

City of Hercules

111 Civic Drive
Hercules, CA 94547



Meeting Agenda

Tuesday, March 10, 2020

6:00 PM

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

Council Chambers

City Council

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

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

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

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

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS

III. CONVENE INTO CLOSED SESSION

The Hercules City Council will meet in Closed Session regarding the following:

1. [20-186](#) Pursuant to Government Code Section 54956.9(a), Conference with Legal Counsel - Pending/Existing Litigation: Successor Agency to the Hercules Redevelopment Agency and City of Hercules v. California Department of Finance, et al, Sacramento Superior Court Case No. 34-2018-80003038
2. [20-189](#) Conference with Legal Counsel - Anticipated Litigation Pursuant to Government Code Section 54956.9(e)(3): In one (1) matter: Wastewater Treatment Plant Claims

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

V. REPORT ON ACTION TAKEN IN CLOSED SESSION

VI. PLEDGE OF ALLEGIANCE

VII. MOMENT OF SILENCE

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

1. [20-187](#) Hercules Running Rebels Presentation
2. [20-191](#) Red Cross Proclamation

Attachments: [2020 Red Cross Proclamation](#)

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

XII. CONSENT CALENDAR

1. [20-184](#) **Meeting Minutes**
 Recommendation: Approve the special closed session and regular meeting minutes of February 25, 2020.

 Attachments: [Minutes - 022520 - Regular](#)

2. [20-185](#) **Request for Reclassification of Planning Director to Community Development Director**
 Recommendation: Adopt a Resolution approving the reclassification of Planning Director to Community Development Director.

 Attachments: [Staff Report - Reclassification - Community Dev Director](#)
 [Attach 1 - Resolution - Reclassification - Community Dev Director](#)
 [Attach 2 - Community Development Director](#)

3. [20-188](#) **Fiscal Agreement Amendment for the Pinole-Hercules Wastewater Treatment Plant Upgrade Project**
 Recommendation: Adopt a Resolution approving an amended Fiscal Agreement for the Pinole-Hercules Wastewater Treatment Plant Upgrade project.

 Attachments: [Staff Report - Fiscal Agreement Modification](#)
 [Attach 1 - Fiscal Agreement Resolution](#)
 [Attach 2 - Fiscal Agreement Amendment](#)
 [Attach 2a - exhibit a from Fiscal Agreement 2-19-15 \(3\)](#)
 [Attach 2b - exhibit b Fiscal Agreement 2-19-15-2 \(3\)](#)

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [20-183](#) **Initial Review of Landscape & Lighting Assessment District 83-2 Fiscal Year 20-21 Budgets and Discuss Possible Direction**
Recommendation: Receive report, discuss, and provide direction, if any.

Attachments: [Staff Report - L&LAD Initial Review 20-21 03102020](#)
 [Attach 1 - HERCULES 83-2 COST ESTIMATE FY 2020-21 \(02-28-20\) Zone 34 6 Status Quo](#)
 [Attach 2 - HERCULES 83-2 COST ESTIMATE 2021 \(02-28-20\)](#)

2. [20-181](#) **Business License Update**
Recommendation: Receive report, discuss, and provide direction, if any.

Attachments: [Staff Report - Business License Tax Update 03102020](#)
 [Attach 1 - Business License Tax](#)
 [Attach 2 - Master Fee FY 19-20 Adopted 06.25.19](#)
 [Attach 3 - Business License Tax Administrative Policy 01082019](#)
 [Attach 4 - Temp Waiver for Fee Classes & City Contractors](#)
 [Attach 5 - League Excerpt](#)

3. [20-182](#) **Review Upcoming Council Agenda Items List**
Recommendation: Receive report, discuss, and provide direction, if any.

Attachments: [Staff Report - Qtrly Review Agenda Pending Items 03102020](#)
 [Attach 1- Agenda List of Pending Items](#)

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, March 24, 2020 at 7:00 p.m. in the Council Chambers.

Agendas are posted in accordance with Government Code Section 54954.2(a) or Section 54956. Members of the public can view electronic agendas and staff reports by accessing the City website at www.ci.hercules.ca.us and can receive e-mail notification of agenda and staff report postings by signing up to receive an enotice from the City's homepage. Agendas and staff reports may also be

obtained by contacting the Administrative Services Department at (510) 799-8215.

(Posted: March 5, 2020)

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

1. SPECIAL ACCOMODATIONS: In compliance with the Americans with Disabilities Act, if you require special accommodations to participate at a City Council meeting, please contact the City Clerk at 510-799-8215 at least 48 hours prior to the meeting.

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

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

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

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

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

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

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

**PROCLAMATION RECOGNIZING MARCH 2020 AS AMERICAN RED CROSS
MONTH IN THE CITY OF HERCULES**

WHEREAS; every year, the American Red Cross, the largest humanitarian organization in the world, responds to an average of more than 62,000 disasters across the country, from small home fires to massive disasters; and

WHEREAS; last year's large crises included overwhelming mudslides in California, an earth-shattering volcano eruption in Hawaii, ravaging wildfires in California and Colorado, destructive hurricanes in Florida and the Carolinas, and a devastating typhoon in U.S. territories; and

WHEREAS; thousands of American Red Cross volunteers provided emotional support and around-the-clock shelter for disaster victims, served millions of meals and snacks with community partners, collected 40 percent of the nation's blood, taught skills that save lives; provided international humanitarian aid, and supported military members and their families; and

WHEREAS; through its Home Fire Campaign that began in October 2014, the American Red Cross has worked with fire departments and community partners across the country to install at no-cost to the residents more than 1.5 million smoke alarms, made more than 648,000 households safer and saved 511 lives. During the past year, the American Red Cross Bay Area responded to 838 home fires, installed 10,605 free smoke alarms, made 3,403 households safer and helped save lives; and

WHEREAS; last year in Contra Costa County, besides responding to 109 local disasters, the American Red Cross has a long history of helping our neighbors by teaching First Aid, CPR & AED to 6,595 enrollees and Aquatic & Water Safety to another 2,173. We also assisted 1,393 military families and collected 16,025 units of blood from our generous blood donors; and

WHEREAS; March is American Red Cross Month, a special time to recognize and thank the American Red Cross volunteers, partners and donors who give of their time and resources to deliver help and hope to members of the community; and

WHEREAS; the American Red Cross applaud our heroes here in Contra Costa County who gave 43,495 hours to assist our neighbors when they needed a helping hand; and

WHEREAS; we dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on volunteers and the generosity of the public to perform its mission.

NOW, THEREFORE BE IT PROCLAIMED that I, Roland Esquivias, Mayor of the City of Hercules, on behalf of the entire City Council, do hereby recognize March 2020 as American Red Cross Month in the City of Hercules.

In witness whereof, I hereunto set my hand and cause the seal of the City of Hercules to be affixed this 10th day of March, 2020.

Roland Esquivias, Mayor



City of Hercules

111 Civic Drive
Hercules, CA 94547

Meeting Minutes

City Council

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

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

Tuesday, February 25, 2020

6:00 PM

Council Chambers

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

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

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

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

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS

None.

III. CONVENE INTO CLOSED SESSION

City Attorney Tang announced the items listed on the agenda to be discussed in closed session.

1. [20-169](#) Pursuant to Government Code Section 54956.9(a), Conference with Legal Counsel - Pending/Existing Litigation: Successor Agency to the Hercules Redevelopment Agency and City of Hercules v. California Department of Finance, et al, Sacramento Superior Court Case No. 34-2018-80003038
2. [20-170](#) Conference with Legal Counsel - Anticipated Litigation Pursuant to Government Code Section 54956.9(d)(2): In one (1) matter: Hercules Development Partners, LP / Ledcor Corporation

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

Mayor Esquivias called the meeting to order at 7:07 p.m.

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

V. REPORT ON ACTION TAKEN IN CLOSED SESSION

City Attorney Tang identified the items discussed in closed session and stated that no were no final or reportable actions to report.

VI. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Esquivias.

VII. MOMENT OF SILENCE

Mayor Esquivias called for a moment of silence in memory of Noah Kendrix, a Hercules resident who passed away on February 6, 2020 at the age of 24.

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

None.

IX. AGENDA ADDITIONS/DELETIONS

City Manager Biggs stated that there were no additions or deletions to the agenda. City Manager Biggs identified the supplemental documents provided prior to the meeting and available to the public on the side table.

X. PUBLIC COMMUNICATIONS

Public Speaker: David Kavanaugh.

XI. PUBLIC HEARINGS

1. [20-173](#) **Mandatory Garbage/Solid Waste Disposal - Delinquent Accounts**
Recommendation: Conduct a Public Hearing and upon conclusion, consider adopting a Resolution confirming the report of delinquent accounts and placing liens on said properties and special assessments upon property taxes pursuant to City of Hercules Municipal Code Section 5-2.01 to 5-2.16, Mandatory Garbage/Solid Waste Disposal.

City Manager Biggs introduced the item. City Clerk Martin provided a staff report. City Council asked questions and provided comments. Ms. Janna Coverston from Republic Services provided additional information.

Mayor Esquivias opened the public hearing at 7:16 p.m.

Public Speaker: Shawn Hung.

Mayor Esquivias closed the public hearing at 7:18 p.m.

MOTION: A motion was made by Vice Mayor Kelley, seconded by Council Member Boulanger, to adopt Resolution 20-009. The motion carried by the following vote:

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

XII. CONSENT CALENDAR

Council Member Romero requested to pull Item 3 for questions. Council Member Boulanger requested to pull Item 2 for questions.

City Manager Biggs provided a staff report on Item #2 and Finance Director Gato provided additional information.

City Manager Biggs provided a staff report on Item #3. Public Works Director Roberts provided additional information.

Items #2 and #3 were placed back on the consent calendar.

MOTION: A motion was made by Vice Mayor Kelley, seconded by Council Member Bailey, to adopt the Consent Calendar. The motion carried by the following vote:

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

1. [20-171](#) **Meeting Minutes**
Recommendation: Approve the special closed session and regular meeting minutes of February 11, 2020.
Approved.
2. [20-139](#) **Accept the FY 18-19 Annual Development Impact Fee Report**
Recommendation: Review, accept and file the annual development impact fee report for fiscal year end June 30, 2019.
Approved.
3. [20-174](#) **List of Projects for Fiscal Year 2020-21 Funded by SB 1: The Road Repair and Accountability Act of 2017**
Recommendation: Adopt a Resolution approving a list of projects for fiscal year 2020-21 funded by SB 1: the Road Repair and Accountability Act of 2017.
Approved.

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [20-177](#) **Discussion Regarding the Process for Becoming a Charter City for the Purpose of Increasing the Real Property Transfer Tax (RPTT)**
Recommendation: Review and discuss report, and provide direction, if any.

City Attorney Tang introduced the item and provided a staff report. City Council asked questions and provided comments.

Public Speakers: Susan Pricco; David Kavanaugh.

With a consensus of City Council, the following direction was provided to staff:
 1. To bring this item back to City Council for further discussion at the March 24, 2020 meeting. If the City Attorney needs more time to prepare the report he will contact the Mayor and set a meeting date as soon as possible after the March 24th meeting date.
 2. Provide more information on other aspects of becoming a Charter City and more specifically why some cities chose to become a Charter City and did not implement the increase to real property transfer tax.
 3. Provide information on contracting with a consultant to conduct public outreach and polling.
 4. Provide information on what other options can be explored in regards to generating additional revenue.
 5. Provide information on why there is a financial need to increase revenues through a tax measure.
2. [20-172](#) **Fiscal Year 2019-20 Mid Year Budget Review and Miscellaneous Mid Year Budget Appropriations and Adjustments**
Recommendation: Receive a report on the fiscal year 2019-20 mid-year budget review and adopt a Resolution approving various mid year budget appropriations and adjustments.

City Manager Biggs introduced the item. Finance Director Gato provided a staff report. City Council asked questions and provided comments.

MOTION: A motion was made by Vice Mayor Kelley, seconded by Council Member Boulanger, to adopt Resolution 20-011. The motion carried by the following vote:

Aye: 4 - Mayor R. Esquivias, Vice Mayor C. Kelley, Council Member D. Romero, and Council Member G. Boulanger

Abstain: 1 - Council Member D. Bailey

3. [20-176](#) **Professional Services Agreement with BKF in the Amount of \$148,111 for the Design of the 2021 Annual Street Repair Project and Appropriating \$148,111 in Gas Tax Funding to Fully Fund Said Agreement**
Recommendation: Adopt a Resolution authorizing the City Manager to execute an agreement with BKF for a not to exceed amount of \$148,111 for the design of the 2021 Street Repair Project and appropriating \$148,111 in Gas Tax to fully fund said agreement.
City Manager Biggs introduced the item and Public Works Director Roberts provided a staff report. Public Works Director Roberts stated that Dayne Johnson with BKF is present to answer any questions. City Council asked questions and provided comments.
MOTION: A motion was made by Council Member Romero, seconded by Council Member Bailey, to adopt Resolution 20-012. The motion carried by the following vote:
Aye: 5 - Mayor R. Esquivias, Vice Mayor C. Kelley, Council Member D. Bailey, Council Member D. Romero, and Council Member G. Boulanger
4. [20-141](#) **Operating Memorandum with Hercules Development Partners LP Regarding Bayfront Parking**
Recommendation: Approve an Operating Memorandum with Hercules Development Partners LP regarding Bayfront parking.
City Manager Biggs introduced the item and provided a staff report. City Council asked questions and provided comments.
MOTION: A motion was made by Vice Mayor Kelley, seconded by Council Member Boulanger, to approve the Operating Memorandum with Hercules Development Partners LP. The motion carried by the following vote:
Aye: 5 - Mayor R. Esquivias, Vice Mayor C. Kelley, Council Member D. Bailey, Council Member D. Romero, and Council Member G. Boulanger
5. [20-175](#) **Accept the Investment Report for the Quarter Ending December 31, 2019**
Recommendation: Accept and file the Investment report for the quarter ending December 31, 2019.
City Manager Biggs introduced the item and provided a staff report. Finance Director Gato provided additional information. City Council asked questions and provided comments.
MOTION: A motion was made by Vice Mayor Kelley, seconded by Council Member Bailey, to accept and file the Investment Report for the Quarter Ending December 31, 2019. The motion carried by the following vote:
Aye: 5 - Mayor R. Esquivias, Vice Mayor C. Kelley, Council Member D. Bailey, Council Member D. Romero, and Council Member G. Boulanger

XIV. PUBLIC COMMUNICATIONS

None.

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

City staff and Council Members reported on attendance at events and community and regional meetings.

Future agenda items:

1. Council Member Boulanger requested a discussion item regarding the City's water bill and usage and discuss ways to reduce usage.
2. Council Member Romero requested a discussion item on what percentage of retail sales tax and other taxes does the city receive.

There was a consensus of City Council to discuss both items at a future meeting.

XVI. ADJOURNMENT

Mayor Esquivias adjourned the meeting at 10:11 p.m.

Roland Esquivias, Mayor

Attest:

Lori Martin, MMC
Administrative Services Director/City Clerk



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 10, 2020

TO: Members of the City Council

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

SUBJECT: Request for Reclassification of Planning Director to Community Development Director

RECOMMENDED ACTION: Adopt a Resolution Approving the Reclassification of Planning Director to Community Development Director.

FISCAL IMPACT OF RECOMMENDATION: None.

DISCUSSION: City staff conducts reviews of its job classification plan and typically will update classifications as needed based on changes in the organization structure and service delivery needs. A classification and compensation study is currently underway where all job descriptions are being reviewed and updated to ensure they reflect current duties, responsibilities, and qualifications. The study is recommending a re-classification of the Planning Director position to Community Development Director. This position is responsible for overseeing planning, contract building inspection, and code compliance. The title of Community Development Director more accurately reflects the full scope of duties and responsibilities. Staff is in support of this change as it more accurately reflects the broader scope of community development duties performed.

Due to an upcoming vacancy and the need to conduct a recruitment, staff is recommending approval of this title change ahead of the acceptance of the classification and compensation study. There is no recommended salary change and therefore no fiscal impact.

A job description for Community Development Director is attached hereto and if approved would be an exempt professional level position.

ATTACHMENTS:

1. Resolution
2. Community Development Director Job Description

RESOLUTION NO. 20-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES
AUTHORIZING A RECLASSIFICATION OF THE POSITION OF PLANNING
DIRECTOR TO COMMUNITY DEVELOPMENT DIRECTOR**

WHEREAS, City staff conducts reviews of its job classification plan and periodically will propose updates to classifications as needed based on changes in the organization structure and service delivery needs; and

WHEREAS, a classification and compensations study is currently underway where all job descriptions are being reviewed and updated to ensure they reflect current duties, responsibilities, and qualifications; and

WHEREAS, City staff is proposing a reclassification of Planning Director to Community Development Director independent of the classification and compensation study being accepted so that staff can recruit for a full time employee to fill an upcoming vacancy; and

WHEREAS, a new job description for Community Development Director, attached hereto, identifies the duties, responsibilities and qualifications of the position; and

WHEREAS, there is no change to the salary range, therefore the Community Development Director classification will be assigned to the same salary range and grade as the Planning Director classification which is salary range 056 on the Senior Management Unrepresented salary schedule.

NOW, THEREFORE, BE IT RESOLVED: the City Council of the City of Hercules does hereby approve the reclassification of Planning Director to Community Development Director and authorizes the Community Development Director job description, attached hereto, be added to the City's Classification Plan and approves the assigned salary range of Grade 056 of the Senior Management Unrepresented salary schedule effective immediately after adoption of this Resolution.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 10th day of March, 2020 by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

Roland Esquivias, Mayor

ATTEST:

Lori Martin, Administrative Services Director &
City Clerk

COMMUNITY DEVELOPMENT DIRECTOR

Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are not intended to reflect all duties performed within the job.

DESCRIPTION

Under general administrative direction, performs a variety of supervisory, administrative and technical work in the development, implementation and maintenance of advanced and current planning, environmental review and zoning enforcement; plans, organizes, supervises, directs, reviews and participates in the work of professional, technical and office support staff; coordinates activities with other City departments and divisions and outside agencies and organizations; develops and implements programs and procedures within the Community Development Department to include planning and building functions; makes recommendations to the City Council and Planning Commission on planning and building issues; provides information to developers and others on City codes and regulations relating to land use; acts as Secretary to the Planning Commission and Design Review Committee; and performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

The Community Development Director is a department head who exercises full responsibility for planning, organizing and directing the work activities of the Community Development Department staff. This class acts as liaison to the Planning Commission. Directly oversees functions of the Building and Safety Division and Code Compliance. This classification is distinguished from the next lower classifications by performance of overall management responsibilities of the Community Development Department.

SUPERVISION RECEIVED AND EXERCISED

Receives general administrative direction from the City Manager. Exercises direct supervision over professional, technical and/or clerical staff.

ESSENTIAL FUNCTIONS - *Essential and other important responsibilities and duties may include, but are not limited to, the following:*

- Plans, organizes, directs and coordinates all Community Development Department activities including advance and current planning, zoning enforcement activities, prepares and administers the Department budget.
- Develops and implements procedures for the processing of work; analyzes proposed projects and prepares staff reports including recommendations on actions to be taken and related justification; confers with developers and citizens on proposed projects and gives direction and advice on how to gain compliance with City policies, codes and regulations.
- Selects, supervises and evaluates work of consultants and integrates consultants' work into the department work program.
- Reviews community growth patterns, trends in land use, community needs and other factors in originating recommendations for controlling and regulating community development.
- Serves as secretary and provides administrative support for the Planning Commission, and Design Review and Development Review Committees; makes presentations to the City Council and Planning Commission and other groups concerning planning projects; prepares or directs the preparation of detailed studies related to proposed developments; conducts general administrative projects concerning matters outside the scope of the planning function as needed.

- Coordinates planning activities with those of other City departments and outside agencies; addresses public complaints regarding land use and planning activities.
- Presents and justifies proposed plans, plan revisions, ordinances and other recommendations involving advance, current and transportation planning objectives; develops, implements and maintains a sound general plan; conducts comprehensive housing, transportation, environmental and land use planning; directs current planning activities including the City's development review process involving zoning, development applications, subdivisions, historic architectural preservation, environmental review, design review activities, transportation demand management; coordination of planning staff, and inter-jurisdictional coordination of transportation programs.
- Reviews, analyzes and develops projects and determines project priorities and scheduling; estimates personnel, resources and time required for project completion.
- Monitors complex projects as they proceed through the permit process and investigates complaints about current planning operations.
- Directs, reviews and evaluates the work of assigned staff; selects, evaluates and trains professional and support staff; recommends disciplinary actions as needed.
- Supervises professional work associated with the comprehensive general plan, area plans, historic architectural preservation ordinance, design review ordinance, and other applicable planning areas, environmental impact reports, capital improvements plans, transportation plans, and the Planning Commission and City Council.
- Makes decisions within specified limits regarding land use, transportation and zoning matters; provides staff and technical assistance to the Planning Commission and other boards and commissions; acts as a secretary to one or more of these boards or commissions.
- Prepares complete, accurate and concise written technical reports and correspondence; makes presentations before the City Council, commissions, committees, community groups, boards and governmental bodies.
- Stays informed of current trends in the planning and/or transportation fields including legislation, court rulings, and professional practices and techniques; evaluates impact upon City operations and recommends policy and procedural improvements.
- Meets with representatives, professionals, citizens, neighborhood groups and other organizations to encourage action or resolve problems related to the department's activities and projects.
- Evaluates Department staff arrangements, staffing levels, and work assignments and makes necessary recommendations to the City Manager; sets performance standards for Department staff and evaluates performance.
- Maintains contact with all persons affected or interested in the City's planning and development including developers, consultants, City advisory and policy-making bodies, and residents; communicates planning policies to influence acceptance by the City of given projects.
- Administers the City's planning activities and performs final review of major planning policy recommendations; applies modern urban planning concepts and principles in providing advice and assistance to City officials, City commissioners and staff.
- Interfaces with the City Manager regarding communications and meetings.
- Prepares, monitors, and administers the Department's comprehensive budget.
- Researches, analyzes and makes recommendations on legislation impacting planning matters at the local level.
- Coordinates and performs preliminary negotiations on lease contracts.
- Sets up project billing accounts for large projects to track and bill for large scale projects.
- Writes various requests for proposals for a variety of work scopes; reviews, rates, and ranks proposals; drafts award contracts, tracks and prepares appropriate billings and fee collection and oversees implementation within contract perimeters.
- Resolves differences in the field between developers and contract building staff.

- Coordinates code compliance activities across departments and formulates efficient ways to carry out duties.
- Performs related duties as required.

QUALIFICATIONS

Knowledge of

- Principles, practices, standards, information sources and trends in the fields of advance, current and/or transportation planning.
- Local, state and federal laws applicable to planning, zoning, subdivision, environmental review and transportation issues.
- Land use, physical design, demographics, environmental, social and economic concepts, and transportation, including public and private financing and capital improvements.
- Application, modification, and the interrelationships between ordinances, policies, standards, procedures and practices associated with the planning function.
- Statistical analysis techniques related to municipal planning.
- Local government organization and the functions and practices of a municipal planning unit.
- Methods and practices of community organization and citizen participation.
- Supervisory principles and practices, including budget, goals and objectives development and work planning and organization.
- Advanced modern theories, principles and practices of City planning.
- Advanced principles and practices of modern organization and management.
- Other City departments, particularly as their operations may relate to City planning.
- Office procedures, methods, and equipment including computers and applicable software applications such as word processing, spreadsheets, and databases.

Ability to

- Plan, organize, assign, review and evaluate the work of assigned staff.
- Perform and coordinate technical aspects of advance, current and/or transportation planning activities, such as the collection and analysis of data, preparation of reports and recommendations pertaining to complex issues.
- Interpret laws, policies, procedures, regulations, maps, specifications, site and building plans, graphs and statistical data.
- Analyze complex operational and administrative problems, evaluate alternatives and recommend and adopt effective courses of action.
- Develop and implement goals, objectives, policies, procedures, work standards and management controls, including applying project management techniques.
- Direct the preparation of visual displays, such as maps, graphs and statistical data.
- Prepare clear and concise reports, correspondence and other written materials and make effective oral and written presentations.
- Facilitate meetings with representatives, professionals, citizens and organizations to solve problems.
- Exercise sound, fair and consistent independent judgment within established guidelines.
- Provide technical assistance and staff leadership to various boards and commissions.
- Attend evening or weekend meetings as required.
- Plan, organize and direct the variety of activities found in a progressive city planning function.
- Conduct studies on proposed developments and determine whether they meet City requirements and are in accordance with City policies relating to community development and planning.

- Develop plans designed to maintain departmental efficiency and responsiveness.
- Deal effectively with representatives of the construction industry, developers, consultants and the general public.
- Understand, interpret and apply complex guidelines.
- Make generalizations, evaluations or decisions without immediate supervision.
- Set realistic goals or make plans independently of others and respond appropriately to changes in the work setting.
- Operate office equipment including computers and supporting word processing, spreadsheet, and database applications.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of work.

EXPERIENCE AND EDUCATION/TRAINING GUIDELINES

Any combination of experience and education/training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience

Five years of increasingly responsible administrative and supervisory experience in urban planning or a related field.

Education/Training

A Bachelor's degree from an accredited college or university with major course work in Urban Studies, City and Regional Planning, Environmental Planning, Public Administration or a related field. A Master's degree from an accredited college or university with major course work in a related field is desirable.

Certificates / Licenses / Special Requirements

Possession of a California Driver's License and a satisfactory driving record as determined by the City's policy. American Institute of Certified Planners (AICP) designation is desirable.

WORKING CONDITIONS

Environmental Conditions:

Office environment; occasional outdoor environment; exposure to computer screens.

Physical Conditions:

Regularly required to sit for long periods of time; perform complex tasks; coordinate and analyze various reports and other data; requires precise attainment of set limits, tolerances or standards; regularly involves a high degree of concentration, especially in the consideration of technical and personnel problems and the origination of programs; frequently write, grasp, hold, and reach; frequently hear and talk in person and by phone; frequently make decisions and concentrate.

Note: Accommodations may be made for some of the essential functions / requirements listed for qualified individuals who require and request such accommodation, due to a qualified disability.

Employee Signature

Date

Supervisor signature

Date

Revised: July 2018

Unit:

FLSA/Position:



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 10, 2020

TO: The Mayor and Members of the City Council

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

SUBJECT: Fiscal Agreement Amendment for the Pinole-Hercules Wastewater Treatment Plant Upgrade Project

RECOMMENDED ACTION:

Adopt a resolution approving an amended Fiscal Agreement for the Pinole-Hercules Wastewater Treatment Plant Upgrade Project.

FISCAL IMPACT OF RECOMMENDATION:

There is sufficient funding in the Sewer Fund to cover the cost of the amendment.

DISCUSSION:

The Cities of Pinole and Hercules previously entered into a Fiscal Agreement in February 2015 for the much-needed Pinole-Hercules Wastewater Treatment Plant Upgrade Project. The Fiscal Agreement ensures there is sufficient cash flow for the shared cost of the Project given the construction schedule and terms of the State Revolving Fund Loan each City received from the State.

The Project was awarded to Kiewit Infrastructure West who started work in May 2016 and achieved substantial completion October 2019. The Project faced many challenges throughout the duration of construction that resulted in change orders which have expended the available contingency programmed in the Fiscal Agreement. The Wastewater Subcommittee has been kept informed of the declining contingency balance. At the last meeting of the Subcommittee on September 5, 2019, the balance was projected into the negative.

Carollo Engineers is currently working to finalize the costs associated with the last of the change orders. It is necessary to increase the programmed contingency in the Fiscal Agreement to address these last change orders as well as work toward resolving several claims and potential claims.

The amendment is necessary to provide funding to complete the project, prepare a proposed final pay estimate, and file a notice of completion. Without it, the City will not be able to compensate Kiewit for agreed upon extra work and work to resolve the claims and potential claims.

ATTACHMENTS:

1. Resolution
2. Amended Fiscal Agreement

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

RESOLUTION NO. 20-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES APPROVING AN AMENDED FISCAL AGREEMENT FOR THE PINOLE-HERCULES WASTEWATER TREATMENT PLANT UPGRADE PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY COUNCIL

WHEREAS, the Cities of Pinole and Hercules previously entered into a Fiscal Agreement in February 2015 for the much-needed Pinole-Hercules Wastewater Treatment Plant Upgrade Project; and

WHEREAS, the Fiscal Agreement ensured there was sufficient cash flow for the shared cost of the Project given the construction schedule and terms of the State Revolving Fund Loan each City received from the State; and

WHEREAS, the Project was awarded to Kiewit Infrastructure West who started work in May 2016 and achieved substantial completion October 2019; and

WHEREAS, the Project faced many challenges throughout the duration of construction that resulted in change orders which have expended the available contingency programmed in the Fiscal Agreement; and

WHEREAS, Carollo Engineers who is the construction management firm assigned to the project is currently working to finalize the costs associated with the last of the change orders; and

WHEREAS, it is necessary to increase the programmed contingency in the Fiscal Agreement to address these last change orders as well as work toward resolving several claims and potential claims.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hercules that the City Council hereby approves an amended Fiscal Agreement for the Pinole-Hercules Wastewater Treatment Plant Upgrade Project and authorizes the City Manager to execute the Agreement on behalf of the City Council.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the tenth day of March, 2020 by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Roland Esquivias, Mayor

ATTEST:

Lori Martin, MMC
Administrative Services Director/City Clerk

**AMENDED FISCAL AGREEMENT
FOR IMPROVEMENT OF
PINOLE HERCULES WATER POLLUTION CONTROL PLANT**

THIS FISCAL ADMINISTRATOR AGREEMENT (this “**Agreement**”) was entered into on the 19th day of February 2015 and amended on the 10th day of March 2020 by and between the CITY OF PINOLE, a municipal corporation (“**Pinole**,”) and the CITY OF HERCULES, a municipal corporation (“**Hercules**”), which is jointly referred to in this Agreement as the “**Parties**.”

