Hercules. This Engineering and Traffic Survey presents recommended speed limits for 15 street segments in the City of Hercules. Engineering and Traffic Surveys are required by the State of California to establish intermediate speed limits on local streets and to enforce those limits using radar or other speed measuring devices. These surveys must be updated every 5 or 7 years to ensure the speeds reflect current conditions as dictated by the California Vehicle Code (CVC). The CVC also requires that the surveys be conducted based on the methodology required by the California Manual on Uniform Traffic Control Devices (California MUTCD) dated November 2014.

The survey was requested by the City for the proper posting of speed limits and to enable the Hercules Police Department to utilize radar or other electronic speed measuring devices for speed enforcement. CVC Sections 40801 and 40802 require Engineering and Traffic Surveys that verify the prima facie speed limit before enforcement by such a device is legal. The law further specifies that these surveys be conducted every 5 years. The surveys can be extended to 7 years provided the City's officer(s) have completed a 24-hour radar operator course [CVC 40802(c)(2)(B)(i)(I)]. Additionally, some surveys may be extended to 10 years if a traffic engineer certifies that no changes in roadway or traffic conditions have occurred [CVC 40802 (c)(2)(B)(i)(II)]. These provisions assure that posted speed limits are kept reasonably current.

The Engineering and Traffic Surveys for the City were conducted in accordance with procedures outlined in the California MUTCD and as required by Section 627 of the CVC. The CVC further describes three elements of an engineering and traffic survey:

1. Measurement of prevailing speed;
2. Collision history; and
3. Roadway characteristics not readily apparent to the motorist.

Posted speed limits are established primarily to protect the general public from the reckless and unpredictable behavior of dangerous drivers. They provide law enforcement with a clearly understood method to identify and apprehend violators of the basic speed law (CVC Section 22350). This law states that "No person shall drive a vehicle on a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of the highway, and in no event at a speed which endangers the safety of persons or property." The posted speed limit gives motorists a clear warning of the maximum speed that is reasonable and prudent under typical driving conditions.

The basic fundamentals for establishing speed limits recognize that the majority of drivers behave in a safe and reasonable manner, and therefore, the normally careful and competent actions of a reasonable driver should be considered legal. Speed limits established on these fundamentals conform to the consensus that those who drive the highway determine what speed is reasonable and safe, not on the judgment of one or a few individuals. A radar speed study is usually used to record the prevailing speed of reasonable drivers.

Speed limits are also established to advise drivers of conditions which may not be readily apparent to a reasonable driver. For this reason, collision history, roadway conditions, traffic characteristics, and land use must also be analyzed before determining speed limits. Speed limit changes are usually made in coordination with physical changes in roadway conditions or roadside developments. Unusually short zones of less than one-half mile in length should be avoided to reduce driver confusion.

Additionally, it is generally accepted that speed limits cannot be successfully enforced without voluntary compliance by a majority of drivers. Consequently, only the driver whose behavior is clearly out of line with the normal flow of traffic is usually targeted for enforcement.

ELEMENTS OF THE ENGINEERING AND TRAFFIC SURVEY

The three basic elements of the Engineering and Traffic Survey are discussed in more detail below.

Speed Sampling

Existing vehicle speeds are surveyed by a certified radar operator with a calibrated radar unit in an unmarked vehicle. Speed samples are taken for each segment representing a statistically significant sample of current traffic. This data is then evaluated to identify the distribution of speeds. A key element in the evaluation is the identification of the 85th percentile speed. The 85th percentile speed is the speed at or below which 85 percent of the traffic travels. This threshold represents what is historically found to be a safe and reasonable speed for most drivers based on common roadway conditions. Therefore, a speed limit is established at the nearest 5-mile per hour (mph) increment to the 85th percentile speed, except as shown in the two options below from the MUTCD:

Option 1: The posted speed may be reduced by 5 mph from the nearest 5 mph increment of the 85th-percentile speed, in compliance with CVC Section 627 and 22358.5.

Option 2: For cases in which the nearest 5 mph increment of the 85th-percentile speed would require a rounding up, then the speed limit may be rounded down to the nearest 5 mph increment below the 85th percentile speed, if no further reduction is used. Refer to CVC Section 21400(b).

If the speed limit to be posted has had the 5 mph reduction applied, then an E&TS shall document in writing the conditions and justification for the lower speed limit. The reasons for the lower speed limit shall be in compliance with CVC Section 627 and 22358.5

The following examples are provided to explain the application of these speed limit criteria:

- A. Using Option 1 above and first step is to round down: If the 85th percentile speed in a speed survey for a location was 37 mph, then the speed limit would be established at 35 mph since it is the closest 5 mph increment to the 37 mph speed. As indicated by the option, this 35 mph established speed limit could be reduced by 5 mph to 30 mph if conditions and justification for using this lower speed limit are documented in the E&TS.
- B. Using Option 1 above and first step is to round up: If the 85th percentile speed in a speed survey for a location was 33 mph, then the speed limit would be established at 35 mph since it is the closest 5 mph increment to the 33 mph speed. As indicated by the option, this 35 mph speed limit could be reduced by 5 mph to 30 mph if the conditions and justification for using this lower speed limit are documented in the E&TS.
- C. Using Option 2 above and first step is to round up: If the 85th percentile speed in a speed survey for a location was 33 mph, instead of rounding up to 35 mph, the speed limit can be established at 30 mph, but no further reduction can be applied.

Conditions Not Readily Apparent to Motorists

Each street segment is field inspected to identify roadway conditions that may not be readily apparent to motorists. A determination is made whether any conditions are significant and warrant the recommendation of the speed limit 5 mph or more below the basic speed limit. It is important to note that the California MUTCD recommends exercising great care when establishing speed limits 5 mph or more below the basic speed limit.

SURVEY CONDITIONS

SURVEY LOCATIONS

The procedures described below describe the criteria and methods used to survey selected streets within the City of Hercules. The specific location of the radar speed survey for each street segment was selected after considering the following:

1. Minimum stop sign and traffic signal influence.
2. Minimum visibility restrictions.
3. Non-congested traffic flow away from intersections and driveways.
4. Minimum influence from curves or other roadway conditions that would affect the normal operation of a vehicle.

DATA COLLECTION

Data of existing conditions was obtained including prevailing speed of vehicles and general roadway conditions within the community. Field reviews were conducted between May and August 2017.

Speed Data

Speed measurements were conducted in May and August 2017. All surveys were conducted in good weather conditions on a typical weekday, with school still in session. The radar unit was operated from an unmarked vehicle to minimize any influence on driver behavior. Typically, a minimum sample size of 100 vehicles or the total samples during a maximum period of 2 hours were obtained for each segment. Traffic speeds in both directions were recorded for individual segments.

Field Review Data

In June 2017, a field review was conducted for each of the selected street segments in the City with consideration for the following factors:

1. Street width and alignment (design speed);
2. Pedestrian activity and traffic flow characteristics;
3. Number of lanes and other channelization and striping patterns;
4. Frequency of intersections, driveways, and on-street parking;
5. Location of stop signs and other regulatory traffic control devices;
6. Visibility obstructions;
7. Land use and proximity to schools;
8. Pedestrian and bicycle usage;
9. Uniformity with existing speed zones and those in adjacent jurisdictions; and
10. Any other unusual condition not readily apparent to the driver.

ANALYSIS

CRITERIA

Survey data was compiled and analyzed to determine the recommended speed limit in accordance with several criteria contained in The California Manual on Uniform Traffic Control Devices (CA MUTCD) dated November 2014. Some of the criteria used are:

- A. The critical speed or 85th percentile speed is that speed at or below which 85 percent of the traffic is moving. This speed is the baseline value in determining what the majority of drivers believe is safe and reasonable. Speed limits set higher than the critical speed are not considered reasonable and safe. Speed limits set lower than the critical speed make a large number of reasonable drivers "unlawful," and do not facilitate the orderly flow of traffic. The "basic speed limit" is the nearest 5 mph increment to the 85th percentile speed.
- B. The 10 mph pace speed is the 10 mph increment that contains the highest percentage of vehicles. It is a measure of the dispersion of speeds across the range of the samples surveyed. An accepted practice is to keep the speed limit within the 10 mph pace while considering the critical speed and other factors that might require a speed lower than the critical speed.
- C. When necessary, the collision rate for a street segment was compared to average collision rates that can be reasonably expected to occur on streets and highways in other jurisdictions, in proportion to the volume of traffic per lane mile. These average collision rates have been developed by the State of California and are considered reasonable for use in the City of Hercules.

RESULTS AND RECOMMENDATIONS

The Engineering and Traffic Survey Forms, presented in Appendix A, illustrate results of a thorough evaluation of the available data and recommend a speed limit for each street segment surveyed. A complete summary of all recommendations is shown in Table 2. In each case, the recommended speed limit was consistent with the prevailing behavior as demonstrated by the radar speed measurements. Typically, a speed limit in the upper range of the 10-mile pace was selected unless a collision rate significantly higher than expected was discovered or roadway conditions not readily apparent to the driver were identified. Any segments with recommended speed limits 5 mph or more below the basic speed limit are fully explained later in this report.

The Legislature, in adopting Section 22358.5 of the CVC, has made it clear that physical conditions, such as width, curvature, grade and surface conditions, or any other condition readily apparent to a driver, in the absence of other factors, would not be the basis for special downward speed zoning. In these cases, the basic speed law (CVC Section 22350) is sufficient to regulate such conditions.

The recommendations contained in this Report are intended to establish prima facie speed limits. They are not intended to be absolute for all prevailing conditions. All prima facie

speed violations are actually violations of the basic speed law (Section 22350 of California Vehicle Code). This statute states that a person shall not drive a vehicle at a speed greater than is safe having regard for traffic, roadway, and weather conditions. A prima facie limit is intended to establish a maximum safe speed under normal conditions.

Table 1 identifies the street segments with recommended changes in posted speed limits and Table 2 summarizes the recommendations for all surveyed segments. See Appendix A for the complete Engineering and Traffic Survey for the segments presented in Table 2.

**TABLE 1
STREET SEGMENTS WITH RECOMMENDED SPEED LIMIT CHANGES**

No	STREET	BETWEEN		EXISTING (MPH)	NEW (MPH)
6	Refugio Valley Rd.	Falcon Way- Redwood Road	Bonaire Avenue	40	35
10	Sycamore Avenue	Civic Drive	Palm Avenue	40	35

Table 2

Summary of Recommendations

				Critical Speed	Existing Limit	Recommended Speed Limit	Comments
No.	Street	Between					
1	Alfred Nobel Drive	John Muir Parkway	End	40	35	35	MUTCD Option 2
2	Coronado Street	Refugio Valley Road	Carson Street	39	30	30	E&T not needed; ADT=977 vehicles
3	Linus Pauling Drive	San Pablo Avenue	West End	38	35	35	MUTCD Option 2
4	Refugio Valley Road	Sycamore Avenue	Partridge Drive	40	35	35	MUTCD Option 2
5	Refugio Valley Road	Partridge Drive	Falcon-Redwood	44	40	40	MUTCD Option 2; Posted Limit=25 when children are present
6	Refugio Valley Road	Falcon Way-Redwood	Bonaire Avenue	40	40	35	MUTCD Option 2; Posted Limit=35
7	San Pablo Avenue	Willow Avenue	Linus Pauling Drive	48	45	45	MUTCD Option 2
8	San Pablo Avenue	Linus Pauling Drive	Sycamore Avenue	49	45	45	MUTCD Option 2
9	San Pablo Avenue	Sycamore Avenue	South City Limit	50	45	45	MUTCD Option 2
10	Sycamore Avenue	Civic Drive	Palm Avenue	39	40	35	MUTCD Option 2
11	Sycamore Avenue	Palm Avenue	SR 4 Ramps	45	40	40	MUTCD Option 2
12	Turquoise Drive	Sycamore Avenue	Cinnabar Way	33	30	30	MUTCD Option 2
13	Willow Avenue	San Pablo Avenue	Canterbury Drive	42	40	40	Closest 5 mph increment
14	Willow Avenue	Canterbury Drive	Palm Avenue	38	40	40	Closest 5 mph increment
15	Willow Avenue	Palm Avenue	Sycamore Avenue	41	40	40	Closest 5 mph increment

LEGISLATIVE REFERENCES

APPLICABLE SECTIONS OF CALIFORNIA VEHICLE CODE

SECTION 1. Section 627 of the Vehicle Code:

Section 627.

- (a) *“Engineering and traffic survey,”* as used in this code, means a survey of highway and traffic conditions in accordance with methods determined by the Department of Transportation for use by state and local authorities.
- (b) An engineering and traffic survey shall include, among other requirements deemed necessary by the department, consideration of all of the following:
 - (1) Prevailing speeds as determined by traffic engineering measurements.
 - (2) Accident records.
 - (3) Highway, traffic, and roadside conditions not readily apparent to the driver.
- (c) When conducting an engineering and traffic survey, local authorities, in addition to the factors set forth in paragraphs (1) to (3), inclusive, of subdivision (b) may consider all of the following:
 - (1) Residential density, if any of the following conditions exist on the particular portion of highway and the property contiguous thereto, other than a business district:
 - a. Upon one side of the highway, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures.
 - b. Upon both sides of the highway, collectively, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate dwelling houses or business structures.
 - c. The portion of highway is longer than one-quarter of a mile but has the ratio of separate dwelling houses or business structures to the length of the highway described in either subparagraph (A) or (B).
 - (2) Pedestrian and bicyclist safety.

Basic Speed Law

22350. No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property.

Speed Law Violations

Section 22351.

- (a) The speed of any vehicle upon a highway not in excess of the limits specified in Section 22352 or established as authorized in this code is lawful unless clearly proved to be in violation of the basic speed law.
- (b) The speed of any vehicle upon a highway in excess of the prima facie speed limits in Section 22352 or established as authorized in this code is prima facie unlawful unless the defendant

establishes by competent evidence that the speed in excess of said limits did not constitute a violation of the basic speed law at the time, place and under the conditions then existing.

Prima Facie Speed Limits

Section 22352.

The prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof:

(a) Fifteen miles per hour:

(1) When traversing a railway grade crossing, if during the last 100 feet of the approach to the crossing the driver does not have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along such railway. This subdivision does not apply in the case of any railway grade crossing where a human flagman is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.

(2) When traversing any intersection of highways, if during the last 100 feet of the driver's approach to the intersection, the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of 100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

(3) On any alley.

(b) Twenty-five miles per hour:

(1) On any highway other than a state highway, in any business or residence district unless a different speed is determined by local authority under procedures set forth in this code.

(2) When approaching or passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching or passing any school grounds which are not separated from the highway by a fence, gate or other physical barrier while the grounds are in use by children and the highway is posted with a standard "SCHOOL" warning sign. For purposes of this subparagraph, standard "SCHOOL" warning signs may be placed at any distance up to 500 feet away from school grounds.

(3) When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard "SENIOR" warning sign. A local authority may erect a sign pursuant to this paragraph when the local agency makes a determination that the proposed signing should be implemented. A local authority may request grant funding from the Pedestrian Safety Account pursuant to Section 894.7 of the Streets and Highways Code, or any other grant funding available to it, and use that grant funding to pay for the erection of those signs, or may utilize any other funds available to it to pay for the erection of those signs, including, but not limited to, donations from private sources.

Increase of Local Speed Limits to 65 Miles Per Hour

Section 22357.

- (a) Whenever a local authority determines upon the basis of an engineering and traffic survey that a speed greater than 25 miles per hour would facilitate the orderly movement of vehicular traffic and would be reasonable and safe upon any street other than a state highway otherwise subject to a prima facie limit of 25 miles per hour, the local authority may by ordinance determine and declare a prima facie speed limit of 30, 35, 40, 45, 50, 55 or 60 miles per hour or a maximum speed limit of 65 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe. The declared prima facie or maximum speed limit shall be effective when appropriate signs giving notice thereof are erected upon the street and shall not thereafter be revised except upon the basis of an engineering and traffic survey. This section does not apply to any 25 mile per hour prima facie limit, which is applicable when passing a school building or the grounds thereof or when passing a senior center or other facility primarily used by senior citizens.
- (b) This section shall become operative on the date specified in subdivision (c) of Section 22366.

Downward Speed Zoning

Section 22358.5.

It is the intent of the Legislature that physical conditions such as width, curvature, grade and surface conditions, or any other condition readily apparent to a driver, in the absence of other factors, would not require special downward speed zoning, as the basic rule of Section 22350 is sufficient regulation as to such conditions.

Boundary Line Streets

Section 22359.

With respect to boundary line streets and highways where portions thereof are within different jurisdictions, no ordinance adopted under Sections 22357 and 22358 shall be effective as to any such portion until all authorities having jurisdiction of the portions of the street concerned have approved the same. This section shall not apply in the case of boundary line streets consisting of separate roadways within different jurisdictions.

Speed Trap Prohibition

Section 40801.

No peace officer or other person shall use a speedtrap in arresting, or participating or assisting in the arrest of, any person for any alleged violation of this code nor shall any speed trap be used in securing evidence as to the speed of any vehicle for the purpose of an arrest or prosecution under this code.

Speed Trap

Section 40802.

(a) A "speed trap" is either of the following:

- (1) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.
- (2) A particular section of a highway with a prima facie speed limit that is provided by this code or by local ordinance under subparagraph (A) of paragraph (2) of subdivision (a) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within five years prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving object. This paragraph does not apply to a local street, road, or school zone.

(b)(1) For purposes of this section, a local street or road is one that is functionally classified as "local" on the "California Road System Maps," that are approved by the Federal Highway Administration and maintained by the Department of Transportation. When a street or road does not appear on the "California Road System Maps," (see Appendix C) it may be defined as a "local street or road" if it primarily provides access to abutting residential property and meets the following three conditions:

- (A) Roadway width of not more than 40 feet.
- (B) Not more than one-half of a mile of uninterrupted length. Interruptions shall include official traffic control signals as defined in Section 445.
- (C) Not more than one traffic lane in each direction.

(2) For purposes of this section "school zone" means that area approaching or passing a school building or the grounds thereof that is contiguous to a highway and on which is posted a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. "School zone" also includes the area approaching or passing any school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children if that highway is posted with a standard "SCHOOL" warning sign.

(c)(1) When all the following criteria are met, paragraph (2) of this subdivision shall be applicable and subdivision (a) shall not be applicable:

- (A) When radar is used, the arresting officer has successfully completed a radar operator course of not less than 24 hours on the use of police traffic radar, and the course was approved and certified by the Commission on Peace Officer Standards and Training.
- (B) When laser or any other electronic device is used to measure the speed of moving objects, the arresting officer has successfully completed the training required in subparagraph (A) and an additional training course of not less than two hours approved and certified by the Commission on Peace Officer Standards and Training.

- (C)(i) The prosecution proved that the arresting officer complied with subparagraphs (A) and (B) and that an engineering and traffic survey has been conducted in accordance with subparagraph (B) of paragraph (2). The prosecution proved that, prior to the officer issuing the notice to appear, the arresting officer established that the radar, laser, or other electronic device conformed to the requirements of subparagraph (D).
 - (ii) The prosecution proved the speed of the accused was unsafe for the conditions present at the time of alleged violation unless the citation was for a violation of Section 22349, 22356, or 22406.
 - (D) The radar, laser, or other electronic device used to measure the speed of the accused meets or exceeds the minimal operational standards of the National Traffic Highway Safety Administration, and has been calibrated within the three years prior to the date of the alleged violation by an independent certified laser or radar repair and testing or calibration facility.
- (2) A “speed trap” is either of the following:
- (A) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.
 - (B)(i) A particular section of a highway or state highway with a prima facie speed limit that is provided by this code or by local ordinance under subparagraph (A) of paragraph (2) of subdivision (a) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within one of the following time periods, prior to the date of the alleged violation, and enforcement of speed limit involves the use of radar or any other electronic device that measures the speed of moving objects:
 - (I) Except as specified in subclause (II), seven years.
 - (II) If an engineering and traffic survey was conducted more than seven years prior to the date of the alleged violation, and a registered engineer evaluates the section of the highway and determines that no significant changes in roadway or traffic conditions have occurred including, but not limited to, changes in adjoining property or land use, roadway width, or traffic volume, 10 years.
 - (ii) This subparagraph does not apply to a local street, road, or school zone.

Speed Trap Evidence

Section 40803.

- (a) No evidence as to the speed of a vehicle upon a highway shall be admitted in any court upon the trial of any person in any prosecution under this code upon a charge involving the speed of a vehicle when the evidence is based upon or obtained from or by the maintenance or use of a speedtrap.

- (b) In any prosecution under this code of a charge involving the speed of a vehicle, where enforcement involves the use of radar or other electronic devices which measure the speed of moving objects, the prosecution shall establish, as part of its prima facie case, that the evidence or testimony presented is not based upon a speed trap as defined in paragraph (2) of subdivision (a) of Section 40802.
- (c) When a traffic and engineering survey is required pursuant to paragraph (2) of subdivision (a) of Section 40802, evidence that a traffic and engineering survey has been conducted within five years of the date of the alleged violation or evidence that the offense was committed on a local street or road as defined in paragraph (2) of subdivision (a) of Section 40802 shall constitute a prima facie case that the evidence or testimony is not based upon a speed trap as defined in paragraph (2) subdivision (a) of Section 40802.

APPENDIX A

Engineering and Traffic Surveys

CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

1

STREET Alfred Nobel Drive
FROM John Muir Parkway

CERTIFICATION DATE
TO End

SPEED FACTORS

Date of Speed Survey	5/17/2017	Posted Speed Limit	35 mph
Time of Speed Survey	2p-330p	Speed Justification	
50th Percentile Speed (Mean Speed)	35 mph	MUTCD Option 2	
85th Percentile Speed	40 mph		
Average Speed	0 mph		
10 mph Pace Speed	30-39		
Percentage of Vehicles in Pace	71	Recommended Speed Limit	35 mph
Number of Survey Samples	116		

COLLISION HISTORY

Number of Years Studied	years
Total Collisions	
Statewide Average Collision Rate	Collisions/MVM
Collisions per Million Vehicle Miles	Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	2,425	Date Counted	6/7/2012
Number of Lanes	2		
Type of Traffic Control	Stop at Linus Pauling and John Muir		
Crosswalks?	No		
Pedestrian Traffic	Light		
Truck Traffic	Light		
On-Street Parking	No		
Sidewalks?	Yes		
Driveways?	Yes		

ROADWAY FACTORS

Length of Segment	0.600 miles
Width	46 feet
Vertical Curve?	Yes
Horizontal Curve?	Yes
Visibility	Good
Roadway Conditions	Good
Lighting	Yes
Adjacent Land Use	Office

Field Study By GL

Checked By

CERTIFICATION: I, Gordon Lum, do hereby certify that this Engineering and Traffic Survey within the City of Hercules was performed under my supervision and is accurate and complete. I am duly registered in the State of California as a Professional Engineer (Traffic).