RECITALS

WHEREAS, the Pinole-Hercules Water Pollution Control Plant (the “**WPCP**”) is located along the shoreline of San Pablo Bay at 11 Tennent Avenue within the city limits of Pinole; and

WHEREAS, the WPCP was constructed in 1956 to treat wastewater generated only by Pinole; and

WHEREAS, in 1971, the Cities of Pinole and Hercules entered into a joint use agreement, which included expansion and upgrades to the WPCP to treat wastewater effluent from Hercules; and

WHEREAS, the operating permit with the California Regional Water Quality Control Board (RWQCB) is in the name of Pinole; and

WHEREAS, the plant is operated, maintained and administered by Pinole, pursuant to a 2001 joint powers agreement with Hercules (the “**Wastewater Agreement**”); and

WHEREAS, treated wastewater from the WPCP is discharged from a deep water outfall known as “**Outfall 001**” (which also includes treated wastewater from the Rodeo Sanitary District (“**RSD**”)); and

WHEREAS, During periods of heavy rainfall from winter storm events, a portion of the WPCP effluent is discharged from a shallow water or near shore outfall known as “**Outfall 002**”; and

WHEREAS, the WPCP currently has an average dry weather flow capacity of 4.06 million gallons per day (mgd) and a wet weather capacity of 10.3 mgd; and

WHEREAS, effluent discharged from the WPCP is regulated by the California Regional Water Quality Control Board, San Francisco Bay Region (“**RWQCB**”), under the National Pollutant Discharge Elimination System (“**NPDES**”); and

WHEREAS, The NPDES permit issued in March of 2007 included a requirement that Pinole, as the permit owner, must examine alternatives and implement improvements to reduce the use of the shallow-water Outfall 002, and eliminate blending of primary and secondary-treated effluent, which occasionally occurs during periods of high rainfall during winter storm events; and

WHEREAS, in response to the need to upgrade wastewater treatment infrastructure, Pinole designed an upgrade project for the WPCP to comply with the requirements of the NPDES permit (the “**Project**”); and

WHEREAS, in August of 2012, the RWQCB issued a revised NPDES permit for the WPCP specifically intended to avoid construction of a parallel outfall pipeline that had been studied in the 2010 Environmental Impact Report, concluding that the additional cost of such a parallel outfall pipeline would be better spent on improvements to the collection system to reduce infiltration and the need to use the emergency outfall; and

WHEREAS, the August 2012 NPDES permit now requires the WPCP provide full secondary treatment for influent flows up to 20 mgd, discharge treated effluent up to 14.6 mgd to Outfall 001, and to limit use of Outfall 002 to flows in excess of 14.6 mgd; and

WHEREAS, the August 2012 NPDES permit further allows diversion of excess flow to the emergency outfall under the bypass conditions, provided that the peak wet weather influent flow exceeds 14.6 mgd after the effluent pump upgrades are completed and put into service, that the discharge complies with effluent and receiving water limitations, and the facility is properly operated as designed. The WPCP operator must report incidents of blending or use of the emergency outfall, or both, in routine monitoring reports. The compliance schedule in the 2012 NPDES permit requires upgrades to be operational by June 1, 2017; and

WHEREAS, Pinole and Hercules began preparation of a preliminary design for the WPCP to identify the treatment and conveyance upgrades needed to meet the current 2012 NPDES permit requirements for a redesigned Project; and

WHEREAS, the Wastewater Agreement between Pinole and Hercules requires each Party to share equally in the costs of the Project, for which Kiewit bid \$43,143,000 ; and

WHEREAS, in order to finance their share of the upgrade Project, Pinole and Hercules have each submitted separate loan applications to the Clean Water State Revolving Fund (“**CWSRF**”) program from the United States Environmental Protection Agency, which is administered by the State of California; and

WHEREAS, this Agreement is necessary in order to ensure sufficient cash flow requirements are met for the Project given the CWSRF funding requirements and the construction schedule for the Project; and

WHEREAS, this Amendment is necessary in order to ensure that sufficient contingency is available to meet the Project needs given the current status and the prolonged construction schedule for the Project; and

WHEREAS, it is the desire and intent of the Parties, without in any way surrendering the sovereignty of their respective governmental authority, to enter into this Agreement to set forth the basis for sharing costs, and administering the payments for the Project to contractor(s); and

WHEREAS, In the event that CWSRF funding is not approved by the State, then the Parties shall seek alternative financing, recognizing that time is of the essence in order for the Project to proceed; and

WHEREAS, it is the desire of both parties to obtain a Third Party Fiscal Administrator to oversee and manage the Project Account during construction and until final completion of the project to assure financial responsibility and accountability.

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL PROMISES HEREIN CONTAINED, THE PARTIES AGREE AS FOLLOWS:

1. Recitals.

The recitals hereinabove set forth are included herein and made a part of this Agreement.

2. Term.

The term of this Agreement shall be coterminous with the upgrade Project and will continue in force and effect until the Project is deemed complete and all contractor claims and bonds have been released, or unless terminated sooner in accordance with Section 17 (d).

3. Project Lead.

For the purposes of this agreement and project, Pinole shall serve as the Project Lead. Therefore, the City of Pinole will on behalf of both parties:

- (a) enter into all mutually agreed upon Project related contracts.
- (b) provide project administration for the Parties through completion of the Project;
and
- (c) process, review, approve and pay all invoices subsequent to review and administrative approval by Hercules staff pursuant to Section 9(d).

4. Third Party Fiscal Administrator.

In consultation with the City of Hercules, the City of Pinole will enter into a contract to obtain a Third Party Fiscal Administrator to represent both cities. The purpose of the Third Party Fiscal Administrator shall be to oversee and manage the Project Accounts during construction and until final completion of the project to assure financial responsibility and accountability. The duties of the Fiscal Administrator include, but are not limited to:

- (a) project administration and financial management for the Parties through completion of the Project;
- (b) processing and ordering payment of (by the "Paying Agent") all invoices after review and approval by both cities pursuant to Section 16 (a)
- (c) completing and submitting all "request for reimbursement" forms to the CWSRF for the draw-down of loan proceeds for both cities from the CWSRF loans
- (d) monitoring the cash balances in the Project Accounts to assure that adequate cash is available for the timely payment of invoices;
- (e) notifying each city when there is not sufficient cash available on the project account;
- (f) providing both cities with a monthly statement of cash balances, invoices paid and outstanding, retention monies.

5. Paying Agent.

Pinole and Hercules agree to establish separate "project accounts" at (TBD) Bank for the payment of debts for the construction of Project, authorizing (TBD) Bank as the Paying Agent to issue commercial checks/bank drafts upon demand of the Fiscal Administrator.

6. Ownership of the Plant.

This Agreement is limited to matters set forth herein and shall not affect the ownership of the improvements rights of the respective Parties in the WPCP and all improvements thereto, nor does it supersede, affect, modify or amend, in any way any of the agreements already existing between Pinole and Hercules with respect to any other matters.

7. Federal and State Assistance - Project Financing.

Pinole and Hercules have filed the necessary applications for loans from the CWSRF, which are or may be available for construction of Project and each Party shall, in good faith, each undertake all proceedings necessary to secure such CWSRF funds, or such other financing as may be necessary, for the benefit of both Parties hereto.

8. Sharing of Project Costs.

(a) Project Costs. Pursuant to the 2001 Wastewater Agreement, and upon approval by the Parties pursuant to the Construction Management procedure delineated in Section 16(a), Project Costs shall be shared equally by the cities of Pinole and Hercules.

For the purposes of the Plant Upgrade Project only, the City Engineers shall make a recommendation for accepting the Final Plans and Specifications to both city councils.

These Final Plans and Specifications shall be accepted by both city council's within thirty days (30) of receipt from the City Engineers and unless there are objections presented in writing within that time period, the advertisement for construction bids will proceed.

It is agreed that for the purposes of this Fiscal Agreement, a Project Labor Agreement shall not be considered as a part of the Plans and Specifications.

Project Costs include all capital, engineering, and construction costs for this Project, which include, but are not limited to:

- (i) all costs for engineering design and work associated with design which directly relate to the preparation of Project construction plans and specifications;
- (ii) project management costs, including the cost of a project manager (the **"Project Manager"**), Third Party Fiscal Administrator, the Paying Agent, as well as legal and administrative expenses associated with the Project;
- (iii) the costs for advertising and bidding of the design and construction work for the Project;
- (iv) acquisition of equipment related to the Project;
- (v) the acquisition of required permits and authorizations to proceed with construction;
- (vi) preparation of operation and maintenance manuals, cash flow analysis and wastewater discharge studies;
- (vii) all contractor and consulting services costs associated with the Project;
- (viii) Project construction supervision and engineering costs; and
- (ix) costs to administer and settle claims, including litigation that arises out of the Project.
- (x) Temporary facilities to replace structures impacted by the construction.

(b) Defined Project Related Construction Impacts. To the extent the Project impacts the items defined below, the costs associated shall be limited as follows:

- (i) Tennent Avenue. Project costs related to the mitigation of any construction related impacts to the portion of Tennent Avenue from San Pablo Avenue to the WPCP site shall be limited to the incremental costs which result directly from the construction impacts. These impacts shall be determined by an assessment of the street condition prior to construction and an assessment after the completion of construction with a value assigned

based upon the difference as determined jointly by the Directors of Public Works for the Parties.

- (ii) Replacement of Pinole Corporation Yard Storage Building. The replacement of the storage building being displaced by the Project shall be limited to newly constructed "like for like" replacement adjusted to address any current Building Code, Plant limitations and requirements or other regulatory requirements. Any costs for a replacement structure outside of these parameters shall be the sole responsibility of the City of Pinole.
- (iii) Replacement of Bay Front Park Restroom. The replacement of the park restroom building being displaced by the Project shall be limited to newly constructed "like for like" replacement adjusted to address any current Building Code, Plant limitations and requirements or other regulatory requirements. Any costs for a replacement structure outside of these parameters shall be the sole responsibility of the City of Pinole.
- (iv) Bay Front Park Enhancements or Mitigation. Any park enhancement or mitigation for use of Bay Front Park for staging or construction purposes shall be limited to those enhancements or mitigations imposed by Bay Conservation Development Commission (BCDC) or another regulatory agency.

9. Project Account.

Thirty days after the construction plans are advertised for bids, Project Accounts shall be established with the mutually agreed upon in advance of the award of the contract and both cities shall deposit a total of \$2,750,000 into the account prior to the award of the construction contract

(a) Initial Amounts. Pinole and Hercules shall each be obligated to deposit into their respective Project Account a cash amount equal to \$2,750,000 each for an initial total amount of \$5,500,000, which represents the highest two (2) months of estimated Project costs over the term of this Agreement. Each Party shall deposit its initial cash share into their respective Project Account no later than ten (10) business days after the Project construction bid documents are released for bid. The monies in the Project Accounts will be confirmed by the Third Party Paying Agent and used to pay for Project expenses as set forth in Section 5 through the Fiscal Administrator.

(b) Minimum Project Account Balance. At no time prior to completion of the Project should the available balance in the Project Accounts be less than \$500,000 for each Party or less than \$1,000,000 in total. Each Party shall deposit within five (5) business days additional funds to increase the balance in their respective Project accounts to a total of \$2.75 Million each, but in no event should the balance be less than \$500,000 for each respective Project Account.

(c) Project Backstop Financing (Safety Net). Each City shall approve by Resolution the authorization for establishing a back up financing plan or a "safety net" to

assure that cash flow is maintained throughout the project. Each City shall identify the source of said funding. In addition to the initial \$2.75 Million in the Project Accounts, each City shall secure financing totaling \$3.5 Million to be used only if necessary due to delays in State reimbursements as confirmed by the Third Party Fiscal Administrator.

Upon completion and review of a cash flow analysis, additional funds may be required for deposit into the Project Accounts, based upon the recommendation of the Third Party Administrator. These funds shall be deposited into the Project Accounts within five (5) business days of such notification.

(d) Payment of Invoices. The Fiscal Administrator shall order the timely payment of invoices for eligible project costs following review and approval of invoiced charges. Neither City shall unreasonably delay the review nor administrative approval of Project invoices, with said review and approval to occur within fourteen (14) days. If no objections are received by the Fiscal Administrator, the invoices shall be deemed approved and sent to the Paying Agent. Copies of checks issued by the Paying Agent will be provided to each City in a timely manner by the Fiscal Administrator.

(e) Reimbursement by CWSRF. Project expenses are to be reimbursed by the CWSRF. As reimbursement checks are received by each city, equivalent funds are to be deposited into each respective Project Account with the Paying Agent within five (5) business days.

10. CWSRF Reimbursement Forms.

The Fiscal Administrator will complete and file with the CWSRF all request for reimbursement forms for each Party and will provide both cities through its designee, three (3) business days to review, comment and approve the form prior to submitting the form to CWSRF. If either City does not respond within three (3) business days, the request for reimbursement will be deemed approved for submittal to CWSRF.

11. Return of Funds Upon Project Completion.

Within ninety (90) days of the Project being deemed complete in accordance with Section 2 and the filing of a Notice of Completion with the County for completion of the Project, the Third Party Fiscal Administrator shall return to each Party its share of their respective Project Account funds.

12. Calculation of and True-Up for Project Costs.

Upon completion of the Project, the Third Party Fiscal Administrator shall provide an analysis comparing the payment of Project Costs with the actual Project Costs paid by each Party. Both cities shall be provided thirty (30) days to review and approve calculation of any true-up for Project Costs. Any overpayments or underpayments for either Party will be credited or debited to each Party.

13. Cooperation and Further Assurances.

The Parties agree to cooperate and act in good faith in connection with the payment of all capital costs related to the upgrade Project. Each Party agrees to provide such information, execute and deliver any instruments and documents and to take such other actions as may be necessary or reasonably requested by the other Party which are not inconsistent with the provisions of this Agreement and which do not involve the assumption of obligations other than those provided for in this Agreement, in order to give full effect to this Agreement and to carry out the intent of this Agreement.

14. Examination of Books and Records.

Any Party to this Agreement shall have the right to examine the books and records created and maintained by the Third Party Fiscal Administrator pursuant to this Agreement at any reasonable, mutually agreed upon time.

15. Revenue Covenant.

Any failure of a Party to meet its obligations hereunder or to cure such failure in a timely manner shall constitute a Default and the defaulting Party shall be subject to such remedies as provided herein. Each Party covenants and agrees:

- (a) to continue to pay or advance to their respective Project Account from its revenues, only its share of the Project costs in accordance with this Agreement. Each Party further agrees that it will establish the user rates and charges for services provided by its enterprise so that it will at all times have sufficient revenues to meet this obligation;
- (b) to make payments to their respective Project Account under this Agreement from the revenues;
- (c) to make payments under this Agreement whether or not there is an interruption in, interference with, or reduction or suspension of services provided under this Agreement; such payments not being subject to any reduction, whether by offset or otherwise, and regardless of whether any dispute exists provided such interruption, interference or reduction in services is caused by forces constituting a Force Majeure Event and not reasonably contemplated by the Parties;
- (d) to operate its enterprise in an efficient manner and to maintain its facilities in good repair, condition and working order so that:
 - (i) the Parties' obligations to make payments under this Agreement are not adversely affected or threatened; and
 - (ii) each Party's bond rating and ability to negotiate and enter into any other agreements for this Project are not adversely affected or threatened; and

- (e) annually, and in each and every fiscal year during the term of this Agreement, to include in its enterprise budget, as an enterprise capital project expense, whether or not any other items are included, an appropriation or commitment from its revenues sufficient to satisfy all payments required to be made by the Party in such fiscal year under this Agreement, which are not paid from other available funds of the Party, until all such payments required to be made by the Parties under this Agreement have been paid in full.

16. Construction Management

- (a) *Coordination Meetings.* Representatives from the City of Hercules and the City of Pinole along with the onsite construction management firm shall meet weekly for the purpose of discussing and coordinating project related matters. The weekly meeting will include, but will not be limited to, project status, review of invoice(s) and invoices administratively approved by both parties, analysis of change orders to determine if change orders should be accepted for the project, and a monthly review of each City's Project Account with Paying Agent bank statements.
- (b) *Contingency Fund.* The Project shall have a Contingency Fund representing 10% of the Contractor's final bid award. Staff shall be authorized to administratively approve change orders within this amount and under the guidelines of 16 (c) below. If change orders are on track to exceed the total amount of the contract award plus the 10% Contingency Fund, this Agreement shall be amended by the Parties to increase the total contingency prior to additional change orders being approved.
- (c) *Change Orders.* If a dispute arises out of acceptance of change order(s), the change order(s) will be reviewed at a meeting by both City Managers and if not resolved, the Change Order will be reviewed and approved by the Pinole City Council up to the limit set forth in Section 16 (b).

For the purposes of this project, the authority for the approval of change orders shall be as follows:

Directors of Public Works/City Engineers	5%
Equal to an amount less than 5% of the Contingency amount	\$147,000

City Managers	10%
Equal to an amount between 5% and 10% of the Contingency amount	— \$294,000

Pinole City Council
Equal to an amount over 10% of the Contingency amount.

17. Default and Remedies.

(a) Events of Default. An Event of Default under this Agreement shall exist with respect to a Party ("Defaulting Party") upon the occurrence of any one or more of the following:

- (i) If any Party fails to make any payment or to provide assurances as required by the Third Party Fiscal Administrator under this Agreement when due hereunder five (5) business days after receipt of notice given by the Fiscal Administrator pursuant to Section 19(a) of such non-payment or requirement to provide assurances; or
- (ii) the failure of the Party to perform any other covenant or obligation under this Agreement where such failure is not cured within ten (10) days following receipt of a notice from the Third Party Fiscal Administrator demanding cure; or

(b) Cure of an Event of Default. An Event of Default shall be deemed cured only if such default shall be remedied within the time periods set forth in Section 17(a) above.

(c) Remedies in the Event of Default.

(i) Remedies of Pinole. Upon the occurrence of an Event of Default, and following the applicable cure periods, where Hercules is the Defaulting Party, Pinole may, without limiting its other rights or remedies available under this Agreement, at law or in equity, and without constituting or resulting in a waiver, release or estoppels of any right, action or cause of action Pinole may have against Hercules, Pinole may demand that Hercules provide further assurances to compel the correction of the default, including, but not limited to, raising rates and charges to its customers or mandating the collection of a surcharge to produce revenues sufficient to secure the cure of the Event of Default.

(ii) Remedies of Hercules. Upon the occurrence of an Event of Default, and following the applicable cure periods, where Pinole is the Defaulting Party, Hercules may, without limiting its other rights or remedies available under this Agreement, at law or in equity, and without constituting or resulting in a waiver, release or estoppel of any right, action or cause of action Hercules may have against Pinole, Hercules may demand that Pinole provide further assurances to compel the correction of the default, including, but not limited to, raising rates and charges to its customers or mandating the collection of a surcharge to produce revenues sufficient to secure the cure of the Event of Default

(iii) Special Covenants Regarding Project Accounts. In the event that either Party's balance of their respective Project Account is insufficient to cover all project invoices for costs incurred under this Agreement sent to such Party, then, without limiting the other City's rights or remedies available under this Agreement, at law or in equity, such Party shall cooperate in good faith and shall cure the default within thirty (30) days, on an emergency basis, taking all such action as is necessary, including, but not limited to, raising rates and charges to its customers to increase its revenues to replenish its share of their respective Project Account as provided herein, obtaining further assurances by way of credit support and letters of credit, and taking all such other action as will cure the default.

(d) Effect of Termination or Suspension. This Agreement may not be terminated or suspended, except in writing signed by both Parties. In no event shall the termination of this Agreement waive, or otherwise discharge any ongoing or undischarged contingent liabilities or obligations arising from this Agreement until such obligations are satisfied in full, and all of the costs incurred by Parties in connection with such suspension or termination, including reasonable attorneys' fees, the fees and expenses of other experts, including auditors and accountants, other costs and expenses that a Party is entitled to recover under this Agreement, and other reasonable and necessary costs associated with any and all of the remedies, are paid in full.

18. Administration of Agreement by the Project Lead

Pinole, shall serve as the Project Lead for purposes of this agreement. The Project Lead shall provide project updates to the City of Hercules at each regular meeting of the Pinole - Hercules Wastewater Subcommittee and shall otherwise provide timely information to Hercules on all pending acts, decisions or approvals.

19. Miscellaneous.

(a) Notices. Except as otherwise specified in this Agreement, all notices to be sent pursuant to this Agreement shall be made in writing, and sent to the parties at their respective addresses specified below or to such other address as a party may designate by written notice delivered to the other party in accordance with this Section.

All such notices shall be sent by:

- (i) personal delivery, in which case notice shall be deemed delivered upon receipt;
- (ii) certified or registered mail, return receipt requested, in which case notice shall be deemed delivered two (2) business days after deposit, postage prepaid in the United States mail; or

(iii) nationally recognized overnight courier in which case notice shall be deemed delivered one (1) day after deposit with such courier.

Pinole: City of Pinole
2131 Pear Street
Pinole, CA 94564
Attention: City Manager, Copy to City Attorney

Hercules: City of Hercules
111 Civic Center Drive
Hercules, CA 94547
Attn: City Manager, Copy to City Attorney

(b) Counterparts. This Agreement may be executed in multiple counterparts each of which shall be an original and all of which taken together shall constitute one and the same instrument.

(c) Severability. If any term, provision, covenant or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions shall continue in full force and effect unless the rights and obligations of the parties are materially altered or abridged by such invalidation, voiding or unenforceability.

(d) Legal Actions and/or Attorneys' Fees. In the event any legal action is commenced to interpret or to enforce the terms of this Agreement or to collect damages as a result of any breach thereof, the Party prevailing in any such action shall be entitled to recover against the other Party all reasonable attorneys' fees and costs incurred in such action.

(e) Captions; Interpretation. The captions of the Sections of this Agreement are for convenience only and are not intended to affect the interpretation or construction of the provisions herein contained. The language of this Agreement shall be construed as a whole according to its fair meaning and not strictly for or against any Party.

(f) Parties Not Co-Venturers. Nothing in this Agreement is intended to or shall establish the Parties as partners, co-venturers, or principal and agent with one another.

(g) Governing Law; Venue. This Agreement shall in all respects be construed and enforced in accordance with laws of the State of California without regard to principles of conflicts of laws. Any action to interpret or enforce this Agreement shall be filed in Superior Court in Contra Costa County or in Federal Court for the Northern District of California.

(h) Waiver; Modification and Amendment. No failure or delay on the part of either Party in exercising any right, power, or remedy hereunder shall operate as a waiver thereof, nor shall any single or partial exercise of any such right, power, or remedy preclude any other or further exercise thereof or the exercise of any other right, power, or remedy hereunder. No modification or waiver of any provision of this Agreement, nor any consent

to any departure there from, shall in any event be effective unless the same shall be in writing, signed by Pinole and Hercules, and then such waiver or consent shall be effective only in the specific instance and for the specific purpose for which given. No amendment to or modification of this Agreement shall be effective unless and until such amendment or modification is in writing, properly approved in accordance with applicable procedures, and executed by Pinole and Hercules.

(i) Assignment. This Agreement shall be binding upon each Party and their successors and assigns; provided however, this Agreement shall not be assignable by either Party, either by operation of law or otherwise, and any such assignment by operation of law or otherwise shall be void.

(j) Entire Agreement. This Agreement, together with the documents referenced herein constitutes the entire Agreement of the Parties with respect to the Project and supersedes all prior or contemporaneous written or oral agreements with respect thereto.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives the day and year first above written.

City of Pinole

City of Hercules

By: _____
Andrew Murray, City Manager

By: _____
David Biggs, City Manager

Date: _____

Date: _____

ATTEST:

By: _____
Heather Iopu, City Clerk

By: _____
Lori Martin, MMC, City Clerk

APPROVED AS TO FORM:

By: _____
Eric S. Casher, City Attorney

By: _____
Patrick Tang, City Attorney

EXHIBIT A

Construction Milestone Schedule

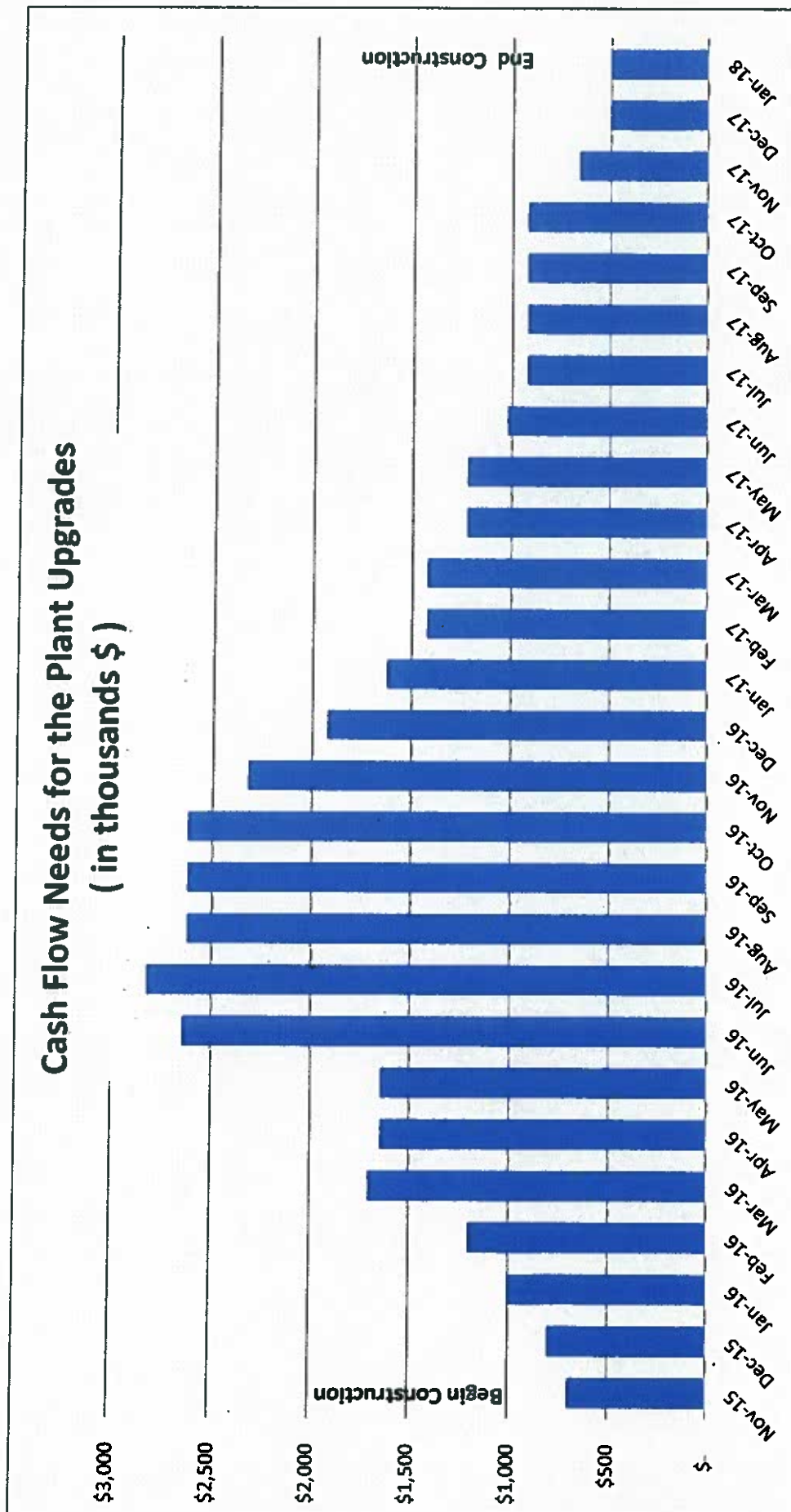
EXHIBIT B

**Project Account Funding Schedule
(Cash Flow Analysis)**

Pinole Hercules Wastewater Plant Upgrades

ID	Task Name	Text1	Start	Finish	Duration	1st Quarter 2nd Quarter 3rd Quarter 4th Quarter											
						Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1	FISCAL AGREEMENT		Tue 2/10/15	Tue 2/24/15	10 days												
2	Approve Fiscal Agreement	CC City of Hercules	Tue 2/10/15	Tue 2/10/15	0 days												
3	Revise and Approve Fiscal Agreement	CC City of Pinole	Tue 2/17/15	Tue 2/17/15	0 days												
4	Approve Revised Fiscal Agreement	CC City of Hercules	Tue 2/24/15	Tue 2/24/15	0 days												
5																	
6	PROJECT LABOR AGREEMENT		Tue 3/10/15	Mon 8/24/15	120 days												
7	Decision on PLA	CC City of Hercules	Tue 3/10/15	Tue 3/10/15	0 days												
8	Establish Working Committee of Elected C	CC Both Cities	Tue 3/10/15	Mon 3/30/15	3 wks												
9	Award Consultant for PLA Negotiations	CC City of Pinole	Tue 3/10/15	Mon 3/30/15	3 wks												
10	Assemble Deal Points	Working Committee	Tue 3/10/15	Mon 3/30/15	3 wks												
11	Approve Deal Points	CC City of Pinole	Tue 3/31/15	Mon 4/13/15	2 wks												
12	Approve Deal Points	CC City of Hercules	Tue 4/14/15	Mon 4/27/15	2 wks												
13	Negotiation Process	Staff and Subcom both citi	Tue 4/28/15	Mon 7/27/15	13 wks												
14	Approve PLA	CC City of Hercules	Tue 7/28/15	Mon 8/10/15	2 wks												
15	Approve PLA	CC City of Pinole	Tue 8/11/15	Mon 8/24/15	2 wks												
16																	
17	FINAL PLANS AND SPECS		Tue 3/31/15	Tue 7/7/15	71 days?												
18	Submit 90% Plans and Specifications	HDR	Tue 3/31/15	Tue 3/31/15	1 day?												
19	Review Plans and Specifications	Carollo	Wed 4/1/15	Tue 4/28/15	4 wks												
20	Revise Plans and Specifications	HDR	Wed 4/29/15	Tue 6/2/15	5 wks												
21	Submit 100% Plans and Specifications	HDR	Tue 6/2/15	Tue 6/2/15	0 days												
22	Review Plans and Specifications	Staff both Cities	Wed 6/3/15	Tue 6/16/15	2 wks												
23	Accept Plans and Specifications	CC City of Hercules	Tue 6/23/15	Tue 6/23/15	0 days												
24	Accept Plans and Specifications	CC City of Pinole	Tue 7/7/15	Tue 7/7/15	0 days												
25																	
26	ADVERTISE AND AWARD PLANS		Tue 8/25/15	Mon 11/30/15	70 days												
27	Combine Plans and Specifications and PL		Tue 8/25/15	Mon 9/7/15	2 wks												
28	Advertise		Tue 9/8/15	Mon 10/26/15	7 wks												
29	Open Bids		Mon 10/26/15	Mon 10/26/15	0 days												
30	Evaluate Bids		Tue 10/27/15	Mon 11/16/15	3 wks												
31	Award Bids		Tue 11/17/15	Mon 11/30/15	2 wks												

Pinole-Hercules Wastewater Plant Upgrade Project
Preliminary Pre-Bid Cash Flow Analysis
February 2015





STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 10, 2020

TO: Members of the City Council

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

SUBJECT: Initial Review of Landscape & Lighting Assessment District 83-2 FY 20-21 Budgets and Discuss Possible Direction

RECOMMENDED ACTION: Receive report, discuss, and provide direction, if any.

FISCAL IMPACT OF RECOMMENDATION: None as a direct result of this report. The City has been addressing the need to replace hollow-core wood streetlight poles and to eliminate operating and cumulative deficits in some Zones of Landscape & Lighting Assessment District (L&LAD) 83-2 over the past four years. Zone 6 continues to see an operating deficit even with substantial service reductions and streetlight replacement is still needed. Zones 3 & 4 are also in need of streetlight replacement. Should the Council wish to ballot in either Zones 3 & 4, or Zone 6, there would be costs associated with the balloting. The estimated cost to notice and ballot the parcels in Zones 3 & 4 (approx. 840 parcels) is \$4,600 and the parcels in Zone 6 (approx. 970 parcels) is \$5,200. This estimate includes preparation of the notices (color bi-folded 11" x 17") and ballots (colored card stock), printing & mailing services (including outgoing and return postage), and ballot tabulation.

DISCUSSION: City staff and our L&LAD engineer have completed an initial look at the FY 20/21 budgets for the Citywide L&LAD 83-2 which has the individual neighborhood based zones together with a citywide zone. These projections start with the final results for the 18/19 fiscal year and the anticipated 19/20 results based upon the recently completed mid-year review.

Attachment 1 is a base projection which assumes that we do not ballot in the two remaining Zones (3 & 4, and 6) where streetlight replacement is still needed and in the case of Zone 6 where cumulative and operating deficits remain. As you will see, Zone 6 continues to have an operating deficit even with the service reductions previously implemented which include no streetlight or landscape maintenance. Zones 3 & 4 show an operating deficit due to \$20,000 in one-time costs for V-ditch cleaning, though that is covered by available reserves, so the only issue in Zones 3 & 4 is the need to replace the failing hollow-core wood pole streetlights. It should be noted that streetlight maintenance has also been suspended in Zones 3 & 4 as maintaining failing streetlights did not seem to be fiscally prudent.

Generally, all Zones have benefitted from lower transfers for their share of arterial costs as a number of larger repair and maintenance efforts have been completed, together with lower electrical costs for arterial streetlights given the streetlight replacement project which has been completed with lower cost energy efficient LED streetlights. In addition, these factors, together with lower costs for the new LED streetlights, has seen improved finances in Zone 1 (Hercules by the Bay), as that Zone's operating deficit has been eliminated and shows capacity for repayment of the cumulative deficit over time. The lower cost to acquire and install the new streetlights also assisted with this financial turnaround for Zone 1, and has also improved the finances in Zone 7 (Refugio Heights) as well.

This item is being presented so the City Council can provide preliminary direction as to whether or not to consider balloting in Zones 3 & 4, and Zone 6 for increased assessments. As noted above, for Zones 3 & 4, the increased assessments would be for replacement of streetlights which would also see a reduction in operating expense as a result. For Zone 6, there is still a need to eliminate the annual operating deficit, a cumulative deficit, and to replace streetlights. However, for 20/21, if the City were to ballot, we suggest just balloting to replace the streetlights on Village Parkway and not in the Westwood Duets, as the City is exploring the opportunity to transfer those lights to the HOA as the roads and other improvements in that neighborhood are all private. Attachment 2 is a projected budget which illustrates this scenario. In addition, what the assessment increases would be for FY20/21 are shown below:

Zone 3&4

Current FY 2019-20 Assessment	\$80.33
Assessment to eliminate annual deficit	\$0.00
Assessment to eliminate cumulative deficit (over 10 years)	\$0.00
Assessment to replace wooden poles (financed over 10 years)	<u>\$56.01</u>
	\$136.34

Zone 6

Current FY 2019-20 Assessment	\$30.38
Assessment to eliminate annual deficit	\$40.27
Assessment to eliminate cumulative deficit (over 10 years)	\$20.56
Assessment to replace wooden poles along Village Parkway (financed over 10 years)	<u>\$10.79</u>
	\$102.00

Given the strategy to not replace the Westwood Duet lights at this time, the City would ballot on just a single assessment rate for the entirety of Zone 6 instead of the two tier rate balloted upon in the prior iteration.

The next step in the annual L&LAD renewal process would be to have the City Council adopt a resolution of intention which also calls for the preparation of the Engineer's Report; as such, that would be the point in time when a decision on balloting for increased assessments above a CPI inflator would be made.

ATTACHMENTS:

1. Preliminary 20/21 Budget - Status Quo
2. Preliminary 20/21 Budget – Increased Assessments

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

LANDSCAPING AND LIGHTING DISTRICT NO. 83-2
PRELIMINARY BUDGET ESTIMATES
FISCAL YEAR 2020-21

	LLAD 83-2 NEIGHBORHOOD ZONES										
	ZONE 1 HERCULES BY THE BAY	ZONE 2 FOXBORO	ZONE 3&4 THE GEMS/ BIRDS	ZONE 5A BUSINESS PARK	ZONE 5B COMMERCIAL	ZONE 5C DEV. PARCELS	ZONE 6 VILLAGE PARKWAY	ZONE 7 HEIGHTS	ZONE 8 TREES AND FLOWERS	ZONE 9 BIRDS AND COUNTRY RUN	LLAD 83-2 CITYWIDE ZONE 10
REVENUES											
Assessments	\$86,405.27	\$79,418.49	\$67,336.25	\$78,196.83	\$41,751.23	\$18,140.41	\$23,865.20	\$105,861.93	\$160,323.90	\$84,016.65	\$1,073,206.07
Public Agency Assessments	\$218.27	\$345.07	\$4,813.35	\$7,095.99	\$6,145.94	\$2,680.04	\$0.00	\$920.47	\$23,067.56	\$27.67	\$33.41
General Benefit Contribution	\$1,174.77	\$585.52	\$1,065.15	\$762.27	\$251.64	\$236.64	\$230.52	\$1,182.53	\$2,367.29	\$1,076.72	\$50,628.60
TOTAL REVENUES	\$87,798.31	\$80,349.08	\$73,214.75	\$86,055.09	\$48,148.81	\$21,057.09	\$24,095.72	\$107,964.93	\$185,758.75	\$85,121.04	\$1,123,868.08
DIRECT COSTS											
Personnel	\$21,338.00	\$21,338.00	\$5,438.00	\$8,841.00	\$8,841.00	\$8,841.00	\$2,150.00	\$19,212.00	\$19,212.00	\$21,169.00	\$333,469.00
Transfer for Arterials/Major Roads Landscape and Lighting Maintenance	\$23,438.85	\$18,550.16	\$25,193.01	\$18,507.90	\$10,324.60	\$6,963.95	\$22,036.43	\$28,489.24	\$46,487.34	\$24,614.87	\$0.00
Neighborhood Wood Pole Replacements (Financed over 10 years)	\$21,171.38	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$29,526.43	\$0.00	\$0.00	\$0.00
Landscaping & Associated Repairs	\$4,217.85	\$1,012.20	\$3,557.40	\$5,151.30	\$829.50	\$0.00	\$0.00	\$0.00	\$8,858.85	\$673.05	\$319,060.35
Fire Breaks / Discing	\$751.80	\$1,309.35	\$1,285.20	\$0.00	\$0.00	\$0.00	\$630.00	\$1,050.00	\$12,000.00	\$959.70	\$1,050.00
Street Lighting & Repairs	\$6,100.00	\$3,000.00	\$13,100.00	\$6,300.00	\$0.00	\$400.00	\$6,000.00	\$7,500.00	\$49,400.00	\$28,200.00	\$29,330.00
Water	\$3,478.16	\$1,131.07	\$7,907.84	\$12,057.98	\$0.00	\$0.00	\$1,028.93	\$0.00	\$6,859.56	\$1,174.08	\$116,655.45
Assessment Engineering Cost	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00
Incidental / Direct Admin Cost*	\$0.00	\$0.00	\$350.87	\$4,717.79	\$1,908.61	\$1,566.10	\$0.00	\$0.00	\$0.00	\$0.00	\$205,704.05
County Fees	\$945.40	\$749.32	\$882.32	\$309.28	\$266.72	\$288.76	\$981.12	\$1,101.96	\$1,298.04	\$924.12	\$6,567.12
Miscellaneous/Capital Improvement Projects	\$0.00	\$0.00	\$20,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20,000.00	\$0.00	\$0.00
TOTAL DIRECT COSTS	\$82,177.44	\$47,826.11	\$78,450.64	\$56,621.26	\$22,906.43	\$18,795.82	\$33,562.48	\$87,615.63	\$164,851.78	\$78,450.82	\$1,012,571.96
COLLECTIONS/(CREDITS) APPLIED TO LEVY											
Reserve Collection (Transfer)	\$5,620.87	\$32,522.97	(\$5,235.88)	\$29,433.83	\$25,242.38	\$2,261.27	(\$9,466.77)	\$20,349.30	\$20,906.97	\$6,670.22	\$111,296.12
Beginning Balance - July 1, 2020	(\$24,884.69)	(\$39,542.43)	\$32,055.71	\$41,636.24	\$127,439.42	(\$14,527.96)	(\$156,079.12)	\$49,553.46	\$190,224.98	(\$66,872.66)	\$559,883.31
Reserve Collection Increase/(Decrease)	\$5,620.87	\$32,522.97	(\$5,235.88)	\$29,433.83	\$25,242.38	\$2,261.27	(\$9,466.77)	\$20,349.30	\$20,906.97	\$6,670.22	\$111,296.12
Ending Balance - Projected June 30, 2021	(\$19,263.81)	(\$7,019.46)	\$26,819.83	\$71,070.07	\$152,681.81	(\$12,266.69)	(\$165,545.89)	\$69,902.76	\$211,131.95	(\$60,202.44)	\$671,179.43
Recommended Operating Reserves	\$41,088.72	\$23,913.05	\$29,225.32	\$28,310.63	\$11,453.21	\$9,397.91	\$16,781.24	\$43,807.81	\$72,425.89	\$39,225.41	\$506,285.98
Available Operating Reserves	(\$19,263.81)	(\$7,019.46)	\$26,819.83	\$28,310.63	\$11,453.21	(\$12,266.69)	(\$165,545.89)	\$43,807.81	\$72,425.89	(\$60,202.44)	\$506,285.98
Available Capital Reserves	\$0.00	\$0.00	\$0.00	\$42,759.44	\$141,228.59	\$0.00	\$0.00	\$26,094.95	\$138,706.06	\$0.00	\$164,893.45
Total	(\$19,263.81)	(\$7,019.46)	\$26,819.83	\$71,070.07	\$152,681.81	(\$12,266.69)	(\$165,545.89)	\$69,902.76	\$211,131.95	(\$60,202.44)	\$671,179.43

* The overhead cost allocation for Zones 1, 2, 3&4 (excluding the pro-rata share of cost for Hercules Middle/High School), 6, 7, 8, 9, 10, and 20% of the LLAD 2002-1, LLAD 2002-2, LLAD 2004-1 and LLAD 2005-1 overhead costs have been allocated to Zone 10 for FY 2020-21.

LANDSCAPING AND LIGHTING DISTRICT NO. 83-2
PRELIMINARY BUDGET ESTIMATES
FISCAL YEAR 2020-21

	LLAD 83-2 NEIGHBORHOOD ZONES										
	ZONE 1 HERCULES BY THE BAY	ZONE 2 FOXBORO	ZONE 3&4 THE GEMS/ BIRDS	ZONE 5A BUSINESS PARK	ZONE 5B COMMERCIAL	ZONE 5C DEV. PARCELS	ZONE 6 VILLAGE PARKWAY	ZONE 7 HEIGHTS	ZONE 8 TREES AND FLOWERS	ZONE 9 BIRDS AND COUNTRY RUN	LLAD 83-2 CITYWIDE ZONE 10
REVENUES											
Assessments	\$86,405.27	\$79,418.49	\$67,336.25	\$78,196.83	\$41,751.23	\$18,140.41	\$23,865.20	\$105,861.93	\$160,323.90	\$84,016.65	\$1,073,206.07
Public Agency Assessments	\$218.27	\$345.07	\$4,813.35	\$7,095.99	\$6,145.94	\$2,680.04	\$0.00	\$920.47	\$23,067.56	\$27.67	\$33.41
General Benefit Contribution	\$1,174.41	\$585.43	\$2,300.74	\$761.63	\$251.59	\$236.64	\$811.63	\$1,180.43	\$2,366.26	\$1,076.66	\$50,545.78
TOTAL REVENUES	\$87,797.95	\$80,348.99	\$74,450.34	\$86,054.44	\$48,148.76	\$21,057.09	\$24,676.82	\$107,962.83	\$185,757.72	\$85,120.97	\$1,123,785.26
DIRECT COSTS											
Personnel	\$21,338.00	\$21,338.00	\$21,338.00	\$8,841.00	\$8,841.00	\$8,841.00	\$21,338.00	\$19,212.00	\$19,212.00	\$21,169.00	\$333,469.00
Transfer for Arterials/Major Roads Landscape and Lighting Maintenance	\$23,438.85	\$18,550.16	\$25,193.01	\$18,507.90	\$10,324.60	\$6,963.95	\$22,036.43	\$28,489.24	\$46,487.34	\$24,614.87	\$0.00
Neighborhood Wood Pole Replacements (Financed over 10 years)	\$21,171.38	\$0.00	\$45,529.52	\$0.00	\$0.00	\$0.00	\$8,192.61	\$29,526.43	\$0.00	\$0.00	\$0.00
Landscaping & Associated Repairs	\$4,200.00	\$1,008.00	\$3,536.40	\$5,121.90	\$827.40	\$0.00	\$1,674.75	\$0.00	\$8,807.40	\$669.90	\$317,772.00
Fire Breaks / Discing	\$751.80	\$1,309.35	\$1,285.20	\$0.00	\$0.00	\$0.00	\$630.00	\$945.00	\$12,000.00	\$959.70	\$1,050.00
Street Lighting & Repairs	\$6,100.00	\$3,000.00	\$13,100.00	\$6,300.00	\$0.00	\$400.00	\$6,000.00	\$7,500.00	\$49,400.00	\$28,200.00	\$29,330.00
Water	\$3,478.16	\$1,131.07	\$7,907.84	\$12,057.98	\$0.00	\$0.00	\$1,028.93	\$0.00	\$6,859.56	\$1,174.08	\$116,655.45
Assessment Engineering Cost	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00	\$736.00
Incidental / Direct Admin Cost*	\$0.00	\$0.00	\$721.71	\$4,715.12	\$1,908.42	\$1,566.10	\$0.00	\$0.00	\$0.00	\$0.00	\$205,336.06
County Fees	\$945.40	\$749.32	\$882.32	\$309.28	\$266.72	\$288.76	\$981.12	\$1,101.96	\$1,298.04	\$924.12	\$6,567.12
Miscellaneous/Capital Improvement Projects	\$0.00	\$0.00	\$20,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$20,000.00	\$0.00	\$0.00
TOTAL DIRECT COSTS	\$82,159.59	\$47,821.91	\$140,230.01	\$56,589.19	\$22,904.13	\$18,795.82	\$62,617.84	\$87,510.63	\$164,800.33	\$78,447.67	\$1,010,915.63
COLLECTIONS/(CREDITS) APPLIED TO LEVY											
Reserve Collection (Transfer)	\$5,638.37	\$32,527.09	(\$65,779.67)	\$29,465.26	\$25,244.63	\$2,261.27	(\$37,941.01)	\$20,452.20	\$20,957.39	\$6,673.30	\$112,869.63
Beginning Balance - July 1, 2020	(\$24,884.69)	(\$39,542.43)	\$32,055.71	\$41,636.24	\$127,439.42	(\$14,527.96)	(\$156,079.12)	\$49,553.46	\$190,224.98	(\$66,872.66)	\$559,883.31
Reserve Collection Increase/(Decrease)	\$5,638.37	\$32,527.09	(\$65,779.67)	\$29,465.26	\$25,244.63	\$2,261.27	(\$37,941.01)	\$20,452.20	\$20,957.39	\$6,673.30	\$112,869.63
Ending Balance - Projected June 30, 2021	(\$19,246.32)	(\$7,015.34)	(\$33,723.95)	\$71,101.50	\$152,684.05	(\$12,266.69)	(\$194,020.14)	\$70,005.66	\$211,182.37	(\$60,199.36)	\$672,752.95
Recommended Operating Reserves	\$41,079.79	\$23,910.95	\$60,115.00	\$28,294.59	\$11,452.07	\$9,397.91	\$31,308.92	\$43,755.31	\$72,400.17	\$39,223.84	\$505,457.82
Available Operating Reserves	(\$19,246.32)	(\$7,015.34)	(\$33,723.95)	\$28,294.59	\$11,452.07	(\$12,266.69)	(\$194,020.14)	\$43,755.31	\$72,400.17	(\$60,199.36)	\$505,457.82
Available Capital Reserves	\$0.00	\$0.00	\$0.00	\$42,806.91	\$141,231.98	\$0.00	\$0.00	\$26,250.35	\$138,782.21	\$0.00	\$167,295.13
Total	(\$19,246.32)	(\$7,015.34)	(\$33,723.95)	\$71,101.50	\$152,684.05	(\$12,266.69)	(\$194,020.14)	\$70,005.66	\$211,182.37	(\$60,199.36)	\$672,752.95

* The overhead cost allocation for Zones 1, 2, 3&4 (excluding the pro-rata share of cost for Hercules Middle/High School), 6, 7, 8, 9, 10, and 20% of the LLAD 2002-1, LLAD 2002-2, LLAD 2004-1 and LLAD 2005-1 overhead costs have been allocated to Zone 10 for FY 2020-21.



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 10, 2020

TO: Members of the City Council

SUBMITTED BY: David Biggs, City Manager

SUBJECT: Business License Update

RECOMMENDED ACTION: Receive report, discuss, and provide direction, if any.

FISCAL IMPACT OF RECOMMENDATION: None as a result of this item. The annual revenue generated from the City's existing business license tax is expected to be \$197,000.

DISCUSSION: On September 24, 2019, in response to a request of Council Member Romero, the City Council agreed to have a discussion about the City's business license tax. This item has been prepared in response to that request and is intended to provide background information on the existing business license tax.

The City's existing business license tax dates back to the adoption of Ordinance 221 in 1985. The current code, which incorporates all changes since that initial adoption, is attached (Attachment 1). A survey of business license tax related ordinances shows there have been minor amendments as encapsulated in the current code. The current business license fees are included in the annual Master User Fee Schedule which was last updated on June 25, 2019, and the current business license fees appear on pages 17-18 (Attachment 2).

The business license tax was most recently discussed by the City Council in December, 2018, when the Council received an updated Administrative Policy for the business license tax associated with the implementation of an audit and recommendations which arose out of that process (Attachment 3). In addition, in July, 2017, the Council approved a temporary waiver of the business license tax for Parks & Rec fee class providers and on City Professional Services Contracts (Attachment 4).

Prior revisions included items like redefining the tax year, creating a category for Farmer's Market participants, and imposing delinquency penalties, among others. These staff reports all referred to the revisions having been reviewed by the City Attorney's office and it having been determined that the changes/revisions did not trigger a Proposition 218 voter approval requirement. This is a key factor which the Council needs to take into consideration when discussing possible revisions to the existing business license tax.

Since the existing business license tax ordinance dates back to 1985, it was adopted prior to Proposition 218, which was enacted by the voters in November 1996. California voters passed Proposition 218, the “Right to Vote on Taxes Act” as a state constitutional amendment to limit the methods by which local governments can create or increase taxes, fees and charges without taxpayer consent. Certain types of changes or revisions to the existing business license tax could trigger the requirement for voter approval. Any change which may be considered an increase, as discussed further in the attached excerpt from a League of California Cities Proposition 26 and 218 Implementation Guide (Attachment 5), would require voter approval. As such, any potential changes or revisions under consideration should be reviewed with the City Attorney in regard to the requirements of Proposition 218.

ATTACHMENTS:

1. Business License Ordinance
2. Master User Fee Schedule
3. December 2018 Business License Admin Policy
4. November 2017 Temporary Waiver
5. League Guide Excerpt

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

Chapter 6. **Business** License Tax

Article 1. General

Sec. 8-6.101 Purpose.

This Chapter is enacted solely to raise revenue for municipal purposes and use through taxation of the privilege of doing **business** in the City, and is not intended for regulation or any other purpose.

Sec. 8-6.102 Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meaning respectfully ascribed to them by this Section unless it is apparent from their context that a different meaning is intended:

(a) Person. "Person" means and includes all domestic and foreign corporations, associations, syndicates, joint stock corporations, partnerships of every kind, clubs, Massachusetts **business** or common-law trusts, societies and individuals doing **business** in the City, other than as an employee. Notwithstanding the definition herein of "person", a "professional person" shall be individually **licensed** as provided in this Chapter.

(b) Doing **Business**. "Doing **business**" means the conduct of any manufacturing, wholesale, retail, apartment house rental or any other commercial enterprise and the conduct of, or engaging in the practice of, any occupation, trade, profession or semi-profession, and all and every kind of calling whether or not carried on for profit, except as specifically excepted by the provisions of this Chapter, by any person having any proprietary interest therein as distinguished from the interest of an employee therein.

(c) General Contractor. "General contractor" means any person whose **business** is in connection with any structure built, being built, or to be built for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind requiring in its construction the use of more than two (2) unrelated building trades or crafts, or to do or superintend the whole or any part thereof, or whose **business** in connection with fixed works requires specialized engineering knowledge and skill, including the following divisions or subjects: irrigation, drainage, water power, water supply, flood control, railroads, highways, streets and roads, tunnels, airports and airways, sewers and sewage disposal plants and systems, bridges, overpasses, underpasses and other similar works, pipelines and other systems for the transmission of petroleum and other liquid or gaseous substances, parks, playgrounds and other recreational works, land leveling and earth moving projects, excavating, grading, trenching, paving and surfacing work, and cement and concrete work in connection with the above mentioned fixed works.

(d) Subcontractor. "Subcontractor" means any person whose **business** is the performance of construction work requiring special skill and whose principal contracting **business** involves the use of specialized building trades or crafts.

(e) Gross Receipts. "Gross receipts" means the total of amounts actually received or receivable from sales and the total amounts received or receivable for the performance of any act or service of whatever nature it may be, for which a charge is made or credit allowed, whether or not such act or services is done as a part of or in connection with a sale of materials, goods, wares or merchandise. Included in "gross receipts" shall be all receipts, cash, credits and property of any kind and nature, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service costs, interest paid or payable, or losses or other expenses whatsoever. Excluded from "gross receipts" shall be the following:

- (1) Cash discounts allowed and taken on sales.
- (2) Credit allowed on property accepted as part of the purchase price, and which property may later be sold.
- (3) Any tax required by law to be included in or added to the purchase price, and collected from the consumer or purchaser.
- (4) Such part of the sale price of the property returned by purchasers upon rescission of the contract of sale, as is refunded either in cash or by credit.
- (5) Amounts collected for others where the **business** is acting as an agent or trustee, to the extent that such amounts are paid to those for whom collected, provided the agent or trustee has furnished the Director of Finance with the names and addresses of the others and the amounts paid to them.
- (6) That portion of the receipts of a general contractor which represent payments to sub-contractors, provided that such sub-contractors are **licensed** under this Chapter and provided the general contractor furnishes the Director of Finance with the names and addresses of the sub-contractors and the amounts paid each sub-contractor.
- (7) Receipts of refundable deposits, except that refundable deposits forfeited and taken into income of the **business** shall not be excluded.
- (8) As to a real estate agent or broker, the sales price of real estate sold for the account of others, except that portion which represents commission or other income to the agent or broker.
- (9) As to a retail gasoline dealer, a portion of his receipts from the sale of motor vehicle fuels, equal to the motor vehicle fuel **license** tax imposed by and previously paid under the provisions of Part 2 of Division 2 of the Revenue and Taxation Code of the State of California.
- (10) As to a retail gasoline dealer, the special motor fuel tax imposed by paragraph [4041](#) of Title [26](#) of the United States Code, if paid by the dealer or collected by him from the consumer or purchaser.

(11) As to trading stamp companies, the “gross receipts” shall be measured in terms of stamp sales to merchants.

(12) Receipts from the sale of real property, when such sale is merely incidental to carrying on a **business**.

(f) Sale. “Sale” means the transfer in any manner or by any means whatsoever the title to property for a consideration; the serving, supplying or furnishing of any property for a consideration; and a transaction whereby the possession of property is transferred and the seller retains the title as security for the payment of the price shall be likewise deemed a “sale”. The foregoing definition shall not be deemed to exclude any transaction which in effect results in a “sale” within the contemplation of law.

(g) Peddler. “Peddler” means any hawker, vendor or other person who goes from house to house, or place to place, or in or along the streets within the City, selling and making immediate delivery, or offering for sale and immediate delivery, any goods, wares, merchandise or anything of value, in possession of the peddler, to persons other than manufacturers, wholesalers, jobbers or retailers in such commodities.

(h) Solicitor. “Solicitor” means any agent or other person who travels from place to place, or house to house, and solicits or takes orders for or makes demonstrations of any goods, wares, merchandise or things or articles of value, or advertising, or for services to be performed in the future, or for subscriptions to periodicals, or tickets of admission to entertainments or memberships in any clubs.

(i) Merchant. “Merchant” means any person selling goods, wares and merchandise or services of any description within the City, either as a sole **business**, or in connection with some other **business**, and any person engaging in **business** within the City; except, however, peddlers, solicitors and all other persons whose **business** is specifically defined in or for whose **business** a separate and distinct **license** fee is provided and required under this Chapter.

(j) Professional Person. “Professional Person” means any accountant, chiropractor, dentist, engineer, lawyer, optometrist, osteopath, physician, surgeon, veterinarian or mortician who solicits, sells or offers any professional services in the City.

(k) Apartment House. “Apartment House” means any building or portion thereof which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three (3) or more families living independently of each other and containing facilities for the cooking or preparation of meals.

(l) Branch Service Office. “Branch Service Office” means any **business**, person, division or department performing non-revenue producing services in connection with a **business** located outside the City, including internal service departments, and distribution centers for **business** located outside the City. (Ord. 221 § 1 Arts. 1 and 2, 1985)

Sec. 8-6.103 Unlawful Business.

No **license** shall be issued pursuant to the provisions of this Chapter authorizing the conduct or continuance of any **business** which violates state or federal law. (Ord. 415 § 1, 2006)

Sec. 8-6.104 Effect Upon Other Provisions of Code.

Compliance with the provisions of this Chapter by any person, and the issuance of a **business license** shall in no way whatsoever affect any other provision of this Code, either by way of curing any existing violation of any other provision of this Code by the **licensee**, or by relieving him from complying with any and all other applicable provisions of this Code.

Sec. 8-6.105 Compliance with City Ordinances.