Gordon Lum

12/4/17

Date

TE 1542

State Registration Number

Spot Speed Study

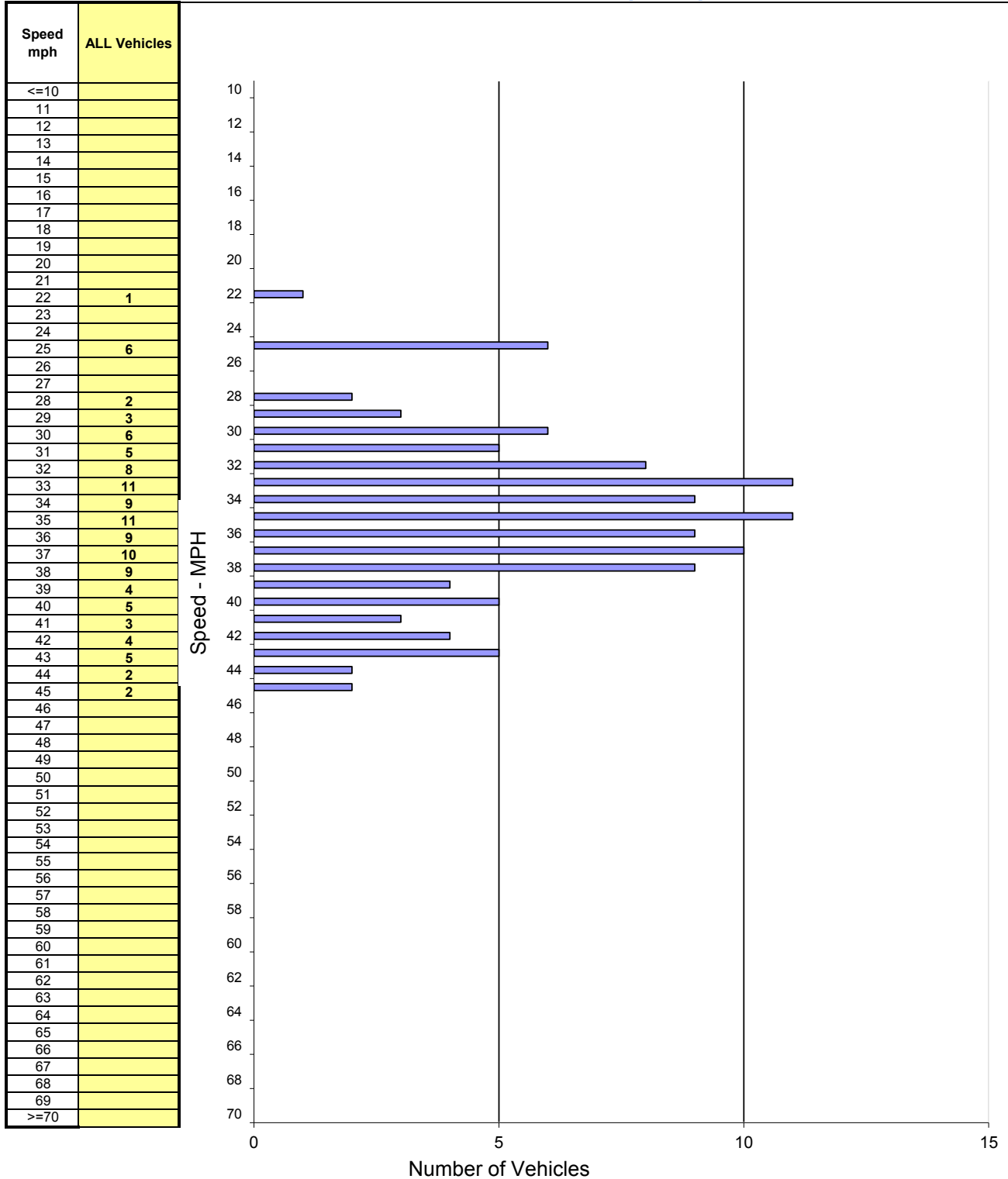
Prepared by: National Data & Surveying Services

City of Hercules

DATE: 5/17/2017
TIME: 13:45-15:15

Location: Alfred Nobel Dr Bet. John Muir Pkwy & Linus Pauling Dr
Posted Speed: 35 MPH Sunny Project #: 17-7448-001

Northbound & Southbound Spot Speeds



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	115	22 - 45	35 mph	40 mph	30 - 39	82	71%	10% / 12	19% / 21

CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

3

STREET Linus Pauling Drive
FROM West End

CERTIFICATION DATE
TO San Pablo Avenue

SPEED FACTORS

Date of Speed Survey	5/25/2017	Posted Speed Limit	35 mph
Time of Speed Survey	24 hour	Speed Justification	
50th Percentile Speed (Mean Speed)	32 mph	MUTCD Option 2	
85th Percentile Speed	38 mph		
Average Speed	31 mph		
10 mph Pace Speed			
Percentage of Vehicles in Pace		Recommended Speed Limit	35 mph
Number of Survey Samples	2600		

COLLISION HISTORY

Number of Years Studied	0 years
Total Collisions	
Statewide Average Collision Rate	Collisions/MVM
Collisions per Million Vehicle Miles	Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	2,600	Date Counted	5/25/2017
Number of Lanes	2		
Type of Traffic Control	Stop at San Pablo, Alfred Noble		
Crosswalks?	At San Pablo		
Pedestrian Traffic	Light		
Truck Traffic	Light		
On-Street Parking	No		
Sidewalks?	Yes		
Driveways?	Yes		


ROADWAY FACTORS

Length of Segment	0.620 miles
Width	50 feet
Vertical Curve?	No
Horizontal Curve?	Yes
Visibility	Good
Roadway Conditions	Good
Lighting	Yes
Adjacent Land Use	Office

Field Study By GL

Checked By

CERTIFICATION: I, Gordon Lum, do hereby certify that this Engineering and Traffic Survey within the City of Hercules was performed under my supervision and is accurate and complete. I am duly registered in the State of California as a Professional Engineer (Traffic).


672 Gordon Lum

12/4/17

Date

TE 1542

State Registration Number

SPEED

Linus Pauling Dr Bet. San Pablo Ave & Alfred Nobel Dr

Day: Thursday

Date: 5/25/2017

City: Hercules

Project #: CA17_7449_015e

East Bound

Time	< 15	15 - 19	20 - 24	25 - 29	30 - 34	35 - 39	40 - 44	45 - 49	50 - 54	55 - 59	60 - 64	65 - 69	70 +	Total
0:00 AM	0	0	1	1	2	1	0	0	0	0	0	0	0	5
1:00	0	0	1	1	0	0	1	0	0	0	0	0	0	3
2:00	0	0	0	2	0	0	0	0	0	0	0	0	0	2
3:00	0	0	0	1	1	1	0	0	0	0	0	0	0	3
4:00	0	0	0	0	1	0	0	0	0	0	0	0	0	1
5:00	0	0	2	1	2	1	0	0	0	0	0	0	0	6
6:00	0	0	3	5	3	2	1	0	0	0	0	0	0	14
7:00	0	0	5	3	4	3	1	0	0	0	0	0	0	16
8:00	1	0	10	9	6	7	2	0	0	0	0	0	0	35
9:00	0	1	3	11	6	7	1	0	0	0	0	0	0	29
10:00	1	4	6	13	10	5	4	1	0	0	0	0	0	44
11:00	0	2	15	29	51	20	5	1	0	0	0	0	0	123
12:00 PM	0	5	16	48	47	22	2	0	0	0	0	0	0	140
13:00	0	3	3	15	29	13	4	0	0	0	0	0	0	67
14:00	1	0	9	25	34	19	3	0	0	0	0	0	0	91
15:00	0	2	12	24	34	18	4	0	0	0	0	0	0	94
16:00	1	0	8	62	90	46	12	0	0	0	0	0	0	219
17:00	0	0	22	74	105	33	19	2	0	0	0	0	0	255
18:00	0	0	4	24	27	19	10	1	0	0	0	0	0	85
19:00	0	0	2	5	10	11	6	0	0	0	0	0	0	34
20:00	0	0	1	4	7	4	2	0	0	0	0	0	0	18
21:00	0	0	2	2	3	2	1	0	0	0	0	0	0	10
22:00	0	0	0	1	2	1	0	0	0	0	0	0	0	4
23:00	1	0	1	1	0	2	0	1	0	0	0	0	0	6
Totals	5	17	126	361	474	237	78	6						1304
% of Totals	0%	1%	10%	28%	36%	18%	6%	0%						100%

AM Volumes	2	7	46	76	86	47	15	2	0	0	0	0	0	281
% AM	0%	1%	4%	6%	7%	4%	1%	0%						22%
AM Peak Hour	8:00	10:00	11:00	11:00	11:00	11:00	11:00	10:00						11:00
Volume	1	4	15	29	51	20	5	1						123
PM Volumes	3	10	80	285	388	190	63	4	0	0	0	0	0	1023
% PM	0%	1%	6%	22%	30%	15%	5%	0%						78%
PM Peak Hour	14:00	12:00	17:00	17:00	17:00	16:00	17:00	17:00						17:00
Volume	1	5	22	74	105	46	19	2						255
Directional Peak Periods		AM 7-9		NOON 12-2		PM 4-6		Off Peak Volumes						
All Speeds		Volume	%	Volume	%	Volume	%	Volume	%					
		51	4%	207	16%	474	36%	572	44%					

Street Name	Direction	Percentiles					
		15th	50th	Average	85th	95th	ADT
Linus Pauling Dr	East Bound	26	32	31	38	41	1304
Linus Pauling Dr	West Bound	27	33	32	38	40	1296

CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

4

STREET Refugio Valley Road
FROM Sycamore Avenue

CERTIFICATION DATE
TO Partridge Drive

SPEED FACTORS

Date of Speed Survey	5/19/2017	Posted Speed Limit	35 mph
Time of Speed Survey	2p-315	Speed Justification	
50th Percentile Speed (Mean Speed)	37 mph	MUTCD Option 2	
85th Percentile Speed	40 mph		
Average Speed	mph		
10 mph Pace Speed	33-42		
Percentage of Vehicles in Pace	91	Recommended Speed Limit	35 mph
Number of Survey Samples	220		

COLLISION HISTORY

Number of Years Studied	years
Total Collisions	
Statewide Average Collision Rate	Collisions/MVM
Collisions per Million Vehicle Miles	Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	16,732	Date Counted	5/31/2012
Number of Lanes	2		
Type of Traffic Control	Signal at Sycamore, Pheasant, Partridge		
Crosswalks?	At Sycamore, Pheasant, Partridge		
Pedestrian Traffic	Moderate		
Truck Traffic	Light		
On-Street Parking	No		
Sidewalks?	Yes		
Driveways?	No		


ROADWAY FACTORS

Length of Segment	0.600 miles
Width	56 feet
Vertical Curve?	Yes
Horizontal Curve?	Yes
Visibility	Good
Roadway Conditions	Good
Lighting	Yes
Adjacent Land Use	Lake, tennis club, fields

Field Study By GL

Checked By

CERTIFICATION: I, Gordon Lum, do hereby certify that this Engineering and Traffic Survey within the City of Hercules was performed under my supervision and is accurate and complete. I am duly registered in the State of California as a Professional Engineer (Traffic).


Gordon Lum

12/4/17

Date

TE 1542

State Registration Number

Spot Speed Study

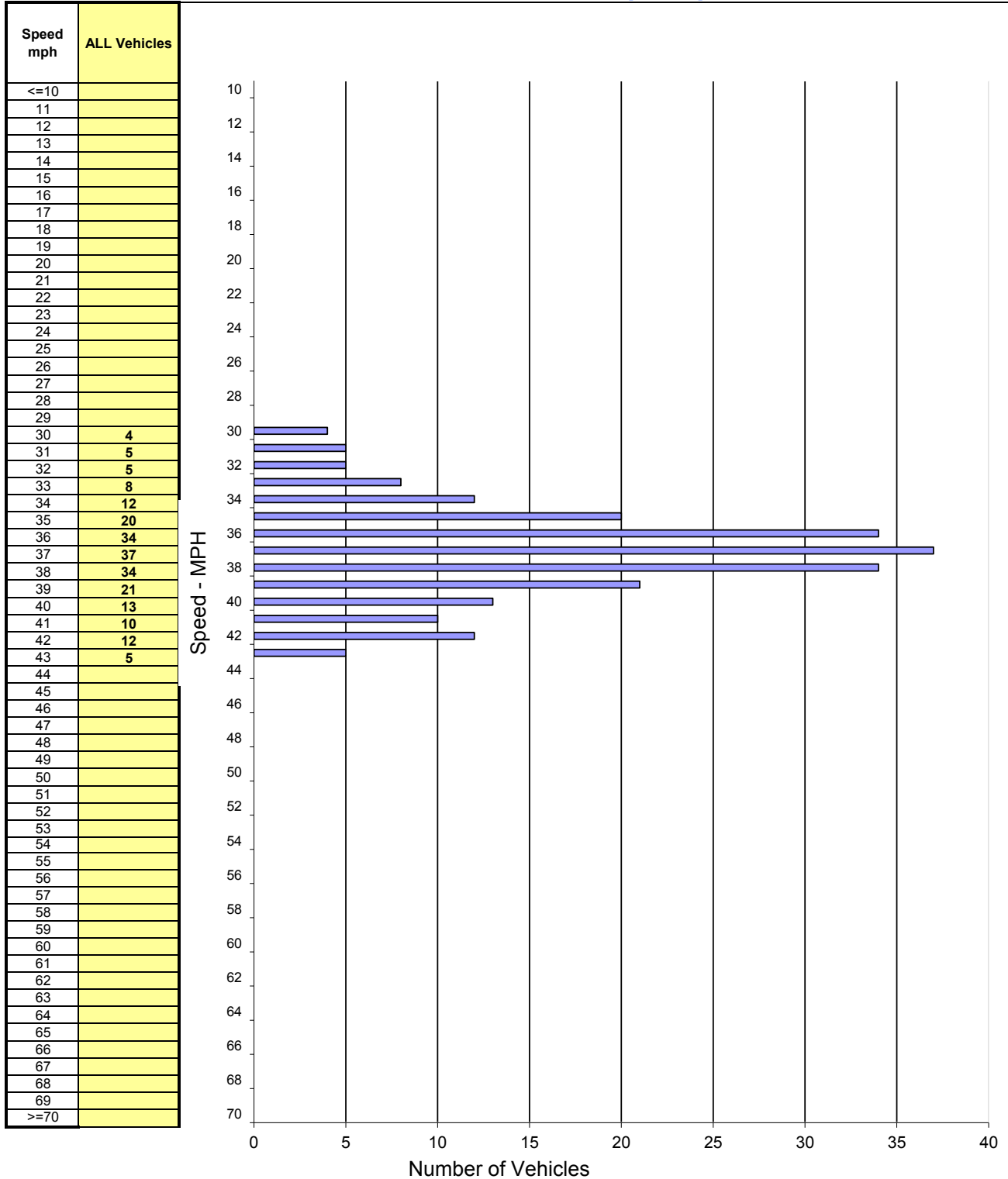
Prepared by: National Data & Surveying Services

City of Hercules

DATE: 5/19/2017
TIME: 14:15-15:15

Location: Refugio Valley Rd Bet. Sycamore Ave & Partridge Dr
Posted Speed: 35 MPH Clear/Dry Project #: 17-7448-009

Northbound & Southbound Spot Speeds



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	220	30 - 43	37 mph	40 mph	33 - 42	201	91%	6% / 14	3% / 5

CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

5

STREET Refugio Valley Road
FROM Partridge Drive

CERTIFICATION DATE
TO Falcon Way

SPEED FACTORS

Date of Speed Survey	5/17/2017	Posted Speed Limit	25* mph
Time of Speed Survey	920-10a	Speed Justification	
50th Percentile Speed (Mean Speed)	41 mph	MUTCD Option 2. *=25 mph speed	
85th Percentile Speed	44 mph	limit is when children are present	
Average Speed	0 mph		
10 mph Pace Speed	36-45		
Percentage of Vehicles in Pace		Recommended Speed Limit	40 mph
Number of Survey Samples	133		

COLLISION HISTORY

Number of Years Studied	0 years
Total Collisions	
Statewide Average Collision Rate	Collisions/MVM
Collisions per Million Vehicle Miles	Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	9,221	Date Counted	5/31/2012
Number of Lanes	2		
Type of Traffic Control	Signal at Schools, Community Ctr;		
Crosswalks?	At Schools and Community Center		
Pedestrian Traffic	Moderate		
Truck Traffic	Light		
On-Street Parking	No		
Sidewalks?	Yes		
Driveways?	No		

ROADWAY FACTORS

Length of Segment	0.890 miles
Width	50 feet
Vertical Curve?	Yes
Horizontal Curve?	Yes
Visibility	Good
Roadway Conditions	Good
Lighting	Yes
Adjacent Land Use	Middle-High Schools

Field Study By GL

Checked By

CERTIFICATION: I, Gordon Lum, do hereby certify that this Engineering and Traffic Survey within the City of Hercules was performed under my supervision and is accurate and complete. I am duly registered in the State of California as a Professional Engineer (Traffic).


GTZ Gordon Lum

12/4/17

Date

TE 1542

State Registration Number

Spot Speed Study

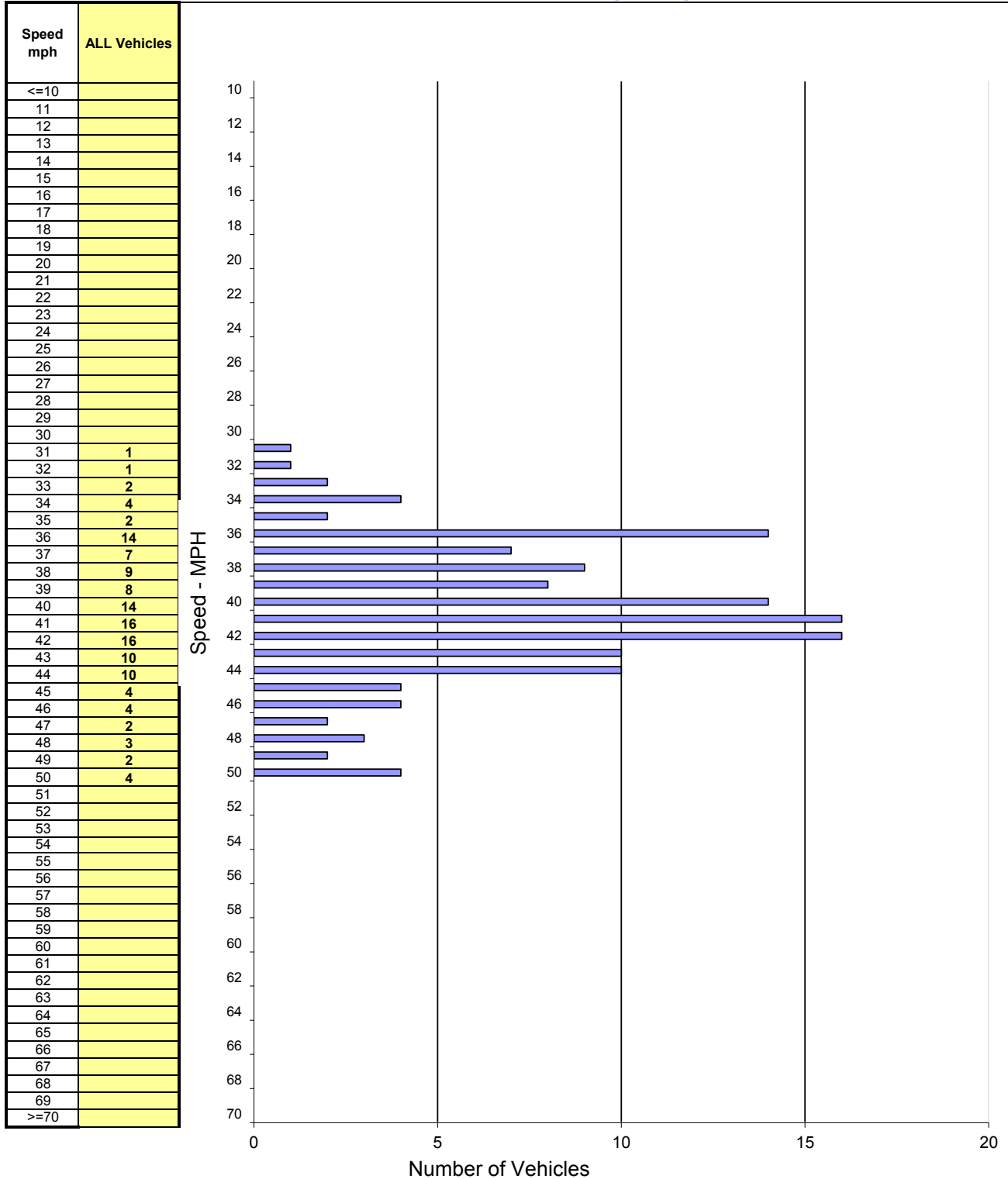
Prepared by: National Data & Surveying Services

City of Hercules

DATE: 5/17/2017
TIME: 09:20-10:00

Location: Refugio Valley Rd Bet. Partridge Dr & Falcon Way
Posted Speed: 25 (WCAP) Sunny Project #: 17-7448-010

Eastbound & Westbound Spot Speeds



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	133	31 - 50	41 mph	44 mph	36 - 45	108	81%	7% / 10	12% / 15

CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

6

STREET Refugio Valley Road **CERTIFICATION DATE**
FROM Falcon Way-Redwood Road **TO** Bonaire Avenue

SPEED FACTORS

Date of Speed Survey	5/19/2017	Posted Speed Limit	35 mph
Time of Speed Survey	320-4p	Speed Justification	
50th Percentile Speed (Mean Speed)	37 mph	MUTCD Option 2	
85th Percentile Speed	40 mph		
Average Speed	mph		
10 mph Pace Speed	33-42		
Percentage of Vehicles in Pace	91	Recommended Speed Limit	35 mph
Number of Survey Samples	258		

COLLISION HISTORY

Number of Years Studied	5 years
Total Collisions	0
Statewide Average Collision Rate	2.04 Collisions/MVM
Collisions per Million Vehicle Miles	0.000 Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	3,828	Date Counted	5/31/2012
Number of Lanes	2		
Type of Traffic Control	Stop at Carson		
Crosswalks?	Carson, Malibu, Midshp, Southwnd, Corondo, mid-block		
Pedestrian Traffic	Light		
Truck Traffic	Light		
On-Street Parking	No		
Sidewalks?	Yes		
Driveways?	No		

ROADWAY FACTORS

Length of Segment	0.980 miles
Width	40 feet
Vertical Curve?	Yes
Horizontal Curve?	Yes
Visibility	Good
Roadway Conditions	Good
Lighting	Yes
Adjacent Land Use	Residential

Field Study By GL

Checked By

CERTIFICATION: I, Gordon Lum, do hereby certify that this Engineering and Traffic Survey within the City of Hercules was performed under my supervision and is accurate and complete. I am duly registered in the State of California as a Professional Engineer (Traffic).

12/4/17

TE 1542

State Registration Number

Date

Gordon Lum

Spot Speed Study

Prepared by: National Data & Surveying Services

City of Hercules

DATE: 5/19/2017

TIME: 15:20-16:00

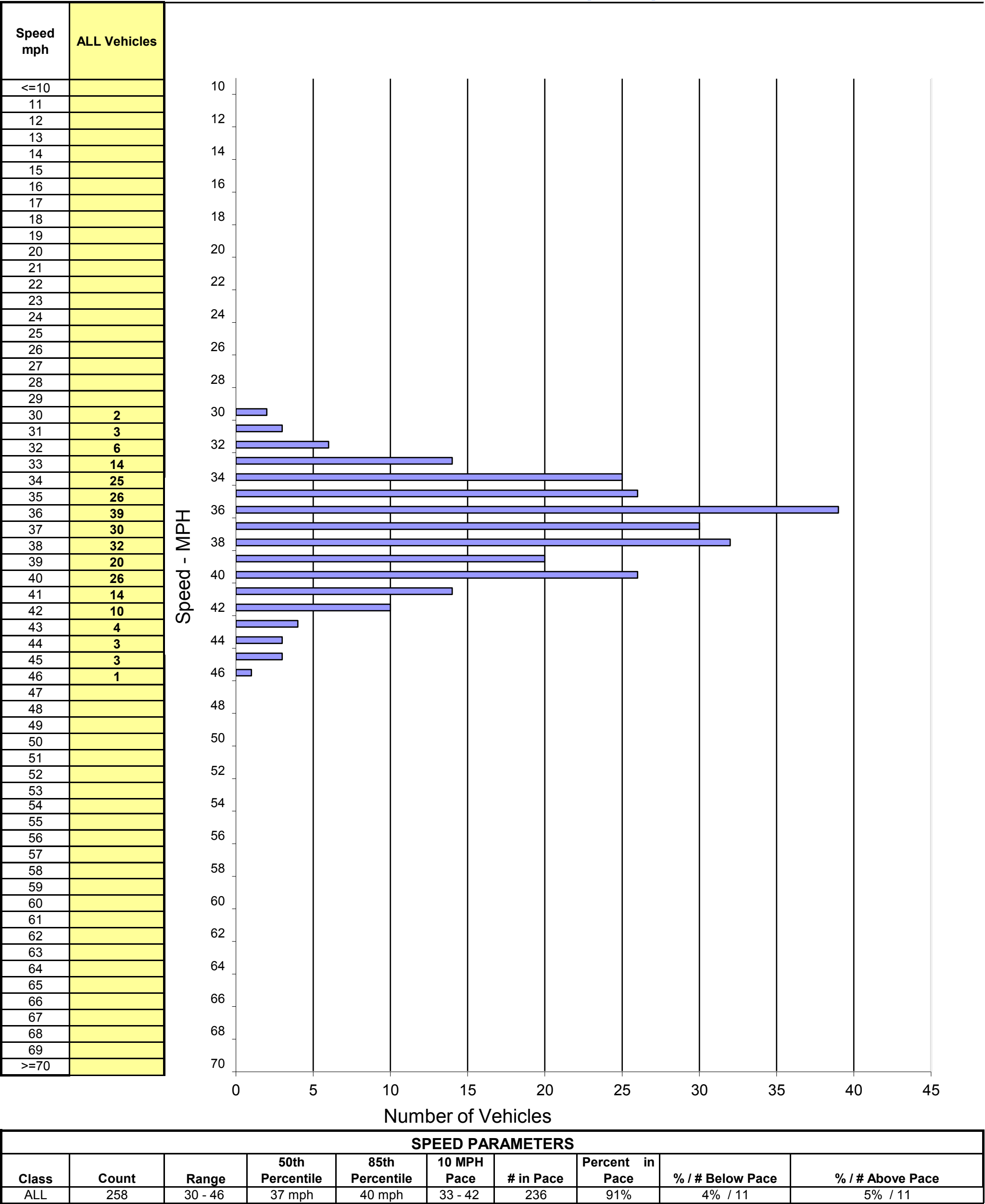
Location: Refugio Valley Rd Bet. Falcon Way & Bonair Ave

Posted Speed: 35 MPH

Clear/Dry

Project #: 17-7448-011

Northbound & Southbound Spot Speeds



CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

7

STREET San Pablo Avenue
FROM Willow Avenue

CERTIFICATION DATE
TO Linus Pauling Drive

SPEED FACTORS

Date of Speed Survey	5/17/2017	Posted Speed Limit	45 mph
Time of Speed Survey	250-4p	Speed Justification	
50th Percentile Speed (Mean Speed)	43 mph	MUTCD Option 2	
85th Percentile Speed	48 mph		
Average Speed	mph		
10 mph Pace Speed	39-48		
Percentage of Vehicles in Pace	77	Recommended Speed Limit	45 mph
Number of Survey Samples	247		

COLLISION HISTORY

Number of Years Studied	0 years
Total Collisions	
Statewide Average Collision Rate	Collisions/MVM
Collisions per Million Vehicle Miles	Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	10,945	Date Counted	6/7/2012
Number of Lanes	4		
Type of Traffic Control	Signal: Victoria Crescent, Willow		
Crosswalks?	At Victoria Crescent and Willow		
Pedestrian Traffic	Light		
Truck Traffic	Light		
On-Street Parking	Yes		
Sidewalks?	Yes		
Driveways?	No		

ROADWAY FACTORS

Length of Segment	0.500 miles
Width	82 feet
Vertical Curve?	No
Horizontal Curve?	No
Visibility	Good
Roadway Conditions	Good
Lighting	Yes
Adjacent Land Use	Residential backyards

Field Study By GL

Checked By

CERTIFICATION: I, Gordon Lum, do hereby certify that this Engineering and Traffic Survey within the City of Hercules was performed under my supervision and is accurate and complete. I am duly registered in the State of California as a Professional Engineer (Traffic).

12/4/17

TE 1542

State Registration Number

Date

Gordon Lum

Spot Speed Study

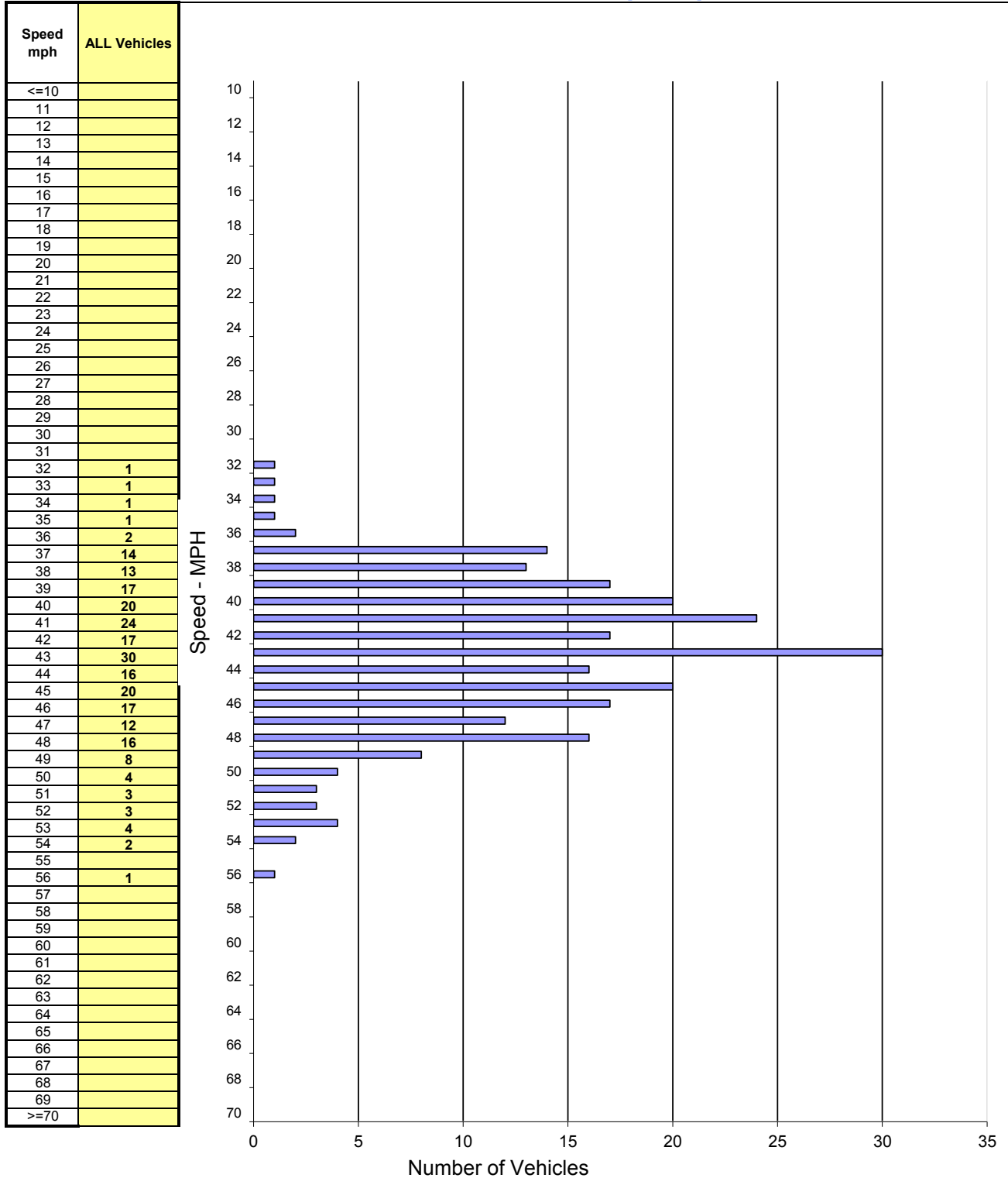
Prepared by: National Data & Surveying Services

City of Hercules

DATE: 5/17/2017
TIME: 14:50-15:50

Location: San Pablo Ave Bet. Willow Ave & Linus Pauling Dr
Posted Speed: 40 MPH Sunny Project #: 17-7448-012

Northbound & Southbound Spot Speeds



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	247	32 - 56	43 mph	48 mph	39 - 48	189	77%	13% / 33	11% / 25

CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

8

STREET San Pablo Avenue
FROM Linus Pauling Drive

CERTIFICATION DATE
TO Sycamore Avenue

SPEED FACTORS

Date of Speed Survey	5/19/2017	Posted Speed Limit	45 mph
Time of Speed Survey	1p-210	Speed Justification	
50th Percentile Speed (Mean Speed)	45 mph	MUTCD Option 2	
85th Percentile Speed	49 mph		
Average Speed	mph		
10 mph Pace Speed	40-49		
Percentage of Vehicles in Pace	75	Recommended Speed Limit	45 mph
Number of Survey Samples	254		

COLLISION HISTORY

Number of Years Studied	0 years
Total Collisions	
Statewide Average Collision Rate	Collisions/MVM
Collisions per Million Vehicle Miles	Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	12,234	Date Counted	6/7/2012
Number of Lanes	4		
Type of Traffic Control	Signal at John Muir, Sycamore, Market Drive		
Crosswalks?	AT John Muir, Sycamore		
Pedestrian Traffic	Light		
Truck Traffic	Light		
On-Street Parking	No		
Sidewalks?	Yes		
Driveways?	No		

ROADWAY FACTORS

Length of Segment	0.550 miles
Width	98 feet
Vertical Curve?	No
Horizontal Curve?	No
Visibility	Good
Roadway Conditions	Good
Lighting	Good
Adjacent Land Use	Open space

Field Study By GL

Checked By

CERTIFICATION: I, Gordon Lum, do hereby certify that this Engineering and Traffic Survey within the City of Hercules was performed under my supervision and is accurate and complete. I am duly registered in the State of California as a Professional Engineer (Traffic).

12/4/17

TE 1542

GTZ Gordon Lum

Date

State Registration Number

Spot Speed Study

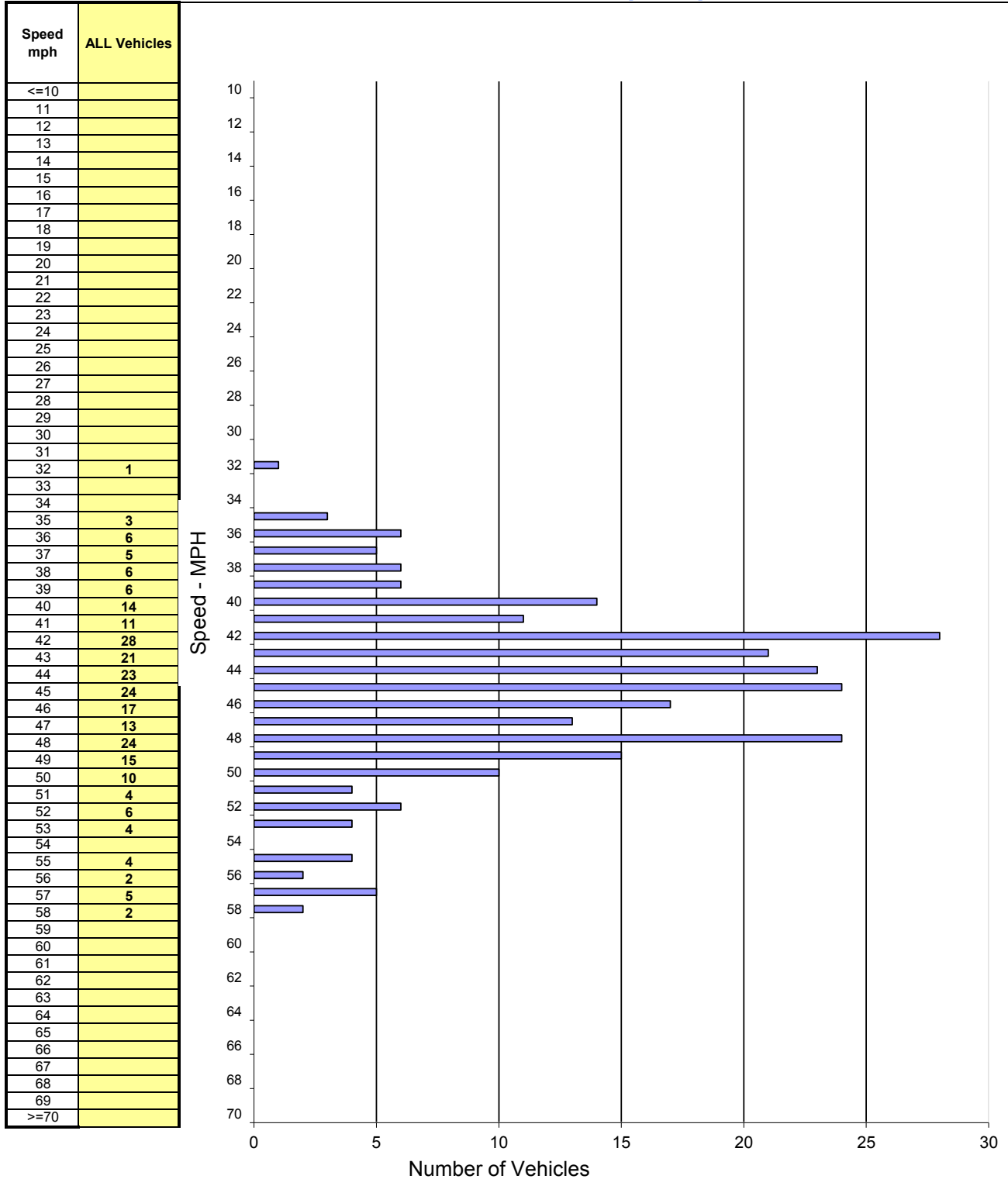
Prepared by: National Data & Surveying Services

City of Hercules

DATE: 5/19/2017
TIME: 13:10-14:10

Location: San Pablo Ave Bet. Linus Pauling Dr & Sycamore Ave
Posted Speed: 40 MPH Clear/Dry Project #: 17-7448-013

Northbound & Southbound Spot Speeds



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	254	32 - 58	45 mph	49 mph	40 - 49	190	75%	10% / 27	15% / 37

CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

9

STREET San Pablo Avenue
FROM Sycamore Avenue

CERTIFICATION DATE
TO South City Limit

SPEED FACTORS

Date of Speed Survey	5/17/2017	Posted Speed Limit	45 mph
Time of Speed Survey	405-5p	Speed Justification	
50th Percentile Speed (Mean Speed)	45 mph	MUTCD Option 2	
85th Percentile Speed	50 mph		
Average Speed	mph		
10 mph Pace Speed	38-47		
Percentage of Vehicles in Pace	71	Recommended Speed Limit	45 mph
Number of Survey Samples	252		

COLLISION HISTORY

Number of Years Studied	0 years
Total Collisions	
Statewide Average Collision Rate	Collisions/MVM
Collisions per Million Vehicle Miles	Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	15,245	Date Counted	6/21/2012
Number of Lanes	4		
Type of Traffic Control	Signal at Hercules, Sycamore		
Crosswalks?	At Hercules, Sycamore		
Pedestrian Traffic	Light		
Truck Traffic	Light		
On-Street Parking	No		
Sidewalks?	Partial		
Driveways?	No		

ROADWAY FACTORS

Length of Segment	0.680 miles
Width	64 feet
Vertical Curve?	No
Horizontal Curve?	No
Visibility	Good
Roadway Conditions	Good
Lighting	Yes
Adjacent Land Use	Open space

Field Study By GL

Checked By

CERTIFICATION: I, Gordon Lum, do hereby certify that this Engineering and Traffic Survey within the City of Hercules was performed under my supervision and is accurate and complete. I am duly registered in the State of California as a Professional Engineer (Traffic).


672 Gordon Lum

12/4/17

Date

TE 1542

State Registration Number

Spot Speed Study

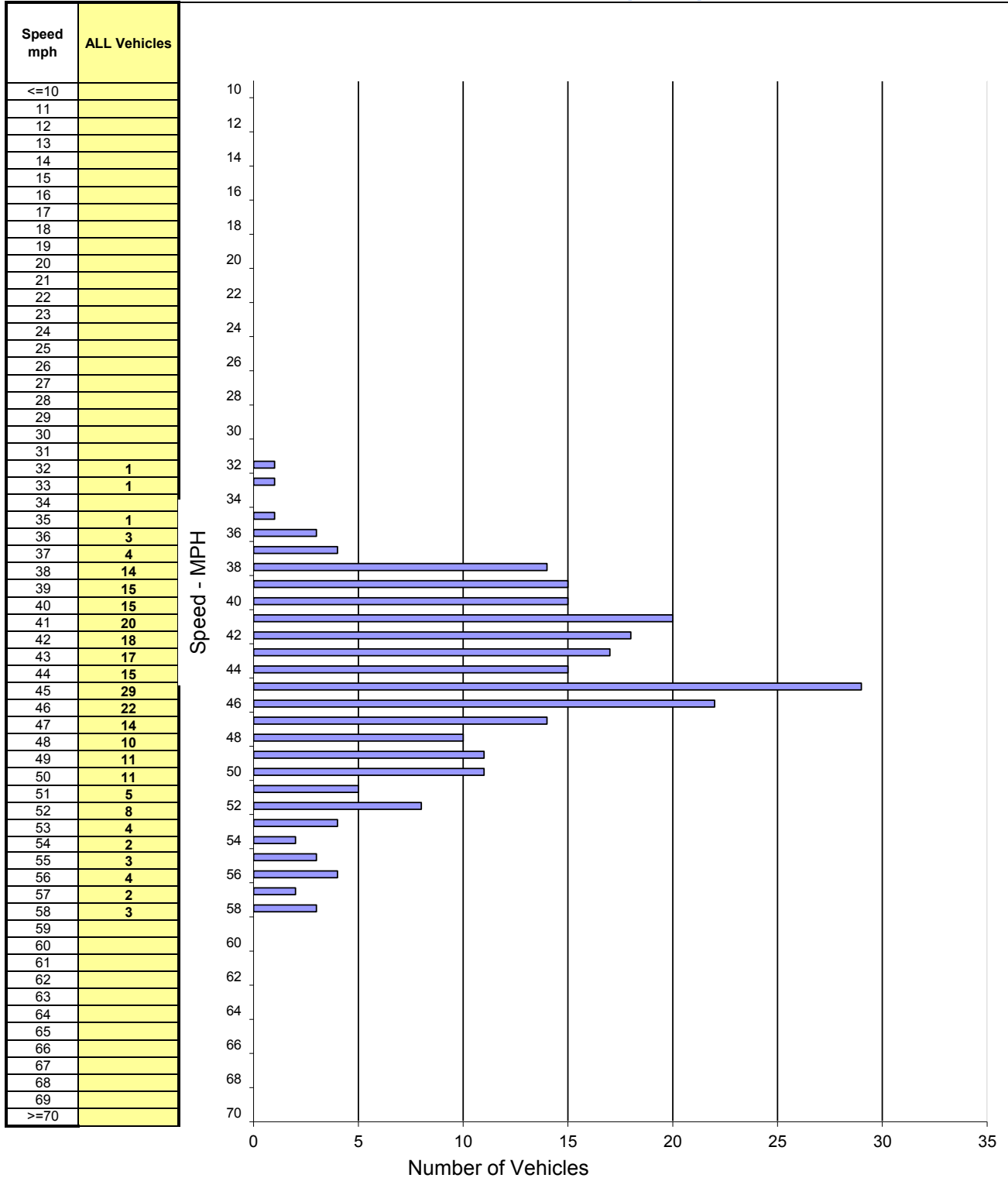
Prepared by: National Data & Surveying Services

City of Hercules

DATE: 5/17/2017
TIME: 16:05-17:00

Location: San Pablo Ave Bet. Sycamore Ave & So. City Limit
Posted Speed: 40 MPH Clear/Dry Project #: 17-7448-014

Northbound & Southbound Spot Speeds



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	252	32 - 58	45 mph	50 mph	38 - 47	179	71%	3% / 10	25% / 63

CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

10

STREET Sycamore Avenue
FROM Civic Drive

CERTIFICATION DATE
TO Palm Avenue

SPEED FACTORS

Date of Speed Survey	5/17/2017	Posted Speed Limit	None mph
Time of Speed Survey	10a-113	Speed Justification	
50th Percentile Speed (Mean Speed)	35 mph	MUTCD Option 2	
85th Percentile Speed	39 mph		
Average Speed	0 mph		
10 mph Pace Speed	32-41		
Percentage of Vehicles in Pace	83	Recommended Speed Limit	35 mph
Number of Survey Samples	143		

COLLISION HISTORY

Number of Years Studied	5 years
Total Collisions	0
Statewide Average Collision Rate	2.21 Collisions/MVM
Collisions per Million Vehicle Miles	0.000 Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	9,053	Date Counted	5/31/2012
Number of Lanes	4		
Type of Traffic Control	Stop at Redwood, Lupine and Palm		
Crosswalks?	At Civic, Redwood, Lupine		
Pedestrian Traffic	Moderate		
Truck Traffic	Light		
On-Street Parking	No		
Sidewalks?	Yes		
Driveways?	Yes		