No person shall be entitled to a **business license** and the Director of Finance shall not issue a **business license** to any person unless and until said person shall have complied with all applicable City ordinances. (Ord. 221 § 1 Art. 3, 1985)

Article 2. Business Licenses**Sec. 8-6.201 License Application.**

All applications for **business licenses** shall be made to the Director of Finance on forms furnished by the Director and shall state all facts necessary and proper to be known and stated for the issuance of such **license**, including the kind or character of the **business** or **business** enterprise, the location thereof, the full name and residence of the proposed **licensee**, the period of time such **business** or **business** enterprise is intended to be continued, or for which the proposed **license** is to be issued, and such other facts or information as the Director may require. If the **license** fee payable under this Chapter is to be determined by the amount of gross receipts, for new **businesses** and **business** enterprises not previously **licensed**, the application shall state an estimate of the amount of such gross receipts anticipated for the period for which the **license** is proposed to be issued. For established **businesses** and **businesses** previously **licensed**, the application shall state the amount of gross receipts for the last preceding **license** period. All applications for **business licenses** shall be signed by the applicant under penalty of perjury.

Sec. 8-6.202 Issuance of License.

On the basis of the information contained in the application provided for in Section 86.201 of this Chapter, the Director of Finance shall assess the amount of the **license** tax to be paid by such person for the privilege of doing **business** within the City under the provisions set forth in this Chapter for the period of time for which the **license** is issued, or, in the case of a new **business**, on a prorated basis for the period of time expiring on the June 30th next succeeding the date of the application for such first **license**, and, upon payment of such amount, the Director of Finance shall issue a **license** to such person, signed by the Director of Finance, in such form as he shall determine, but clearly setting forth the following information:

- (a) The name of the person to whom the **license** is issued;
- (b) The type of **business** for which it is issued;
- (c) The location of the place of **business**; and
- (d) The date of issuance and expiration date of the **license**.

Sec. 8-6.203 Renewal of License.

Every person doing **business** within the City who pays the **business license** tax on a quarterly, semi-annual or annual basis, shall, on or before the first day of June, September, December and March of each year if quarterly, on or before the first day of June and December if semi-annual and on or before the first day of June if annual, file an application for the renewal of his **license** with the Director of Finance in the same manner and signed under penalty of perjury and containing the same information as set forth in Section 86.201 of this Chapter. Upon receipt of such application, the Director of Finance shall assess the amount of tax to be paid and, upon receipt of such payment, shall issue a renewal **license** for the succeeding quarter commencing July 1, October 1, January 1, or April 1 as the case may be, for the succeeding half year commencing July 1 or January 1 as the case may be or for the succeeding year commencing July 1. The basis of the principal **business** conducted at such location as shown by the greater percentage of the gross receipts of each **business** in relation to the total gross receipts of all the **businesses**; provided, however, any person engaged in two (2) or more **businesses** at the same location may, at his option, obtain a **license** to do each of such **businesses** as a separate entity. (Ord. 221 § 1 Art. 6, 1985)

Sec. 8-6.204 Statements Not Conclusive But Confidential.

No statement shall be conclusive as to the matters set forth in any application filed under the provisions of this Chapter, and neither the filing thereof, the assessment or payment of any tax, nor the issuance of any **license** shall preclude the City from collecting by appropriate action such sum as is actually due and payable. Such statement, and each of the several items therein contained, shall be subject to audit and verification by the Director of Finance, or his duly authorized deputies, who are hereby authorized to examine, audit and inspect such books and records of any **licensee** or applicant for a **license** as may be necessary in the judgment of the Director of Finance to verify or ascertain the amount of **license** fee due.

All **licenses**, applicants for **licenses** and persons engaged in **business** in the City are hereby required to permit an examination of such books and records for the purpose aforesaid.

The information furnished or secured pursuant to the provisions and sections of this Chapter shall be confidential, and any unauthorized disclosure or use of such information by any officer or employee of the City shall constitute a misdemeanor, provided that nothing in this Section shall be construed to prevent:

- (a) The disclosure to or the examination of records and equipment by another City official, employee or agent for collection of taxes for the sole purpose of administering or enforcing any provisions of this Chapter or collecting taxes imposed hereunder;
- (b) The disclosure of the names and addresses of persons to whom **licenses** have been issued and the general type or nature of their **business**;
- (c) The disclosure by way of public meeting or otherwise of such information as may be necessary to the Council in order to permit it to be fully advised as to the facts when a taxpayer files a claim for refund of **license** with regard to a claim asserted against him by the City for **license** taxes or when acting upon any other matter;
- (d) The disclosure of general statistics regarding taxes collected or **business** done in the City. (Ord. 221 § 1 Art. 4, 1985).

Sec. 8-6.205 Appeals.

Any person aggrieved by any administrative action under any provision of this Chapter may appeal to the Council by filing a written petition therefor with the City Clerk, signed under oath by such person, setting forth his exact name and mailing address and the facts upon which his appeal is based. Such petition shall be filed within ten (10) days after the action appealed from.

The Council shall thereupon fix a time and place for hearing such appeal, and the City Clerk shall give notice to such person of the time and place of hearing by personal service or by depositing it in the United States mail addressed to such person at the address set forth in his petition.

At such hearing the Council shall consider only those matters set forth in such petition, and its decision thereon shall be final and conclusive except in those instances wherein the law specifically provides otherwise and, in such instances, such person shall first exhaust his remedy as set forth in this Chapter.

Sec. 8-6.206 Extension of Time.

For good cause shown, the Director of Finance shall have the power to extend the time for filing any required application for a period not exceeding thirty (30) days, and in such case to waive any penalty that would otherwise have accrued, and shall have the further power, with the consent of the Council, to compromise any claims as to the amount of **license** tax due.

Sec. 8-6.207 License Not Transferable.

No **license** issued under the provisions of this Chapter shall be transferable from one person to another, although the location of the **business** so **licensed** may be transferred from one place to another providing a report thereof is made to the Director of Finance.

Sec. 8-6.208 Duplicate Licenses.

A duplicate **license** may be issued by the Director of Finance to replace any **license** previously issued which has been lost or destroyed upon the **licensee** filing a statement of such fact and at the time of filing such statement by paying to the Director of Finance a duplicate **license** fee of Five and no/100th Dollars (\$5.00).

Sec. 8-6.209 Posting and Keeping Licenses.

All **licenses** shall be kept and posted in the following manner:

(a) Any **licensee** transacting and carrying on **business** at a fixed place of **business** in the City shall keep the **license** posted in a conspicuous place upon the premises where such **business** is carried on.

(b) Any **licensee** transacting and carrying on **business**, but not operating at a fixed place of **business** in the City, shall keep the **license** upon his person at all times while transacting and carrying on such **business**.

Sec. 8-6.210 Branch Establishments.

A separate **license** shall be obtained for each branch establishment or location of the **business** transacted and carried on, and each **license** shall authorize the **licensee** to transact and carry

on only the **business licensed** thereby at the location or in the manner designated in such **license**; provided, however, that warehouses and distributing plants used in connection with and incidental to a **business** located in the City of Hercules and **licensed** under the provisions of this Chapter shall not be deemed to be separate places of **business** or branch establishments. (Ord. 221 § 1 Art. 5, 1985)

Sec. 8-6.211 Joint Licenses.

Except as provided in Section [8-6.210](#) of this Chapter, whenever any person is engaged in two (2) or more **businesses** at the same location, such person shall not be required to obtain a separate **license** for conducting each of such **businesses**. Except as provided in Section [8-6.501](#)(6) of this Chapter, the **license** tax to be paid shall be computed as though but one **business** was being conducted and upon

Article 3. Exemptions

Sec. 8-6.301 Claims for Exemption.

Any person claiming an exemption pursuant to the provisions of this Chapter shall file a verified statement with the Director of Finance stating the facts upon which such exemption is claimed. The Director of Finance, upon a proper showing contained in the verified statement, shall issue an exemption certificate to such person claiming exemption.

After giving notice and a reasonable opportunity for hearing to such person, the Director of Finance may revoke any exemption certificate granted upon information that such person is not entitled to the exemption as provided in this Chapter.

Sec. 8-6.302 Exemptions.

The following shall be exempt from the **business license** tax imposed by this Chapter.

(a) Any person who is exempt by virtue of the Constitution or applicable statutes of the United States or the State of California.

(b) If the **business license** tax imposes an undue burden on interstate commerce. In any case when a **license** tax is believed by a **licensee** or applicant for a **license** to place an undue burden upon such commerce, such person may apply to the Director of Finance for an adjustment of the tax so that it shall not be discriminatory or unreasonable as to such commerce. Such application may be made before, at or within six (6) months after payment of the prescribed **license** tax. The applicant shall, by affidavit and supporting testimony, show his method of **business** and the gross volume or estimated gross volume of **business** and such other information as the Director of Finance may deem necessary in order to determine the extent, if any, of such undue burden on such commerce. The Director of Finance shall then conduct an investigation and make a full report thereof to the Council, which shall fix as the **license** tax for the applicant an amount which is reasonable and nondiscriminatory, or, if the **license** tax has been paid, shall order a refund of the amount over and above the **license** tax so fixed.

(c) Any person who is a minor under the age of eighteen (18) years and whose gross receipts do not exceed One Thousand Dollars (\$1,000) per year.

(d) Any **business**, occupation or activity which is conducted, managed or carried on wholly for the benefit of charitable purposes and from which profit is not derived, either directly or indirectly, by any person.

(e) The conduct of any entertainment, concert, exhibition or lecture on scientific, historical, literary or religious subjects when the receipts of any such entertainment, concert, exhibition or lecture are to be appropriated to any church or school or to any religious or benevolent purpose.

(f) The conduct of any entertainment, dance, concert, exhibition or lecture by any religious, charitable, fraternal, educational, military, State, County or Municipal organization or association when the receipts of any such entertainment, dance, concert, exhibition or lecture are to be appropriated for the purpose and objects for which such organization or association was formed and from which profit is not derived, either directly or indirectly, by any person; provided that any such organization or association shall not be exempt from complying with the provisions of this Code requiring a permit from the Council or any commission or officer to conduct, manage or carry on any profession, trade, calling or occupation.

(g) Any association or organization whose sole financial support is from dues or voluntary contributions and from which profit is not derived, either directly or indirectly, by any person.

Article 4. Business License Tax

Sec. 8-6.401 Business License Tax Imposed.

A **business license** tax is hereby imposed upon every person doing **business** in the City, except as specifically excepted by the provisions of this Chapter, which **license** tax shall be due and payable in such amount determined and at such time as is set forth in this Chapter. Upon payment of the tax, the Director of Finance shall issue a **license** to the person applying therefor for the privilege of doing **business** within the City. It shall be unlawful for any person to do **business** within the City without having procured a **license** issued pursuant to the provisions of this Chapter, and doing **business** within the City without complying with any and all provisions of this Chapter shall constitute a separate violation of this Code for each and every day such **business** is done.

Sec. 8-6.402 Payment of Business License Tax.

Business license taxes shall be payable in advance at the office of the Director of Finance, or at such other place as is from time to time designated by resolution of the City Council and shall be paid as follows:

(a) Annually, the annual **business license** tax shall be due and payable on the first of January of each year. Any person liable to pay a **business license** tax, but who does **business** for only a portion of the year shall have the **license** prorated. If a report of gross sales or gross receipts is required, such sales or receipts shall be reported for the previous year, or in the case of a new **business** or one not previously **licensed**, the gross sales or gross receipts reasonably intended or expected for the ensuing year.

(b) Quarterly. The quarterly **business license** tax shall be due and payable on the first days of January, April, July and October of each year. Only those **businesses** that have a state

contractors **license** and are not located in the City of Hercules may pay their **business license** on a quarterly basis.

(c) Monthly. The monthly **business license** tax shall be due and payable on the first day of each month. Only those **businesses** covered under Section 8-6.501 shall be eligible for a monthly **license**.

(d) Weekly. The weekly **business license** tax shall be due and payable each Monday. Only those **businesses** covered under Section 8-6.501 shall be eligible for a weekly **license**.

(e) Daily. The daily **business license** tax shall be due and payable each day. Only those **businesses** covered under Section 8-6.501 shall be eligible for a daily **license**. (Ord. 424 § 1 (part), 2007; Ord. 418 § 1 (part), 2006)

Sec. 8-6.403 Delinquency Payments.

All persons doing **business** in the City are responsible for obtaining a **business license** and are responsible for any back taxes and/or penalties resulting from a failure to submit a **license** application.

Any **business license** tax not paid when due shall be delinquent and shall be subject to a penalty as follows:

(a) Annual. For the annual **business license** tax the Director of Finance shall add and collect a penalty to twenty-five percent (25%) of the amount of the tax on the last day of each month that the tax remains unpaid after the due date to a maximum of one hundred percent (100%) of the tax as the penalty amount.

(b) Quarterly. For the quarterly **business license** tax the Director of Finance shall add and collect a penalty of twenty-five percent (25%) of the amount of the tax on the last day of each month that the tax remains unpaid after the due date to a maximum of one hundred percent (100%) of the tax as the penalty amount.

(c) Monthly. For the monthly **business license** tax the Director of Finance shall add and collect a penalty of twenty-five percent (25%) of the amount of the tax on the tenth (10th) day of the month and each tenth (10th) day thereafter that the tax remains unpaid after the due date to a maximum of one hundred percent (100%) of the tax as the penalty amount.

(d) Weekly. For the weekly **business license** tax the Director of Finance shall add and collect a penalty of twenty-five percent (25%) of the amount of the tax on the third day after the due date and on each third day thereafter that the tax remains unpaid after the due date to a maximum of one hundred percent (100%) of the tax as the penalty amount.

(e) Daily. For the daily **business license** tax the Director of Finance shall add and collect a penalty of twenty-five percent (25%) of the amount of the tax for each day that the tax remains unpaid after the due date to a maximum of one hundred percent (100%) of the amount as the penalty amount. (Ord. 418 § 1 (part), 2006; Ord. 221 § 1 Art. 7, 1985)

Sec. 8-6.404 Claims for Refund.

In the absence of error in the determination of the amount of a **license** tax paid, there shall be no refund of any **license** tax, nor any part or portion thereof, under any circumstances. All claims for a refund of the **business license** tax shall be governed by Title 8, Chapter 9 of this Code. (Ord. 336 § 4, 1996)

Article 5. Business License Tax Rates

Sec. 8-6.501 License Tax Rates.

The amounts of rates of **business license** taxes for doing **business** in the City of Hercules shall be as follows:

(a) For public utilities, except those specifically exempted by State or Federal law from the imposition of a **business license** tax by a municipality upon the **business** of conducting a public utility, and except those operating under a revenue producing franchise issued by the City, the **business license** tax shall be based on gross receipts as set forth in the schedule in subsection (d) of this Section.

(b) For the following **business**, the **license** tax shall be computed based on all types of **business** conducted, with the specified tax rates being additive for each **business**:

- (1) Billiard and pool halls and card rooms, Twenty Dollars (\$20) per table per year, in addition to the gross receipts business license tax hereinafter specified;
- (2) Boxing and wrestling matches, One Hundred Dollars (\$100) per exhibition;
- (3) Carnivals, Five Hundred Dollars (\$500) per week;
- (4) Circuses, One Hundred Dollars (\$100) per day;
- (5) Coin operated amusement devices, Two Hundred Dollars (\$200) per quarter per device;
- (6) Dances at which admission is charged, Fifty Dollars (\$50) each;
- (7) Farmers market, Fifteen Dollars (\$15) per year;
- (8) Merry-go-rounds, Ten Dollars (\$10) per day;
- (9) Portable skating rinks, Four Hundred Dollars (\$400) each year;
- (10) Peddling or soliciting, Two Hundred Dollars (\$200) each year;
- (11) Professional persons, One Hundred Sixty Dollars (\$160) each year per person;
- (12) Selling bankrupt, depreciated or damaged stock of goods, when the same are represented as being sold for less than in the usual course of business, One Thousand Six Hundred Dollars (\$1,600) per year;
- (13) Traveling exhibitions such as telescopes, microscopes, lung testers, ball and knife or ring throwing or any similar exhibitions for which no other rate is fixed herein, One Hundred Dollars (\$100) per week;

(14) Traveling, advertising and sales promotional enterprises, whether operating directly or under sponsorship of a local organization, where any remuneration is received by such enterprise for its activity within the City, Four Hundred Dollars (\$400) per year;

(15) Traveling theatrical promoters or enterprises, whether operating directly or under sponsorship of a local organization for theatrical performances in the City, at which admission is charged Twenty Dollars (\$20) per day for the first three (3) days, Twelve Dollars (\$12) per day thereafter;

(16) Trucks using City streets; every truck using the City streets for the transportation or delivery of goods, wares and merchandise, except as area exempted from the payment of municipal license fees by State or Federal law, and except when such trucks are used in connection with businesses already paying a license fee under this Chapter, and except those who are under the highway carriers uniform business license tax pursuant to Paragraph [4306](#) of the Public Utilities Code, One Hundred Dollars (\$100) per year per truck;

(17) Vending machines, Forty Dollars (\$40) per year per machine;

(18) Branch services offices, Forty Dollars (\$40) plus Ten Dollars (\$10) per employee per year.

(c) All contractors and sub-contractors, including building, electrical, heating and ventilating, house moving, painting, plumbing, refrigeration, roofing, trucking and hauling, shall pay a quarterly business license tax based upon average monthly gross receipts at the following rates (see pages 139 through 140-2)

(d) Every person doing business within the City of Hercules, except those businesses otherwise provided for in subsections (a), (b), and (c) of this Section shall pay an annual business license tax, based upon average monthly gross receipts at the following rates: (see pages 139 through 140-2).

Retail, Wholesale, Service, and Manufacturer—Based On Average Monthly Gross Receipts (Annual Fee)

Zero to \$1,000	\$40.00
1,000.01 to 1,500	50.00
1,500.01 to 2,000	60.00
2,000.01 to 3,000	80.00
3,000.01 to 4,000	100.00
4,000.01 to 5,000	120.00
5,000.01 to 6,000	140.00
6,000.01 to 8,000	160.00
8,000.01 to 10,000	180.00

10,000.01 to 12,000	200.00
12,000.01 to 14,000	220.00
14,000.01 to 16,000	240.00
16,000.01 to 18,000	260.00
18,000.01 to 20,000	280.00
20,000.01 to 25,000	320.00
25,000.01 to 30,000	360.00
30,000.01 to 35,000	400.00
35,000.01 to 40,000	440.00
40,000.01 to 45,000	480.00
45,000.01 to 50,000	520.00
50,000.01 to 60,000	560.00
60,000.01 to 70,000	600.00
70,000.01 to 80,000	640.00
80,000.01 to 90,000	680.00
90,000.01 to 100,000	720.00
100,000.01 to 130,000	800.00
130,000.01 to 160,000	880.00
160,000.01 to 200,000	1,000.00
200,000.01 to 350,000	1,200.00
350,000.01 to 500,000	1,400.00
500,000.01 to 650,000	1,700.00
650,000.01 to 800,000	2,000.00
800,000.01 to 1,000,000	2,400.00
1,000,000.01 to 2,000,000 (Base Fee + \$1.00 per \$1,000 in excess of \$1,000,000 up to \$2,000,000)	2,400.00
2,000,000.01 to 4,000,000 (Base Fee + \$.80 per \$1,000 in excess of \$2,000,000 up to \$4,000,000)	3,400.00
4,000,000.01 to 7,000,000 (Base Fee + \$.60 per \$1,000 in excess of \$4,000,000 up to \$7,000,000)	5,000.00
7,000,000.01 to 10,000,000 (Base Fee + \$.40 per \$1,000 in excess of \$7,000,000 up to \$10,000,000)	6,800.00
Over 10,000,000 (Base Fee + \$.20 per \$1,000 in excess of \$10,000,000 with no cap)	8,000.00

**Contractor and Subcontractor—Based On Average Monthly Gross Receipts
(Quarterly Fee)**

Zero to \$4,000 (Average monthly gross receipts) (Times 2, 3, or 4 if paying for 1/2, 3/4, or full year)	\$25.00
4,000.01 to 5,000	30.00
5,000.01 to 6,000	35.00
6,000.01 to 8,000	40.00
8,000.01 to 10,000	45.00
10,000.01 to 12,000	50.00
12,000.01 to 14,000	55.00
14,000.01 to 16,000	60.00
16,000.01 to 18,000	65.00
18,000.01 to 20,000	70.00
20,000.01 to 25,000	80.00
25,000.01 to 30,000	90.00
30,000.01 to 35,000	100.00
35,000.01 to 40,000	110.00
40,000.01 to 45,000	120.00
45,000.01 to 50,000	130.00
50,000.01 to 60,000	140.00
60,000.01 to 70,000	150.00
70,000.01 to 80,000	160.00
80,000.01 to 90,000	170.00
90,000.01 to 100,000	180.00
100,000.01 to 130,000	200.00
130,000.01 to 160,000	220.00
160,000.01 to 200,000	250.00
200,000.01 to 350,000	300.00
350,000.01 to 500,000	350.00
500,000.01 to 650,000	425.00
650,000.01 to 800,000	500.00
800,000.01 to 1,000,000	600.00
1,000,000.01 to 2,000,000 (Base Fee + \$.25 per \$1,000 in excess of \$1,000,000 up to \$2,000,000)	600.00

2,000,000.01 to 4,000,000 (Base Fee + \$.20 per \$1,000 in excess of \$2,000,000 up to \$4,000,000)	850.00
4,000,000.01 to 7,000,000 (Base Fee + \$.15 per \$1,000 in excess of \$4,000,000 up to \$7,000,000)	1,250.00
7,000,000.01 to 10,000,000 (Base Fee + \$.10 per \$1,000 in excess of \$7,000,000 up to \$10,000,000)	1,700.00
Over 10,000,000 (Base Fee + \$.05 per \$1,000 in excess of \$10,000,000 with no cap)	2,000.00

Miscellaneous Business Fees

(Fees Based On Various Frequencies Or Units)

Billiard or Pool Halls and Card Rooms (Per year per table in addition to Gross Receipts Tax).	\$20.00
Boxing and wrestling matches (Per exhibition).	100.00
Carnivals (Per week).	500.00
Circuses (Per day).	100.00
Coin operated amusement devices (Per year per device).	200.00
Dances at which admission is charged (Each date).	50.00
Farmers market (Per year).	15.00
Merry-go-rounds (Per day).	10.00
Portable skating rinks (Per quarter).	100.00
Peddling or soliciting (Per quarter).	50.00
Professional Persons, i.e., Accountant, Chiropractor, Dentist, Engineer, Lawyer, Optometrist, Osteopath, Physician, Surgeon, Veterinarian, Mortician, etc. (Per each professional per year).	160.00
Selling bankrupt, depreciated or damaged stock of goods, when the same are presented as being sold for less than in the usual course of business (Per quarter).	400.00
Traveling exhibitions e.g., telescopes, microscopes, lung testers, ball and knife or ring throwing or any similar exhibitions for which no other rate is fixed herein (Per week).	100.00
Traveling, advertising and sales promotional enterprises, whether operating directly or under the sponsorship of a local organization, where any remuneration is received by such enterprise for its activity within the City (Per quarter).	\$100.00
Traveling theatrical promoters or enterprises, whether operating directly or under sponsorship of a local organization for theatrical performances in the City, at which admission is charged. (Per day for first three days).	20.00

(Per day thereafter).	12.00
Vending Machines (Per year per machine).	40.00
Trucks using City streets for the transportation of goods, wares, and merchandise, except as are exempted from the payment of municipal license fees by state or federal law, and except when such trucks are used in connection with businesses already paying a license fee, under this Chapter, and except those who are under the Highway Carriers Uniform Business License Tax pursuant to Paragraph 4306 of the Public Utilities Code (Per year per truck).	100.00

(Ord. 424 § 1 (part), 2007: Ord. 418 § 1 (part), 2006: Ord. 221 § 1 Art. 8, 1985)

Sec. 8-6.502 Rate Adjustment.

All rates set forth in Section 8-6.501(b) of this Article shall be adjusted upward or downward, automatically, annually on July 1st by five percent (5%) for each five percent (5%) change in the State of California Department of Finance Price Factor for determining the City's annual appropriation limitation (the percentage change of the lesser of the previous March to March U.S. All Urban CPI, or California fourth quarter per capital personal income). (Ord. 221 § 1 Art. 9, 1985)

Article 6. Enforcement

Sec. 8-6.601 Enforcement Authority and Responsibility.

The Director of Finance is hereby directed to administer and enforce each and all of the provisions of this Chapter, and the Chief of Police shall render such assistance in the enforcement of the provisions of this Chapter as may from time to time be required by the Director of Finance or the Council.

The Director of Finance, in the exercise of the duties imposed upon him hereunder, and acting through his deputies, duly authorized assistants, or the Chief of Police, shall examine, or cause to be examined, the conduct of any or all businesses within the City to ascertain whether the provisions of this Chapter have been complied with.

The Director of Finance and each and all of his assistants and any police officer shall have the power and authority to enter, free of charge, and at any reasonable time, any place of business, the conduct of which is required to be licensed by this Chapter and demand an exhibition of its license certificate. Any person having such license certificate theretofore issued in his possession or under his control, who fails to exhibit the same on demand, shall be guilty of a misdemeanor and subject to the penalties provided for by the provisions of this Code. It shall be the duty of the Director of Finance and each of his assistants, with the advice of the City Attorney, to cause a complaint to be filed against any and all persons found to be violating any of the provisions of this Chapter.

Sec. 8-6.602 License Tax A Debt.

The amount of any license tax and penalty imposed by the provisions of this Chapter shall be deemed a debt to the City. An action may be commenced in the name of the City in any Court of competent jurisdiction for the amount of any delinquent license tax and penalties.

Sec. 8-6.603 Remedies Cumulative.

All remedies prescribed shall be cumulative, and the use of one (1) or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions of this Chapter.

Sec. 8-6.604 Penalty for Violation or Misrepresentation.

Any person violating any of the provisions of this Chapter or knowingly or intentionally misrepresenting to any officer or employee of the City any material fact in procuring the license provided for by this Chapter shall be deemed guilty of a misdemeanor.

Mobile Version



Master Fee Schedule

CITY OF HERCULES, CALIFORNIA

Effective July 1, 2019

Master Fee Schedule

CITY OF HERCULES, CALIFORNIA

Effective July 1, 2019

SUMMARY

All fees have been administratively revised for the Consumer Price Index (CPI) rate of 3.4% applicable to identified programs, exceptions apply as follows:

- If the fee's legal basis provides limitations.
- Increase the administration fee from 10% to 20% for those fees that charge administration fees.
- In Community Development Fire Facilities fees were increased per Resolution 19-019 and West County Sub-Regional Transportation Mitigation Fee were increased per Resolution 19-011.
- All fees in the Building Inspection Program remain unchanged. The fees are established by the County and/or State.

Such fees and charges have been determined to recover, but do not exceed, the City's costs for providing such services.

RESOLUTION NO. 19-033

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES APPROVING ADDITIONS, DELETIONS AND ADJUSTMENTS TO THE MASTER FEE SCHEDULE WITH SAID ADDITIONS, DELETIONS AND ADJUSTMENTS TO BECOME EFFECTIVE JULY 1, 2019

WHEREAS, annually staff conducts a review of all fees and charges to determine if they are up to date, current, at the appropriate level, competitive/fair/affordable and provide a reasonable return to the City for the cost of providing services for which they are being charged; and

WHEREAS, as part of the FY 2019-20 budget process, it is the recommendation of staff to add some new fees, delete some existing fees, and to make some adjustments to other existing fees on the City's comprehensive Master Fee Schedule; and

WHEREAS, these recommended fee additions, deletions and adjustments have been evaluated and reviewed by the affected departments; and

WHEREAS, staff is requesting approval of the additions, deletions and adjustments; and

WHEREAS, the City Council has held a Public Hearing to allow comment and input from the community on these recommended fee additions, deletions and adjustments.

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

1. The Council hereby approves additions, deletions and adjustments on the attached Master Fee Schedule, said additions/adjustments to be effective July 1, 2019 as noted on Attachment 2 – Master Fee Schedule.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the twenty-fifth day of June 2019, by the following vote of the Council:

AYES: COUNCIL MEMBERS; G. Boulanger, D. Bailey, C. Kelley, Vice Mayor Esquivias, Mayor Romero

NOES: None.

ABSTAIN: None.

ABSENT: None.