ROADWAY FACTORS

Length of Segment	0.480 miles
Width	80 feet
Vertical Curve?	Yes
Horizontal Curve?	Yes
Visibility	Good
Roadway Conditions	Good
Lighting	Yes
Adjacent Land Use	Civic Center, Open space, homes side yard

Field Study By GL

Checked By

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12/4/17

TE 1542

672 Gordon Lum

Date

State Registration Number

Spot Speed Study

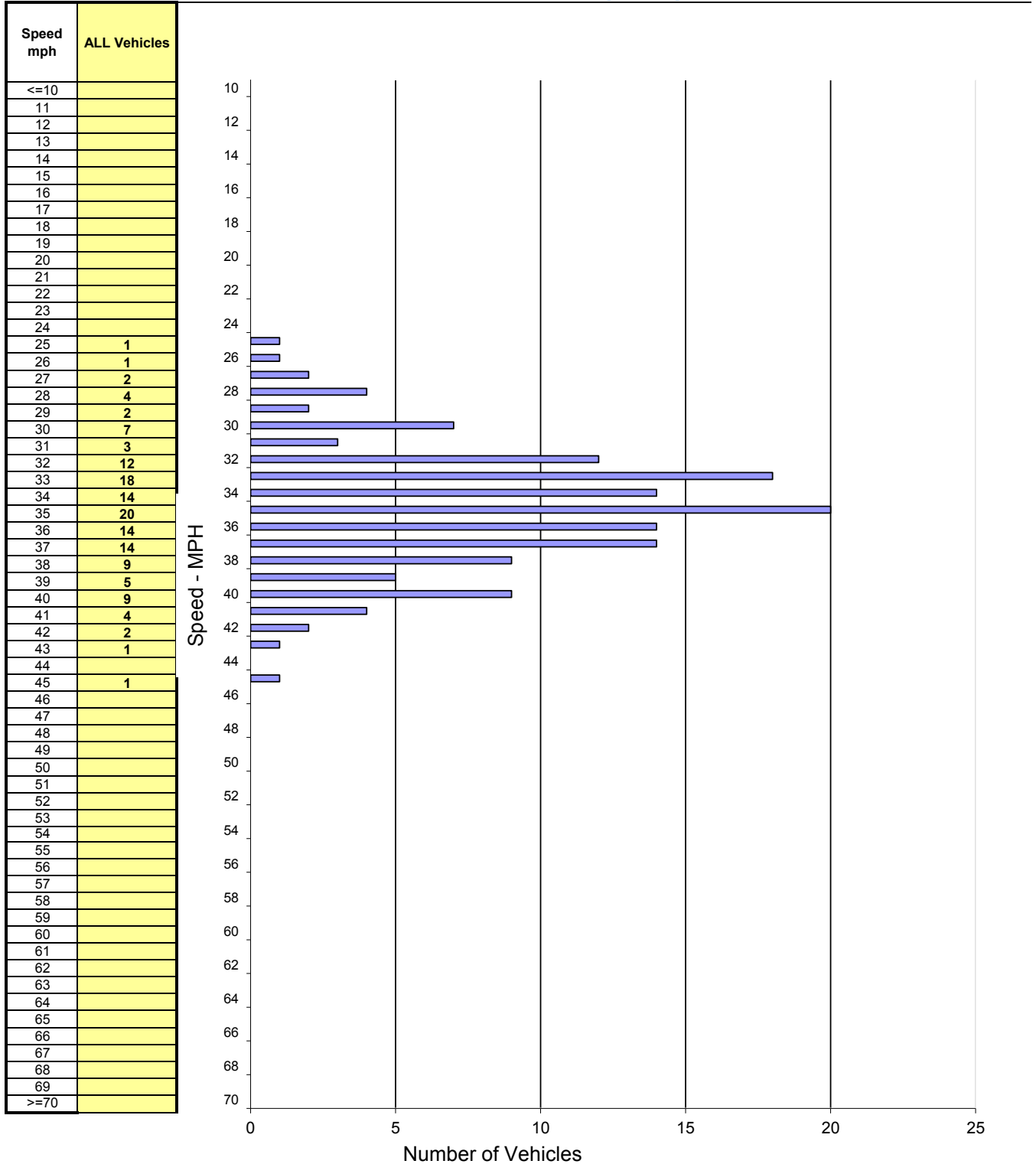
Prepared by: National Data & Surveying Services

City of Hercules

DATE: 5/17/2017
TIME: 10:30-11:30

Location: Sycamore Ave Bet. Redwood Rd & Palm Ave
Posted Speed: None Clear/Dry Project #: 17-7448-016

Eastbound & Westbound Spot Speeds



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	143	25 - 45	35 mph	39 mph	32 - 41	119	83%	13% / 20	3% / 4

CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

11

STREET Sycamore Avenue
FROM Palm Avenue

CERTIFICATION DATE
TO SR 4 Ramps

SPEED FACTORS

Date of Speed Survey	5/17/2017	Posted Speed Limit	None mph
Time of Speed Survey	12-2p	Speed Justification	
50th Percentile Speed (Mean Speed)	42 mph	MUTCD Option 2	
85th Percentile Speed	45 mph		
Average Speed	0 mph		
10 mph Pace Speed	38-47		
Percentage of Vehicles in Pace	85	Recommended Speed Limit	40 mph
Number of Survey Samples	130		

COLLISION HISTORY

Number of Years Studied	5 years
Total Collisions	0
Statewide Average Collision Rate	2.04 Collisions/MVM
Collisions per Million Vehicle Miles	0.000 Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	2,696	Date Counted	6/7/2012
Number of Lanes	2		
Type of Traffic Control	Stop at Palm and SR-4 Ramps		
Crosswalks?	None		
Pedestrian Traffic	None		
Truck Traffic	Light		
On-Street Parking	No		
Sidewalks?	No		
Driveways?	Two		

ROADWAY FACTORS

Length of Segment	0.620 miles
Width	24 feet
Vertical Curve?	No
Horizontal Curve?	No
Visibility	Good
Roadway Conditions	Good
Lighting	No
Adjacent Land Use	Open space

Field Study By GL

Checked By

CERTIFICATION: I, Gordon Lum, do hereby certify that this Engineering and Traffic Survey within the City of Hercules was performed under my supervision and is accurate and complete. I am duly registered in the State of California as a Professional Engineer (Traffic).


612 Gordon Lum

12/4/17

Date

TE 1542

State Registration Number

Spot Speed Study

Prepared by: National Data & Surveying Services

City of Hercules

DATE: 5/17/2017

TIME: 11:50-13:50

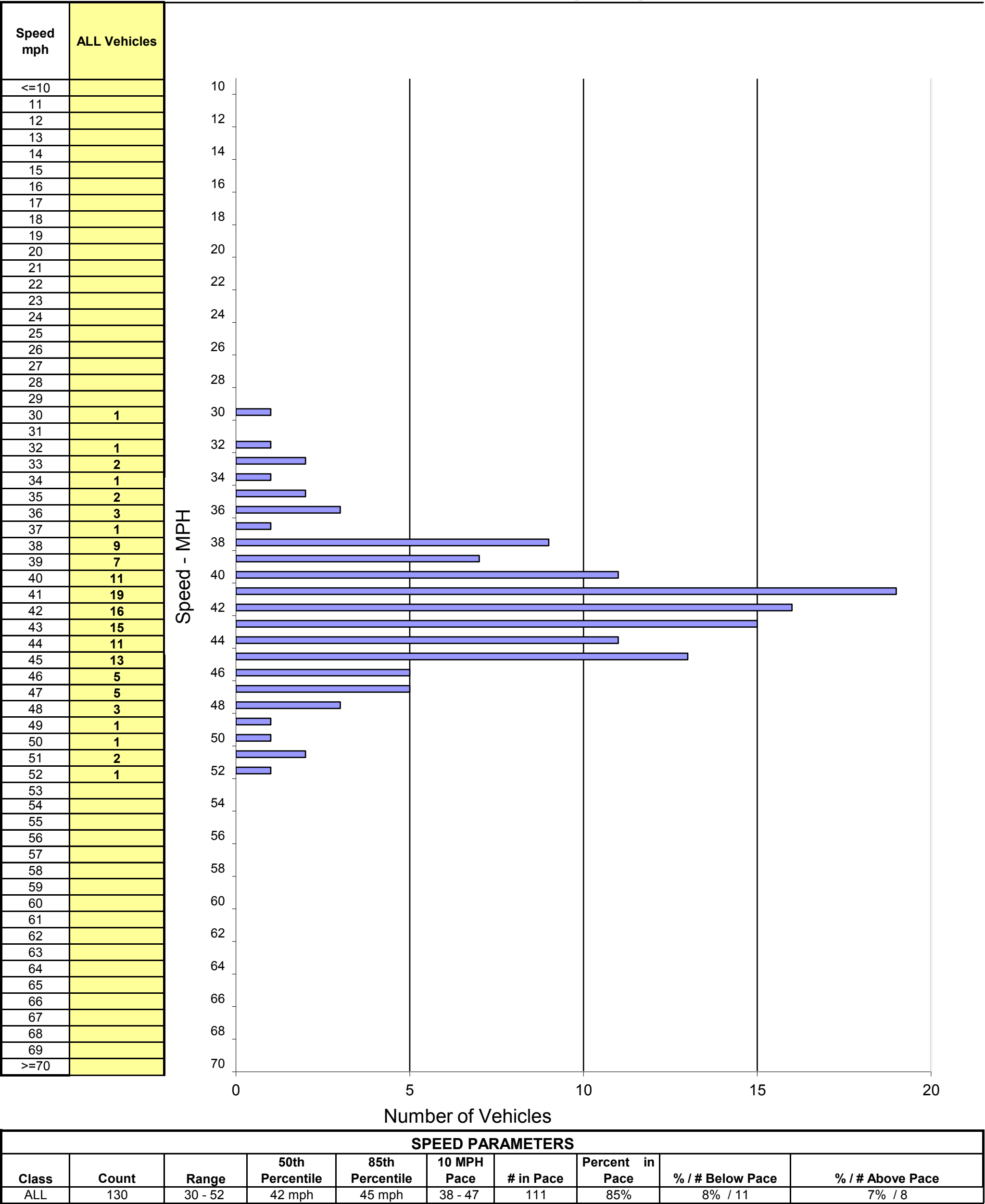
Location: Sycamore Ave Bet. Palm Ave & SR 4 ramps

Posted Speed: None

Clear/Dry

Project #: 17-7448-017

Eastbound & Westbound Spot Speeds



CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

12

STREET Turquoise Drive
FROM Sycamore Avenue

CERTIFICATION DATE
TO Cinnabar Way

SPEED FACTORS

Date of Speed Survey	5/17/2017	Posted Speed Limit	30 mph
Time of Speed Survey	140-225	Speed Justification	
50th Percentile Speed (Mean Speed)	29 mph	MUTCD Option 2	
85th Percentile Speed	33 mph		
Average Speed	mph		
10 mph Pace Speed	25-34		
Percentage of Vehicles in Pace	89	Recommended Speed Limit	30 mph
Number of Survey Samples	210		

COLLISION HISTORY

Number of Years Studied	years
Total Collisions	
Statewide Average Collision Rate	Collisions/MVM
Collisions per Million Vehicle Miles	Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	3,901	Date Counted	5/31/2012
Number of Lanes	4		
Type of Traffic Control	Signal: Sycamore; Stop: Lucky Dwy, Cinnabar, Crystal		
Crosswalks?	At Sycamore, Crystal		
Pedestrian Traffic	Light		
Truck Traffic	Light		
On-Street Parking	Yes		
Sidewalks?	Yes		
Driveways?	Yes		

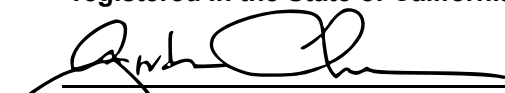
ROADWAY FACTORS

Length of Segment	0.340 miles
Width	64 feet
Vertical Curve?	Yes
Horizontal Curve?	Yes
Visibility	Good
Roadway Conditions	Good
Lighting	Yes
Adjacent Land Use	Home side yards, Retail

Field Study By GL

Checked By

CERTIFICATION: I, Gordon Lum, do hereby certify that this Engineering and Traffic Survey within the City of Hercules was performed under my supervision and is accurate and complete. I am duly registered in the State of California as a Professional Engineer (Traffic).


672 Gordon Lum

12/4/17

Date

TE 1542

State Registration Number

Spot Speed Study

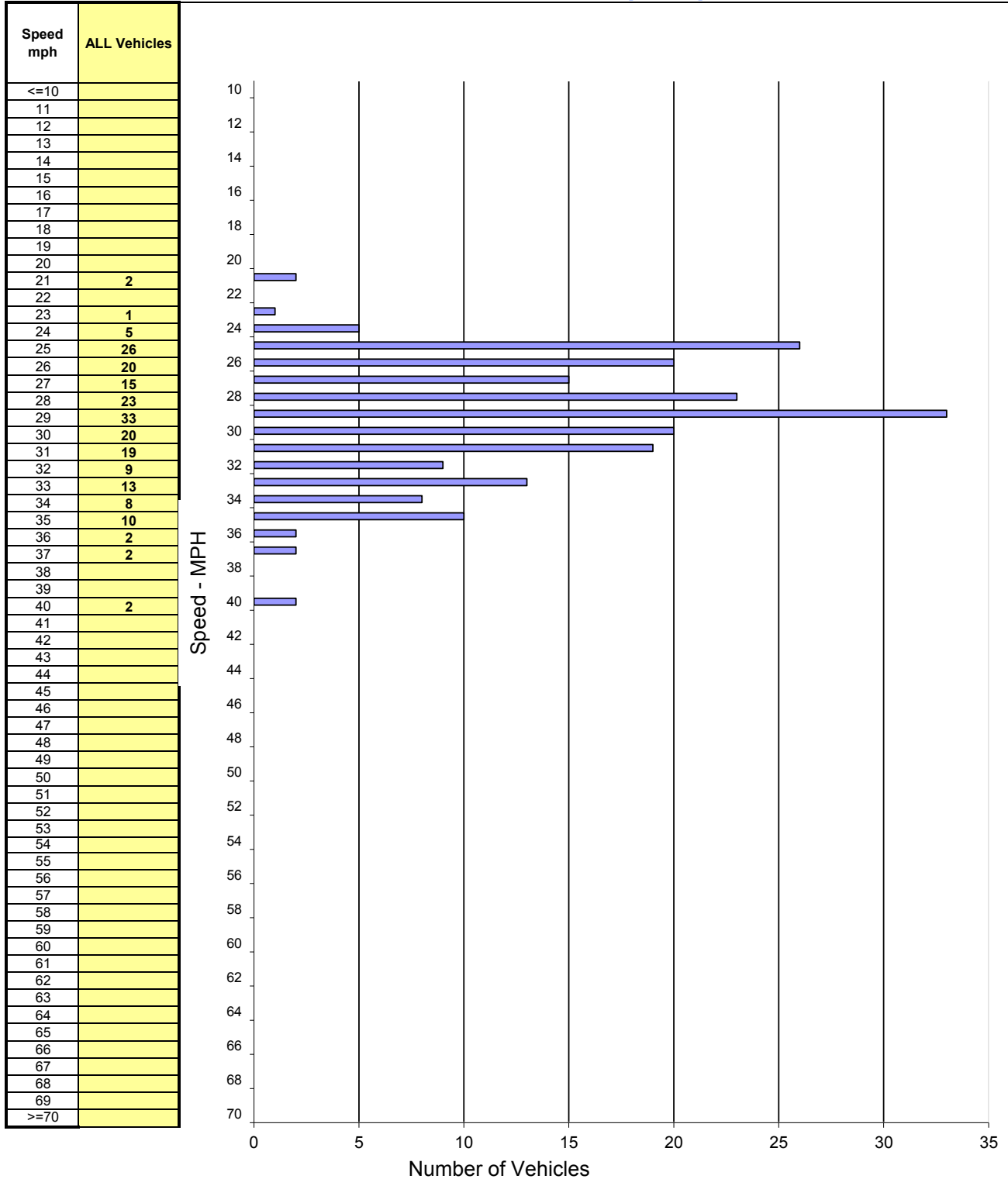
Prepared by: National Data & Surveying Services

City of Hercules

DATE: 5/17/2017
TIME: 13:40-14:25

Location: Turquoise Dr Bet. Sycamore Ave & Cinnabar Way
Posted Speed: 25 MPH Clear/Dry Project #: 17-7448-018

Northbound & Southbound Spot Speeds



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	210	21 - 40	29 mph	33 mph	25 - 34	186	89%	3% / 8	8% / 16

CITY OF HERCULES
ENGINEERING AND TRAFFIC SURVEY

13

STREET Willow Avenue
FROM San Pablo Avenue

CERTIFICATION DATE
TO Canterbury Drive

SPEED FACTORS

Date of Speed Survey	5/17/2017	Posted Speed Limit	40 mph
Time of Speed Survey	10a-111	Speed Justification	
50th Percentile Speed (Mean Speed)	37 mph	Closest 5 mph increment	
85th Percentile Speed	42 mph		
Average Speed	mph		
10 mph Pace Speed	33-42		
Percentage of Vehicles in Pace	75	Recommended Speed Limit	40 mph
Number of Survey Samples	252		

COLLISION HISTORY

Number of Years Studied	0 years
Total Collisions	
Statewide Average Collision Rate	Collisions/MVM
Collisions per Million Vehicle Miles	Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	11,160	Date Counted	6/6/2012
Number of Lanes	2-4		
Type of Traffic Control	Signal: San Pablo, Hawthorne, I-80 ramps: Stop: Cntrbry		
Crosswalks?	At San Pablo, I-80 ramps, Canterbury, Hawthorne		
Pedestrian Traffic	Light		
Truck Traffic	Light		
On-Street Parking	Yes		
Sidewalks?	yes		
Driveways?	Yes		

ROADWAY FACTORS

Length of Segment	0.750 miles
Width	80 feet
Vertical Curve?	No
Horizontal Curve?	Yes
Visibility	Good
Roadway Conditions	Good
Lighting	Yes
Adjacent Land Use	Apts, retail, open space

Field Study By GL

Checked By

CERTIFICATION: I, Gordon Lum, do hereby certify that this Engineering and Traffic Survey within the City of Hercules was performed under my supervision and is accurate and complete. I am duly registered in the State of California as a Professional Engineer (Traffic).


672 Gordon Lum

12/4/17

Date

TE 1542

State Registration Number

Spot Speed Study

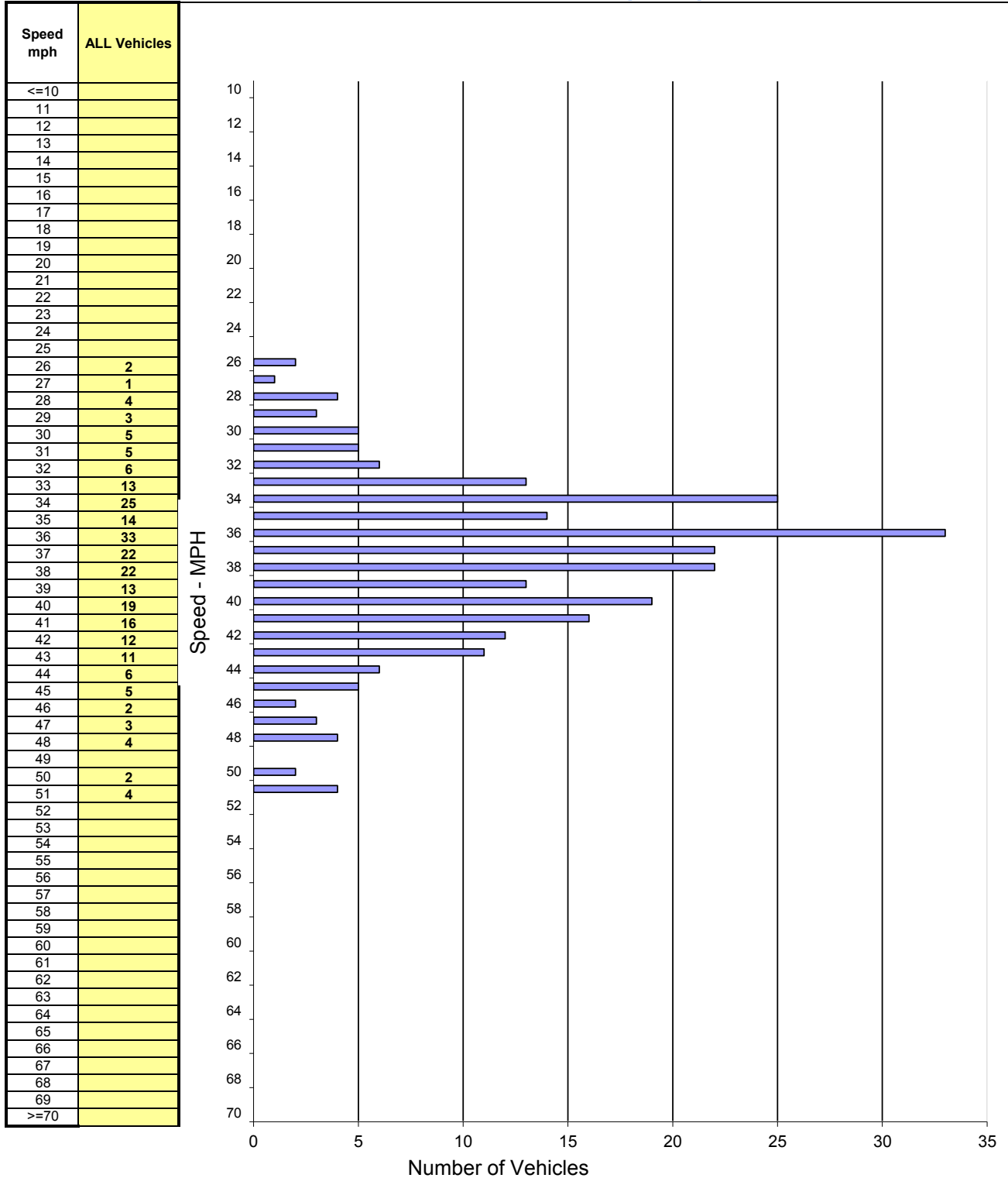
Prepared by: National Data & Surveying Services

City of Hercules

DATE: 5/17/2017
TIME: 10:15-11:15

Location: Willow Ave Bet. San Pablo Ave & Canterbury Dr
Posted Speed: 40 MPH Clear/Dry Project #: 17-7448-020

Northbound & Southbound Spot Speeds



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	252	26 - 51	37 mph	42 mph	33 - 42	189	75%	10% / 26	15% / 37

CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

14

STREET Willow Avenue
FROM Canterbury Drive

CERTIFICATION DATE
TO Palm

SPEED FACTORS

Date of Speed Survey	5/17/2017	Posted Speed Limit	40 mph
Time of Speed Survey	1130-1p	Speed Justification	
50th Percentile Speed (Mean Speed)	34 mph	MUTCD Option 2	
85th Percentile Speed	38 mph		
Average Speed	mph		
10 mph Pace Speed	29-38		
Percentage of Vehicles in Pace	82	Recommended Speed Limit	40 mph
Number of Survey Samples	233		

COLLISION HISTORY

Number of Years Studied	0 years
Total Collisions	
Statewide Average Collision Rate	Collisions/MVM
Collisions per Million Vehicle Miles	Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	8,733	Date Counted	6/6/2012
Number of Lanes	2-4		
Type of Traffic Control	Stop at Palm, SR-4 ramp, Canterbury		
Crosswalks?	At Palm, Mariner's Pt, Canterbury		
Pedestrian Traffic	Light		
Truck Traffic	Light		
On-Street Parking	No		
Sidewalks?	Yes		
Driveways?	yes		

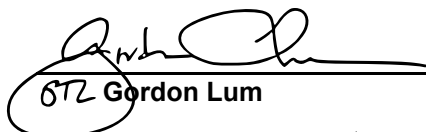
ROADWAY FACTORS

Length of Segment	0.530 miles
Width	30-80 feet
Vertical Curve?	Yes
Horizontal Curve?	Yes
Visibility	Good
Roadway Conditions	Good
Lighting	Yes
Adjacent Land Use	Church, back of homes

Field Study By GL

Checked By

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672 Gordon Lum

12/4/17

Date

TE 1542
State Registration Number

Spot Speed Study

Prepared by: National Data & Surveying Services

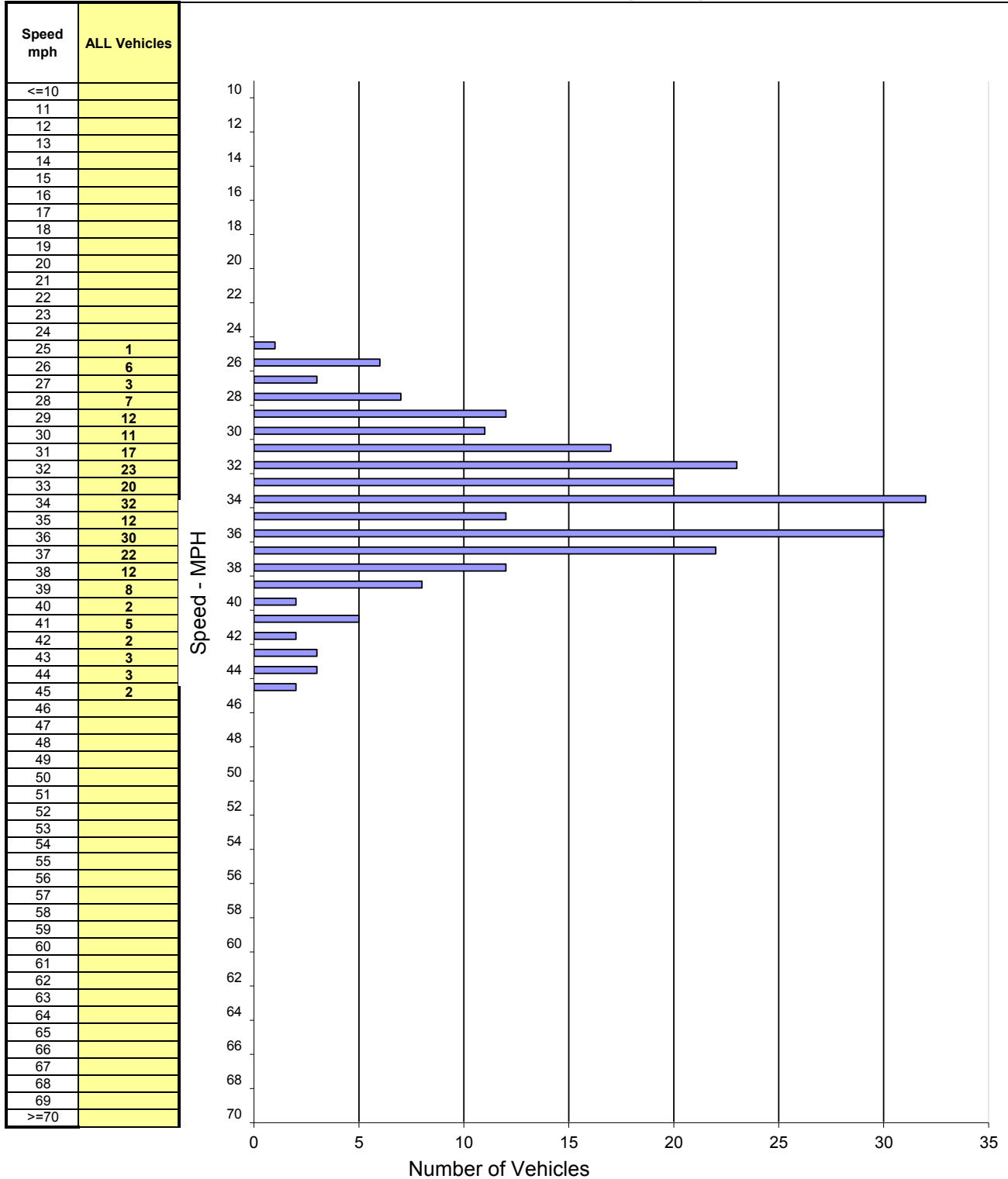
City of Hercules

DATE: 5/17/2017
TIME: 11:30-12:25

Location: Willow Ave Bet. Palm Ave & I-80 ramps
Posted Speed: 40 MPH Clear/Dry

Project #: 17-7448-023

Northbound & Southbound Spot Speeds



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	233	25 - 45	34 mph	38 mph	29 - 38	191	82%	7% / 17	11% / 25

CITY OF HERCULES ENGINEERING AND TRAFFIC SURVEY

15

STREET Willow Avenue
FROM Palm Avenue

CERTIFICATION DATE
TO Sycamore

SPEED FACTORS

Date of Speed Survey	5/16/2017	Posted Speed Limit	40 mph
Time of Speed Survey	1050-12	Speed Justification	
50th Percentile Speed (Mean Speed)	37 mph	MUTCD Option 2	
85th Percentile Speed	41 mph		
Average Speed	mph		
10 mph Pace Speed	32-41		
Percentage of Vehicles in Pace	85	Recommended Speed Limit	40 mph
Number of Survey Samples	179		

COLLISION HISTORY

Number of Years Studied	0 years
Total Collisions	
Statewide Average Collision Rate	Collisions/MVM
Collisions per Million Vehicle Miles	Collisions/MVM

TRAFFIC FACTORS

Average Daily Traffic	8,853	Date Counted	5/30/2012
Number of Lanes	2		
Type of Traffic Control	Signal at Sycamore; Stop at SR-4 ramps		
Crosswalks?	at SR-4 ramps		
Pedestrian Traffic	Light		
Truck Traffic	Light		
On-Street Parking	No		
Sidewalks?	No		
Driveways?	Yes		

ROADWAY FACTORS

Length of Segment	0.700 miles
Width	56 feet
Vertical Curve?	No
Horizontal Curve?	Yes
Visibility	Good
Roadway Conditions	Good
Lighting	Yes
Adjacent Land Use	Transit Ctr, Maint. Yard

Field Study By GL

Checked By

CERTIFICATION: I, Gordon Lum, do hereby certify that this Engineering and Traffic Survey within the City of Hercules was performed under my supervision and is accurate and complete. I am duly registered in the State of California as a Professional Engineer (Traffic).


672 Gordon Lum

12/4/17

Date

TE 1542
State Registration Number

Spot Speed Study

Prepared by: National Data & Surveying Services

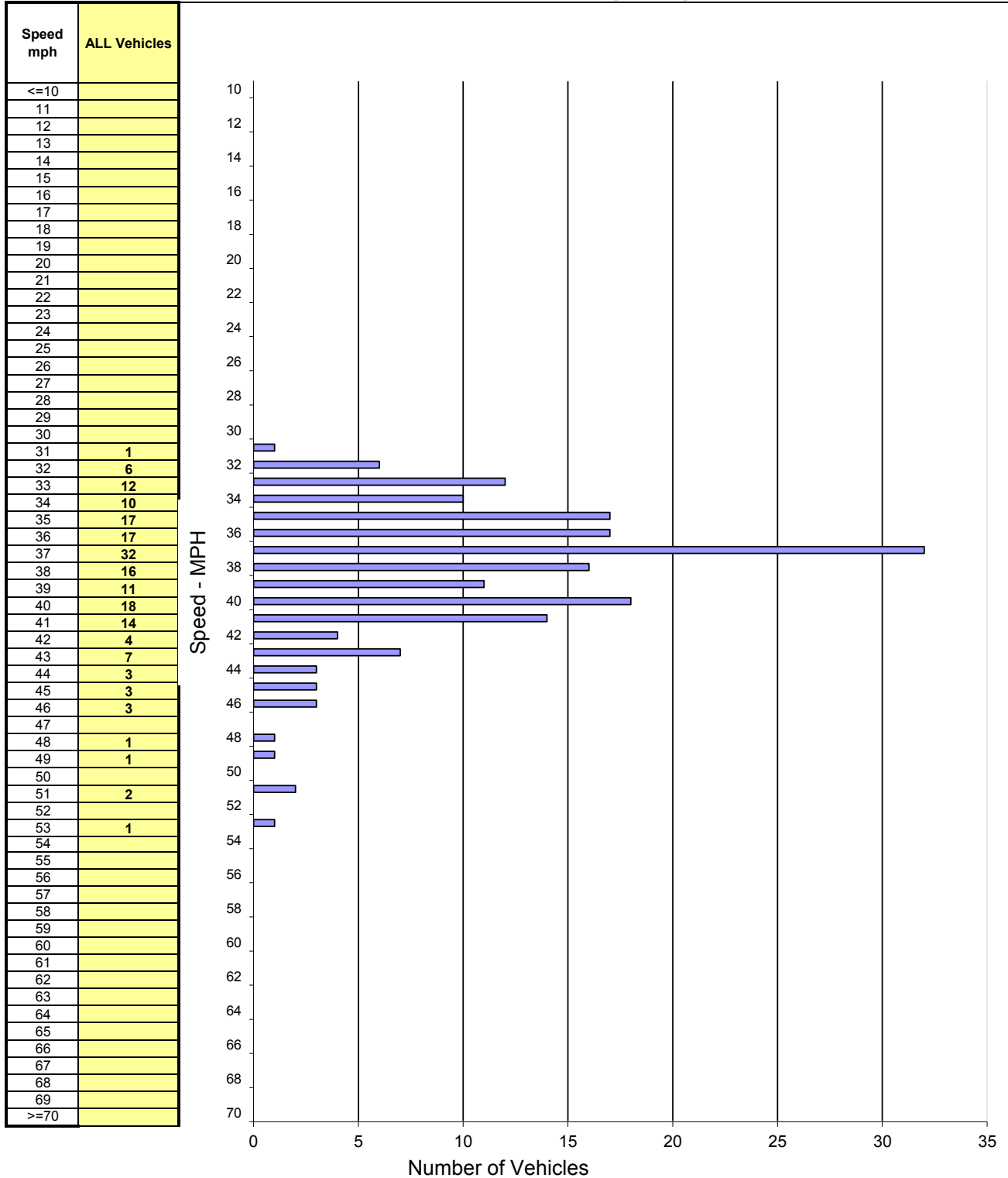
City of Hercules

DATE: 5/16/2017
TIME: 10:50-12:00

Location: Willow Ave Bet. SR 4 & Palm Ave
Posted Speed: Clear/Dry

Project #: 17-7448-022

Eastbound & Westbound Spot Speeds



SPEED PARAMETERS									
Class	Count	Range	50th Percentile	85th Percentile	10 MPH Pace	# in Pace	Percent in Pace	% / # Below Pace	% / # Above Pace
ALL	179	31 - 53	37 mph	41 mph	32 - 41	153	85%	0% / 1	14% / 25

APPENDIX B

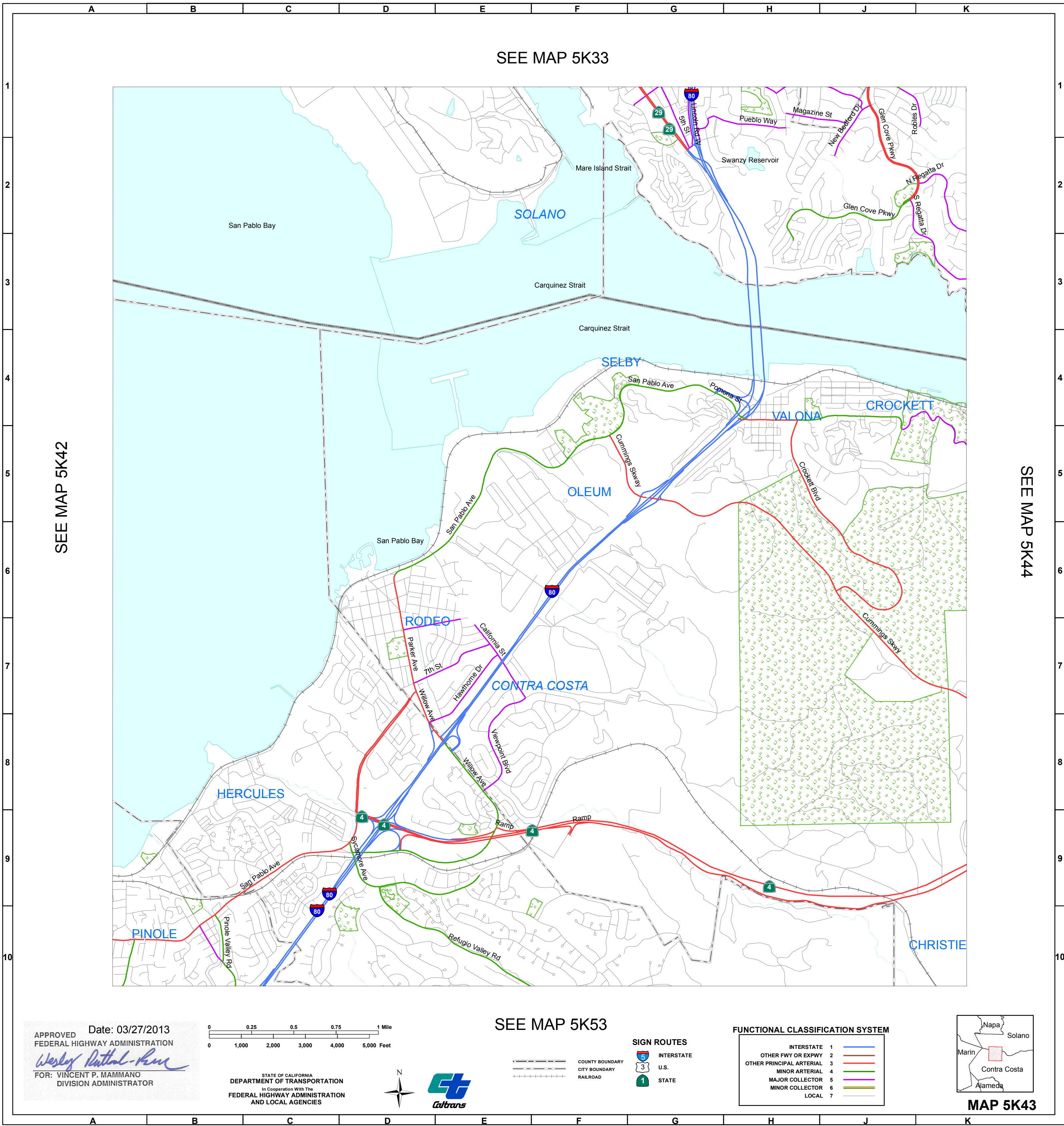
Survey Equipment

SURVEY EQUIPMENT USED

The radar equipment used to collect speed measurements for this survey was a Phantom Type III Hand-Held Traffic Radar manufactured by Astro Products. The calibration of the unit was checked before each series of measurements were taken. Tests of the unit were conducted in accordance with the manufacturer's specifications. The Phantom Type III Hand-Held Traffic Radar was last calibrated on December 16, 2013 by RHF Inc.

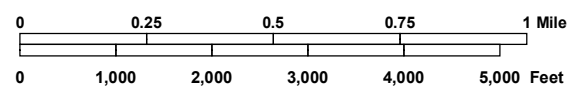
APPENDIX C

California Road System Maps



APPROVED
FEDERAL HIGHWAY ADMINISTRATION
Wesley Rutland-Pearce
FOR: VINCENT P. MAMMANO
DIVISION ADMINISTRATOR

Date: 03/27/2013



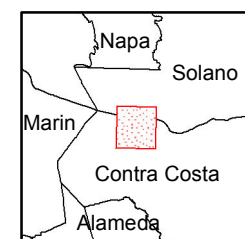
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
In Cooperation With The
FEDERAL HIGHWAY ADMINISTRATION
AND LOCAL AGENCIES



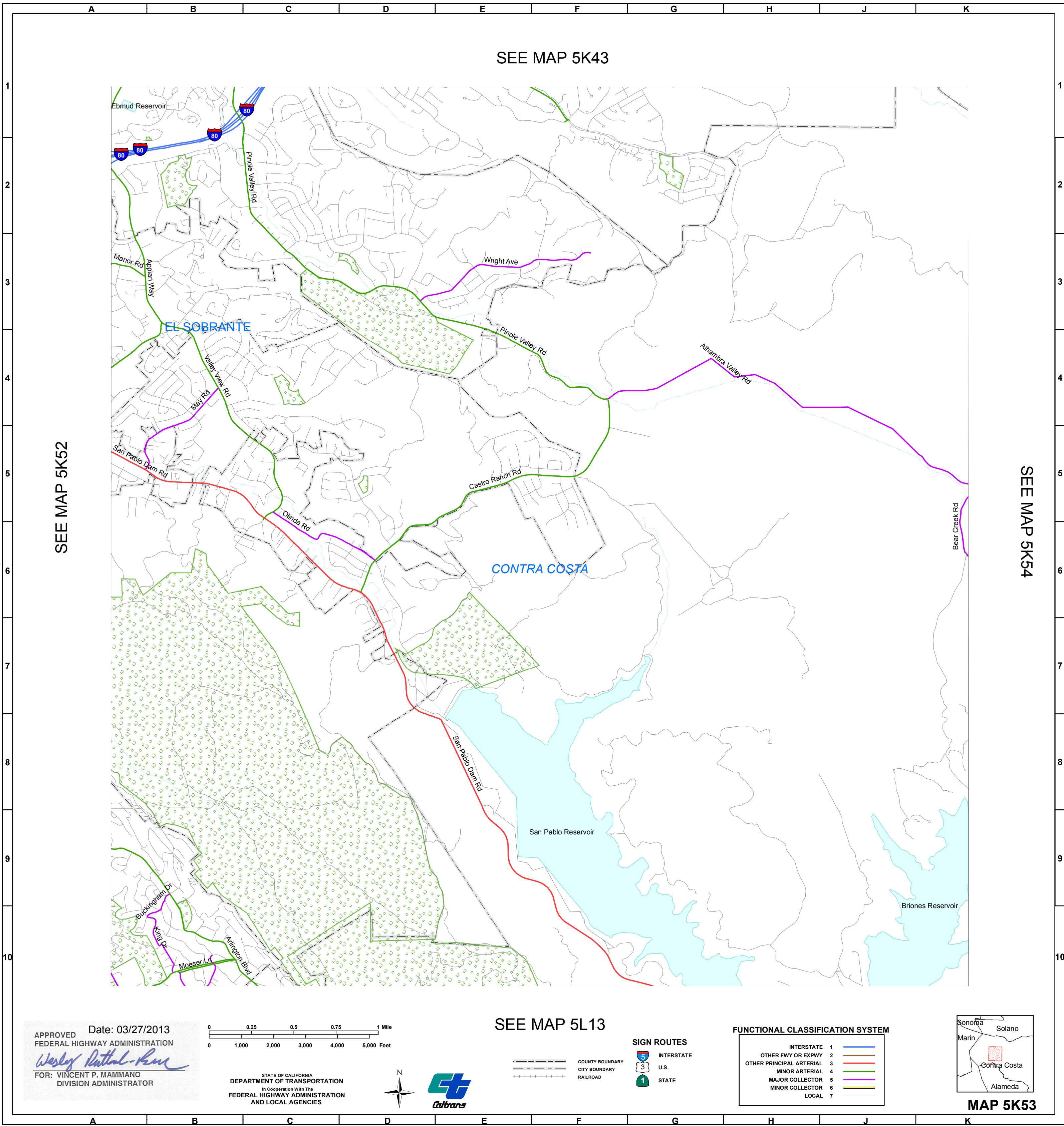
COUNTY BOUNDARY
CITY BOUNDARY
RAILROAD

SIGN ROUTES
INTERSTATE
U.S.
STATE

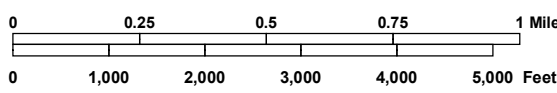
FUNCTIONAL CLASSIFICATION SYSTEM	
INTERSTATE	1
OTHER FWY OR EXPWY	2
OTHER PRINCIPAL ARTERIAL	3
MINOR ARTERIAL	4
MAJOR COLLECTOR	5
MINOR COLLECTOR	6
LOCAL	7



MAP 5K43



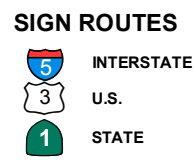
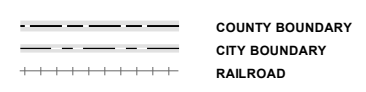
APPROVED Date: 03/27/2013
FEDERAL HIGHWAY ADMINISTRATION
Wesley Rutledge-Pearce
FOR: VINCENT P. MAMMANO
DIVISION ADMINISTRATOR



STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
In Cooperation With The
FEDERAL HIGHWAY ADMINISTRATION
AND LOCAL AGENCIES



SEE MAP 5L13



FUNCTIONAL CLASSIFICATION SYSTEM	
INTERSTATE	1
OTHER FWY OR EXPWY	2
OTHER PRINCIPAL ARTERIAL	3
MINOR ARTERIAL	4
MAJOR COLLECTOR	5
MINOR COLLECTOR	6
LOCAL	7



MAP 5K53



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of December 12, 2017

TO: Members of the City Council

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

SUBJECT: Acceptance of the 2017 Pavement Maintenance Project and Budget Modification

RECOMMENDED ACTION:

Adopt a resolution accepting the 2017 Pavement Maintenance Project contract with O. C. Jones as complete for a total amount of \$694,325.64, authorizing the filing of the Notice of Completion with the Contra Costa County Recorder's Office, and approving a budget modification to incorporate \$140,000 in new SB 1 "The Road Repair and Accountability Act" funding.

FISCAL IMPACT OF RECOMMENDATION:

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

Funding:

SB 1 Funding (<i>New Funding - This Request</i>)	\$140,000
Gas Tax Fund (<i>Reduced by \$140,000 for new SB 1 Funding – This Request</i>)	\$60,000
Measure J Fund	\$68,325
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	\$694,325

Expenditures:

Construction Contract	<u>\$694,325</u>
Total Expenditures	\$694,325

This project was completed for \$694,325, slightly more than the original construction contract of \$689,906 and well below the 10% contingency amount of \$758,896.

The funding modification consists of swapping \$140,000 in new SB 1 funding with gas tax funding, thereby reducing the gas tax funding contribution from \$200,000 to \$60,000. The budget amendment to incorporate the SB 1 funding into the adopted FY17-18 Budget was approved by Council at the October 10, 2017 meeting.

Additionally, it is anticipated approximately \$68,000 will be received from PG&E due to savings from coordinating the slurry seal work with PG&E's scheduled maintenance work, which consisted of trenching for gas service line and main replacements. PG&E agreed to reimburse the City for their share of cost for sealing over their trench patches as a condition of approval for their encroachment permit. The savings will be used to reimburse the Measure J Funds.

DISCUSSION:

The 2017 Pavement Maintenance construction contract was awarded to O.C Jones for the low bid amount of \$689,906 at the June 11, 2017 Council meeting. Work began early September and the project was substantially completed late October.

The Project slurry sealed various streets in Hercules and included asphalt repair, crack sealing, and striping. Specific locations that were slurry sealed are shown on the attached Street Maintenance Location Map and 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. 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.

A similar sized road maintenance project is planned for next summer.

ATTACHMENTS:

1. Resolution
2. Notice of Completion

Financial Impact

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

Funding Source:

Gas Tax Prop 1B Fund No. 262-5432-642.05-20	\$140,000
Gas Tax Fund Fund No. 262-5432-642-05-20	\$60,000
Measure J Fund Fund No. 263-5432-642-05-20	\$68,325
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:	\$694,325	New Revenue:	\$
Amount Budgeted:	\$694,325	Lost Revenue:	\$
New funding required:	\$	New Personnel:	\$
Council Policy Change:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

RESOLUTION NO. 17-

ADOPT A RESOLUTION ACCEPTING THE 2017 PAVEMENT MAINTENANCE PROJECT CONTRACT WITH O. C. JONES AS COMPLETE FOR A TOTAL AMOUNT OF \$694,325.64, AUTHORIZING THE FILING OF THE NOTICE OF COMPLETION WITH THE CONTRA COSTA COUNTY RECORDER'S OFFICE, AND APPROVING A BUDGET MODIFICATION TO INCORPORATE \$140,000 IN NEW SB 1 "THE ROAD REPAIR AND ACCOUNTABILITY ACT" FUNDING

WHEREAS, the 2017 Pavement Maintenance construction contract was awarded to O.C Jones for the low bid amount of \$689,906 at the June 11, 2017 Council meeting; and

WHEREAS, work began early September and the project was substantially completed late October; and

WHEREAS, project includes a funding modification consisting of swapping \$140,000 in new SB 1 funding with gas tax funding, thereby reducing the gas tax funding contribution from \$200,000 to \$60,000; and

WHEREAS, the project was completed for \$694,325, slightly more than the original construction contract of \$689,906 and well below the 10% contingency amount of \$758,896; and

WHEREAS, the project has been completed in substantial compliance with the approved plans and specifications to the satisfaction of the City Engineer; and

WHEREAS, the Notice of Completion must be filed with the Contra Costa Recorder's Office to allow final payment to be made to the contractor.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hercules that the City Council hereby accepts the 2017 Pavement Maintenance Project contract with O. C. Jones as complete for a total amount of \$694,325.64, authorizes the filing of the Notice of Completion with the Contra Costa County Recorder's Office, and approves a budget modification to incorporate \$140,000 in new SB 1 "The Road Repair and Accountability Act" funding

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

AYES:

NOES:

ABSTAIN:

ABSENT:

Chris Kelley, Mayor

ATTEST:

Lori Martin, MMC
Administrative Services Director/City Clerk

Recording Requested By:

When Recorded Mail To:

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

NOTICE OF COMPLETION
Civil Code §§ 8182, 8184, 9204, and 9208

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is the Owner or agent of the Owner of the Project described below.
2. Owner's full name is CITY OF HERCULES.
3. Owner's address is 111 CIVIC DRIVE, HERCULES, CA 94547.
4. The nature of Owner's interest in the Project is:
X Fee ownership Lessee Other: _____
5. Construction work on the Project performed on Owner's behalf is generally described as follows: 2017 PAVEMENT MAINTENANCE PROJECT
6. The name of the original Contractor for the Project is:
O.C. JONES & SONS, INC.
1520 FOURTH STREET, BERKELEY, CA 94710-1774.
7. The Project was completed on: DECEMBER 12, 2017.
8. The Project is located at: MISCELLANEOUS STREETS IN THE CITY OF HERCULES.

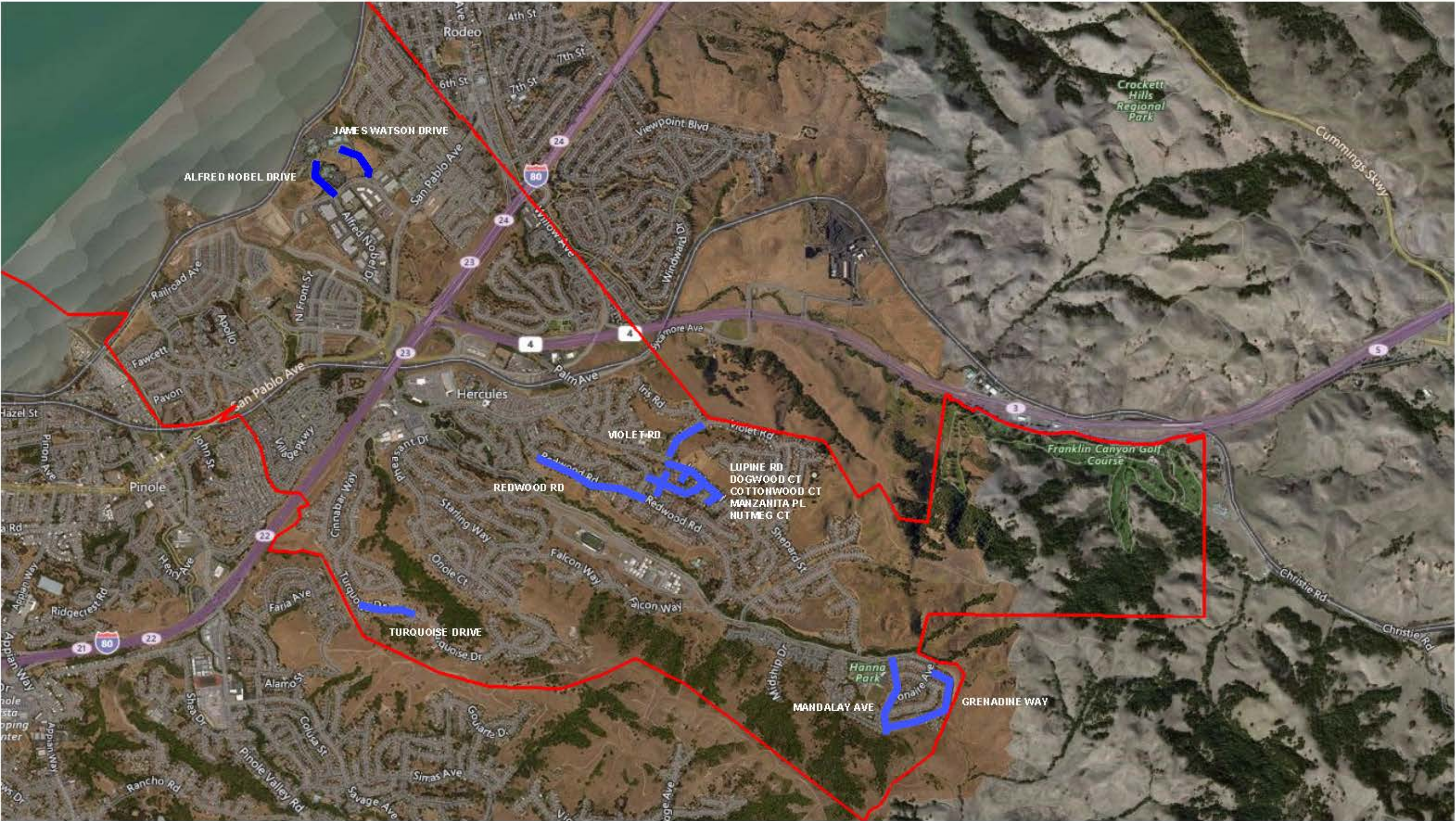
Verification: In signing this document, I, the undersigned, declare under penalty of perjury under the laws of the State of California that I have read this notice, and I know and understand the contents of this notice, and that the facts stated in this notice are true and correct.

Date and Place

Signature of Person Signing on Behalf of Owner

MIKE ROBERTS,
PUBLIC WORKS DIRECTOR/CITY ENGINEER
Print Name and Title

CITY OF HERCULES
2017 PAVEMENT MAINTENANCE PROJECT



LOCATION MAP



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of December 12, 2017

TO: Members of the City Council

SUBMITTED BY: David Biggs, City Manager
Holly Smyth, Planning Director

SUBJECT: Developer Update on Bayfront Project

RECOMMENDATION: Receive Presentation

COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION: Not applicable.
The Planning Commission does conduct design review for each phase of the Bayfront project.

FISCAL IMPACT OF RECOMMENDATION: None as a result of this item.

DISCUSSION: The City and Hercules Development Partners, LLC (with Ledcor as the lead entity) are in the process of implementing the master planned Bayfront project. The first phase on Block N with 172 residential units, ground floor retail, and amenities space has been fully entitled with construction to start just after the first of the year. The developer has submitted an application for the next phase of development on Blocks Q & R which will be advancing to the Planning Commission for design review after the first of the year as well. Hercules Development Partners will be making a presentation to the City Council on the status of the project and their overall vision for implementation of the master plan.

ATTACHMENTS: None



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of December 12, 2017

TO: The Mayor and Members of the City Council

SUBMITTED BY: Holly Smyth, Planning Director
Mike Roberts, Public Works Director

SUBJECT: Municipal Resources Group (MRG) Contract Amendment No. 3 for Planning, Building, and Engineering Project Management Services

RECOMMENDED ACTION:

Adopt a resolution authorizing the City Manager to execute Contract Amendment No. 3 with Municipal Resources Group for an additional \$75,000, for a total contract amount not to exceed \$300,000 (which started as \$75,000, with 2 additional \$75,000 amendments already approved for an existing \$225,000) for continued project management consulting services on development funded projects & programs, general plan related updates, planning related field inspections and conditions of approval verifications, and engineering special assignments as needed to finish out the 2017/18 Fiscal Year.

FISCAL IMPACT OF RECOMMENDATION:

The requested allocation of an additional \$75,000 for the extension of MRG's consulting services is anticipated to be either entirely reimbursable by development funded projects & programs, general plan update fees, building permit fees or from gas tax funds on engineering special assignments. As such, this contract extension will have no impact on the City's General Fund. Accounts that will likely be utilized to fund the proposed \$75,000 contract extension include the following: the City's General Plan Update Fee which is an impact fee collected on all building permits issued in the City, infrastructure funding such as grants utilized to manage the Regional Intermodal Transportation Center or gas tax, and planning application fees and deposits collected from developers that are used to pay for the City's cost to review development projects, and building permit fees.

DISCUSSION:

The City's current contract with MRG for an amount of \$75,000 was originally approved by the City Council in November, 2014 for the purpose of providing a range of services to the City, including planning, property management, and property transfer services. This contract was amended in October 2015 with an additional \$75,000 being allocated. The contract was amended again in February 2017 for an additional \$75,000 for a total of \$225,000. Those earlier services

were provided to the City by the MRG consultant Alan Wolken. In June 2016, Victor Carniglia of MRG replaced Alan Wolken, and Mr. Carniglia is now working for the City under the existing contract.

MRG consultants have the advantage of bringing to a local jurisdiction many years of relevant, progressively responsible municipal experience (over 35 years of such experience in the case of Mr. Carniglia). This assistance has proven to be very beneficial in assisting the City's Planning and Public Works Departments in carrying out day to day, as well as longer range tasks that otherwise would not have been able to be completed in a timely manner, particularly taking into account current staffing levels. Examples of tasks that the City expects MRG to perform under this contract amendment include the following:

- Continue to serve as the Project Manager over the City's comprehensive update of its Circulation Element to ensure successful completion and adoption. Once complete, overseeing a consultant contract to prepare the Transportation Impact Fee Study will also stem from this update.
- Continue to provide Project Manager Services to assist the Planning Director process development applications (which are paid by developer fees) by providing project review and coordination of necessary services to ensure that current and anticipated project applications are reviewed and processed in a comprehensive and timely manner. This currently includes the Bayfront Waterfront applications and the Lorenzeni Auto Service/Mini Storage projects but may include others.
- Continue to provide review on completed portions of the Muir Pointe subdivision prior to final occupancies being issued and ensuring that all the conditions of approval are met for the overall project under the Building Division services.
- Provide Project Manager oversight on the completion of the Queen Anne CEQA documentation, bill-of-sale and relocation of the City-owned structure.
- Begin preparation of the General Safety Element Update and Hazard Mitigation Plan, which will assist the City in qualifying for specific grant funding programs related to improving community safety.
- Perform other planning related tasks as needed at the direction of the Planning Director.
- Prepare competitive grant applications and perform the administrative follow up needed to qualify the City to receive grant funding to implement pedestrian/bike improvements as available funding opportunities are presented.
- Provide ongoing staff assistance working with the East Bay Regional Park District to ensure the City receives the appropriate reimbursements for the Bay Trail and other related projects.
- Provide ongoing coordination for continued progress in the development and ultimate completion of the Hercules Intermodal Transit Center.
- Provide assistance the Public Works Director by performing tasks needed to resolve key

issues as they arise.

It is anticipated that this will be the final amendment of the existing contract and that a new contract would be considered for services starting in 2018/19.

ATTACHMENTS:

Attachment 1 – Resolution

Attachment 2 – Contract Amendment No. 3 for Consulting Services with MRG

Attachment 3 – Scope of Services

Financial Impact

Description:

Consulting services for development funded projects or programs (for Waterfront, Lorenzeni, and other projects), general plan related updates, planning related field inspections, and engineering special assignments with specific line item expenses fluctuating dependent upon actual tasks completed.

Funding Source:

Development Deposit Account Funds

General Plan Update Fund

Building Permit Fees

Sewer Fund

Traffic Development Impact Fee Fund

Gas Tax Fund

Measure J Fund

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"/>		

RESOLUTION NO. 17-

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT NO 3 WITH MUNICIPAL RESOURCES GROUP FOR AN ADDITIONAL \$75,000, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$300,000, FOR CONTINUED PROJECT MANAGEMENT CONSULTING SERVICES ON DEVELOPMENT FUNDED PROJECTS & PROGRAMS, PLANNING RELATED BUILDING INSPECTIONS, GENERAL PLAN RELATED UPDATES AND ENGINEERING SPECIAL ASSIGNMENTS.

WHEREAS, in November 2014 the City Council approved Contract 15-021 with Municipal Resources Group (MRG) for \$75,000 to provide consulting services to the City of Hercules; and

WHEREAS, in October 2015 the City Council approved Amendment No.1 with Municipal Resources Group (MRG) for \$75,000 to provide consulting services to the City of Hercules; and

WHEREAS, in February 2017 the City Council approved Amendment No.3 with Municipal Resources Group (MRG) for \$75,000 to provide consulting services to the City of Hercules; and

WHEREAS, throughout the duration of their contract to date MRG has provided highly skilled and experienced personnel at very competitive rates to assist with development and capital improvement projects; and

WHEREAS, given current staff levels continued consulting services support is needed to process upcoming development projects including multiple phase of the Bayfront Waterfront, Lorenzen Auto Service/Mini Storage, and

WHEREAS, project management consulting services are needed to begin the Traffic Impact Fee Study, following the adoption of the Circulation Element of the General Plan as well as begin the Update to the General Plan Safety Element / Hazard Mitigation Plan; and

WHEREAS, consulting services are needed to carry out Planning related building inspections and verification that conditions of approval for the Muir Pointe project are carried out; and

WHEREAS, consulting services are needed to coordinate the CEQA processing and required transfers to remove the Queen Anne house from the City; and

WHEREAS, consulting services project management support is also needed for special engineering assignments, such as grant management and grant applications as grant opportunities are made available; and

WHEREAS, Municipal Resource Group has the capacity and expertise required to continue to effectively assist City staff; and

WHEREAS, this amendment will be fully funded with development fees, general plan update fees, building permit fees, and gas tax funding.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hercules hereby authorizes the City Manager to execute Contract Amendment No. 3 with Municipal Resources

Group for an additional \$75,000, for a total contract amount not to exceed \$300,000, for continued project management consulting services on development funded projects & programs, general plan updates, planning related field inspections and verification of conditions of approval at the Muir Pointe subdivision as needed and engineering special assignments to carry through to the end of fiscal year 2017/18. The specific budget amounts for specific tasks will be allowed to fluctuate based on actual work tasks completed within this total cap, as precise budget amounts in various categories cannot be precisely estimated.

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

AYES:

NOES:

RECUSED:

Chris Kelley, Mayor

ATTEST:

Lori Martin, MMC
Administrative Services Director/City Clerk

AMENDMENT NO. 3

1. Parties. The parties to this Contract Amendment are the City of Hercules, a public body corporate and the following named Contractor:

Insert Contractor name/address

The parties to this Contract Amendment do mutually agree and promise as follows:

2. Purpose. This Amendment No. 3 is being entered into to amend an existing contract with amendments thereto between the City and Contractor which was approved by the City Council of the City of Hercules on November 25, 2014 by Resolution No. 14-093. Said contract shall hereinafter be referred to as the "Original Contract" and is incorporated herein by reference.

3. Original Contract Provisions. The parties hereto agree to continue to abide by those terms and conditions of the Original Contract, and any amendments thereto, which are unaffected by this Contract Amendment Agreement.

4. Amendment. This Amendment No. 3 is intended to amend the Original Contract and previously approved amendments (collectively, the "Amended Contract") thereto to provide assistance with project management services for additional compensation in an amount not to exceed \$ 75,000, new total contract amount \$ 300,000.

5. Amendment Approval: This Amendment No. 3 is hereby approved by the City Council of the City of Hercules on this 12th day of December, 2017 by Resolution No. 17-_____.

6. Signatures. These signatures attest the parties' agreement hereto:

City of Hercules

Contractor: Municipal Resource Group, LLC
(MRG)

By

By



David Biggs

Title: City Manager

Title: President

Date:

Date: December 5, 2017

Form approved:

By

Patrick Tang, City Attorney

CITY OF HERCULES
PROPOSAL FOR CONSULTING SERVICES FOR THE CITY'S
PLANNING AND PUBLIC WORKS DEPARTMENT ACTIVITIES

MUNICIPAL RESOURCE GROUP, LLC
675 HARTZ AVENUE, SUITE 300
DANVILLE, CA 94526
(925) 314-3889

December 5, 2017





December 5, 2017

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

Subject: Proposal to Provide Continuing Consulting Services for Planning, Building and Public Works Projects and Programs

Dear Mr. Biggs,

Municipal Resource Group is pleased to propose to provide consulting services to assist the City of Hercules on the City's Planning and Public Works Projects and Programs.

Municipal Resource Group (MRG) was founded by broadly experienced municipal professionals. Our consultants have many years of combined hands-on experience working as municipal managers and consultants, providing essential services, insights and support to local governments. MRG has been fortunate to have been involved with a number of City projects in the past and looks forward to being able to assist the City in these matters.

For this assignment, we are offering the services of Victor Carniglia, an experienced planning consultant who has broad experience in the arease of planning and public works. Mr. Carniglia has provided assistance and project management services to the City on a variety of projects and is very familiar with the City's current needs.

If you have any questions, please do not hesitate to call me.

Sincerely,

Mike Oliver, President
Municipal Resource Group, LLC

PROJECT SUMMARY

SCOPE OF SERVICES

Municipal Resource Group proposes to continue its provision of services to the City of Hercules, as summarized in this Scope of Work. The range of services includes Planning and Engineering tasks that are sporadically needed to augment staffing successfully accomplish tasks needed by those departments as work tasks vary. These tasks include, but are not limited to the following:

Planning Related Tasks:

- Continue to serve as the Project Manager over the City's comprehensive update of its Circulation Element to ensure the successful completion and adoption. Once complete, overseeing a consultant contract to prepare the Transportation Impact Fee Study will also stem from this update.
- Continue to provide Project Manager Services to assist the Planning Director process development applications (which are paid by developer fees) by providing project review and coordination of necessary services to ensure that current and anticipated project applications are reviewed and processed in a comprehensive and timely manner. This currently includes the Bayfront Waterfront applications and the Lorenzen Auto Service/Mini Storage projects but may include others.
- Continue to provide review on completed portions of the Muir Pointe subdivision prior to final occupancies being issued and ensuring that all the conditions of approval are met for the overall project under the Building Division services.
- Provide Project Manager oversight on the completion of the Queen Anne CEQA documentation, bill-of-sale and relocation of the City-owned structure.
- Begin preparation of the General Safety Element Update and Hazard Mitigation Plan, which will assist the City in qualifying for specific grant funding programs related to improving community safety.
- Perform other planning related tasks as needed at the direction of the Planning Director.

Public Works Related Tasks:

- Prepare competitive grant applications and perform the administrative follow up needed to qualify the City to receive grant funding to implement pedestrian/bike improvements as available funding opportunities are presented.
- Provide ongoing staff assistance working with the East Bay Regional Park District to ensure the City receives the appropriate reimbursements for the Bay Trail and other related projects.

- Provide ongoing coordination for continued progress in the development and ultimate completion of the Hercules Intermodal Transit Center.
- Provide assistance the Public Works Director by performing tasks needed to resolve key issues as they arise.

Municipal Resource Group is proposing to provide the services of Victor Carniglia to work with City staff, project consultants, legal counsel and involved State and Federal agencies on the tasks described above. Mr. Carniglia has provided professional project development services to the City of Hercules for the past 6 months and is familiar with the *City's* current and upcoming public works and planning needs.

FEE FOR SERVICES AND EXPENSES

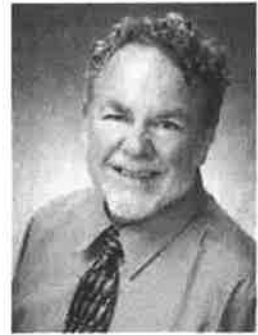
The fee for Mr. Carniglia's services is \$135.00 per hour which includes all costs except mileage reimbursement at the current IRS rate and miscellaneous associated costs incurred at the direction of the City.