ATTEST:

Boonmanus Seelapasay
Administrative Secretary/Deputy City Clerk

Dan Romero, Mayor

Resolution No. 19-033

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
GENERAL CITY-WIDE FEES					
Various	Various	Various	Document Copies (Per page)	Reso 19-033	\$0.26
Various	Various	Various	Electronic Copies of Documents (CD, CD Sleeve, Mailer - Postage not included)	Reso 19-033	\$2.59
Various	Various	Various	Books, Manuals, Reports, Misc. (To be determined by City Clerk)	Reso 09-114	Actual cost + 10% admin fee
Various	Various	Various	Copies of the City Budget document (Each)	Reso 19-033	\$37.00
Various	Various	Various	Copies of the City Comprehensive Annual Financial Report (CAFR) (Each)	Reso 19-033	\$32.00
Various	Various	Various	Loans of Manuals, Reports, Books, Misc. (Refundable deposit)	Reso 19-033	\$58.00
Various	Various	Various	"Non-sufficient Funds" Check Charge	Reso 19-033	\$37.00
100	4625	395-00-00	Stop Payment & Check Reissuance Fee	Reso 19-033	\$36.00
Various	Various	Various	Research for Records (Per hour) (Residents - first 30 minutes no charge)	Reso 19-033	\$42.00
Various	Various	Various	Credit Card usage administrative fee	Reso 09-114	\$2.00 per \$100.00, or increment thereof, being charged on the credit card
Various	Various	Various	Imaging Fee	Reso 09-114	5% of any City fee being charged except Parks & Recreation Fees
Various	Various	Various	Heritage Memorial Plaque Program	Reso 19-033	\$517.00 to \$620.00
Various	Various	Various	Technology Enhancement Fee	Reso 09-114	5% of any City fee being charged except Parks & Recreation Fees
CITY CLERK OFFICE FEES					
100	4420	395.00-00	Agenda Subscription (Any meeting agendas - per year - per type)	Reso 19-033	\$59.00
100	4420	395.00-00	Municipal Code	Reso 19-033	\$119.00
100	4420	395.00-00	Municipal Code Supplement Service	Reso 19-033	\$59.00
100	4420	395.00-00	Title 10, Land Use (Zoning Code)	Reso 19-033	Actual cost + 20% admin fee
100	4420	395.00-00	General Plan	Reso 19-033	Actual cost + 20% admin fee
100	4420	395.00-00	Public Hearing Continuance	Reso 19-033	\$142.00
100	4420	395.00-00	Filing Fee, Notice of Intent to Circulate Initiative Petition	EC 9202 b	\$200
100	4420	395.00-00	Campaign Statements and Statements of Economic Interest (Per page)	GC 81008	\$0.10
100	4420	395.00-00	Retrieval of Campaign Documents Over 5 Years Old	GC 81008	\$5
HERCULEAN / PARK & RECREATION ACTIVITY GUIDE ADVERTISING FEES					
			Size of Ad:		
			Electronic:		
100	Various	Various	Inside - 1/8 Page - Color	Reso19-033	\$92.00
100	Various	Various	Inside - 1/4 Page - Color	Reso19-033	\$131.00
100	Various	Various	Inside - 1/2 Page - Color	Reso19-033	\$172.00
100	Various	Various	Inside - Full Page - Color	Reso19-033	\$315.00
100	Various	Various	Inside/Back Front Cover or Glossy - Full Page - Color	Reso19-033	\$342.00
100	Various	Various	Outside Back Cover - 1/2 Page - Color	Reso19-033	\$368.00
			Paper:		
100	Various	Various	Inside - 1/8 Page - Color	Reso19-033	\$184.00
100	Various	Various	Inside - 1/4 Page - Color	Reso19-033	\$263.00
100	Various	Various	Inside - 1/2 Page - Color	Reso19-033	\$342.00
100	Various	Various	Inside - Full Page - Color	Reso19-033	\$631.00
100	Various	Various	Inside/Back Front Cover or Glossy - Full Page - Color	Reso19-033	\$683.00
100	Various	Various	Outside Back Cover - 1/2 Page - Color	Reso19-033	\$736.00
100	Various	Various	Full Bleed for Full Page Ad-Inside or Glossy	Reso19-033	\$16.00
100	Various	Various	Subscription for Non-residents (Per year)	Reso19-033	\$19.00
CABLE TV PROGRAM FEES					
100	4423	395.00-00	DVD/Video Tape Duplication (Plus cost of DVD/tape) First Hour	Reso 19-033	\$59.00
100	4423	395.00-00	Additional Hour of Portion Thereof	Reso 19-033	\$59.00
100	4423	395.00-00	Audio Tape Duplication (Plus cost of tape) First Hour	Reso 19-033	\$30.00
100	4423	395.00-00	Additional Hour of Portion Thereof	Reso 19-033	\$11.00
100	4423	395.00-00	Deposit for Borrowed Tape (Refundable deposit)	Reso 19-033	\$18.00
POLICE DEPARTMENT FEES					
100	5160	361.02-00	Alarm Permit	Reso 19-033	\$41.00
100	5160	361.04-00	Booking Fee (Full recovery from arrestee)	Reso 19-033	\$181.00
100	5160	361.04-00	Jail Access Fee	Reso 19-033	\$357.00
100	5160	361.07-00	Applicant Fingerprints (Live Scan) (Fee does not include additional Dept. of Justice fees which vary depending on type of applicant.)	Reso 19-033	\$47.00
100	5160	361.07-00	Applicant Fingerprints (Ink) - Resident	Reso 19-033	\$16.00
100	5160	361.07-00	Applicant Fingerprints (Ink) - Non-Resident	Reso 19-033	\$21.00
100	5160	361.07-00	Each Additional Fingerprint Card	Reso 19-033	\$5.00
100	5160	361.07-00	Business License/Peddler Applicant Background Check	Reso 19-033	\$62.00
100	5160	361.01-00	Traffic Accident Reports (Per Page)	GC 6253(b)	\$0.25
100	5160	361.01-00	Other Reports (Per Page)	GC 6253(b)	\$0.25
100	5160	361.01-00	Concealed Weapons Permit (Initial permit) (Plus cost of materials (range rental & ID Card))	Reso 19-033	\$233.00

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
100	5160	361.01-00	Concealed Weapons Permit (Annual renewal)	Reso 19-033	\$233.00
100	5160	361.01-00	Photographs (Non-digital)	Reso 19-033	\$83.00
100	5160	361.01-00	Verification of Loss Statement	GC 6253(b)	\$80.00
100	5160	361.01-00	Clearance Letter	Reso 19-033	\$57.00
100	5160	361.08-00	Reserve Police Officers-Special Events (Overtime cost per officer, per event)	Reso 09-114	Actual cost + 20% admin fee
100	5160	361.02-00	Response to False Alarms-- In a calendar year: First three (3) calls are free Fourth call is \$150 Fifth call and higher is \$200 each occurrence	HMC 4-12.05 HMC 4-12.05	\$155.00 \$205.00
100	5160	361.03-00	DUI (Full cost recovery from arrestee)	Reso 19-033	\$801.00
100	5160	361.01-00	Bicycle License	Reso 19-033	\$26.00
100	5160	361.01-00	Bicycle License Transfer	Reso 19-033	\$26.00
100	5160	361.01-00	Alcoholic Beverage License	Reso 19-033	\$103.00
100	5160	361.01-00	Record Review	Reso 19-033	\$83.00
100	5160	361.08-00	Civil Proceedings (\$275/hr. with 4 hour minimum)	Reso 19-033	\$284.00
100	5160	361.08-00	Subpoena Duces Tecum 1563 (b) (6) E.C.	Reso 19-033	\$16.00
100	5160	361.09-00	Vehicle Release - Ordinary Tow (No offense by driver)	Reso 19-033	\$103.00
100	5160	361.09-00	Vehicle Release - Penalty Tow	Reso 19-033	\$191.00
100	5160	361.09-01	Property From Towed Vehicle (Release)	Reso 19-033	\$62.00
100	5160	361.06-00	Property Preservation	Reso 19-033	\$124.00
100	5160	361.08-00	Curfew Violation Response	Reso 19-033	\$103.00
100	5160	361.12-00	Vehicle Inspection and Certification	Reso 19-033	\$21.00
100	5160	361.01-00	VIN Verification	Reso 19-033	\$41.00
100	5160	361.01-00	Taxi Permit	Reso 19-033	\$52.00
100	5160	361.01-00	Taxi Inspections (Annual per vehicle)	Reso 19-033	\$62.00
100	5160	361.01-00	Massage Permit Application	Reso 19-033	\$124.00
100	5160	361.01-00	Massage Permit Renewal	Reso 19-033	\$124.00
PARKING VIOLATION PENALTIES					
			State Mandated Parking Citation Surcharges that apply to each 'PARKING VIOLATION PENALTIES' line item below (Totaling \$12.50 between the 4 charge, with fees to be collected & distributed to the State by citation processing firm)		
			-Courthouse Construction Fund	GC76100 & Reso 17-003	\$2.50
			-Criminal Justice Facilities Construction Fund	GC76101 & Reso 17-003	\$2.50
			-State Courthouse Facilities Construction Fund	GC70372(b)) & Reso 17-003	\$4.50
			-State Trial Court Fund	GC76000.3 & Reso 17-003	\$3.00
100	5160	361.11-00	Unlawful Parking / Trails & Paths (Posted)	HMC 3-4.804	\$45.00
100	5160	361.11-00	Stopping or Standing in Parkways	HMC 3-4.1002	\$45.00
100	5160	361.11-00	No Stopping / Parking Zones	HMC 3-4.1003	\$45.00
100	5160	361.11-00	Stopping or Parking Prohibited	HMC 3-4.1004	\$45.00
100	5160	361.11-00	Parked Over 72 Hours	HMC 3-4.1005	\$45.00
100	5160	361.11-00	Parked for Advertising	HMC 3-4.1006	\$45.00
100	5160	361.11-00	Parked on Street for Repairs	HMC 3-4.1007	\$45.00
100	5160	361.11-00	Washing or Polishing Vehicle on Street	HMC 3-4.1008	\$45.00
100	5160	361.11-00	Parking Adjacent to Schools	HMC 3-4.1009	\$45.00
100	5160	361.11-00	Parking on Narrow Streets	HMC 3-4.1010	\$45.00
100	5160	361.11-00	Wheels Not Turned to Curb	HMC 3-4.1011	\$45.00
100	5160	361.11-00	Parking by Peddlers and Vendors	HMC 3-4.1012	\$45.00
100	5160	361.11-00	Emergency Parking Signs	HMC 3-4.1013	\$45.00
100	5160	361.11-00	Warning Signs For Disabled Commercial Vehicles	HMC 3-4.1014	\$45.00
100	5160	361.11-00	Leaving Keys in Parked Vehicle	HMC 3-4.1015	\$45.00
100	5160	361.11-00	Consent of Adjacent Owner for Parking Certain Vehicle	HMC 3-4.1016	\$45.00
100	5160	361.11-00	Parking Permit for Special Occasion	HMC 3-4.1017	\$45.00
100	5160	361.11-00	Trailer Parked on Street Overnight	HMC 3-4.1018	\$45.00
100	5160	361.11-00	Parking Commercial Vehicle within City Limits	HMC 3-4.1019	\$550.00
100	5160	361.11-00	Time Limit Parking	HMC 3-4.1101	\$45.00
100	5160	361.11-00	Parallel Parking on One-Way Street	HMC 3-4.1102	\$45.00
100	5160	361.11-00	Parking on Unimproved Street	HMC 3-4.1103	\$45.00
100	5160	361.11-00	Diagonal Parking	HMC 3-4.1104	\$45.00
100	5160	361.11-00	Parking Space Markings	HMC 3-4.1105	\$45.00
100	5160	361.11-00	No Stopping Zones	HMC 3-4.1106	\$45.00
100	5160	361.11-00	Curb Markings	HMC 3-4.1202	\$45.00
100	5160	361.11-00	Red Zone	HMC 3-4.1202.1	\$45.00
100	5160	361.11-00	Yellow Zone	HMC 3-4.1202.2	\$45.00
100	5160	361.11-00	White Zone	HMC 3-4.1202.3	\$45.00
100	5160	361.11-00	Permission to Load/Unload	HMC 3-4.1203	\$45.00
100	5160	361.11-00	Standing in Commercial Loading Zones	HMC 3-4.1204	\$45.00
100	5160	361.11-00	Standing in Passenger Loading Zones	HMC 3-4.1205	\$45.00
100	5160	361.11-00	Standing in Alleys	HMC 3-4.1206	\$45.00
100	5160	361.11-00	Parking in Bus Zone	HMC 3-4.1207	\$45.00
100	5160	361.11-00	Violate Established Parking District Provisions - 1st Offense in 12 mos.	HMC 3-4.1712 & Resos 15-090 & 17-003	\$100.00

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
100	5160	361.11-00	Violate Established Parking District Provisions - 2nd Offense in 12 mos.	HMC 3-4.1712 & Resos 15-090 & 17-003	\$200.00
100	5160	361.11-00	Violate Established Parking District Provisions - 3rd+ Offenses in 12 mos.	HMC 3-4.1712 & Resos 15-090 & 17-003	\$500.00
100	5160	361.11-00	Parking in Blue Curb Markings-Disabled Only	CVC 214589(a)(5)	\$350.00
100	5160	361.11-00	Parking in Bus Loading Zone	CVC 22500(i)	\$270.00
100	5160	361.11-00	Blocking Wheelchair Access	CVC 22500(l)	\$350.00
100	5160	361.11-00	Blocking Disabled Parking	CVC 22507.8(b)	\$350.00
100	5160	361.11-00	Parking in Crosshatch area adjacent to Disabled Space	CVC 22507.8 (c)	\$350.00
100	5160	361.11-00	Parking within 3 feet designated sidewalk access ramps	CVC 22522	\$350.00
PARKS AND RECREATION					
GENERAL PARK AND RECREATION WIDE FEES					
100	55XX	395.XX-XX	Discount on programs/services/classes paid in full only on day of Recreation Expo	Reso 4-014	10%
100	5512	364.41-00	Refunds/Cancellations/Transfers/ Service Charges When Initiated By The Participant for Classes and Programs Before First Class Begins	Reso19-033	\$10.00
100	5510	395.00-00	Signboard Fee - one location, 1 side of sign, for 7 days	Reso19-033	\$16/day per sign
100	5510	395.00-00	Signboard Fee - all locations, 1 side of sign, for 7 days	Reso19-033	\$78.00
100	5510	395.00-00	CLSC Non-Profit Groups Banner locations per month for one banner	Reso 16-005	\$35.00
100	5510	395.00-00	State Approved Non-Profit Groups Banner locations 1st month	Reso 16-005	\$35.00
100	5510	395.00-00	Hercules Based Private Business/Company Banner location monthly fee	Reso 15-018	\$150 - \$500 Depending upon Location
100	5510	395.00-00	Non Hercules Based Private Business/Company Banner location monthly fee	Reso 12-066	\$200 - \$600 Depending upon Location
100	55XX	395.XX-XX	Recreation Program Shirt	Reso 16-005	\$5.00-\$20.00/shirt
FACILITY RENTALS					
All Facilities					
100	5512	364.41-00	Rental Cancellation Before Reserved Date	Reso 15-018	100% of Reservation Deposit
100	5512	364.41-00	Transfers/Service Charges When Initiated By The Participant for Facility Rentals Prior to Event Date	Reso 15-018	\$50.00
100	5512	364.41-00	Facility Rental Fee for Monday-Thursday Rentals	Reso 13-056	50% of Saturday Fees
100	5512	364.41-00	Facility Rental for Friday & Sunday Rentals	Reso 13-056	75% of Saturday Fees
100	5512	364.42-00	Insurance	Reso 11-079	Market Rate + \$10.00
100	5512	364.42-00	Selling Alcoholic Beverages (Terrorism insurance)	Reso 11-079	Market Rate + \$10.00
100	5512	364.45-00	Security Guards (Per hour - per guard)	Reso 16-005	Market Rate + \$10.00
Council Chambers					
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso19-033	\$78.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per hour)	Reso19-033	\$10.00
100	5512	364.41-00	Approved CLSC Groups F & Sunday (Per hour)	Reso19-033	\$26.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso19-033	\$39.00
Private-Commercial (Saturday rate):					
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso19-033	\$52.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso19-033	\$62.00
Holiday Rate					
100	5512	364.41-00	Resident (Per Hour)	Reso19-033	\$78.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso19-033	\$93.00
Library Large Conference Room					
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso19-033	\$78.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per Hour)	Reso19-033	\$10.00
100	5512	364.41-00	Approved CLSC Groups F & Sunday (Per hour)	Reso19-033	\$26.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso19-033	\$39.00
Private-Commercial (Saturday Rate):					
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso19-033	\$52.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso19-033	\$62.00
Holiday Rate					
100	5512	364.41-00	Resident (Per Hour)	Reso19-033	\$78.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso19-033	\$93.00
Library Small Conference Room					
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$78.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per Hour)	Reso 19-033	\$10.00
100	5512	364.41-00	Approved CLSC Groups F & Sunday (Per hour)	Reso 19-033	\$13.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso 19-033	\$20.00
Private-Commercial (Saturday Rate):					
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso 19-033	\$26.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso 19-033	\$47.00
Holiday Rate					
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$41.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso 19-033	\$67.00
Library Conference Rooms Equipment Rental					
100	5512	364.41-00	Overhead Projector	Reso 19-033	\$11.00
100	5512	364.41-00	Floor Stand Microphone	Reso 19-033	\$14.00

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
100	5512	364.41-00	Table Stand Microphone	Reso 19-033	\$17.00
100	5512	364.41-00	20" Television Monitor	Reso 19-033	\$23.00
100	5512	364.41-00	20" Television Monitor Cart	Reso 19-033	\$23.00
100	5512	364.41-00	Data Portable Projector & Portable Screen	Reso 19-033	\$28.00
100	5512	364.41-00	Lavaliere Microphone	Reso 19-033	\$28.00
100	5512	364.41-00	Ceiling Mounted Projector	Reso 19-033	\$39.00
100	5512	364.41-00	Video Conferencing System With ISDN Interface	Reso 19-033	\$175.00
			GUI VAN DOMSELAAR ROOM		
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$78.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per Hour)	Reso 19-033	\$10.00
100	5512	364.41-00	Approved CLSC Groups F & Sunday (Per hour)	Reso 19-033	\$31.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso 19-033	\$47.00
			<u>Private-Commercial (Saturday Rate):</u>		
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$62.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso 19-033	\$78.00
			<u>Holiday Rate</u>		
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$93.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso 19-033	\$119.00
			DYNAMITE ROOM		
			Reservation Deposit (Refundable after rental)	Reso 19-033	\$78.00
			<u>Private-Commercial (Saturday Rate):</u>		
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso 19-033	\$57.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso 19-033	\$78.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per Hour)	Reso 19-033	\$10.00
100	5512	364.41-00	Approved CLSC Groups F & Sunday (Per hour)	Reso 19-033	\$29.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso 19-033	\$41.00
			<u>Holiday Rate</u>		
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$83.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso 19-033	\$116.00
			RESOURCE ROOM		
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$78.00
100	5512	364.41-00	Private-Commercial (Saturday Rate)	Reso 13-056	
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso 19-033	\$57.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso 19-033	\$78.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per Hour)	Reso 19-033	\$10.00
100	5512	364.41-00	Approved CLSC Groups F & Sunday (Per hour)	Reso 19-033	\$29.00
100	5512	364.41-00	State Approved Nonprofit Groups (Per hour)	Reso 19-033	\$41.00
			<u>Holiday Rate</u>		
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$83.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso 19-033	\$116.00
			TEEN CENTER (THREE HOUR MINIMUM)		
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$207.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per Hour)	Reso 19-033	\$10.00
100	5512	364.41-00	Approved CLSC Groups F & Sunday (Per Hour)	Reso 19-033	\$36.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso 19-033	\$52.00
100	5512	364.41-00	Private-Commercial (Saturday Rate)	Reso 13-056	
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso 19-033	\$67.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso 19-033	\$78.00
			<u>Holiday Rate</u>		
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$101.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso 19-033	\$116.00
			FOXBORO CENTER (THREE HOUR MINIMUM)		
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$207.00
100	5512	364.41-00	Youth Event Reservation Deposit (Refundable after rental)	Reso 19-033	\$310.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per Hour)	Reso 19-033	\$10.00
100	5512	364.41-00	Approved CLSC Groups F & Sunday (Per hour)	Reso 19-033	\$26.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso 19-033	\$39.00
			<u>Private-Commercial (Saturday Rate):</u>		
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso 19-033	\$52.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso 19-033	\$62.00
100	5512	364.41-00	Decoration/Cleanup Rate (1 Hour Maximum)	Reso 19-033	\$26.00
			<u>Holiday Rate</u>		
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$78.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso 19-033	\$93.00
100	5512	364.41-00	Decoration/Cleanup Rate (1 Hour Maximum)	Reso 19-033	\$39.00
			OHLONE CENTER (THREE HOUR MINIMUM)		
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$207.00
100	5512	364.41-00	Youth Event Deposit (Refundable after rental)	Reso 19-033	\$310.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per Hour)	Reso 19-033	\$10.00
100	5512	364.41-00	Approved CLSC Groups F & Sunday (Per hour)	Reso 19-033	\$39.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso 19-033	\$59.00
			<u>Private-Commercial (Saturday Rate)</u>		

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso 19-033	\$78.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso 19-033	\$88.00
100	5512	364.41-00	Decoration/Cleanup Rate (1 Hour Maximum)	Reso 19-033	\$39.00
			<u>Holiday Rate</u>		
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$116.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso 19-033	\$132.00
100	5512	364.41-00	Decoration/Cleanup Rate (1 Hour Maximum)	Reso 19-033	\$59.00
			SENIOR CENTER (FIVE HOUR MINIMUM)		
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$207.00
100	5512	364.41-00	Youth Event Reservation Deposit (Refundable after rental)	Reso 19-033	\$310.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per Hour)	Reso 19-033	\$10.00
100	5512	364.41-00	Approved CLSC Groups F & Sunday (Per hour)	Reso 19-033	\$52.00
100	5512	364.41-00	State Approved Community and Civic Groups (Per hour)	Reso 19-033	\$78.00
			<u>Private-Commercial (Saturday Rate)</u>		
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso 19-033	\$103.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso 19-033	\$124.00
100	5512	364.41-00	Decoration/Cleanup Rate (1 Hour Maximum)	Reso 19-033	\$52.00
			<u>Fee Based Rental/Holiday:</u>		
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$155.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso 19-033	\$186.00
100	5512	364.41-00	Decoration/Cleanup Rate (2 Hour Maximum)	Reso 19-033	\$78.00
			COMMUNITY CENTER (5 HOUR MINIMUM)		
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$517.00
100	5512	364.41-00	Youth Event Reservation Deposit (Refundable after rental)	Reso 19-033	\$620.00
100	5512	364.41-00	Community Center Non-Profit Deposit	Reso 19-033	\$207.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per Hour)	Reso 19-033	\$11.00
			Approved CLSC Groups F & Sunday (Per hour)	Reso 19-033	\$84.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso 19-033	\$127.00
100	5512	364.41-00	CLSC Non-Profit Recognition Special Rental Rate 1st 7 hours	Reso 19-033	\$657.00
			<u>Private-Commercial (Saturday Rate)</u>		
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso 19-033	\$165.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso 19-033	\$202.00
100	5512	364.41-00	Decoration/Cleanup Rate (2 Hour Maximum)	Reso 19-033	\$82.00
100	5512	364.41-00	Round Tables (Each)	Reso 19-033	\$8.00
			<u>Holiday Rate</u>		
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$250.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso 19-033	\$309.00
100	5512	364.41-00	Decoration/Cleanup Rate (2 Hour Maximum)	Reso 19-033	\$123.00
			KITCHEN RENTAL		
			<u>Private-Commercial (Saturday Rate)</u>		
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$78.00
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$31.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso 19-033	\$36.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per Hour)	Reso 19-033	\$10.00
100	5512	364.41-00	Approved CLSC Groups F & Sunday (Per hour)	Reso 19-033	\$16.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso 19-033	\$24.00
			<u>Holiday Rate</u>		
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$47.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso 19-033	\$57.00
			GYMNASIUM		
			<u>Private - Commercial</u>		
100	5512	364.41-00	Reservation Deposit (refundable after rental)	Reso 19-033	\$103.00
100	5512	364.41-00	Resident (per hour)	Reso 19-033	\$89.00
100	5512	364.41-00	Three or more days (Per hour)	Reso 19-033	\$63.00
100	5512	364.41-00	Non-resident (Per hour)	Reso 19-033	\$102.00
100	5512	364.41-00	Three or more days (Per hour)	Reso 19-033	\$80.00
100	5512	364.41-00	CLSC Community and Civic Groups (Per hour)	Reso 19-033	\$44.00
100	5512	364.41-00	CLSC Three or more days (Per hour)	Reso 19-033	\$31.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso 19-033	\$43.00
			COMMUNITY CENTER PRESS ROOM		
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$78.00
			<u>Private-Commercial (Saturday Rate)</u>		
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso 19-033	\$31.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso 19-033	\$47.00
100	5512	364.41-00	Approved CLSC Groups M-Th outside of 6-9pm (Per Hour)	Reso 19-033	\$10.00
100	5512	364.41-00	Approved CLSC Groups F & Sunday (Per hour)	Reso 19-033	\$16.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso 19-033	\$26.00
			<u>Holiday Rate</u>		
100	5512	364.41-00	Resident (Per Hour)	Reso 19-033	\$47.00
100	5512	364.41-00	Non-Resident (Per Hour)	Reso 19-033	\$72.00
			PARK/PICNIC RENTALS		

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
100	5512	364.45-00	Damage Deposit for Permit for gathering of 50 or more people in a park (refundable after date of use)	Reso 19-033	\$103.00
100	5512	364.45-00	Park Permit for gathering of 50 or more people in a park Resident	Reso 19-033	\$114.00
100	5512	364.45-00	Park Permit for gathering of 50 or more people in a park Non-Resident	Reso 19-033	\$154.00
			PICNIC AREAS		
			<u>Private - Commercial</u>		
100	5512	364.45-00	Reservation Deposit Picnic Area Rental (Refundable after rental)	Reso 19-033	\$103.00
100	5512	364.41-00	Resident 9 hours	Reso 19-033	\$114.00
100	5512	364.41-00	Non-resident 9 hours	Reso 19-033	\$154.00
			<u>State Approved Nonprofit Groups (per hour)</u>		
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$52.00
100	5512	364.41-00	Resident 9 hours	Reso 19-033	\$57.00
100	5512	364.41-00	Non-resident 9 hours	Reso 19-033	\$78.00
			REFUGIO VALLEY PARK GAZEBO		
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$52.00
			<u>Private - Commercial</u>		
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso 19-033	\$114.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso 19-033	\$154.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso 19-033	\$57.00
100	5512	364.41-00	Electricity	Reso 19-033	\$32.00
			<u>Fee Based Rental/Holiday:</u>		
100	5512	364.41-00	Resident (per hour)	Reso 19-033	\$143.00
100	5512	364.41-00	Non-resident (Per hour)	Reso 19-033	\$169.00
			DUCK PARK GAZEBO		
100	5512	364.41-00	Reservation Deposit (Refundable after rental)	Reso 19-033	\$52.00
			<u>Private - Commercial</u>		
100	5512	364.41-00	Resident (Per Hour) Saturday Rate	Reso 19-033	\$55.00
100	5512	364.41-00	Non-Resident (Per Hour) Saturday Rate	Reso 19-033	\$64.00
100	5512	364.41-00	State Approved Nonprofit Groups (per hour)	Reso 19-033	\$28.00
100	5512	364.41-00	Electricity	Reso 19-033	\$17.00
			BOCCE BALL COURTS		
100	5512	364.41-00	Equipment Deposit (Refundable)	Reso 19-033	\$21.00 per set
100	5512	364.41-01	24 Hour Equipment Rental (Monday-Thursday)	Reso 19-033	\$5.00 per set
100	5512	364.41-00	Weekend Equipment Rental (Thursday-Sunday)	Reso 19-033	\$10.00 per set
100	5512	364.41-00	Resident Weekday Court Rental Fee	Reso 19-033	\$5.00
100	5512	364.41-00	Non-Resident Weekday Court Rental Fee	Reso 19-033	\$10.00
100	5512	364.41-00	Resident Weekend Court Rental Fee	Reso 19-033	\$5.00/hr./court
100	5512	364.41-00	Non-Resident Weekend Court Rental Fee	Reso 19-033	\$10.00/hr./court
100	5512	364.41-00	Community/Civic Tournament Play Fee	Reso 19-033	\$5.00/hr./court
100	5512	364.41-00	Resident Tournament Play Fee	Reso 19-033	\$10.00/hr./court
100	5512	364.41-00	Non-Resident Tournament Play Fee	Reso 19-033	\$15.00/hr./court
			HORSE SHOE PITS		
100	5512	364.41-00	Equipment Deposit (Refundable)	Reso 19-033	20.00 per set
100	5512	364.41-01	24 Hour Equipment Rental (Monday-Thursday)	Reso 19-033	\$5.00 per set
100	5512	364.41-00	Weekend Equipment Rental (Thursday-Sunday)	Reso 19-033	\$10.00 per set
100	5512	364.41-00	Resident Weekday Court Rental Fee	Reso 19-033	\$5.00
100	5512	364.41-00	Non-Resident Weekday Court Rental Fee	Reso 19-033	\$10.00
100	5512	364.41-00	Resident Weekend Court Rental Fee	Reso 19-033	\$5.00/hr./court
100	5512	364.41-00	Non-Resident Weekend Court Rental Fee	Reso 19-033	\$10.00/hr./court
100	5512	364.41-00	Community/Civic Tournament Play Fee	Reso 19-033	\$5.00/hr./court
100	5512	364.41-00	Resident Tournament Play Fee	Reso 19-033	\$10.00/hr./court
100	5512	364.41-00	Non-Resident Tournament Play Fee	Reso 19-033	\$15.00/hr./court
			COMMUNITY EVENTS		
			<u>Cultural Festival</u>		
100	4012	367.05-00	Community and Civic Groups - Food/Craft/Game Booth (10 x 10 space)	Reso 19-033	\$105.00
100	4012	367.05-00	Community and Civic Groups - Food/Craft/Game Booth (10 x 20 space)	Reso 19-033	\$184.00
100	4012	367.05-00	Commercial - Food/Craft/Game Booth (10 x 10 space)	Reso 19-033	\$237.00
100	4012	367.05-00	Commercial - Food/Craft/Game Booth (10 x 20 space)	Reso 19-033	\$315.00
100	4012	367.05-00	Electric Hookup (2 Outlets)	Reso 19-033	\$37.00
100	4012	367.05-00	Electric Hookup (Additional)	Reso 19-033	\$16.00
100	4012	367.05-00	Booth rental 10x10 Private/Commercial	Reso 19-033	\$142.00
100	4012	367.05-00	Booth rental 10x20 Private/Commercial	Reso 19-033	\$221.00
100	4012	367.05-00	Booth rental 10x10 Non Profit	Reso 19-033	\$79.00
100	4012	367.05-00	Booth rental 10x20 Non Profit	Reso 19-033	\$136.00
100	4012	367.05-00	Health Permits	Reso 19-033	Market Rate + \$5.00
			<u>Farmers Market</u>		
			<u>Growers and Food Purveyors (Food prepared off site and sold at market)</u>		
100	4012	367.05-00	Annual Membership Fee (Includes \$15.00 for annual business license fee)	Reso 10-088	
100	4012	367.05-00	Plus Weekly Member Fee (Per guaranteed space)	Reso 10-088	
100	4012	367.05-00	Weekly Non-Member Fee (Per non-guaranteed space)	Reso 10-088	