This proposal is made on a not to exceed basis of \$75,000.00 *which is anticipated to last through the end of the 2017/18 fiscal year.*

Municipal Resource Group (MRG) will invoice the City of Hercules on a monthly basis for work completed and costs incurred including reasonable and approved out-of-pocket expenses within the scope of services.

Victor Carniglia- Planning Services

Victor Carniglia brings to the Municipal Resources Group a wide range of planning skills and experience, having worked as a planner at the municipal level in a variety of positions and locales. During his 30 plus-year career, Victor has had the opportunity to work on virtually every facet of the planning profession, from leading a number of comprehensive General Plan updates, to serving in the planning "trenches" during the various development "booms" that have swept over California in the past decades.



In addition to his wide range of technical skills, which includes relevant education and experience in fields key to successful planning, including civil engineering, landscape architecture, land use law, and environmental regulations, Victor's focus on identifying and creatively exploring all feasible options and possibilities to ensure a successful project outcome is what sets him apart from other planners with a similar background and career tenure.

Victor began his planning career upon graduating with a Bachelor's degree in Environmental Planning and Management from the University of California, Davis in 1973, at which time he was hired as a planner by the Bechtel Corporation to assist in designing a new town proposed in the Middle East. After working for Bechtel, Victor was presented in 1975 with an opportunity to join the Peace Corps and travel to central Venezuela to fill a challenging position in a mid-sized city by the name of Acarigua. In Venezuela, Victor worked for two years preparing plans and drafting sewer and water infrastructure systems. Upon returning to the United States, Victor was hired by the City of Santa Rosa as an Assistant Planner. His work in Santa Rosa was followed in 1980 by a position with the City of Irvine, where Victor worked as both an Associate and Senior Planner.

Wishing to return to Northern California, Victor was offered a position by the City of Antioch as a Senior Planner in 1985. He accepted that position and was subsequently promoted to Deputy Director of Community Development for that City. In Antioch, Victor found a long-term professional "home," where he served a long and satisfying career lasting just short of 25 years, retiring from the City of Antioch in 2009. After retirement, Victor worked part time for Antioch on a number of special projects from 2009 to 2012. In 2012 Victor joined forces with the Municipal Resources Group.

MUNICIPAL RESOURCE GROUP, LLC

Municipal Resource Group is a full-service consulting firm dedicated to assisting its public sector clients in attaining their policy, management and service delivery goals.

Municipal Resource Group was founded by skilled and broadly experienced municipal professionals. Our principal consultants have over three-hundred years of combined hands-on experience working as municipal managers and consultants, providing essential services, insights and support to local governments and private sector clients. Our consultants' experience includes management positions serving as City Manager, County Executive Officer, Finance Director, Fire Chief, Police Chief, Human Resource Director, Parks and Recreation Director, Community Development Director, Economic Development Director, Library Director and Public Works Director.

Municipal Resource Group develops and implements creative and time-tested solutions to a full-range of local government operations and services. We seek to achieve quick and cost-effective results, with the client's long-term interest as the primary focus of the engagement.

OUR COMMITMENT TO CLIENTS

Results

Quality

Integrity

Independence

Perseverance

CLIENT SERVICES

Municipal Resource Group, LLC provides a broad array of services, which are always tailored to clients' specific needs and requirements.

Resource Development & Utilization

Public Agency Organization Studies; New Cities Establishment; Facilities Development; Public-Private Partnerships.

Financial Analysis and Management Services

Financial Planning and Practices; Fiscal Impact Reviews; Fee Studies; Development Project Feasibility; Development Project Negotiations; Financial Analysis;

Leadership and Organizational Effectiveness

Management and Organizational Evaluations and Assessments; Council and Board/Manager Relations; Strategic Policy Development; Executive Coaching.

Fire Services and Homeland Security

Fire Service Design, Implementation and Operations; Communication System Design, Funding and Implementation; Consolidation Studies; Homeland Security.

Law Enforcement

Police Department Organizational Effectiveness Studies; Consolidation/Coordination of Service Studies.

Public Works

Department Organizational Reviews and Effectiveness Studies.

Human Resource Management & Organizational Development

Personnel System Design/Implementation; Organizational Development/Intervention; Investigations; Analysis of Labor Relations Practices; Negotiation Advisory Services.

Recreation, Parks and Community Services

Parks Master Planning; Recreation Service Design, Development and Operation; Recreation Facility Management, Marketing and Revenue Planning.

Civil Engineering Services

Planning, Civil Engineering and Surveying related to real estate development; Government Facilities Design; Engineering Staff Services provided through CBG Inc.

Library Management Services

Library Service Design, Organization and Implementation; Trends and Service Models; Needs Assessments; Strategic Planning; Governance; Financing; Facility Planning.

Traffic and Transportation Demand Services

Alternate commute solutions, shuttle service design and operation, electric vehicle/bicycle Incentive programs, public and private commute analysis and solution design.

CORE VALUES

Our miSSion is to assist our clients in achieving their goals in a challenging local government environment by providing sound advice, practical solutions and cost-effective services.

Our passion is to preserve our client's values, integrity, and standards and promote their success through our professional services.

Our commitment is to fully satisfy our clients through a continuous process of quality control throughout the client engagement.

Our core values are grounded in our desire to serve our clients.

We seek the facts and provide insight - our many years and breadth of experience provide a clear understanding of local government issues, and enables us to support our clients in a professional manner.

We provide value to our clients - our goal is to provide project deliverables that improve our clients' public services in a cost effective manner.

We respect our clients and their commitment to service - we have served in many public and private sector situations and understand it is essential for us to support our clients' commitment to provide high quality public services.

We are open in our communication - we share information, insight and advice frequently and constructively, to assist our clients in managing tough situations with confidence.

We act with integrity - we seek to uphold the highest professional standards by providing candid advice and sound recommendations.

We continuously seek feedback from our clients - only by constant communication with our clients can we accurately define their needs, monitor our progress in addressing those needs and ensure that our clients are satisfied.

We lead by example - each member of our team is committed to working with our clients in a forthright, professional and efficient manner.

We are committed to our communities - we are responsible corporate citizens and seek to give back to our communities through use of our skills, experience and financial resources.

MUNICIPAL RESOURCE GROUP**CLIENT LIST** (Includes clients of MRG consultants in their former consultant capacities)**PUBLIC AGENCIES**

Alameda County Fair	City of Lathrop
Antioch Unified School District	City of Lincoln
Arroyo Seco Library Network	City of Los Altos Hills
Austin Public Library Foundation	City of Los Angeles Redevelopment Agency
Black Gold Library Authority	City of Loyaltown
Brentwood Chamber of Commerce	City of Manhattan Beach
Brentwood Union School District	City of Manteca
California Park & Recreation Society	City of Marina
California State Library	City of Merced
California Construction Authority	City of Millbrae
Capital Area Development Authority	City of Modesto
Central Contra Costa Sanitary District	City of Morgan Hill
Chester Fire Protection District	City of Mountain View
City and County of San Francisco	City of Napa
City and County of San Francisco Public Utilities Commission	City of Oakland
City of Antioch	City of Oakley
City of Alameda	City of Orinda
City of Albany	City of Oroville
City of Alhambra	City of Pasadena
City of American Canyon	City of Petaluma
City of Atwater	City of Pittsburg
City of Big Bear	City of Placerville
City of Brentwood	City of Pleasant Hill
City of Citrus Heights	City of Pleasanton
City of Clayton	City of Rancho Cordova
City of Clearlake	City of Richmond
City of Cloverdale	City of Rio Vista
City of Concord	City of Rocklin
City of Davis	City of Rohnert Park
City of Dixon	City of Roseville
City of Dublin	City of Sacramento
City of East Palo Alto	City of Salinas
City of Elk Grove	City of San Bruno
City of Eureka	City of San Leandro
City of Fairfield	City of San Luis Obispo
City of Fillmore	City of San Mateo
City of Folsom	City of San Rafael
City of Fort Bragg	City of San Ramon
City of Galt	City of Santa Cruz
City of Goleta	City of Santa Monica
City of Half Moon Bay	City of Santa Rosa
City of Hercules	City of South Pasadena
City of Hollister	City of South Lake Tahoe
City of Lafayette	City of South San Francisco
	City of Stockton

City of Thousand Oaks	Gwinnett County Public Library
City of Ukiah	Imperial County Library
City of Vacaville	International Association of Fire Chiefs
City of Vallejo	Knightsen School District
City of Walnut Creek	Lammersville School District
City of West Sacramento	Liberty Union High School District
City of Wheatland	Livermore Pleasanton Fire District
City of Yuba City	Madera District Fair
Contra Costa Community College District	Marin Municipal Water Agency
Cordova Recreation and Park District	Mountain House Community Services District
County of Alpine	Mountain Valley Library System
County of Amador	Oakley Union School District
County of Calaveras	Pacific Library Partnership
County of Contra Costa	Peninsula Library System
County of Colusa	Rio Linda Elverta Recreation & Park District
County of El Dorado	Risk Management Authority
County of Marin	Sacramento County Retirement Agency
County of Placer	Sacramento Housing and Redevelopment Agency
County of Sacramento	Sacramento Public Library Authority
County of San Joaquin	San Mateo County Library
County of Solano	San Ramon Valley Unified School District
County of Sutter	Service Employees International Union
County of Yolo	Solano County Transit Authority
County of Yuba	Stockton East Water District
Cooperative Personnel Services	Stanislaus County Council of Governments
Council of California County Law Librarians	State of California, Department of Food and Agriculture, Fairs and Expositions
Crockett Community Services District	Town of Colma
Diablo Water District	Town of Discovery Bay
Diablo San Ramon Sanitary District	Town of Loomis
Delta Counties Coalition	Travis Unified School District
Delta 2000, Regional Resource Agency	Truckee Donner Public Utility Department
East Bay Regional Park District	University of California - Santa Cruz
East Bay Regional Communications System Authority	Yorba Linda Public Library
East Contra Costa Irrigation District	Yuba County Water Agency
East Quincy Community Services District	Water Emergency Transit Authority
El Dorado Irrigation District	Zone 7 Water Agency
El Dorado Hills CSD	
Fresno Unified School District	

PRIVATE AND NON-PROFIT CLIENTS

Arcadia Homes	Lewis, Bisbois, Bisgaard and Smith Law Firm
Best Best and Krieger Law Firm	Liebert Cassidy Whitmore Law Firm
Callahan Property Company	MAS/Nearon
Community Medical Centers	Meyers Nave Law Firm
Economic and Planning Systems	Pacific Development Group
Foundation for the Retarded of the Desert	Raney Planning & Management, Inc.
Fraser & Associates	RCHGroup
Friends of the Truckee Library	TPC
Habitat for Humanity Diablo Valley Chapter	The Kivelstadt Group
Kikkoman	Volunteers of America



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of December 12, 2017

TO: Members of the City Council

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

SUBJECT: Commission Appointments

RECOMMENDED ACTION:

Consider making appointments to Hercules Boards and Commissions, make appointments for either vacancies that have occurred or for the start of new terms.

FISCAL IMPACT OF RECOMMENDATION:

There is no fiscal impact associated with this item.

DISCUSSION:

The City's Commissions (listed below) have seats with term expirations of December 31, 2017 and in addition the Finance Commission and the CLSC have vacant seats with unexpired terms. The City conducted a recruitment for applicants to fill the new terms and vacancies. The application deadline for applicants was November 15, 2017. The City Council held a Special Meeting to conduct interviews on November 28, 2017.

Planning Commission – Two (2) Vacancies with terms ending December 2019

The Planning Commission meets the first and third Mondays of every month at 7 p.m. The Commission is advisory to the Council and has statutory duties imposed by State law.

City Council interviewed the following applicants: Ronald Ardissoone, Susan Tolley, and Hector Rubio.

Applicants not able to attend the interview: Chandrim Sharma.

Finance Commission – Two (2) Vacancies with terms ending December 2019, One (1) Vacancy for an unexpired term ending December 31, 2018

The Finance Commission meets the fourth Monday of every month at 7 p.m. The Commission is advisory to the Council.

City Council interviewed the following applicants: Aida Torres, Lori Risby.

Applicants not able to attend the interview: Judy Yamamoto.

Applicant Paul Freese withdrew his application.

Community & Library Services Commission – One (1) vacancy with a term ending December 31, 2019, One (1) Student Commissioner seat with a term ending December 31, 2019 , one (1) Vacancy with an unexpired term ending December 31, 2018.

The Community and Library Services Commission meets on the second Monday of every month at 7:00 p.m. The Commission is advisory to the Council.

City Council interviewed the following applicants: Nina Nguyen, Evangelia Ward-Jackson.

Applicants not able to attend the interview: Judy Yamamoto, Armann Kaur.

Applicant Latiana Reed was scheduled for an interview but did not show for the interview.

ATTACHMENTS:

None.



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of December 12, 2017

TO: Members of the City Council

SUBMITTED BY: David Biggs, City Manager
Mike Roberts, Public Works Director

SUBJECT: Landscape & Lighting Assessment District Options

RECOMMENDATION: Receive Report, Discuss, and provide Direction, if any.

COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION: Not applicable.

FISCAL IMPACT OF RECOMMENDATION: None as a result of this item though the need to address operating deficits, cumulative deficits, and the cost of streetlight replacement remains an urgent matter in a number of the Zones in the Landscape & Lighting District No. 83-2.

DISCUSSION: The City Council received and discussed an update on Landscape & Lighting Districts at the November 14, 2017 meeting (Attachment 1 – Staff Report from November 14, 2017). This report was provided in follow-up to the mostly unsuccessful effort earlier this year to increase assessments in a number of Zones.

On November 14th, one of the items which the City discussed was the option to undertake the Proposition 218 process to have the assessments increased to address the highest priority needs of eliminating operating deficits, cumulative deficits, and street light replacement. The Council requested that staff return with information about the timing and costs to undertake this process again possibly in 2018 or 2019.

The Zones which need to be addressed are:

Zone/ <i>Current Assessments</i>	Operating Deficit	Cumulative Deficit	Streetlight Replacement	Notes
Zone 1 Hercules by the Bay \$58.24 per year/\$4.85 month	Yes	Yes	Yes	
Zones 3 & 4 The Gems/Birds \$74.92 per year/\$6.24 month	Yes	No	Yes	Has an operating deficit being covered by reserves for this year.
Zone 6 Village Parkway \$28.33 per year/\$2.36 month	Yes	Yes	Yes	Existing assessments cover less than 1/3 rd of the annual operating costs.
Zone 7 Heights \$69.34 per year/\$5.78 month	No	No	Yes	Available capital reserves to be applied towards a Pilot Streetlight Replacement Project.
Zone 9 Birds and Country Run \$83.34 per year/\$6.95 month	No	Yes	No	Has a small positive operating surplus which if sustainable could eliminate the cumulative deficit over 15 years +/-.

Below is a tentative schedule should you decide to proceed with the Prop. 218 process for FY 2018-19:

January and February 2018 –	Perform assessment rates analysis, obtain approval from City Council and Finance Commission as necessary, and begin Public Outreach efforts
March 14, 2018 –	Resolution of Initiation
March 15, 2018 –	Assessment Engineer to provide City staff with Preliminary Engineer's Reports
March 28, 2018 –	Resolution of Intention
April 27, 2018 –	Mail Notices/Ballots (minimum of 45 days prior to the Public Hearing)
May 11, 2018 –	Final Engineer's Reports for Public Hearing
June 12, 2018 –	Public Hearing
June 13, 2018 –	Tabulate Ballots
June 15, 2018 –	Revised Final Engineer's Reports for Continued Public Hearing (includes assessment rates per results of Ballot Tabulation)
June 26, 2018 –	Continued Public Hearing (Declare Results of Election) and approve FY 2018-19 Revised Final Engineer's Report/Assessments

Each year we do have to undertake the normal renewal process with a CPI inflator, and that process generally costs approximately \$24,000 which is already budgeted. The estimated incremental cost for the Assessment Engineer to undertake the Prop 218 process for the four or five Zones discussed above is between \$20,000 and \$24,000. These costs are not budgeted and a funding source would need to be identified.

There are additional elements or activities which can and perhaps should be done as part of any Prop 218 process. Elements of these additional activities could be done in January and February and concurrent with the other formal steps outlined above.

The above schedule does not include polling, which may be desirable before proceeding, or additional public education and outreach. This year, the cost of having a firm assist us with the public education and outreach materials was just over \$30,000, though that did not include any polling. The estimated cost of a professional poll would be \$25,000 to \$30,000. The City would have to be prepared to grapple with the possibility that the polling results would indicate support for assessment increases which would not provide the resources required to eliminate the operating deficits, cumulative deficits, and/or allow for streetlight replacement. Though it would allow for more informed decision making nonetheless.

As identified above, polling may help refine how the proposed assessment increases would need to be packaged to ensure an understanding of the need. The estimated cost of having a firm assist us with another education and outreach effort building off of this year's efforts is a minimum of \$15,000, plus \$6,000 to \$8,000 for graphics support. In addition, the cost to produce each mailing, with three or four being optimal, would be approximately \$1,500 each or another \$6,000. These costs are also not budgeted and a funding source would need to be identified.

It is important to note that the use of public resources is limited to education and outreach. No public funds can be used for advocacy. As with any "election" type of effort, success is most likely when elected officials and community members advocate for the measures using their time and resources. As such, if the Council were to embark on another Proposition 218 effort, efforts to develop advocacy groups would need to be undertaken by elected officials and community leaders.

The City is also committed to ensuring that the services provided by the Landscape & Lighting Assessment Districts are being provided in a cost effective manner. Recently, the City Council approved a major tree inspection and maintenance contract to address some deferred maintenance issues with the trees in the Districts and Zones. In addition, the Public Works Department has restructured how the landscape maintenance contracts are being managed and overseen. A staff member has been assigned to regularly review the work being done with a check-list and regular meetings with the contractor.

An additional item of discussion on November 14th was the proposal to undertake a pilot streetlight replacement project in those Zones which have the funds available or which can afford to finance the replacements, or where a portion of the streetlights could be replaced with available reserves. Staff has been working to advance that effort.

The Pilot will see streetlights replaced as follows:

Zone	Lights Needing Replacement	Lights to be Replaced	Funding Approach
Zone 2 Foxboro	38	38	Estimated Total Cost: \$133,000 Reserves Available: \$29,966 Balance to be internally financed
Zone 5 C Commercial	2	2	Estimated Cost: \$7,000 To be internally financed
Zone 7 Heights	129	24 Coronado and Carson Streets	Estimated Total Cost: \$451,500 Partial Replacement Cost: \$84,000 Reserves Available: \$83,991

The replacement Streetlights which meet PG & E's standard for the City-owned and PG & E maintained lights, and those which match the others in the City, are available from a single manufacturer. The manufacturer advises that once ordered, the replacement poles and fixtures will be available in six to eight weeks. The City has two options as to how to proceed with the Pilot streetlight replacement project:

Turnkey Contract

On this basis, the City would develop bid specifications and solicit bids from contractors who would procure the new street lights, remove the existing streetlights, and install the new streetlights. Most likely, this option would be 20-30% more costly as the contractors would purchase through a distributor who add a mark-up on the streetlights and not directly from the manufacturer. However, it would have the contractor fully responsible for the completion of the project and they would provide a contractor warranty for the work in addition to the manufacturer warranty. It would also involve a single staff procurement effort and the City would look to only one party for successful completion of the project.

Direct Purchase

For this option, the City would purchase the lights directly from the manufacturer under their direct purchase program which the City has participated in before. The lights and fixtures would be ordered and once received, stored at the Corporation Yard until a contract for the removal of the old streetlights and the installation of the new streetlights could be bid and awarded. These efforts would be timed to try to ensure the replacement lights are not stored for a long period of time.

City staff have consulted with the City Attorney's Office in regard to the pros and cons of each approach. While the turnkey contract approach is likely to involve less risk if the project has performance issues or disputes, the possible cost savings and the nature of the project has resulted in staff deciding to utilize the direct purchase approach. To ensure success with this approach, resources will have to be utilized to ensure good management of the project and regular inspections as the project proceeds. In addition, the pilot project will flesh out what rebates may be available and what operating cost savings may be generated once completed and placed into operation. The Council has indicated a preference to have the Pilot Streetlight Replacement Project completed before any Prop 218 process were undertaken. Realistically, that may be difficult to do for a Prop 218 process in 2018, but most certainly could be completed well before a 2019 process.

ATTACHMENTS:

1. November 14, 2017 Staff Report



STAFF REPORT TO THE CIT COUNCIL

DATE: Regular Meeting of December 12, 2017

TO: Members of the City Council

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

SUBJECT: FY 2017-18 First Quarter Budget Review and Forecast

RECOMMENDED ACTION:

Receive a report on the FY 2017-18 First Quarter Budget Review and Forecast.

COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:

This report was presented to the Finance Commission on November 16, 2017.

FISCAL IMPACT OF RECOMMENDATION:

The discussion section below gives a synopsis of the FY 2017-18 First Quarter Report for the General Fund and Wastewater Fund.

DISCUSSION:

The purpose of the First Quarter FY 2017-18 Budget Review is to determine if the City's revenues and expenditures for the first quarter is approximately at the 25 percent mark. Departments are charged to operate within their adopted budgets, to utilize already appropriated funding, and to manage within their overall budget.

The First Quarter FY 2017-18 budget report summarizes the City's general fund and wastewater fund's overall financial position for the fiscal year through September 30, 2017. The City's overall revenue and expenditure will be discussed in greater detail during the Mid-Year Budget Review scheduled for Council consideration in February 2018.

With 25 percent of the year complete, General Fund revenues and expenditures are on track with the budgeted amount.

GENERAL FUND

The chart on the next page shows the FY 2016-17 budget, encumbrances, YTD Actuals for the first quarter, Balance, Percentage Collected and Expended, and the Year-End Estimate for the General Fund.

CITY OF HERCULES
FY17-18 FIRST QUARTER REVENUE AND EXPENDITURE REPORT
GENERAL FUND - 25% OF FISCAL YEAR LAPSED

TYPE	Fund Description	Activity Basic Account Description	Activity Sub Account Description	Budget	Encumbrances	YTD Actuals	Balance	% Collected/ Expended	FY17-18 YE Estimate	Note
1. REV	GENERAL FUND	TAXES	BUSINESS LICENSE FEES	187,377		7,563	179,815	4%	188,000	1
			DOCU TRANSFER TAX	118,208		29,162	89,046	25%	116,649	
			FRANCHISE	788,114		191,309	596,805	24%	765,235	
			PROPERTY TAXES	1,377,367		659	1,376,708	0%	1,378,000	2
			SALES AND USE TAX	3,223,701		776,004	2,447,697	24%	3,104,016	
			TRANSIENT OCCUPANCY TAX	9,000		3,517	5,483	39%	14,069	3
			UTILITY USERS TAX	3,538,197		909,218	2,628,979	26%	3,636,873	
		INTERGOVERNMENTAL	STATE/COUNTY	1,791,105		10,845	1,780,260	1%	1,792,000	4
		LICENSES & PERMITS	BUILDING FEES	410,200		160,367	249,833	39%	411,000	
			ENGINEERING FEES	12,269		105	12,164	1%	13,000	
		FINES & FORFEITURES	VEHICLE CODE FINES	20,000		13,250	6,750	66%	53,001	5
		USE OF MONEY & PROPERTY	CELL TOWER	106,500		22,856	83,644	21%	107,000	
			INTEREST INCOME	181,500		19,250	162,251	11%	182,000	
			LEASE PAYMENT	37,500		9,035	28,465	24%	36,140	
		CHARGES FOR SERVICES	PLANNING SERVCS	19,166		4,727	14,439	25%	18,909	
			POLICE SERVICES	420,887		111,011	309,876	26%	444,043	
			RECREATION SERVICES	1,497,500		478,157	1,019,343	32%	1,500,000	6
		MISCELLANEOUS REVENUE	MISC REIMBURSEMENTS	331,698		83,013	248,686	25%	332,050	
			MISCELLANEOUS REVENUE	172,349		125,255	47,094	73%	173,000	7
		TRANSFERS IN	TRANSFERS IN	110,000		0	110,000	0%	110,000	8
1. REV Sum				14,352,638		2,955,302	11,397,336	21%	14,374,987	
2. EXP	GENERAL FUND	SALARIES AND BENEFITS	SALARIES AND BENEFITS	2,694,806	0	672,606	2,022,200	25%	2,555,902	
			SALARIES AND WAGES	5,890,355	0	1,692,011	4,198,344	29%	5,891,000	9
		SERVICES	ADMINISTRATIVE SERVICES	136,672	(370)	37,435	99,607	27%	149,369	
			INSURANCE SERVICES	624,148	0	462,805	161,343	74%	624,148	10
			MISCELLANEOUS SERVICES	763,850	1,209	41,407	721,234	5%	764,000	
			PROFESSIONAL SERVICES	2,030,862	66,261	206,285	1,758,316	10%	2,031,000	
			RENTS	1,011,820	0	215,645	796,175	21%	1,012,000	
			REPAIR & MAINT	229,491	76,371	86,401	66,719	38%	229,491	
			SEMI-PROFESSIONAL SERVICE	10,500	0	2,680	7,820	26%	10,719	
			UTILITY SERVICES	277,022	0	32,535	244,487	12%	278,000	11
		OFFICE EXPENSES	MAINTENANCE SUPPLIES	107,880	15,524	35,197	57,159	33%	107,880	
			OFFICE	41,814	2,703	7,007	32,104	17%	30,730	
			OPERATING SUPPLIES	136,805	0	30,563	106,242	22%	122,253	
		OTHER EXPENSES	CHARGEBACK	(5,227)	0	(9,106)	3,879	174%	(9,106)	
			OTHER MISCELLANEOUS EXP	257,352	0	94,090	163,262	37%	257,352	12
		CAPITAL OUTLAY	FIXED ASSETS	559,000	0	13,600	545,400	2%	559,000	13
			IMPROVEMENTS	150,000	0	250,000	(100,000)	167%	250,000	14
		INTERFUND/ALLOC/TRANSFERS	ALLOCATED COSTS	898,382	0	225,096	673,286	25%	898,382	
		TRANSFERS OUT	TRANSFERS OUT TO	847,366	0	50,000	797,366	6%	847,366	15
2. EXP Sum				16,662,898	161,698	4,146,256	12,354,944	25%	16,609,486	
LESS ONE TIME EXPENDITURE AND COUNCIL APPROVED ITEMS FROM BUDGET BALANCING SPREADSHEET							(2,808,422)		(2,808,422)	
EXCESS (DEFICIENCY)							1,850,815		573,923	

The majority of General Fund revenue comes from taxes in the following categories:

- Business License Fees
- Document Transfer Tax
- Franchise
- Property Taxes
- Transient Occupancy Tax
- Utility Users Tax

General Fund - Revenue Analysis

1. The Business Licenses revenues collected is only 4% in the first quarter as most of the business licenses are usually collected in the third quarter of the year.
2. Taxes are received in December (55%), April (40%), and June (5%) of each fiscal year.
3. The Transfer Occupancy Tax (TOT) collected in the first quarter is at 39%. There is an increased in TOT payments in this fiscal year.
4. Taxes are received in December (55%), April (40%), and June (5%) of each fiscal year.
5. The Fines & Forfeiture for Vehicle Code Fines revenue collected is at 66% in the first quarter due to the addition of a ½ time Enforcement Officer and increased parking enforcement activities.
6. The Parks and Recreation revenue collected is at 32% in the first quarter as most parks and recreation revenues are received in the first quarter of each fiscal year.
7. The Miscellaneous revenue received is at 73% in the first quarter due to a revenue being posted to general fund instead of the Facility Maintenance fund. The \$68,464 revenue will be moved to the Facility Maintenance Fund in the second quarter.
8. The transfers in will be completed at the fiscal year end.

General Fund - Expenditure Analysis

9. The Salaries and Wages in the first quarter are at 29%, which is slightly higher than 25%, due to the one-time retention payment and the increase in salaries and benefits incurred in July 2017.
10. The Insurance Services amounts are at 74% in the first quarter due to the fact that most of the annual insurance premiums are due in the first quarter of each fiscal year.
11. The utility services are at 12% in the first quarter since only two months of utility bills have been received and processed in the first quarter.
12. The Other Miscellaneous expenditures are at 37% in the first quarter but is projected to stay within the budget of \$257,352 at the fiscal year end.
13. The Capital Outlay for Fixed Asset amount is at 2% in the first quarter but is projected to be spent 100% by fiscal year end.
14. The Capital Outlay Improvement item will need a budget adjustment as part of the \$100K was a carryforward from FY16-17.
15. The Transfers Out of \$847,366 will be transferred at the end of the fiscal year.

WASTEWATER FUND

The following chart shows the FY 2017-18 budget, encumbrances, YTD Actuals for the first quarter, Remaining Balance, Percent Collected/Expended, and the Year End Estimate for the Wastewater Fund.

CITY OF HERCULES FY17-18 FIRST QUARTER REVENUE AND EXPENDITURE REPORT WASTEWATER FUNDS - 25% OF FISCAL YEAR LAPSED

TYPE	Fund Description	Activity Basic Account Description	Activity Sub Account Description	Budget	Encumbrances	YTD Actuals	Balance	% Collected/Expended	FY17-18 YE Estimate	Note
1. REV	SEWER ENTERPRISE FUN	USE OF MONEY & PROPERTY	INTEREST INCOME	24,895		10,667	14,228	43%	24,895	
		CHARGES FOR SERVICES	SEWER SERVICES	5,790,870		3,750	5,787,120	0%	5,790,870	1
		TRANSFERS IN	TRANSFERS IN	16,000,000		0	16,000,000	0%	16,000,000	2
1. REV Sum				21,815,765		14,417	21,801,348	0%	21,815,765	
2. EXP	SEWER ENTERPRISE FUND	SALARIES AND BENEFITS	SALARIES AND BENEFITS	145,854	0	49,690	96,164	34%	188,823	3
			SALARIES AND WAGES	331,020	0	109,130	221,890	33%	414,696	4
		SERVICES	ADMINISTRATIVE SERVICES	5,500	0	0	5,500	0%	6,000	
			MISCELLANEOUS SERVICES	4,862	1,862,000	0	(1,857,138)	0%	1,862,000	
			PROFESSIONAL SERVICES	2,242,000	5,903	8,428	2,227,669	0%	14,331	5
			REPAIR & MAINT	55,000	0	18,166	36,834	33%	72,664	6
			UTILITY SERVICES	74,000	5,000	23,321	45,679	32%	98,283	7
		OFFICE EXPENSES	MAINTENANCE SUPPLIES	4,000	0	740	3,260	19%	2,961	
			OPERATING SUPPLIES	1,500	0	448	1,052	30%	1,793	
		OTHER EXPENSES	CHARGEBACK	7,000	0	0	7,000	0%	7,000	
		CAPITAL OUTLAY	DEPRECIATION	31,292	0	120,985	(89,693)	387%	483,940	8
			IMPROVEMENTS	16,640,000	5,000	0	16,635,000	0%	16,640,000	9
		DEBT SERVICE	DEBT SERVICE	734,950	0	240,675	494,275	33%	735,000	
		INTERFUND/ALLOC/TRANSFERS	ALLOCATED COSTS	47,326	0	11,832	35,495	25%	47,326	
			INTERFUND CHARGES	129,831	0	32,458	97,373	25%	129,831	
		TRANSFERS OUT	TRANSFERS OUT TO	260,000	0	0	260,000	0%	260,000	10
2. EXP Sum				20,714,135	1,877,903	615,873	18,220,359	3%	20,964,647	
EXCESS/(DEFICIENCY)				1,101,630	(1,877,903)	(601,456)	3,580,989		1,101,630	

Wastewater Fund - Revenue Analysis

1. The Charges for Services for the Sewer Enterprise Fund received in December (55%), April (40%), and June (5%) with the property taxes.
2. The transfers in from other sources will be process at the fiscal year end.

Wastewater Fund - Expenditure Analysis

3. The salaries and benefits are at 34% in the first quarter. The FY17-18 year-end estimate is \$188K. An additional \$43K would be needed to cover the increase in salaries and benefits during the mid-year budget adjustment.
4. The salaries and wages are at 33% in the first quarter. The FY17-18 year-end estimate is \$414K. An additional \$83K would be needed to cover the increase in salaries and wages during the mid-year budget adjustment.
5. The Miscellaneous Services and Professional Services accounts should be rolled up and looked at on the aggregate level. The year-end estimate for both expenditure accounts are expected to be below the budgeted amounts.
6. The Utility Services are at 32% in the first quarter. The FY17-18 year-end estimate is \$98K. An additional \$24K would be needed to cover the increase in Utility Services costs during the mid-year budget adjustment.
7. The Utility expenses are at 33% in the first quarter. The FY17-18 year-end estimate is \$414K. An additional \$83K in appropriation would be needed to cover the increase in salaries and wages during the mid-year budget adjustment.
8. The Capital Outlay Depreciation expenses budget need to be adjusted during the midcycle. The budgeted amount in depreciation expense is \$31K and should be increased to \$483K during the midcycle process as there will be more depreciation expenses being captured by the end of the fiscal year.
9. The Capital Outlay Improvements expenses are projected to be on track at the end of the fiscal year.
10. The transfers out of \$260K from the Wastewater fund will be completed at the end of the fiscal year.

CITY OF HERCULES
FY17-18 FIRST QUARTER REVENUE AND EXPENDITURE REPORT
GENERAL FUND - 25% OF FISCAL YEAR LAPSED

TYPE	Fund Description	Activity Basic Account Description	Activity Sub Account Description	Budget	Encumbrances	YTD Actuals	Balance	% Collected/ Expended	FY17-18 YE Estimate	Note
1. REV	GENERAL FUND	TAXES	BUSINESS LICENSE FEES	187,377		7,563	179,815	4%	188,000	1
			DOCU TRANSFER TAX	118,208		29,162	89,046	25%	116,649	
			FRANCHISE	788,114		191,309	596,805	24%	765,235	
			PROPERTY TAXES	1,377,367		659	1,376,708	0%	1,378,000	2
			SALES AND USE TAX	3,223,701		776,004	2,447,697	24%	3,104,016	
			TRANSIENT OCCUPANCY TAX	9,000		3,517	5,483	39%	14,069	3
			UTILITY USERS TAX	3,538,197		909,218	2,628,979	26%	3,636,873	
		INTERGOVERNMENTAL	STATE/COUNTY	1,791,105		10,845	1,780,260	1%	1,792,000	4
		LICENSES & PERMITS	BUILDING FEES	410,200		160,367	249,833	39%	411,000	
			ENGINEERING FEES	12,269		105	12,164	1%	13,000	
		FINES & FORFEITURES	VEHICLE CODE FINES	20,000		13,250	6,750	66%	53,001	5
		USE OF MONEY & PROPERTY	CELL TOWER	106,500		22,856	83,644	21%	107,000	
			INTEREST INCOME	181,500		19,250	162,251	11%	182,000	
			LEASE PAYMENT	37,500		9,035	28,465	24%	36,140	
		CHARGES FOR SERVICES	PLANNING SERVCS	19,166		4,727	14,439	25%	18,909	
			POLICE SERVICES	420,887		111,011	309,876	26%	444,043	
			RECREATION SERVICES	1,497,500		478,157	1,019,343	32%	1,500,000	6
		MISCELLANEOUS REVENUE	MISC REIMBURSEMENTS	331,698		83,013	248,686	25%	332,050	
			MISCELLANEOUS REVENUE	172,349		125,255	47,094	73%	173,000	7
		TRANSFERS IN	TRANSFERS IN	110,000		0	110,000	0%	110,000	8
1. REV Sum				14,352,638		2,955,302	11,397,336	21%	14,374,987	
2. EXP	GENERAL FUND	SALARIES AND BENEFITS	SALARIES AND BENEFITS	2,694,806	0	672,606	2,022,200	25%	2,555,902	
			SALARIES AND WAGES	5,890,355	0	1,692,011	4,198,344	29%	5,891,000	9
		SERVICES	ADMINISTRATIVE SERVICES	136,672	(370)	37,435	99,607	27%	149,369	
			INSURANCE SERVICES	624,148	0	462,805	161,343	74%	624,148	10
			MISCELLANEOUS SERVICES	763,850	1,209	41,407	721,234	5%	764,000	
			PROFESSIONAL SERVICES	2,030,862	66,261	206,285	1,758,316	10%	2,031,000	
			RENTS	1,011,820	0	215,645	796,175	21%	1,012,000	
			REPAIR & MAINT	229,491	76,371	86,401	66,719	38%	229,491	
			SEMI-PROFESSIONAL SERVICE	10,500	0	2,680	7,820	26%	10,719	
			UTILITY SERVICES	277,022	0	32,535	244,487	12%	278,000	11
		OFFICE EXPENSES	MAINTENANCE SUPPLIES	107,880	15,524	35,197	57,159	33%	107,880	
			OFFICE	41,814	2,703	7,007	32,104	17%	30,730	
			OPERATING SUPPLIES	136,805	0	30,563	106,242	22%	122,253	
		OTHER EXPENSES	CHARGEBACK	(5,227)	0	(9,106)	3,879	174%	(9,106)	
			OTHER MISCELLANEOUS EXP	257,352	0	94,090	163,262	37%	257,352	12
		CAPITAL OUTLAY	FIXED ASSETS	559,000	0	13,600	545,400	2%	559,000	13
			IMPROVEMENTS	150,000	0	250,000	(100,000)	167%	250,000	14
		INTERFUND/ALLOC/TRANSFERS	ALLOCATED COSTS	898,382	0	225,096	673,286	25%	898,382	
		TRANSFERS OUT	TRANSFERS OUT TO	847,366	0	50,000	797,366	6%	847,366	15
2. EXP Sum				16,662,898	161,698	4,146,256	12,354,944	25%	16,609,486	
LESS ONE TIME EXPENDITURE AND COUNCIL APPROVED ITEMS FROM BUDGET BALANCING SPREADSHEET							(2,808,422)		(2,808,422)	
EXCESS (DEFICIENCY)									573,923	

CITY OF HERCULES
FY17-18 FIRST QUARTER REVENUE AND EXPENDITURE REPORT
WASTEWATER FUNDS - 25% OF FISCAL YEAR LAPSED

TYPE	Fund Description	Activity Basic Account Description	Activity Sub Account Description	Budget	Encumbrances	YTD Actuals	Balance	% Collected/ Expended	FY17-18 YE Estimate	Note
1. REV	SEWER ENTERPRISE FUN	USE OF MONEY & PROPERTY	INTEREST INCOME	24,895		10,667	14,228	43%	24,895	
		CHARGES FOR SERVICES	SEWER SERVICES	5,790,870		3,750	5,787,120	0%	5,790,870	1
		TRANSFERS IN	TRANSFERS IN	16,000,000		0	16,000,000	0%	16,000,000	2
1. REV Sum				21,815,765		14,417	21,801,348	0%	21,815,765	
2. EXP	SEWER ENTERPRISE FUND	SALARIES AND BENEFITS	SALARIES AND BENEFITS	145,854	0	49,690	96,164	34%	188,823	3
			SALARIES AND WAGES	331,020	0	109,130	221,890	33%	414,696	4
		SERVICES	ADMINISTRATIVE SERVICES	5,500	0	0	5,500	0%	6,000	
			MISCELLANEOUS SERVICES	4,862	1,862,000	0	(1,857,138)	0%	1,862,000	
			PROFESSIONAL SERVICES	2,242,000	5,903	8,428	2,227,669	0%	14,331	5
			REPAIR & MAINT	55,000	0	18,166	36,834	33%	72,664	6
			UTILITY SERVICES	74,000	5,000	23,321	45,679	32%	98,283	7
		OFFICE EXPENSES	MAINTENANCE SUPPLIES	4,000	0	740	3,260	19%	2,961	
			OPERATING SUPPLIES	1,500	0	448	1,052	30%	1,793	
		OTHER EXPENSES	CHARGEBACK	7,000	0	0	7,000	0%	7,000	
		CAPITAL OUTLAY	DEPRECIATION	31,292	0	120,985	(89,693)	387%	483,940	8
			IMPROVEMENTS	16,640,000	5,000	0	16,635,000	0%	16,640,000	9
		DEBT SERVICE	DEBT SERVICE	734,950	0	240,675	494,275	33%	735,000	
		INTERFUND/ALLOC/TRANSFERS	ALLOCATED COSTS	47,326	0	11,832	35,495	25%	47,326	
			INTERFUND CHARGES	129,831	0	32,458	97,373	25%	129,831	
		TRANSFERS OUT	TRANSFERS OUT TO	260,000	0	0	260,000	0%	260,000	10
2. EXP Sum				20,714,135	1,877,903	615,873	18,220,359	3%	20,964,647	
EXCESS/(DEFICIENCY)				1,101,630	(1,877,903)	(601,456)			1,101,630	



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of December 12, 2017

TO: Members of the City Council

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

SUBJECT: 2018 Council Appointments on Regional Committees and Council Subcommittees

RECOMMENDED ACTION:

Express interest and availability for the 2018 Council Appointments on Regional Committees and Council Subcommittees to be made by the Mayor in January 2018.

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:

In January of each year, the Mayor appoints members of the Council to both Regional Committees and Council Subcommittees for a one year term.

The purpose of this item is to solicit interest and availability of Council Members to serve on these various bodies. Attached is the List of Regional Committees and Council Subcommittees indicating the appointees for 2017.

As a note, in December 2015 the Board of Education amended its Policy related to membership on the West Contra Costa Unified School District, Citizens Bond Oversight Committee (CBOC). Members shall no longer be elected officials.

Council Members should express their interest and availability to the Mayor prior to the January 9, 2018 Council Meeting, at which the Mayor is expected to make the appointments for 2018.

ATTACHMENTS:

1. 2017 City Council Representation on Regional Committees and City Subcommittee List

**2017 CITY COUNCIL REPRESENTATION ON REGIONAL COMMITTEES
AND CITY SUB-COMMITTEES**

Approved by City Council – January 10, 2017

COMMITTEES	APPOINTED COUNCIL MEMBER	ALTERNATE	MEETING SCHEDULE AND/OR LOCATION
Regional Committees			
ABAG 101 Eighth Street Oakland, CA 94607 510-464-7900 www.abag.ca.gov	Boulanger	Kelley	Exec. Bd. Meets 3 rd Thursday every other month 7:00 p.m. (Jan., Mar., May, July, Sept. and Nov.) Attendance Optional
Contra Costa College Foundation 2600 Mission Bell Drive San Pablo, CA. 94806 510-235-7800 http://www.contracosta.edu/home/community/contra-costa-college-foundation/board-of-directors/	Esquivias	Kelley	Student Assoc. Bldg – Fireside Rm. 7:15 a.m.
Contra Costa Mayors Conference http://www.ccmayors.org/	Mayor de Vera	Vice Mayor Kelley	First Thursday/mo. – 6:30 p.m. Location Rotates
Hercules/Pinole - Wastewater Management	Romero/Esquivias	Boulanger	1 st Thursday/mo. – 8:30 a.m. Location alternates with City of Pinole
League of Cities-E. Bay Division	Kelley	Esquivias	4 th Thurs./mo. – Bd. Mtg. - 6:30 p.m. Location Rotates
County Library http://ccclib.org/			Recommendation from CLSC Current term expires 06/30/2017
Capital Corridor JPA Board (Liaison)	Romero	Kelley	3 rd Wed/Feb., June, Sept. Nov. – 10:00 a.m., alternates SJ, Sacramento and Suisan
Water Emergency Transportation Authority (WETA) Liaison	Esquivias	de Vera	2 nd Thursday/mo. – 1:00 p.m., alternates between SF and Alameda
West County Integrated Waste Mgmt JPA (WCCIWMA) One Alvarado Square San Pablo, CA 94806 510-215-3125 www.recyclemore.com	Romero	Boulanger	2 nd Thursday/mo. - 7:00 p.m. San Pablo City Hall – Council Chambers- One Alvarado Sq., San Pablo <i>Form 806 required - \$50 stipend</i> <i>Form 700 required</i>
WCCTAC 13831 San Pablo Avenue San Pablo, CA 94806 510-215-3221 www.wcctac.org	Kelley	de Vera	Last Friday/mo. – 8:00 a.m. El Cerrito City Hall <i>Form 700 Required</i>
West Co. Mayors & Supervisors Assoc.	Mayor de Vera	Vice Mayor Kelley	4 th Thursday/mo. – 8:00 a.m. The location rotates
WestCat 601 Walter Avenue Pinole, CA 94564 www.westcat.org	de Vera/Kelley	Esquivias	2 nd Thursday/mo. – 6:00 p.m. Pinole Council Chambers, Pear St. <i>Form 700 required</i>

City Committees			
COMMITTEES	APPOINTED COUNCIL MEMBER	ALTERNATE	MEETING SCHEDULE AND/OR LOCATION
Agenda Setting	Mayor de Vera	Vice Mayor Kelley	Thursday prior to meeting 8:00 a.m.
Economic Development Subcommittee	Boulanger/ Esquivias	Romero	As needed and at least quarterly
Education Subcommittee	Kelley/Romero	Boulanger	As needed and at least quarterly
Public Safety/Traffic	Kelley/Boulanger	de Vera	As needed and at least quarterly
RDA Oversight Board	Boulanger Romero* Employee: Jeff Brown		As needed and at least quarterly *Appointed by Supervisor Glover
City Commissions – Council Liaison			
Planning Commission	Esquivias/de Vera		1 st and 3 rd Mondays
Community & Library Services Commission	Romero/Boulanger		2 nd Monday
Finance Commission	Boulanger/Kelley		4 th Monday

Committees not assigned by the City Council			
East Bay Economic Development Alliance			Not a City Appointment