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
100	4012	367.05-00	Plus One-Time Annual Business License Fee	Reso 09-114	
			Food Booths (Food prepared on site and sold at market)		
100	4012	367.05-00	Annual Membership Fee (Includes \$15.00 for annual business license fee)	Reso 10-088	
100	4012	367.05-00	Plus Weekly Member Fee (Per guaranteed space)	Reso 10-088	
100	4012	367.05-00	Additional Space Member Fee	Reso 09-114	
100	4012	367.05-00	Weekly Non-Member Fee (Per non-guaranteed space)	Reso 10-088	
100	4012	367.05-00	Plus One-Time Annual Business License Fee	Reso 09-114	
100	4012	367.05-00	Health Permits	Reso 09-114	
			Business/Professional - Arts & Crafts - Non-Profit - Private/Commercial		
100	4012	367.05-00	Annual Membership Fee (Includes \$15.00 for annual business license fee)	Reso 10-088	
100	4012	367.05-00	Plus Weekly Member Fee (Per guaranteed space)	Reso 10-088	
100	4012	367.05-00	Weekly Non-Member Fee (Per non-guaranteed space)	Reso 10-088	
100	4012	367.05-00	Plus One-Time Annual Business License Fee	Reso 09-114	
100	4012	367.05-00	Non-Profits (Information only)	Reso 09-114	
100	4012	367.05-00	Non-Profits (Selling)	Reso 09-114	
100	4012	367.05-00	Private/Commercial - Member (Information only)	Reso 09-114	
100	4012	367.05-00	Private/Commercial - Non-Member (Information only)	Reso 10-088	
			SENIOR ACTIVITIES		
100	5524	364.39-00	Class Fee (Discounts for 5 or more) (Based on instructor's contract)	Reso 11-079	\$1.00 - \$200.00
100	5524	364.39-00	Annual Membership Fee (Includes internet, printing, faxing and copying)	Reso 11-079	\$20.00
			CHILD CARE		
			<u>Before/After School Child Care K-5TH Grades</u>		
			Fees are for 4 week sessions.		
			Before School (7:00 - 8:30 a.m.)		
100	55XX	364.32-00	Resident	Reso 16-005	\$193.00
100	55XX	364.32-00	Non-resident	Reso 16-005	\$242.00
			After School (1st-5th Grade Dismissal until 5:30 p.m.)		
100	55XX	364.32-00	Option 1 Resident	Reso 17-003	\$5.50
100	55XX	364.32-00	Option 1 Non-resident	Reso 17-003	\$6.05
100	55XX	364.32-00	Option 2 Resident	Reso 17-003	\$5.75
100	55XX	364.32-00	Option 2 Non-resident	Reso 17-003	\$6.30
100	55XX	364.32-00	Option 3 Resident	Reso 17-003	\$6.00
100	55XX	364.32-00	Option 3 Non-resident	Reso 17-003	\$6.60
100	55XX	364.32-00	Withdrawal Fee	Reso 17-003	\$75.00
			Other Fees:		
100	55XX	364.32-00	Late Payment Fee	Reso 09-114	\$30.00
100	55XX	364.32-00	2 or more late payments	Reso 09-114	\$35.00
100	55XX	364.32-00	Late Pickup Fee per minute	Reso 09-114	\$2.00
100	55XX	364.32-00	Program Change Fee -- First 2 program changes free Each subsequent change \$15.00	Reso 10-088	\$15.00
100	55XX	364.32-00	Late Registration Fee--after deadline but before service begins	Reso 10-088	\$15.00
100	55XX	364.32-00	Late Registration Fee--paid on day service begins	Reso 10-088	\$30.00
100	55XX	364.32-00	AM Drop-In -- One Day Only	Reso 11-079	\$15.00
100	55XX	364.32-00	Kinder PM Drop-In -- One Day Only	Reso 11-079	\$40.00
100	55XX	364.32-00	Grade 1st-8th PM Drop-In -- One Day Only	Reso 11-079	\$30.00
100	55XX	364.32-00	"Multi-child discount" for families with two or more children enrolled in the program	Reso 14-014	5%
100	55XX	364.32-00	Registration Fee	Reso 16-005	\$100.00
100	55XX	364.32-00	Registration Fee discount when registering for new school year prior to August 1st.	Reso 16-005	50%
100	55XX	364.32-00	Sub Care Fee Hourly	Reso 10-088	\$9.47
100	55XX	364.32-00	Daily Rate for In-service Days	Reso 11-079	\$55.00
100	55XX	364.32-00	Deposit for In-service Day (Will be applied to Fall childcare fees when child attends)	Reso 14-014	\$30.00
			PRESCHOOL PROGRAMS		
			<u>Pre-Kinders (per month / MWF 9:00am - Noon)</u>		
100	5528	364.37-00	Resident	Reso 16-005	\$232.00
100	5528	364.37-00	Non-resident	Reso 16-005	\$290.00
			<u>Little Learners (per month / TTH 9:00am - 11:30am)</u>		
100	5528	364.37-00	Resident	Reso 16-005	\$155.00
100	5528	364.37-00	Non-resident	Reso 16-005	\$193.00
			Other Fees:		
			<u>Little Learners (per month / M-Th 9am-11:30am)</u>		
100	5528	364.37-00	Resident	Reso 16-005	\$310.00
100	5528	364.37-00	Non-resident	Reso 16-005	\$387.00
			<u>Jr. Kinder (per month / M-F 9am-Noon)</u>		
100	5528	364.37-00	Resident	Reso 16-005	\$386.00
100	5528	364.37-00	Non-resident	Reso 16-005	\$482.00

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
100	5528	364.37-00	Late Payment Fee	Reso 09-114	\$30.00
100	5528	364.37-00	2 or more late payments	Reso 09-114	\$35.00
100	5528	364.37-00	Late Pick Up Fee per minute	Reso 16-005	\$2.00
100	5528	364.37-00	Registration Fee	Reso 16-005	\$100.00
100	5528	364.37-00	Registration Fee discount when registering for new school year prior to August 1st.	Reso 16-005	50%
			CAMPS for K-5th Graders		
			7:00am-5:30pm 5 days/week (includes entertainment and field trips)		
100	55XX	364.32-00	Resident	Reso19-033	\$244.00
100	55XX	364.32-00	Non-resident	Reso19-033	\$305.00
			8:00am-12:00pm 5 days/week		
100	55XX	364.32-00	Resident	Reso19-033	\$122.00
100	55XX	364.32-00	Non-resident	Reso19-033	\$153.00
			Daily Drop In Rate / day		
100	55XX	364.32-00	Resident	Reso19-033	\$52.00
100	55XX	364.32-00	Non-resident	Reso19-033	\$65.00
			OTHER FEES		
100	55XX	364.31-00	Deposit for the Week	Reso19-033	\$21.00
100	55XX	364.31-00	Sub Care Deposit for the week	Reso19-033	\$10.00
100	55XX	364.31-00	Multi-child discount" for families with two or more children enrolled in the program	Reso 14-014	5%
100	55XX	364.31-00	Late payment Fee	Reso19-033	\$16.00
100	55XX	364.31-00	Late Registration Fee--after deadline but before service begins	Reso19-033	\$16.00
100	55XX	364.31-00	Late Registration Fee--paid on day service begins	Reso19-033	\$31.00
100	55XX	364.31-00	Late pickup Fee per minute	Reso19-033	\$2.00
			TEENS		
100	5540	364.64-00	Yearly Membership (TYC) (Includes T-shirt)	Reso 12-016	\$30.00 to \$50.00
100	5540	364.64-00	Dances/Events	Reso 09-114	\$2.50 to \$20.00
100	5540	364.64-00	Drop-in	Reso19-033	\$3.00 to \$6.00
100	5540	364.64-00	Camps	Reso19-033	\$10.00 to \$200.00
100	5540	364.64-00	Trips (Range)	Reso19-033	\$10.00 to \$200.00
			Teen Camps 6th-9th Grades: 8:00am-5:00pm 5 days/week		
100	5543	364.62-00	Resident	Reso19-033	227.00
100	5543	364.62-00	Non-resident	Reso19-033	259.00
100	55XX	364.63-00	Deposit for week	Reso19-033	25.00
100	55XX	364.63-00	Late payment fee per week	Reso19-033	18.00
			Multi-child discount" for families with two or more children enrolled in the program		5%
100	55XX	364.63-00	Late Registration Fee--after deadline but before service begins	Reso19-033	18.00
100	55XX	364.63-00	Late Registration Fee--paid on day service begins	Reso19-033	33.00
100	55XX	364.63-00	Late pickup Fee per minute	Reso19-033	3.00
			<u>Discount Passes for Drop-in</u>		
			Youth 10 Tickets		
100	5540	364.64-00	Resident	Reso 09-114	\$20.00
100	5540	364.64-00	Non-resident	Reso 09-114	\$25.00
			Youth 25 Tickets		
100	5540	364.64-00	Resident	Reso 10-088	\$46.00
100	5540	364.64-00	Non-resident	Reso 10-088	\$60.00
			AQUATICS		
			PUBLIC SWIM		
			Children under 1 year are free		
			Adults (18 years and up)		
100	5536	364.61-00	Resident	Reso 11-079	\$6.00
100	5536	364.61-00	Non-resident	Reso 11-079	\$7.00
			Youth (1 to 17 years)		
100	5536	364.61-00	Resident	Reso 11-079	\$5.00
100	5536	364.61-00	Non-resident	Reso 11-079	\$6.00
			Seniors		
100	5536	364.61-00	Resident	Reso 11-079	\$5.00
100	5536	364.61-00	Non-resident	Reso 11-079	\$6.00
			LAP SWIM		
			Adults (18 years and up)		
100	5536	364.61-00	Resident	Reso 11-079	\$5.00
100	5536	364.61-00	Non-resident	Reso 11-079	\$6.00
			Youth (14 to 17 years)		
100	5536	364.61-00	Resident	Reso 11-079	\$4.00
100	5536	364.61-00	Non-resident	Reso 11-079	\$5.00
			Seniors		
100	5536	364.61-00	Resident	Reso 11-079	\$4.00

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
100	5536	364.61-00	Non-resident	Reso 11-079	\$5.00
			SEASON SWIM PASSES		
			<u>Dynamite Pass (10 visits)</u>		
			Adults (18 years and up)		
100	5536	364.61-00	Resident	Reso19-033	\$42.00
100	5536	364.61-00	Non-resident	Reso19-033	\$52.00
			Youth (1 to 17 years)		
100	5536	364.61-00	Resident	Reso19-033	\$32.00
100	5536	364.61-00	Non-resident	Reso19-033	\$42.00
			<u>Frequent Swimmer Pass (25 visits)</u>		
			Adults (18 years and up)		
100	5536	364.61-00	Resident	Reso19-033	\$105.00
100	5536	364.61-00	Non-resident	Reso19-033	\$130.00
			Youth (1 to 17 years)		
100	5536	364.61-00	Resident	Reso19-033	\$78.00
100	5536	364.61-00	Non-resident	Reso19-033	\$105.00
			SWIM LESSONS		
			<u>Parent/Infant/Toddler Lessons (Eight 25 minute classes)</u>		
100	5536	364.61-00	Resident	Reso19-033	\$89.00
100	5536	364.61-00	Non-resident	Reso19-033	\$98.00
			<u>Group Lessons (Eight 25 minute classes)</u>		
100	5536	364.61-00	Resident	Reso19-033	\$89.00
100	5536	364.61-00	Non-resident	Reso19-033	\$98.00
			<u>Individual Lessons (Eight 25 minute classes)</u>		
100	5536	364.61-00	Resident	Reso19-033	\$189.00
100	5536	364.61-00	Non-resident	Reso19-033	\$208.00
			<u>Adult Lessons (Eight 25 minute classes)</u>		
100	5536	364.61-00	Resident	Reso19-033	\$103.00
100	5536	364.61-00	Non-resident	Reso19-033	\$113.00
			<u>Semi Private (Eight 25 minute classes)</u>		
100	5536	364.61-00	Resident	Reso19-033	\$134.00
100	5536	364.61-00	Non-resident	Reso19-033	\$147.00
			Aquatic Certification Courses - these courses range in cost depending upon availability of instructors and length of required course. Some courses may utilize contract instructors who are required to set their own course fee. Non-resident fee will be +20% of Resident Fee.	Reso 16-005	\$50.00-\$300.00
100	5536	364.61-00	Resident	Reso 13-007	
100	5536	364.61-00	Non-resident	Reso 13-007	
100	5536	364.61-00	Drop-in	Reso 13-007	
			<u>Water Polo (12/1hr Meetings)</u>		
100	5536	364.61-00	Resident	Reso19-033	\$186.00
100	5536	364.61-00	Non-resident	Reso19-033	\$196.00
			<u>Jr Guard</u>		
100	5536	364.61-00	Resident	Reso19-033	\$245.00
100	5536	364.61-00	Non-resident	Reso19-033	\$285.00
			Youth Swim Team - Piranhas		
100	5536	364.62-00	One Child	Reso19-033	\$395.00
100	5536	364.62-00	Two Children	Reso19-033	\$680.00
100	5536	364.62-00	Three Children	Reso19-033	\$936.00
100	5536	364.62-00	Four Children	Reso19-033	\$1,138.00
100	5536	364.62-00	Five Children	Reso19-033	\$1,284.00
			Hercules Masters Swim Club		
100	5536	364.62-00	Drop In	Reso 16-005	\$10.00-\$15.00
100	5536	364.62-00	Hercules Masters Swim Club (4 weeks)	Reso 16-005	\$95.00
			East Bay Silver Dolphins Monthly Dues		
100	5536	364.62-00	Pre-Team (Limit 3 months)	Reso19-033	\$82.00
100	5536	364.62-00	Team	Reso19-033	\$89.00-\$113.00
100	5536	364.62-00	Seasonal	Reso19-033	\$304.00
			Public Swim Pool Parties		
100	5536	364.61-00	Deposit (Refundable)	Reso19-033	\$75.00
100	5536	364.61-00	Reservation Fee (includes 10 guests, 2 patio tables, and 1 reserve space for duration of public swim on a Saturday)	Reso19-033	\$190.00
			Pool Rentals		
100	5536	364.61-00	Deposit (Refundable)	Reso19-033	\$360.00
100	5536	364.61-00	Insurance Fee	Reso 16-005	Market Rate + \$10.00
100	5536	364.61-00	Decorating/Cleaning Time Per Hour (Maximum 2 Hours)	Reso 16-005	
			1 - 50 persons		
100	5536	364.61-00	Residents (Per hour)	Reso19-033	\$182.00
100	5536	364.61-00	Non-resident (Per hour)	Reso19-033	\$193.00
			51 - 100 persons		
100	5536	364.61-00	Residents (Per hour)	Reso19-033	\$211.00
100	5536	364.61-00	Non-resident (Per hour)	Reso19-033	\$221.00

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
			101 - 150 persons		
100	5536	364.61-00	Residents (Per hour)	Reso19-033	\$239.00
100	5536	364.61-00	Non-resident (Per hour)	Reso19-033	\$250.00
			Nonprofit Group Pool Rentals		
100	5536	364.61-00	State Approved Nonprofit Groups/hour/for every 2 lifeguards	Reso19-033	\$95.00
			ATHLETIC FACILITIES		
			Field Reservations (Per Hour)		
			Hanna Ball field or Soccer Field, Ohlone, and Woodfield Ball fields		
100	5538	364.44-00	Bases Rentals/Deposit \$25.00	Reso 19-033	\$16.00
100	5538	364.44-00	Resident	Reso 19-033	\$9.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$19.00
100	5538	364.44-00	Youth Sport Associations	Reso 19-033	\$7.00
100	5538	364.44-00	State Approved Nonprofit Groups	Reso 19-033	\$5.00
			Tennis Courts (Per hour) (Regular play per court)		
100	5538	364.41-00	Lights per hour	Reso 19-033	\$5.00
			Weekdays 7 AM to 4 PM		
100	5538	364.44-00	Resident	Reso 19-033	\$7.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$8.00
			Weekday evenings 4 PM to 10 PM		
100	5538	364.44-00	Resident	Reso 19-033	\$7.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$8.00
			Weekends and Holidays		
100	5538	364.44-00	Resident	Reso 19-033	\$10.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$11.00
100	5538	364.44-00	State Approved Nonprofit Groups	Reso 19-033	\$4.00
			Tennis Courts Tournaments (Per hour)		
100	5538	364.44-00	Community/Civic	Reso 19-033	\$10.00
100	5538	364.44-00	Resident	Reso 19-033	\$19.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$21.00
			Gym Activities		
			Adult Drop-In		
100	5538	364.44-00	Resident	Reso 19-033	\$5.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$6.00
			Youth Drop-In		
100	5538	364.44-00	Resident	Reso 19-033	\$4.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$5.00
			Senior Drop-In		
100	5538	364.44-00	Resident	Reso 19-033	\$4.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$5.00
			Morning Basketball/Volleyball		
			Adults only		
100	5538	364.44-00	Resident	Reso 19-033	\$5.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$6.00
			Discount Adult Open Gym Passes		
			10 Tickets		
100	5538	364.44-00	Resident	Reso 19-033	\$41.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$52.00
			25 Tickets		
100	5538	364.44-00	Resident	Reso 19-033	\$103.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$129.00
			Seniors 10 Tickets		
100	5538	364.44-00	Resident	Reso 19-033	\$31.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$41.00
			Seniors 25 Tickets		
100	5538	364.44-00	Resident	Reso 19-033	\$78.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$103.00
			Youth 10 Tickets		
100	5538	364.44-00	Resident	Reso 19-033	\$31.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$41.00
			Youth 25 Tickets		
100	5538	364.44-00	Resident	Reso 19-033	\$78.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$103.00
			ADULT SPORTS		
			<u>Coed Adult Softball</u>		
100	5538	364.44-00	Team	Reso 19-033	\$620.00
			<u>Men's Softball</u>		
100	5538	364.44-00	Team	Reso 19-033	\$620.00
			<u>Adult Volleyball</u>		
100	5538	364.44-00	Resident Team	Reso 19-033	\$259.00
100	5538	364.44-00	Non-resident Team	Reso 19-033	\$284.00
			<u>Hercules/Pinole Adult Softball (fall)</u>		
100	5538	364.44-00	Team	Reso 19-033	\$672.00
			<u>Adult Flag Football</u>		
100	5538	364.44-00	Team	Reso 19-033	\$646.00
			<u>Adult Basketball</u>		

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
100	5538	364.44-00	Team	Reso 19-033	\$672.00
100	5538	364.44-00	Game Forfeit Fee	Reso 19-033	\$53.00
			<u>Young Adult 5 on 5 Basketball (Ages 16-19)</u>		
100	5538	364.44-00	Team	Reso 19-033	\$569.00
			<u>Adult Basketball Tournament (3 on 3)</u>		
100	5538	364.44-00	Resident Team	Reso 19-033	\$181.00
100	5538	364.44-00	Non-resident Team	Reso 19-033	\$207.00
			Golf League		
100	5538	364.44-00	Resident Team	Reso 19-033	\$243.00
100	5538	364.44-00	Non-resident Team	Reso 19-033	\$254.00
			YOUTH SPORTS		
			Youth Basketball Sports Camp/Clinic		
100	5538	364.44-00	Resident	Reso 19-033	\$83.00 - \$207.00
100	5538	364.44-00	Non-resident	Reso 19-033	\$83.00 - \$207.00
			Youth Basketball League		
100	5538	364.44-00	Resident Team	Reso 19-033	\$155.00
100	5538	364.44-00	Non-resident Team	Reso 19-033	\$186.00
100	5538	364.44-00	Volunteer Coaches for leagues	Fee waiver for 1 league	
			Table Tennis 16 years and up		
100	5538	364.44-00	Monthly Fee - Resident	Reso 19-033	\$25.00
100	5538	364.44-00	Monthly Fee - Non-resident	Reso 19-033	\$32.00
ENGINEERING DIVISION					
100	5435	332.01-00	Final subdivision map filing	Reso 19-033	\$1,788.00
100	5435	332.01-00	Plus per lot	Reso 19-033	\$71.00
100	5435	332.01-00	Final subdivision parcel map filing	Reso 19-033	\$1,788.00
100	5435	332.01-00	Plus per lot	Reso 19-033	\$71.00
100	5435	332.01-00	Final subdivision lot line adjustment	Reso 19-033	\$1,788.00
100	5435	332.01-00	Plus per lot	Reso 19-033	\$71.00
100	5435	332.01-00	Subdivision certificate of correction	Reso 19-033	\$893.00
100	5435	332.01-00	Plus per lot	Reso 19-033	\$71.00
100	5435	332.01-00	Subdivision - county computer mapping fee (Fee per lot)	Reso 19-033	\$71.00
100	5435	332.02-00	Improvements (Plan check & inspect) (As % of actual value of improvements)	Reso 19-033	6.4% or Actual Cost + 20% Admin
100	5435	332.02-00	Other Improvements (Streets, sewers, signs, etc.) (As % of actual value of improvements)	Reso 19-033	6.4% or Actual Cost + 20% Admin
100	5435	332.02-00	Grading - permit fee	Reso 19-033	6.4% or Actual Cost + 20% Admin
100	5435	332.02-00	Grading - transfer fee	Reso 10-088	\$59.00
100	5435	332.02-00	Grading - Amendment fee	Reso 19-033	Actual cost + 20% admin fee
100	5435	332.02-00	Grading - Penalty fee	Reso 19-033	\$239.00
100	5435	332.02-00	Grading - Penalty fee one acre or more	Reso 19-033	\$4,764.00
100	5435	332.02-00	Grading - Erosion control fee (As % of actual value of grading)	Reso 19-033	6.4% or Actual Cost + 20%
100	5435	332.02-00	Grading - Street vacations (As % of actual value of grading)	Reso 19-033	6.4% or Actual Cost + 20%
100	5435	332.03-00	Encroachment - residential private drive/walkway	Reso 19-033	36.00 plus \$500 bond
100	5435	332.03-00	Encroachment - residential construction	Reso 19-033	\$310.00
100	5435	332.03-00	Encroachment - non-residential under \$850	Reso 19-033	\$1,012.00
100	5435	332.03-00	Encroachment - non-residential over \$850	Reso 19-033	Actual cost + 20% admin fee
100	5435	332.03-00	Encroachment - Illegal under \$500	Reso 19-033	\$597.00
100	5435	332.03-00	Encroachment - Illegal over \$500	Reso 19-033	Actual cost + 20% admin fee
100	5435	332.03-00	Utility encroachment - Processing Fee, Plan Review, Construction Inspection	Reso 15-093	Actual Cost + 20% admin fee
100	5435	332.15-00	Engineering Advisory Services (Per hour)	Reso 19-033	\$227.00
100	5435	332.15-00	One-Use Wide Load Permit	Reso 19-033	\$16.00
100	5435	332.15-00	Duplication of Public Records Request	Reso 19-033	\$26.00
100	5435	332.15-00	House Moving permit (Computed at cost)	Reso 19-033	Actual cost + 20% admin fee
100	5435	332.15-00	Mature Tree Removal	Reso 19-033	\$105.00
			Assessment Apportionment Fee (fund-assessment dist)		
381	0000	363.01-00	Four or fewer lots (Including \$40 recording fee)	Reso 19-033	\$1,120.00
381	0000	363.01-00	Plus per lot	Reso 19-033	\$32.00
381	0000	363.01-00	Five or more lots (Including \$40 recording fee)	Reso 19-033	\$2,189.00
381	0000	363.01-00	Plus per lot	Reso 19-033	\$32.00
			Assessment District segregation 2-25 lots		
381	0000	363.01-00	Assessment District segregation 2-25 lots Map Fee	Reso 19-033	\$2,382.00
381	0000	363.01-00	Plus per lot	Reso 19-033	\$84.00
			Assessment District segregation 26-50 lots		

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
381	0000	363.01-00	Assessment District segregation 26-50 lots Map Fee	Reso 19-033	\$2,976.00
381	0000	363.01-00	Plus per lot	Reso 19-033	\$71.00
			Assessment District segregation 51-100 lots		
381	0000	363.01-00	Assessment District segregation 51-100 lots Map Fee	Reso 19-033	\$3,576.00
381	0000	363.01-00	Plus per lot	Reso 19-033	\$59.00
			Assessment District segregation 101-200 lots		
381	0000	363.01-00	Assessment District segregation 101-200 lots Map Fee	Reso 19-033	\$4,166.00
381	0000	363.01-00	Plus per lot	Reso 19-033	\$54.00
			Assessment District segregation >200 lots		
381	0000	363.01-00	Assessment District segregation >200 lots Map Fee	Reso 19-033	\$4,764.00
381	0000	363.01-00	Plus per lot	Reso 19-033	\$48.00
			Sewer service charge		
420	0000	368.03-00	Residential	HMC 5-4.16	\$625.80
420	0000	368.03-00	Apartment Units	HMC 5-4.16	\$427.20
420	0000	368.03-00	Non-residential (Per Hundred Cubit Foot)	HMC 5-4.16	\$3.87
420	0000	368.05-00	Non-residential Wastewater Contribution Permit Application	Reso 19-033	\$1,190.00
420	0000	368.05-00	Annual renewal	Reso 19-033	\$597.00
420	0000	368.09-00	Sewer connections (If not paid through assessment dist.)	Reso 19-033	\$4,764.00
420	0000	368.09-00	Public/Private Pool sewer connection (As % of building permit fee)	Reso 09-114	10%
420	0000	368-11-00	Sewer Lateral Inspection	Reso 19-033	\$129.00
PLANNING DIVISION [Note: The City of Hercules adopted the Contra Costa County Conservation & Development Dept. Fee Schedule]					
Staff Services					
100	5235	362.04-00	Planning Staff Counter Service, first 15 minutes	Reso 12-066	No Charge
100	5235	362.04-00	Planning Staff Service, above item minimum or after first 15 minutes (per staff hour)	Reso 12-066	\$100/hr.
100	5235	362.04-00	Planning Staff Service Pre-Submittal Review	Reso 12-066	\$500.00 Deposit and Actual + 20%
100	5235	362.04-00	Time Extension (Administrative)	Reso 19-033	\$207.00
100	5235	362.04-00	Time Extension (Legislative, where not otherwise specified)	Reso 19-033	\$620.00
100	5235	362.04-00	Administrative Staff Appeal	Reso 19-033	\$207.00
100	5235	362.04-00	Appeal Administrative Decision (Planning Commission hearing)	Reso 12-066	50% of Initial Fee
100	5235	362.04-00	Appeal Planning Commission Decision (City Council hearing)	Reso 12-066	25% of Initial Fee
Use Permits					
100	5235	362.05-01	Temporary Use Permit (TUP)	Reso 19-033	\$414.00
100	5235	362.05-01	Administrative/Minor Use Permit	Reso 19-033	\$414.00
100	5235	362.05-01	Renewal of Administrative/Minor Use Permit	Reso 19-033	\$103.00
100	5235	362.05-01	Home - Based Occupation Permit	Reso 19-033	\$259.00
100	5235	362.05-01	Conditional Use Permit (Legislative)	Reso 12-066	\$2,000.00 Deposit and Actual + 20%
100	5235	362.05-01	Any Special Use Permit for Wireless Facilities (as outlined in Title 10 Chapter 16 of Hercules Municipal Code)	Reso 15-060	\$10,000.00 Deposit and Actual + 20%
100	5235	362.05-01	Description the same as FY2011-12	Reso 19-033	\$620.00
100	5235	362.05-01	Combined Live/Work License, Parking Determination & Sign Permit (Per application)	Reso 19-033	\$620.00
Design					
100	5235	362.05-02	Design Review, Administrative, Single Family, Addition, Ground Floor	Reso 19-033	\$414.00
100	5235	362.05-02	Design Review, Legislative, Single Family, Addition, not Ground Floor	Reso 12-066	\$2,500.00 Deposit and Actual + 20%
100	5235	362.05-02	Design Review, Legislative, Single Family, New Construction	Reso 14-014	\$6,000 Minimum Deposit plus Multi-Family; \$195 per unit Commercial Office, Industrial; \$.20 sq. ft. time & materials
100	5235	362.05-02	Design Review, Administrative, Signage	Reso 19-033	\$206.80
100	5235	362.05-02	Design Review, Administrative, not otherwise specified	Reso 12-066	\$5,000.00 Deposit and Actual + 20%
100	5235	362.05-02	Design Review, Legislative, not otherwise specified	Reso 12-066	\$10,000.00 Deposit and Actual + 20%
Subdivision					
100	5235	362.05-03	Subdivision Map, Submission (Per application)	Reso 12-066	\$2,000.00 Deposit and Actual + 20%
100	5235	362.05-03	Parcel Map, Submission (Per application)	Reso 12-066	\$2,000.00 Deposit and Actual + 20%
100	5235	362.05-03	Lot Line Adjustment, Submission (Per application)	Reso 12-066	\$2,000.00 Deposit and Actual + 20%
100	5235	362.05-03	Lot Merger, Submission (Per application)	Reso 12-066	\$2,000.00 Deposit and Actual + 20%
100	5235		Final Map	Reso 12-066	\$2,000.00 Deposit and Actual + 20%
100	5235		Extension of Tentative Map	Reso 12-066	\$2,000.00 Deposit and Actual + 20%

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
100	5235		Certificate of Compliance	Reso 12-066	\$500.00 Deposit and Actual + 20%
Zoning/Variance					
100	5235	362.06-01	Variance from Development Standards (Legislative)	Reso 12-066	\$2,500.00 Deposit and Actual + 20%
100	5235	362.06-01	Variance from Development Standards (Administrative - Single Family Residential)	Reso 19-033	\$393.00
100	5235	362.06-01	Zoning Designation Change	Reso 12-066	\$2,500.00 Deposit and Actual + 20%
100	5235	362.06-01	Zoning Text Amendment	Reso 12-066	\$2,500.00 Deposit and Actual + 20%
Planning					
100	5235	362.06-02	Planned Development Plan (PDP)	Reso 12-066	\$10,000.00 Deposit and Actual + 20%
100	5235	362.06-04	General Plan Amendment	Reso 12-066	\$10,000.00 Deposit and Actual + 20%
100	5235	362.06-02	Development Agreement	Reso 12-066	\$10,000.00 Deposit and Actual + 20%
100	5235	362.06-02	Specific Plan Original	Reso 12-066	\$10,000.00 Deposit and Actual + 20%
100	5235	362.06-02	Specific Plan Amendment	Reso 12-066	\$10,000.00 Deposit and Actual + 20%
Environmental Review					
100	5235	362.06-03	Environmental Impact Report	Reso 12-066	\$50,000.00 Deposit and Actual + 20%
100	5235	362.06-03	Initial Study/ Negative Declaration	Reso 13-056	\$10,000.00 Deposit and Actual + 20%
100	5235	362.06-03	Mitigation Monitoring Program	Reso 12-066	\$5,000.00 Deposit and Actual + 20%
100	5235	362.06-03	County Clerk Filing	Reso 12-066	\$375.00 City Admin Fee + Pass through of fee(s) set by County
100	5235	362.06-03	DF&G - Neg. Dec.; Mitigate Neg. Dec.; EIR; Certify Regulatory Program	Reso 12-066	Pass through of fees set by Dept. of Fish & Game
Miscellaneous					
100	5235	362.05-02	Minor Modification (Percent applied to the total fee of approved application)	Reso 09-114	10%
100	5235	362.05-02	Major Modification (Percent applied to the total fee of approved application)	Reso 09-114	50%
100	5238	362.06-02	General Plan Update Cost Recovery (Percentage of construction valuation of any permit issued)	Reso 13-056	1%
100			Preferential Parking District Permit	Reso 15-093	\$50/Annually
100	5235	Various	Investigation Fee (Penalty for not obtaining appropriate documentation and/or not paying for planning fees before work is started or done)	Reso 09-114	Double the original fee
* All fees listed reflect the actual planning fee, plus the City's 5% imaging Fee and 5% Technology Enhancement Fee.					
Actual costs include all direct labor, direct materials, and other direct charges, including those of the City staff and outside vendors. City shall retain full authority and discretion in retaining consultants as needed to provide services.					
For fees paid by credit card, the City charges an additional administrative fee of \$2.00 per \$100, or increments thereof (e.g., for all fees between \$0 and \$100, a credit card fee of \$2.00 would be added; for all fees between \$100 and \$200, a \$4.00 credit card fee applies, etc.).					
BUILDING INSPECTION DIVISION [Note: The City of Hercules adopted the Contra Costa County Conservation & Development Dept. Fee Schedule]					
			Building Permits		
			Valuation		
100	5238	331.01-00	\$01 to 500	Reso 14-014	\$75.00
100	5238	331.01-00	\$500.01 to \$2,000	Reso 14-014	\$75.00
100	5238	331.01-00	\$2,000.01 to \$25,000 (\$75 for the first \$2,000.01 plus \$13.75 for each additional \$1,000)	Reso 14-014	
100	5238	331.01-00	\$25,000.01 to \$50,000 (\$391.25 for the first \$25,000.01 plus \$9.90 for each additional \$1,000)	Reso 14-014	
100	5238	331.01-00	\$50,000.01 to \$100,000 (\$638.75 for the first \$50,000.01 plus \$6.88 for each additional \$1,000)	Reso 14-014	
100	5238	331.01-00	\$100,000.01 to \$500,000 (\$982.75 for the first \$100,000.01 plus \$5.50 for each additional \$1,000)	Reso 14-014	
100	5238	331.01-00	\$500,000.01 to \$1,000,000 (\$3,182.75 for the first \$500,000.01 plus \$4.68 for each additional \$1,000)	Reso 14-014	
100	5238	331.01-00	\$1,000,000.01 and up (\$5,522.75 for the first \$1,000,000.01 plus \$3.03 for each additional \$1,000) No cap	Reso 14-014	
100	5238	331.01-00	Elevator permit	Reso 10-088	\$57.00
			Electrical Permits	Reso 14-014	\$75.00 Minimum
100	5238	331.02-00	New residential (As % of building permit fee)	Reso 14-014	15%
100	5238	331.02-00	All others (As % of building fee)	Reso 14-014	25%
100	5238	331.02-00	Alterations, additions or modifications (As % of building fee)	Reso 14-014	20%
100	5238	331.02-00	Plan check fee1 (As % of electrical fee)	Reso 14-014	65%

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
			1 (Commercial, only when electrical plans are not part of the building plan check package)		
			Mechanical Permits		
100	5236 or 38	331.03-00	New residential (As % of building permit fee)	Reso 14-014	\$75.00 Minimum
100	5236 or 38	331.03-00	All others (As % of building fee)	Reso 14-014	10%
100	5236 or 38	331.03-00	Alterations, additions or modifications (As % of building fee)	Reso 14-014	15%
100	5236 or 38	331.03-00	Plan check fee1 (As % of mechanical fee)	Reso 14-014	15%
			1 (Commercial, only when mechanical plans are not part of the building plan check package)		65%
			Insulation Permits		
100	5236 or 38	331.06-00	New residential (As % of building permit fee)	Reso 09-114	8.5%
100	5236 or 38	331.06-00	All others (As % of engineering estimate or contract price)	Reso 09-114	2%
100	5236 or 38	331.06-00	Alterations, additions or modifications (As % of engineering estimate or contract price)	Reso 09-114	2%
			Plumbing Permits		
100	5236 or 38	331.04-00	New residential (As % of building permit fee)	Reso 14-014	\$75.00 Minimum
100	5236 or 38	331.04-00	All others (As % of building fee)	Reso 14-014	15%
100	5236 or 38	331.04-00	Alterations, additions or modifications (As % of building fee)	Reso 14-014	20%
100	5236 or 38	331.04-00	Plan check fee1 (As % of plumbing permit fee)	Reso 14-014	20%
			Miscellaneous Construction		65%
100	5236 or 38	331.10-00	Accessory Buildings - use valuation for private garage	Reso 09-114	
100	5236 or 38	331.10-00	Addition or Remodel - use low range of dwelling valuation	Reso 14-014	
100	5236 or 38	331.10-00	Patio Deck - use 50% of private garage valuation	Reso 14-014	
100	5236 or 38	331.10-00	Patio Shade Structure - use 50% of private garage valuation	Reso 14-014	
100	5236 or 38	331.10-00	Retaining wall, wood - use 50% of private garage valuation	Reso 14-014	
100	5236 or 38	331.10-00	Retaining wall, masonry - use valuation for private garage	Reso 14-014	
			Plan Check Service		
100	5236 or 38	362.02-00	New residential (As % of building permit fee)	Reso 14-014	65%
100	5236 or 38	362.02-00	All other (As % of building permit fee)	Reso 14-014	65%
100	5236 or 38	362.02-00	Decks, concrete slabs, termite reports (As % of build permit) (\$30.00 minimum)	Reso 14-014	65%
100	5236 or 38	362.02-00	Retaining Walls using City provided pre-approved drawings (As % of building permit fee)	Reso 14-014	65%
			Other Inspections and Fees		
100	5236 or 38	331.11-00	Inspections outside normal hours	Reso 14-014	\$59.00
100	5236 or 38	331.11-00	Re-inspection fees assessed under provision of Section 305.8	Reso 14-014	\$59.00
100	5236 or 38	331.11-00	Inspections for which no fee is specifically indicated	Reso 14-014	\$59.00
100	5236 or 38	362.02-00	Additional plan review required by changes, additions or revisions to plans	Reso 14-014	\$84.00
100	5236 or 38	362.02-00	For use of outside consultants for plan checking and inspections, or both	Reso 19-033	Actual cost + 20% admin fee
100	5236 or 38	331.00-80	Title-24 Energy plan check fee	Reso 09-114	25% of building fee
100	5236 or 38	331.00-80	Title-24 Accessibility plan check fee	Reso 09-114	25% of building fee
100	5236 or 38	331.05-00	The City follows the most current edition of the UBC fee schedule for any fee that is not listed in this City fee schedule.	Reso 09-114	See UBC
100	5263 or 38	331.13-00	Business Inspection Fee (Annually)	Reso 10-088	\$153.00
100	5236 or 38	331.05-00	Rental Inspection Fee (Every Two Years). For single family dwellings, town houses, group homes, and condominiums the fee is \$153.00. For apartments the fee is \$76.00 per unit or \$51.00 per unit if two or more units can be inspected simultaneously. The fees include one follow-up correction inspection, however any more than one will be at a rate of \$76.00 per inspection. For non-compliance with the Ordinance all fees will be double.	Reso 10-088	\$51.00 to \$153.00
100	5236 or 38	331.05-00	Rental Inspection -- re-inspection/rescheduling	Reso 10-088	\$76.00
100	5263 or 38	395.04-19	Building Division and Training Fund: AB 1608 Compliance	Reso 09-169	3.00 for every \$1,000 of valuation
PLANNING AND BUILDING DIVISION					
			See Contra Costa County Conservation and Development Department Fee Schedule link on the City of Hercules website or		
			www.co.contra-costa.ca.us		
			click on Departments		
			click on Departments A-G		
			click on Conservation & Development		
			click on Applications & Permit Center		
			Click on Conservation & Development Fee Schedule		
			Note: If there are duplicates on the City of Hercules Master Fee Schedule with the Contra Costa County Conservation & Development Department Fee Schedule,		
			the Contra Costa County Conservation & Development Department Fee Schedule will supersede the City of Hercules Master Fee Schedule.		
CODE ENFORCEMENT					
			Service Fees		
100	5238		Code Enforcement - General Enforcement Fee	Reso 17-003	Cost + 20% Administrative Fee
100	5238		Re-inspection for Hearing	Reso 19-033	\$103.00
100	5238		Request for Extension of Time	Reso 19-033	\$78.00

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
100	5238		Posting or Service of Notices	Reso 19-033	\$78.00
100	5238		Inspection Warrant	Reso 19-033	\$259.00
100	5238		Hearing before Hearing Officer	Reso 19-033	\$207.00
100	5238		Appeal to City Council	Reso 19-033	\$207.00
100	5238		Request for Entry	Reso 19-033	\$155.00
			Administrative Fees		
100	5238		Administrative Citation -Each Infraction -1st offense in 12 months	HMC1-4.01& 1.402 & Reso 17-003	\$100.00
100	5238		Administrative Citation -Each Infraction -2nd offense in 12 months	HMC1-4.01& 1.402 & Reso 17-003	\$200.00
100	5238		Administrative Citation -Each Infraction -3rd offense in 12 months	HMC1-4.01& 1.402 & Reso 17-003	\$500.00
100	5238		Abatement Warrant	Reso 19-033	\$259.00
100	5238		Lien and Special Assessment	Reso 19-033	\$259.00
100	5238		Recording of Certificate of Nuisance	Reso 19-033	\$259.00
100	5238		Release of Recordation	Reso 19-033	\$129.00
100	5238		Collection	Reso 19-033	\$284.00
			Actual Abatement Costs		
100	5238		Clean-up (Actual cost plus applicable fees from schedule)	Reso 10-088	Cost + 20% Admin Fee
100	5238		Dumping (Actual cost plus applicable fees from schedule)	Reso 10-088	Cost + 20% Admin Fee
100	5238		Building Secured by City (Actual cost plus applicable fees from schedule)	Reso 10-088	Cost
100	5238		Permit to Secure Building by Owner	Reso 10-088	Calculated based on valuation
100	5238		Release of Non-Storm Water Discharges into City Storm Water System	Reso 19-033	\$155.00
100	5238		City Clean-Up of Non-Storm Water Discharges	Reso 10-088	Cost + 20% Administrative Fee
			Vehicle Abatement Fees		
100	5238		Vehicle Abatement Warrant	Reso 19-033	\$259.00
100	5238		Vehicle Release Fee	Reso 19-033	\$155.00
100	5238		First Vehicle Found on Private Property Abandoned, Wrecked, Dismantled or Unregistered, and Declared a Public Nuisance	Reso 19-033	\$233.00
100	5238		Each Additional Vehicle Found on Private Property Abandoned, Wrecked, Dismantled or Unregistered, and Declared a Public Nuisance	Reso 19-033	\$103.00
100	5238		Appeal to City Council	Reso 19-033	\$207.00
COMMUNITY DEVELOPMENT DEPARTMENT					
			Development Impact Fees		
			Single Family (Per dwelling unit)		
247	5238	362.50-00	Park and Recreation Facilities	Reso 19-033	\$1,525.00
			Public Benefit for the Bayfront Project only ⁵	Resos 11-132 & 17-002	\$4,000.00
241	5238	362.50-00	General Public Facilities	Reso 19-033	\$741.00
244	5238	362.50-00	Police Facilities	Reso 19-033	\$1,312.00
246	5238	362.50-00	Fire Facilities	Reso 19-018	\$1,344.00
261	5238	362.50-00	Transportation Facilities Fee	Reso 19-033	\$5,346.75
420	0000	368.10-00	Sewer Facilities ⁶	Reso 19-033	\$4,186.00
242	5238	362.45-00	Community Development Tax (Approved by Voters)	Reso 87-58	\$1,500.00
264	5238	362.55-00	West County Sub-regional Transportation Mitigation Fee ¹	Reso 19-011	\$5,439.00
			Multi Family (Per dwelling unit)		
247	5238	362.50-00	Park and Recreation Facilities	Reso 19-033	\$925.00
			Public Benefit for the Bayfront Project only ⁵	Resos 11-132 & 17-002	\$2,350.00
241	5238	362.50-00	General Public Facilities	Reso 19-033	\$463.00
244	5238	362.50-00	Police Facilities	Reso 19-033	\$819.00
264	5238	362.55-00	West County Sub-regional Transportation Mitigation Fee ¹	Reso 19-011	\$2,679.00
246	5238	362.50-00	Fire Facilities (MF - Apartment)	Reso 19-018	\$828.80
246	5238	362.50-00	Fire Facilities (MF - Accessory Dwelling Units)	Reso 19-018	\$625.00
261	5238	362.50-00	Transportation Facilities Fee	Reso 19-011	\$3,024.75
420	0000	368.10-00	Sewer Facilities ⁶	Reso 19-033	\$4,186.00
242	5238	362.45-00	Community Development Tax (Approved by Voters)	Reso 87-58	\$1,500.00
			Retail - Flex (Per building square foot)	Reso 17-002	
			Public Benefit for the Bayfront Project only ⁵	Resos 11-132 & 17-002	\$0.20
247	5238	362.50-00	Park and Recreation Facilities	Reso 09-114	N/A
241	5238	362.50-00	General Public Facilities	Reso 19-033	\$0.59
244	5238	362.50-00	Police Facilities	Reso 19-033	\$0.26
246	5238	362.50-00	Fire Facilities	Reso 19-018	\$0.672
261	5238	362.50-00	Transportation Facilities Fee ⁴	Reso 19-011	\$7.19
420	0000	368.10-00	Sewer Facilities ⁶	Reso 19-033	\$0.56
264	5238	362.55-00	West County Sub-regional Transportation Mitigation Fee ¹	Reso 19-017	\$6.59
			Office (Per building square foot)		
247	5238	362.50-00	Park and Recreation Facilities	Reso 09-114	N/A
			Public Benefit for the Bayfront Project only ⁵	Resos 11-132 & 17-002	\$0.20
241	5238	362.50-00	General Public Facilities	Reso 19-033	\$0.25

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
244	5238	362.50-00	Police Facilities	Reso 19-033	\$0.44
246	5238	362.50-00	Fire Facilities	Reso 19-018	\$0.904
261	5238	362.50-00	Transportation Facilities Fee	Reso 19-011	\$6.26
420	0000	368.10-00	Sewer Facilities ⁶	Reso 19-033	\$1.12
264	5238	362.55-00	West County Sub-regional Transportation Mitigation Fee ¹	Reso 19-017	\$8.72
			Industrial (Per building square foot)		
247	5238	362.50-00	Park and Recreation Facilities	Reso 09-114	N/A
241	5238	362.50-00	General Public Facilities	Reso 19-033	\$0.42
244	5238	362.50-00	Police Facilities	Reso 19-033	\$0.19
246	5238	362.50-00	Fire Facilities	Reso 19-018	\$0.384
261	5238	362.50-00	Transportation Facilities Fee	Reso 19-011	\$5.83
420	0000	368.10-00	Sewer Facilities ⁶	Reso 19-033	\$1.12
264	5238	362.55-00	West County Sub-regional Transportation Mitigation Fee ¹	Reso 19-017	\$5.56
			Hotel (Per room) ⁷		
247	5238	362.50-00	Park and Recreation Facilities	Reso 09-114	N/A
			Public Benefit for the Bayfront Project only ⁵	Resos 11-132 & 17-002	\$20.00
241	5238	362.50-00	General Public Facilities	Reso 19-033	\$24.30
244	5238	362.50-00	Police Facilities	Reso 19-033	\$26.88
246	5238	362.50-00	Fire Facilities	Reso 19-018	101.00
261	5238	362.50-00	Transportation Facilities Fee	Reso 19-011	\$1,963.50
264	5238	362.55-00	West County Sub-regional Transportation Mitigation Fee ¹	Reso 19-017	\$3,481.00
			Other Community Development Fees		
			Other Sub-regional Transportation Mitigation (STMP) Fees:		
264	5238	362.55-00	Senior Housing (Per dwelling unit) ¹	Reso 19-017	\$1,469.00
264	5238	362.55-00	Storage Facility (Per building square foot) ¹	Reso 19-017	\$0.76
264	5238	362.55-00	Church (Per building square foot) ¹	Reso 10-088	Removed Category
264	5238	362.55-00	Hospital (Per building square foot) ¹	Reso 10-088	Removed Category
264	5238	362.55-00	Other buildings not listed (Per AM peak hour trips generated) ¹	Reso 19-017	\$7,350.00
			Other City Transportation Facilities Fee	Reso 19-017	
264	5238	362.55-00	Fast Food (per sq. ft.)	Reso 19-011	\$32.83
			Fuel Station (pe pump)	Reso 19-011	\$5,758.50
100	5238	331.12-00	SMIP Fee Residential	Reso 14-014	\$10 per each \$100,000 of building valuation
100	5238	331.12-00	SMIP Fee Commercial	Reso 14-014	\$10 per each \$100,000 of building valuation
			Green Building Fee Schedule: ³		
100	5328		\$1.00 - \$25,000.00 Permit Valuation		\$1.00
100	5328		\$25,001.00 - \$50,000.00 Permit Valuation		\$2.00
100	5328		\$50,001.00 - \$75,000.00 Permit Valuation		\$3.00
100	5328		\$75,001.00 - \$100,000.00 Permit Valuation		\$4.00
100	5328		Every \$25,000.00 or fraction thereof above \$100,000.00		Add \$1.00
100	5238	331.05-00	Demo inspection Review	Reso 10-088	\$69.00
100	5238	331.10-00	Filing Fee	Reso 09-114	25% of Building Fee
			¹ STMP fees are collected by the City and remitted to WCCTAC in accordance with Master Coop Agreement.		
			² SMIP fees are collected by the City and remitted to State of California		
			³ GBF fees are collected by the City and remitted to State of California		
			⁴ City Transportation fees for fast food & fuel listed below & uses with much different traffic volumes can be evaluated for higher or lower fee in accordance with the Nexus study consistent with Mitigation Fee Act.		
			⁵ Public Benefit fees only paid by Bayfront development with locked fees per DA.		
			⁶ Sewer Facility fees are separate from and do not include sewer service charges or sewer connection fees.		
			⁷ Not including Sewer facilities fees, which is based on building square footage.		

AFFORDABLE HOUSING PROGRAM

640	6000	395.00-00	Affordable Housing In-Lieu Fee	RDA Reso 09-114	Per Code
640	6000	395.00-00	Annual Compliance/Monitoring Fee	Reso 19-033	\$30.00
640	6000	395.00-00	Code Compliance Inspection	Reso 19-033	\$149.00
640	6000	369.07-01	Credit	Reso 19-033	\$30.00
640	6000	395.00-00	Default Monitoring	RDA Reso 09-114	Actual cost + 20% admin fee
640	6000	395.00-00	Foreclosure (Fee charged by 3rd party service provider)	RDA Reso 09-114	Actual cost + 20% admin fee
640	6000	369.07-93	Homebuyer Education	Reso 19-033	\$32.00
640	6000	395.00-00	Loan Documents Preparation Fee	Reso 19-033	\$298.00
640	6000	395.00-00	Notary (First signature)	Reso 19-033	\$11.00
640	6000	395.00-00	Each additional signature	Reso 19-033	\$6.00
640	6000	395.00-00	Pay-Off Demand	Reso 19-033	\$60.00
640	6000	395.00-00	Rehab Work Write-up/Inspection Fee	Reso 19-033	\$89.00
640	6000	395.00-00	Reconveyance	Reso 19-033	\$149.00
640	6000	395.00-00	Recording Fee (Fee paid to County Recorder)	RDA Reso 09-114	Actual cost + 20% admin fee

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
640	6000	395.00-00	Resale Restriction Calculation	Reso 19-033	\$60.00
640	6000	395.00-00	Subordination	Reso 19-033	\$149.00
640	6000	395.00-00	Wiring Fee	Reso 19-033	\$22.00
BUSINESS DEVELOPMENT PROGRAM					
601	0000	395.00-00	Application Packaging Fee	Reso 19-033	\$62.00
601	0000	395.00-00	Default Monitoring	RDA Reso 09-114	Actual cost + 20% admin fee
601	0000	395.00-00	Foreclosure (Fee charged by 3rd party service provider)	RDA Reso 09-114	Actual cost + 20% admin fee
601	0000	395.00-00	Loan Documents Preparation Fee	Reso 19-033	\$310.00
601	0000	395.00-00	Notary (First signature)	Reso 19-033	\$10.00
601	0000	395.00-00	Each additional signature	Reso 19-033	\$6.00
601	0000	395.00-00	Pay-Off Demand	Reso 19-033	\$62.00
601	0000	395.00-00	Reconveyance	Reso 19-033	\$155.00
601	0000	395.00-00	Recording Fee (Fee paid to County Recorder)	RDA Reso 09-114	Actual cost + 20% admin fee
601	0000	395.00-00	Subordination	RDA Reso 09-114	Actual cost + 20% admin fee
601	0000	395.00-00	Title Insurance	RDA Reso 09-114	Actual cost + 20% admin fee
601	0000	395.00-00	Wiring Fee	RDA Reso 09-114	Actual cost + 20% admin fee
601	0000	395.00-00	Late Fee (Per day after due date)	Reso 19-033	\$5.00
BUSINESS LICENSE FEES					
			<u>Retail, Wholesale, Service, and Manufacturer</u>		
			<u>Based On Average Monthly Gross Receipts (Annual Fee)</u>		
100	0000	316.00-00	Disability Access and Education Fee (30% to be paid to Division of the State Architect)	GCS 4467 & Reso 17-003	Division of the State Architect mandated \$1.00 Fee.
100	0000	316.00-00	Zero to \$1,000	HMC 8-6.1-6	\$42.00
100	0000	316.00-00	1,000.01 to 1,500	HMC 8-6.1-6	\$52.00
100	0000	316.00-00	1,500.01 to 2,000	HMC 8-6.1-6	\$62.00
100	0000	316.00-00	2,000.01 to 3,000	HMC 8-6.1-6	\$82.00
100	0000	316.00-00	3,000.01 to 4,000	HMC 8-6.1-6	\$103.00
100	0000	316.00-00	4,000.01 to 5,000	HMC 8-6.1-6	\$123.00
100	0000	316.00-00	5,000.01 to 6,000	HMC 8-6.1-6	\$143.00
100	0000	316.00-00	6,000.01 to 8,000	HMC 8-6.1-6	\$164.00
100	0000	316.00-00	8,000.01 to 10,000	HMC 8-6.1-6	\$184.00
100	0000	316.00-00	10,000.01 to 12,000	HMC 8-6.1-6	\$204.00
100	0000	316.00-00	12,000.01 to 14,000	HMC 8-6.1-6	\$225.00
100	0000	316.00-00	14,000.01 to 16,000	HMC 8-6.1-6	\$245.00
100	0000	316.00-00	16,000.01 to 18,000	HMC 8-6.1-6	\$265.00
100	0000	316.00-00	18,000.01 to 20,000	HMC 8-6.1-6	\$286.00
100	0000	316.00-00	20,000.01 to 25,000	HMC 8-6.1-6	\$326.00
100	0000	316.00-00	25,000.01 to 30,000	HMC 8-6.1-6	\$367.00
100	0000	316.00-00	30,000.01 to 35,000	HMC 8-6.1-6	\$408.00
100	0000	316.00-00	35,000.01 to 40,000	HMC 8-6.1-6	\$448.00
100	0000	316.00-00	40,000.01 to 45,000	HMC 8-6.1-6	\$489.00
100	0000	316.00-00	45,000.01 to 50,000	HMC 8-6.1-6	\$530.00
100	0000	316.00-00	50,000.01 to 60,000	HMC 8-6.1-6	\$571.00
100	0000	316.00-00	60,000.01 to 70,000	HMC 8-6.1-6	\$611.00
100	0000	316.00-00	70,000.01 to 80,000	HMC 8-6.1-6	\$652.00
100	0000	316.00-00	80,000.01 to 90,000	HMC 8-6.1-6	\$693.00
100	0000	316.00-00	90,000.01 to 100,000	HMC 8-6.1-6	\$733.00
100	0000	316.00-00	100,000.01 to 130,000	HMC 8-6.1-6	\$815.00
100	0000	316.00-00	130,000.01 to 160,000	HMC 8-6.1-6	\$896.00
100	0000	316.00-00	160,000.01 to 200,000	HMC 8-6.1-6	\$1,018.00
100	0000	316.00-00	200,000.01 to 350,000	HMC 8-6.1-6	\$1,221.00
100	0000	316.00-00	350,000.01 to 500,000	HMC 8-6.1-6	\$1,425.00
100	0000	316.00-00	500,000.01 to 650,000	HMC 8-6.1-6	\$1,730.00
100	0000	316.00-00	650,000.01 to 800,000	HMC 8-6.1-6	\$2,035.00
100	0000	316.00-00	800,000.01 to 1,000,000	HMC 8-6.1-6	\$2,442.00
100	0000	316.00-00	1,000,000.01 to 2,000,000 (Base Fee + \$1.00 per \$1,000 in excess of \$1M up to \$2M)	HMC 8-6.1-6	\$2,442.00
100	0000	316.00-00	2,000,000.01 to 4,000,000 (Base Fee + \$.80 per \$1,000 in excess of \$2M up to \$4M)	HMC 8-6.1-6	\$3,459.00
100	0000	316.00-00	4,000,000.01 to 7,000,000 (Base Fee + \$.60 per \$1,000 in excess of \$4M up to \$7M)	HMC 8-6.1-6	\$5,086.00
100	0000	316.00-00	7,000,000.01 to 10,000,000 (Base Fee + \$.40 per \$1,000 in excess of \$7M up to \$10M)	HMC 8-6.1-6	\$6,917.00
100	0000	316.00-00	Over 10,000,000 (Base Fee + \$.20 per \$1,000 in excess of \$10M with no cap)	HMC 8-6.1-6	\$8,137.00
			<u>Contractor and Subcontractor</u>		
			<u>Based On Average Monthly Gross Receipts (Quarterly Fee)</u>		
100	0000	316.00-00	Zero to \$4,000 (Average monthly gross receipts) (Times 2, 3, or 4 if paying for 1/2, 3/4, or full year)	HMC 8-6.1-6	\$26.00
100	0000	316.00-00	4,000.01 to 5,000	HMC 8-6.1-6	\$32.00

CITY OF HERCULES MASTER FEE SCHEDULE

7/1/2019

FUND NUMBER	DEPT. NUMBER	ACCOUNT NUMBER	FEE	LEGAL AUTHORITY	FY 19-20 FEES
100	0000	316.00-00	5,000.01 to 6,000	HMC 8-6.1-6	\$37.00
100	0000	316.00-00	6,000.01 to 8,000	HMC 8-6.1-6	\$42.00
100	0000	316.00-00	8,000.01 to 10,000	HMC 8-6.1-6	\$47.00
100	0000	316.00-00	10,000.01 to 12,000	HMC 8-6.1-6	\$52.00
100	0000	316.00-00	12,000.01 to 14,000	HMC 8-6.1-6	\$57.00
100	0000	316.00-00	14,000.01 to 16,000	HMC 8-6.1-6	\$62.00
100	0000	316.00-00	16,000.01 to 18,000	HMC 8-6.1-6	\$67.00
100	0000	316.00-00	18,000.01 to 20,000	HMC 8-6.1-6	\$72.00
100	0000	316.00-00	20,000.01 to 25,000	HMC 8-6.1-6	\$82.00
100	0000	316.00-00	25,000.01 to 30,000	HMC 8-6.1-6	\$93.00
100	0000	316.00-00	30,000.01 to 35,000	HMC 8-6.1-6	\$103.00
100	0000	316.00-00	35,000.01 to 40,000	HMC 8-6.1-6	\$113.00
100	0000	316.00-00	40,000.01 to 45,000	HMC 8-6.1-6	\$133.00
100	0000	316.00-00	45,000.01 to 50,000	HMC 8-6.1-6	\$133.00
100	0000	316.00-00	50,000.01 to 60,000	HMC 8-6.1-6	\$143.00
100	0000	316.00-00	60,000.01 to 70,000	HMC 8-6.1-6	\$154.00
100	0000	316.00-00	70,000.01 to 80,000	HMC 8-6.1-6	\$164.00
100	0000	316.00-00	80,000.01 to 90,000	HMC 8-6.1-6	\$174.00
100	0000	316.00-00	90,000.01 to 100,000	HMC 8-6.1-6	\$184.00
100	0000	316.00-00	100,000.01 to 130,000	HMC 8-6.1-6	\$204.00
100	0000	316.00-00	130,000.01 to 160,000	HMC 8-6.1-6	\$225.00
100	0000	316.00-00	160,000.01 to 200,000	HMC 8-6.1-6	\$255.00
100	0000	316.00-00	200,000.01 to 350,000	HMC 8-6.1-6	\$306.00
100	0000	316.00-00	350,000.01 to 500,000	HMC 8-6.1-6	\$357.00
100	0000	316.00-00	500,000.01 to 650,000	HMC 8-6.1-6	\$433.00
100	0000	316.00-00	650,000.01 to 800,000	HMC 8-6.1-6	\$510.00
100	0000	316.00-00	800,000.01 to 1,000,000	HMC 8-6.1-6	\$611.00
100	0000	316.00-00	1,000,000.01 to 2,000,000 (Base Fee + \$.25 per \$1,000 in excess of \$1M up to \$2M)	HMC 8-6.1-6	\$611.00
100	0000	316.00-00	2,000,000.01 to 4,000,000 (Base Fee + \$.20 per \$1,000 in excess of \$2M up to \$4M)	HMC 8-6.1-6	\$865.00
100	0000	316.00-00	4,000,000.01 to 7,000,000 (Base Fee + \$.15 per \$1,000 in excess of \$4M up to \$7M)	HMC 8-6.1-6	\$1,272.00
100	0000	316.00-00	7,000,000.01 to 10,000,000 (Base Fee + \$.10 per \$1,000 in excess of \$7M up to \$10M)	HMC 8-6.1-6	\$1,730.00
100	0000	316.00-00	Over 10,000,000 (Base Fee + \$.05 per \$1,000 in excess of \$10M with no cap)	HMC 8-6.1-6	\$2,035.00
Miscellaneous Business Fees					
(Fees Based On Various Frequencies Or Units)					
100	0000	316.00-00	Billiard or Pool Halls and Card Rooms (Per year per table in addition to Gross Receipts Tax).	HMC 8-6.1-6	\$21.00
100	0000	316.00-00	Boxing and wrestling matches (Per exhibition).	HMC 8-6.1-6	\$103.00
100	0000	316.00-00	Carnivals (Per week).	HMC 8-6.1-6	\$510.00
100	0000	316.00-00	Circuses (Per day).	HMC 8-6.1-6	\$103.00
100	0000	316.00-00	Coin operated amusement devices (Per year per device).	HMC 8-6.1-6	\$204.00
100	0000	316.00-00	Dances at which admission is charged (Each date).	HMC 8-6.1-6	\$52.00
100	0000	316.00-00	Farmers Market (Per year)	HMC 8-6.1-6	\$16.00
100	0000	316.00-00	Merry-go-rounds (Per day).	HMC 8-6.1-6	\$11.00
100	0000	316.00-00	Portable skating rinks (Per quarter).	HMC 8-6.1-6	\$103.00
100	0000	316.00-00	Peddling or soliciting (Per quarter).	HMC 8-6.1-6	\$52.00
100	0000	316.00-00	Professional Persons, i.e. Accountant, Chiropractor, Dentist, Engineer, Lawyer, Optometrist, Osteopath, Physician, Surgeon, Veterinarian, Mortician, etc. (Per each professional per year).	HMC 8-6.1-6	\$164.00
100	0000	316.00-00	Selling bankrupt, depreciated or damaged stock of goods, when the same are presented as being sold for less than in the usual course of business (Per quarter).	HMC 8-6.1-6	\$408.00
100	0000	316.00-00	Traveling exhibitions e.g. telescopes, microscopes, lung testers, ball and knife or ring throwing or any similar exhibitions for which no other rate is fixed herein (Per week).	HMC 8-6.1-6	\$103.00
100	0000	316.00-00	Traveling, advertising and sales promotional enterprises, whether operating directly or under the sponsorship of a local organization, where any remuneration is received by such enterprise for its activity within the City (Per quarter).	HMC 8-6.1-6	\$103.00
			Traveling theatrical promoters or enterprises, whether operating directly or under sponsorship of a local organization for theatrical performances in the City, at which admission is charged.		
100	0000	316.00-00	(Per day for first three days).	HMC 8-6.1-6	\$21.00
100	0000	316.00-00	(Per day thereafter).	HMC 8-6.1-6	\$13.00
100	0000	316.00-00	Trucks using City streets for the transportation of goods, wares, and merchandise, except as are exempted from the payment of municipal license fees by state or federal law, and except when such trucks are used in connection with businesses already paying a license fee under this Chapter, and except those who are under the Highway Carriers Uniform Business License Tax pursuant to Paragraph 4306 of the Public Utilities Code (Per year per truck).	HMC 8-6.1-6	\$103.00
100	0000	316.00-00	Vending Machines (Per year per machine).	HMC 8-6.1-6	\$42.00



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of December 11, 2018

TO: Members of the City Council

SUBMITTED BY: Patrick Tang, City Attorney

SUBJECT: Business License Tax Administrative Policy

RECOMMENDED ACTION:

Informational Only, no action is required by the City Council at this time.

FISCAL IMPACT OF RECOMMENDATION:

Unknown at this time. The audit is expected to result in additional revenue to the City.

DISCUSSION:

Recently the City contracted with Avenu to administer the Business Licenses on an on-going basis and conduct audits in compliance with the Business License Tax Ordinance which is set forth in Chapter 6 of the Municipal Code. Several questions were raised by Avenu regarding the implementation of the Business License Tax Ordinance which have been reviewed by staff in consultation with the City Attorney's Office. In response to Avenu and in order to provide guidance to staff, the points of clarification have been incorporated into the attached Administrative Policy promulgated by the City Manager.

A key component of the Administrative Policy is an amnesty option that would allow the Finance Director or his or her designee to waive penalties and past business license taxes owed if a noncompliant business secures a business license within 180 days of being notified.

ATTACHMENTS:

1. Business License Tax Administrative Policy

Financial Impact

Description: N/A

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"/>		

BUSINESS LICENSES
Administrative Policy #

I. PURPOSE

To clarify how business licenses will be handled under Chapter 6 of the Municipal Code – Business License Tax.

II. POLICY

The Finance Director, is responsible for administering the Business License Tax under the Municipal Code and may assign an outside contractor to handle the day to day responsibilities of administering Business Licenses and/or arrange for periodic audits, subject to the approval of the City Manager.

A. Periodic Audits:

1. The Finance Director shall arrange for periodic audits by a qualified contractor to determine compliance with the Business License Tax Ordinance.
2. Such audits may include discovery of businesses without licenses.
3. For the 2018 audit and any subsequent audit thereafter, whenever an audit results in discovery of a business without a license, or a business without a license otherwise becomes known to the City, the Finance Director or his/her designee may grant an amnesty to waive payment of penalties and past due business license tax amounts owed, provided that the business acquires a license within 180 days of notification of the amount due.
4. Audits for compliance may go back three (3) years, as provided by law.

B. Licenses Required for all Rental Units:

1. An owner who rents a single family house or one or more apartment or condominium rental units in the City of Hercules is considered to be a person “doing business” under the City’s Business License Tax Ordinance and is required to obtain a business license.
2. An owner of commercial property who rents units in a commercial building or a landowner who rents vacant land is required to obtain a business license for the building or the land being rented. Each business unit rented in the building must also have a business license. If however, a business location is owner occupied only one license is required.

C. Proration of Business Licenses:

1. The due date for issuance of an annual Business License is January 1st. Licenses issued during the year will be prorated on a quarterly basis.

D. Penalties:

1. Penalties shall be calculated as required by Section 8-6.403 of the Business License Tax Ordinance.

E. Interpretation:

1. In the event there is a need for interpretation in a specific situation the Business License Administrator shall render the decision with the assistance of the City Attorney.

David Biggs, City Manager

Date

Original Date: 11-14-18

Revised Date: N/A



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of July 25, 2017

TO: Members of the City Council

SUBMITTED BY: Christopher Roke, Parks & Recreation Director
Annie To, Finance Director

SUBJECT: Resolution Adopting a Temporary Waiver of Business Licenses for Fee Class Contractors and City Professional Service Contracts

RECOMMENDED ACTION:

Approve a Resolution Establishing a Temporary Waiver of Business Licenses for Fee Class Contractors (up to \$20,000 per year in value) and City Professional Services Contractors.

COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:

N/A

FISCAL IMPACT OF RECOMMENDATION:

While the City is able to collect money on the requirement to obtain a Business License for Fee Contract Class Contractors, it is losing money overall due to the paperwork and cost. In addition, some contractors are choosing to no longer do business with the City. Recommended changes to the City's Municipal Code for Business License fees will help the department attract and retain quality Fee Class Contractors which in turn will help generate more revenue and reduce the overall deficit in Parks and Recreation Department.

The City's standard professional services contracts require the vendor to secure a business license. However, the cost of the business license is a reimbursable expense. As such, the current process does not result in additional revenue.

DISCUSSION:

The Parks & Recreation Department has identified that our ability to secure Fee Class Contractors is being impacted by the requirement that the contractors secure a business license. As a result, there are less options available to the community for these types of offerings, as contractors sometimes decline to provide services to the City due to the paperwork and expense required to comply with the business license requirements. This also means that the Parks & Recreation Department is losing out on revenue generating programs. For those contractors that are starting out, or those that are earning a minimal amount of money, it is not worth it to offer classes. Some of the bigger Fee Class Contractors are choosing not to return or have already left because of the costs associated with the requirements to purchase a business license and to provide insurance.

In a recent survey regarding the requirement to obtain a Business License to teach a Fee Class for the community, here is a list of what others are doing.

- Cities that require a business license include Alameda, Fremont, Hayward (HARD), Dublin and Union City.
- Cities that only require a business license under special circumstances include Danville, El Cerrito, Oakley and Richmond.
- Cities that do not require a business license include Concord, Kensington, Martinez, Moraga and San Leandro.

The following is a list of cities that have special circumstances, and what those circumstances are:

- Danville: Fee Class Contractors only pay for a business license if they make over \$10,000 in a fiscal year. If they make less than \$10,000, they complete an exemption form.
- El Cerrito: Fee Class Contractors agree to purchase a City business license if the Contractor's total payment exceeds \$8,500 in a fiscal year (July 1 – June 30).
- Oakley: Fee Class Contractors are required to obtain a business license, but they have a fee exemption for businesses that make under \$20K/year. **All** of their Fee Class Contractors fall in this category.
 - However there is a \$1 state fee that is not waived. So their Fee Class Contractors pay \$1 annually for a business license.
- Richmond: Fee Class Contractors only pay for a business license if they make more than \$5,000 a year.

Most of our Fee Class Contractors here in Hercules do not make more than \$5,000 annually, as such a pilot temporary waiver program is recommended for the Fee Class Contractors and for City Professional Services Contractors.

The City is currently in the process of contracting out the administration and processing of business licenses. Once the vendor for that program is selected, it is anticipated that they will also identify needed or desirable changes and updates to our business license ordinance. The pilot temporary waiver program would be reviewed as part of this effort and if effective and desirable, could then be codified into whatever global changes are recommended.

ATTACHMENTS:

1. Resolution to Establish a Temporary Waiver of Business Licenses

<i>Financial Impact</i>			
Description:			
Funding Source:			
Budget Recap:			
Total Estimated cost:	\$0	New Revenue:	\$0
Amount Budgeted:	\$0	Lost Revenue:	\$0
New funding required:	\$0	New Personnel:	\$0
Council Policy Change: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			

RESOLUTION NO. 17-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES
AUTHORIZING THE TEMPORARY SUSPENSION AND/OR WAIVER OF BUSINESS
LICENSE TAX REQUIREMENTS FOR ENTITIES PROVIDING FEE CLASS
INSTRUCTION THROUGH THE PARKS AND RECREATION DEPARTMENT AND
CONTRACTORS PROVIDING PROFESSIONAL SERVICES TO THE CITY**

WHEREAS, the City's current Business License Tax requirements, codified in the Hercules Municipal Code at Title 8, Chapter 6, calls for payment of a business license fee on an annual basis; and

WHEREAS, the application of business license requirements creates an unnecessary burden on the City's administrative staff; and

WHEREAS, the business license compliance requirements create a disincentive for small businesses providing instructional and educational services and contractors doing business with the City of Hercules; and

WHEREAS, granting staff the authority to suspend and/or waive on a temporary one year basis the business license requirements for Fee Class Contractors who provide instructional and educational services and that earn less than \$20,000 a year, and contractors doing business with the City of Hercules, is in the best interests of the City as it will reduce the compliance burden on staff and make it easier for contractors and service providers to do business with the City; and

WHEREAS, the City is currently in the process of evaluating the contracting out of the administration and processing of business licenses, and the temporary suspension and/or waiver would be reviewed as part of this effort and could be codified into whatever global changes to the City's Business License Program are recommended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hercules that effective immediately upon passage and for a period of one (1) year thereafter, the City Manager is granted the authority to allow staff to grant the suspension and/or waiver of business license requirements for Fee Class Contractors that earn less than \$20,000 and contractors providing professional services to the City.

AYES:

NOES:

ABSENT:

ABSTAIN:

Myrna de Vera, Mayor

ATTEST:

Lori Martin, City Clerk

III. Voting Requirements for Special and General Taxes

Section 2 of Article XIII C provides that a local agency cannot “impose, extend or increase” any general tax unless and until that tax is submitted to the electorate and approved by a majority vote, nor any special tax unless and until that tax is submitted to the electorate and approved by a two-thirds vote. Similarly, Sections 54722 and 53723 of the California Government Code, which were enacted in 1986 by Proposition 62, a statutory initiative inapplicable to charter cities (*Trader Sports, Inc. v. City of San Leandro* (2001) 93 Cal.App.4th 37, 49), require such approval to “impose” any general or special tax. The voter approval requirement for special taxes dates back to 1978’s Proposition 13 in 1977, by which the voters enacted section 4 of article XIII A of the California Constitution to require two-thirds voter approval to “impose” any special tax.

Since the voters approved Proposition 218 in 1996, the California courts and the Proposition 218 Omnibus Implementation Act, Government Code sections 53750–53758, have supplied guidance on what it means to “impose, extend or increase” a tax.

A. Impose

“Impose means” a local agency’s initial enactment of a tax. At least for purposes of determining the application of the statute of limitations of Code of Civil Procedure section 338, subdivision (a) [three years for liability arising from statute], “impose” also means “continue to impose” or the continued collection of a tax. (*Howard Jarvis Taxpayers v. La Habra* (2001) 25 Cal 4th 809, 823–824; but see *Barratt American, Inc. v. City of Rancho Cucamonga* (2005) 37 Cal.4th 685, 702–703 [time to challenge development impact fee under Gov. Code, § 66022 runs from adoption, not collection, of fee].) A local agency does not “impose” a tax within the meaning of Proposition 218 when it applies an existing tax to newly annexed territory, within which the tax did not previously apply. (*Citizens Assn. of Sunset Beach v. Orange County LAFCO* (2012) 209 Cal. App. 4th 1182, 1195 [Prop. 218 did not displace similar ruling of *Metropolitan Water District v. Dorff* (1979) 98 Cal.App.3d 109 under Prop. 13 because its provisions are silent as to annexation].) In contrast, a local agency does “impose” a tax within the meaning of Proposition 218 when it applies an existing tax to a new category of taxpayers who the local agency previously did not tax. (Gov. Code, § 53750, subd. (h)(1)(B) [Prop. 218 Omnibus Implementation Act of 1997].)

Some have also questioned whether a local government “imposes” a tax that originates from an initiative, rather than from a proposal of the local legislature. *California Cannabis Coalition v. City of Upland* (2017) 3 Cal.5th 924, 936–945, held that Proposition 218’s requirement that voters approve general taxes at regularly scheduled elections does not apply to citizen-sponsored tax initiatives, construing “local agency” as used in the measure to include only government officials. The court’s analysis, however, can be read to suggest that such citizen-sponsored taxes are not “imposed” by local government at all and, as a result, arguably do not trigger any part of Proposition 218. (*id.* at pp. 939–940.) As a result, some commentators have suggested that citizens could, for example, sponsor a special tax without triggering the 2/3-vote requirement. Until some further decision by a California appellate court, however, the most conservative reading of *California Cannabis Coalition* is a narrow one, limited to the specific question it resolved.

B. Extend

Government Code section 53750, subdivision (e) provides that a tax has been extended if there is “a decision by an agency to extend the stated effective period of the tax ..., including but not limited to, amendment or removal of a sunset provision or expiration date.” Extending a sunset date or effective period for a tax requires voter approval under article XIII C, section 2, subdivision (c). (*White v. State of California* (2001) 88 Cal.App.4th 298, 316 (“[T]he prohibition against extending taxes without a vote means a prohibition against extending the imposition of a tax for a continued time period.”).) However, application of taxes, assessments, and fees to newly annexed territory does not “extend” them within the meaning of Proposition 218. (*Citizens Assn. of Sunset Beach v. Orange County LAFCO* (2012) 209 Cal. App. 4th 1182, 1195 [“[E]xtend’ is normally thought of in terms of time, not geographic areas, particularly in the context of taxation.”].)

C. Increase

Government Code section 53750, subdivision (h)(1) provides that a local government “increases” a tax when it does either of the following: “[i]ncreases any applicable rate used to calculate the tax ... [or] [r]evises the methodology by which the tax ... is calculated, if that revision results in an increased amount being levied on any person or parcel.” “A tax is increased if the math behind it is altered so that either a larger tax rate or a larger tax base is part of the calculation.” (*AB Cellular LA, LLC v City of Los Angeles* (2007) 150 Cal.App.4th 747, 763.) A “methodology, under section 53750, refers to a mathematical equation for calculating taxes that is officially sanctioned by a local taxing entity.” (*Id.*) A local government increases a tax within the meaning of Proposition 218 if it revises its methodology due to external factors, such as a change in federal law. (See *id.* [federal statute eliminating Commerce Clause prohibition on taxing all cellular services did not authorize the city to tax cellular services not previously taxed without voter approval].)

A tax “shall not be deemed to have been increased if it is imposed at a rate not higher than the maximum rate so approved [by voters].” (Cal. Const., art XIII C, § 2, subd. (b).) Similarly, Government Code section 53750, subdivision (h)(2) provides that a tax is not “increased” if a local agency does either of the following: “[a]djusts the amount of a tax ... in accordance with a schedule of adjustments, including a clearly defined formula for inflation adjustment that was adopted by the agency prior to November 6, 1996 [or] [i]mplements or collects a previously approved tax ... so long as the rate is not increased beyond the level previously approved by the agency, and the methodology previously approved by the agency is not revised so as to result in an increase in the amount being levied on any person or parcel.”

Government Code section 53739 authorizes a local agency to submit a tax measure to the voters to approve a range of rates or amounts and to approve a clearly identified formula for inflation adjustments of a tax. However, when a tax is measured as a percentage — such as a percentage of a utility charge or of a hotel room rent — it cannot include an inflation adjustment. For example, a business license tax imposed at a rate of 0.1 percent of gross receipts cannot include an inflation adjustment because it is imposed as a percentage. Such taxes are self-inflating as the tax base rises with inflation, so there is no need to inflate the tax rate, too. In contrast, a business license tax imposed at a flat rate of \$20 per employee can include an inflation adjustment.

Subsequent increases in a tax in accordance with a voter-approved measure do not require further voter approval. (Gov. Code, § 53739, subd. (a).) In addition, a local agency “can enforce less of a local tax than is due under a voter approved methodology, or a grandfathered methodology, and later enforce the full amount of the local tax due under that methodology without transgressing Proposition 218.” (*AB Cellular LA, LLC v City of Los Angeles* (2007) 150 Cal App. 4th 747, 764.)

► PRACTICE TIP:

If a local agency decides to collect a previously approved tax at a rate lower than was authorized by the voters, the documentation lowering the tax should be very clear that the reduction is temporary and that there is no “increase,” which requires voter approval, when the rate is restored. This can be accomplished by adopting the tax reduction by a resolution that has a stated expiration date. The reduction can then expire without any further legislative action that can be characterized as a tax “increase.” That expiration date can later be extended while still preserving this defense to a claim that the end of the tax reduction is an increase.

Finally, a local agency does not increase a tax if “higher payments are attributable to events other than an increased rate or revised methodology, such as a change in the density, intensity, or nature of the use of land.” (Gov. Code, § 53750, subd. (h) (3).) Further, a local agency has not increased a tax by applying an existing tax to newly annexed territory (*Citizens Assn. of Sunset Beach v. Orange County LAFCO* (2012) 209 Cal. App. 4th 1182, 1195) or receiving increased rate revenue from wholesale customers and not retail rate payers (*Webb v. City of Riverside* (2018) 23 Cal.App.5th 244, 260). Nor does a transfer of funds previously collected that has no effect on rates constitute an increase. (*Id.* at 258-259.)



STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of March 10, 2020

TO: Members of the City Council

SUBMITTED BY: David Biggs, City Manager

SUBJECT: Review Upcoming Council Agenda Items List

RECOMMENDED ACTION: Review, Discuss and Provide Direction, if any.

COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION: Not Applicable

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

DISCUSSION: The City Council has requested that the Upcoming Council Agenda Items List be reviewed generally on a quarterly basis by the full Council. This list is kept on an updated basis as a tool to assist staff and the City Council in tracking items staff is planning on placing on future agendas, and includes future items requested by City Council consensus or action. Items requested by the City Council are noted as (Consensus).

The list is updated by the City Clerk following each City Council meeting and is reviewed each week in the City Manager's Department Head Team meeting.

The list was last reviewed by the full Council on December 10, 2019, at which time the Council requested the next review occur in March, 2020.

ATTACHMENTS:

1. Upcoming Council Agenda Items

Upcoming Agenda Items - Revised 3/4/20

PENDING	Item	Staff Responsible	Status of the Item			
	Quarterly Review of Agenda Items (June)	Biggs	Every Quarter			
	Housing RDA Successor Agency - Reconsider becoming Housing Successor Agency (Romero - 031318)	Biggs				
	SB 946 Safe Sidewalks Vending Act	Biggs				
	Inclusionary Housing	Biggs				
	Ordinance Amending HMC Chapter 10-16 Wireless Telecommunication Facilities	Smyth				
	Municipal Pooling Authority JPA Amendment	Martin				
	Sidewalk Ordinance Discussion	Tang				
	Massage Parlor Permit Update	Tang/Smyth/Imboden				
	Proclamation Recognizing Planning Commissioner Susan Tolley for her years of service	Martin				
	Council Meeting Calendar 2020	Martin	April or May			
	Award of New Annual Audit Contract	Gato	February or March			
	Discussion regarding preferred parking district in Victoria by the Bay					
	Investment Policy Updates	Gato	June 23rd			
	Agreement with John Muir Land Trust for Refugio Creek Conservation Effort	Roberts				
	Sewer Master Plan Update	Roberts				
	Pavement Management Program Update	Roberts				
	City Water Bill and Usage (G. Boulanger 022520)	Roberts				
	Discussion re: UUT Collection Practices	Biggs/Gato				

Upcoming Agenda Items - Revised 3/4/20

Scheduled Meeting Date	Item	Staff Responsible	Presentation	Public Hearing	Consent	Discussion/ Action
3/10/2020	Closed Session - DOF					
PH Notice due to LM:	Closed Session - WWTP Claims					
2/25/2020						
Packet Distribution:	Hercules Running Rebels Presentation	Martin	X			
3/5/2020	Business License Update	Biggs				X
	1st Amendment to Pinole Hercules WasteWater Fiscal Agreement	Biggs/Tang/Roberts				X
(CM Boulanger - out of town)	Initial 2020/21 Landscape and Lighting Assessment Renewal Discussion	Biggs/Roberts				X
	Quarterly Review of Pending Agenda Items List	Biggs			X	
	Community Development Director - Job Description Title Change	Martin			X	
Scheduled Meeting Date	Item	Staff Responsible	Presentation	Public Hearing	Consent	Discussion/ Action
3/24/2020						
PH Notice due to LM:						
3/10/2020						
	5 year Budget Forecast Update	Gato/Biggs				X
Packet Distribution:	League Financial Diagnostic Tool	Gato				X
3/19/2020	Strategic Plan Review	Biggs				X
	Hilltown Entitlements/Street Abandonment	Smyth		X		
	Public Cameras on Streets	Imboden				X
	Annual Housing Report	Smyth		X		
	Charter City Discussion	Tang				X

Upcoming Agenda Items - Revised 3/4/20

Scheduled Meeting Date	Item	Staff Responsible	Presentation	Public Hearing	Consent	Discussion/ Action
4/14/2020						
PH Notice due to LM:						
3/31/2020						
	City Council Review of Engie's Energy Services Construction Contract	Roberts				X
Packet Distribution:	Review of Updated Conceptual Design of RITC	Roberts/Biggs				X
4/9/2020	Sign Code Amendment Discussion	Tang				X
	Desktop Computer Upgrades	Faye Flores/Martin			X	
	Surplus Computer Equipment	Faye Flores/Martin			X	
Scheduled Meeting Date	Item	Staff Responsible	Presentation	Public Hearing	Consent	Discussion/ Action
4/28/2020						
PH Notice due to LM:						
4/14/2020						
	Award of Auditor Contract	Gato				X
Packet Distribution:						
4/23/2020						

Upcoming Agenda Items - Revised 3/4/20

Scheduled Meeting Date	Item	Staff Responsible	Presentation	Public Hearing	Consent	Discussion/ Action
5/12/2020						
PH Notice due to LM:						
4/28/2020						
	Adopt Resolution Calling for the holding of General Municipal Election to be held on 11/2/2020 (3 Resolutions)	Martin				X
Packet Distribution:						
5/7/2020						
Scheduled Meeting Date	Item	Staff Responsible	Presentation	Public Hearing	Consent	Discussion/ Action
5/26/2020						
PH Notice due to LM:						
5/12/2020						
Packet Distribution:						
5/21/2020						

Upcoming Agenda Items - Revised 3/4/20

JANUARY						
	Successor Agency to RDA - ROPS					X
	Regional Appointments					X
	Review of Council Policies - Ethics, Nepotism, etc.					X
FEBRUARY						
	Mid-Year Budget Review					
	Proclamation - Police Officer of the Year					
	Quarterly Investment Report				X	
MARCH						
	Annual Housing Report			X		
	5 year Budget Forecast Updte					
	League Financial Diagnostic Tool					
	Strategic Plan Review					X
APRIL						
	Annual Stormwater Parcel Assessment					X
MAY						
	Calling November Election (even numbered years)				X	
	Quarterly Investment Report				X	
	Quarterly Review of Future Agenda Items					X
	City Manager Eval					
	Public Hearing - CCTA GMP Checklist (even numbered years)			X		
JUNE						
	Budget Adoption and authorizing annual Contracts					X
	Annual renewals of LLADS					X
	Annual Fiber Optic Broadband per Resolution 16-084					X
JULY						
AUGUST	Quarterly Investment Report				X	
SEPTEMBER						
	Quarterly Review of Future Agenda Items					X
	City Attorney Eval					
OCTOBER						
	Amend Conflict of Interest Code (even numbered years)				X	
NOVEMBER						

Upcoming Agenda Items - Revised 3/4/20

	Commission Interviews					X
	1st Qtr Revenue & Expenditure Report					X
	Quarterly Investment Report				X	
DECEMBER						
	Commission Appointments					X
	Reorganization of Council					X
	Confirming Election Results (even numbered years)				X	
	Quarterly Review of Future Agenda Items					X
	Maddy Act				X	
	AB1600 Report				X	