



City of Hercules

111 Civic Drive
Hercules, CA 94547

Meeting Minutes

City Council

Mayor Dan Romero
Vice Mayor Dion Bailey
Council Member Alex Walker-Griffin
Council Member Chris Kelley
Council Member Tiffany Grimsley

Dante Hall, City Manager
Patrick Tang, City Attorney
Eibleis Melendez, City Clerk

Tuesday, February 27, 2024

6:00 PM

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

In-Person in Council Chambers or to Listen Only:

Zoom ID: 826 3556 0622

Zoom Passcode:728808 Zoom Phone Number:1-669-444-9171

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

Council Member Walker-Griffin joined the closed session late.

Present: 3 - Council Member C. Kelley, Mayor D. Romero, and Vice Mayor D. Bailey

Absent: 2 - Council Member T. Grimsley, and Council Member A. Walker-Griffin

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS

NONE

III. CONVENE INTO CLOSED SESSION

City Attorney, Patrick Tang, read the items that will be discussed in Closed Session. Council Members and staff convened into Close Session.

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

Meeting went into Recess

1. [22-778](#) Pursuant to Government Code Section 54957.6 Conference With Labor Negotiators - City Negotiators: Dante Hall, City Manager; Edwin Gato, Director of Finance; relative to the following employee groups:
 - a. Teamsters Local 315 Employee Organizations
 - b. Hercules Police Officers Association
 - c. Hercules Senior Manager Employee Group
 - d. Confidential Unrepresented Employee Group

e. Mid Management Employee Group

- 2. [22-779](#) Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE EVALUATION - Title: City Manager

IV. REGULAR MEETING – CONVENE TO OPEN SESSION - ROLL CALL - 7:00 P.M.

- Present:** 4 - Council Member C. Kelley, Council Member A. Walker-Griffin, Mayor D. Romero, and Vice Mayor D. Bailey
- Absent:** 1 - Council Member T. Grimsley

V. REPORT ON ACTION TAKEN IN CLOSED SESSION

City Attorney, Patrick Tang, reported out on Closed Session items. There was no final or reportable action on either one of the Closed Session items that were discussed.

VI. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was lead by Vice Mayor Bailey.

VII. MOMENT OF SILENCE

NONE

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

Mayor Romero wants to proclaim the following acknowledgement for the month of March:

- American Red Cross Month
- Irish American Heritage Month
- Women's History Month
- Prescription Drug Abuse Awareness Month
- National Vietnam Veterans Day - March 29th
- Cesar Chavez Day - March 31st

Mayor Romero recognized the following groups and days for the month of March.

IX. AGENDA ADDITIONS/DELETIONS

NONE

X. PUBLIC COMMUNICATIONS

Earl McKelvy, Veronica Wood and Peter Myers provided public comment.

This time is reserved for members of the public to address issues not included in the agenda. In accordance with the Brown Act, Council will refer to staff any matters brought before them at this time, and those matters may be placed on a future agenda.

Individuals wishing to address the City Council are asked to complete a form indicating the name and address of the speaker and the general topic to be addressed. Speakers must make their comments from the podium and will be allowed 3 minutes to discuss their concerns. All public comments are recorded and become part of the public record. A limit of 30 minutes will be devoted to taking public comment at this point in the agenda. If any speakers remain at the conclusion of the initial 30 minute period, time will be reserved at the conclusion of the meeting to take the remaining comments.

XI. PUBLIC HEARINGS

1. [22-781](#) 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.

Attachments: [Staff Report - Garbage Liens](#)

[Attach 1 - Resolution](#)

[Attach 2 - Lien List](#)

City Clerk, Eibleis Melendez, introduced and presented the item. Mayor Romero opened the Public Hearing. No public comment. Mayor Romero closed the Public Hearing. Council Members asked questions. City Clerk Melendez provided a response. Action was taken on this item.

MOTION: A motion was made by Council Member Kelley, seconded by Vice Mayor Bailey, to adopt Resolution 24-010. The motion carried by the following vote:

Aye: 3 - Council Member C. Kelley, Mayor D. Romero, and Vice Mayor D. Bailey

Absent: 1 - Council Member T. Grimsley

Abstain: 1 - Council Member A. Walker-Griffin

XII. CONSENT CALENDAR

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

1. [22-776](#) Meeting Minutes for the Regular Meeting of February 13, 2024

Attachments: [Meeting Minutes for the Regular Meeting of February 13, 2024](#)

APPROVED

2. [22-777](#) Grant Funding Request for the Sycamore Avenue Bicycle & Pedestrian

East-West Connector Project under I-80 and the BNSF Railroad.

RECOMMENDATION:

The City Council adopt a resolution requesting the Metropolitan Transportation Commission allocate \$150K in Transportation Development Act Article 3 Pedestrian/Bicycle Project funding in FY 2024 for the Sycamore Avenue Bicycle & Pedestrian East-West Connector Project.

Attachments: [Staff Report - Hercules TDA3 -Sycamore Avenue](#)
[Attach 1 - Hercules TDA3 Resolution - Sycamore Ave](#)
[Attach 2 - Preliminary Plans-Sycamore \(7-12-22\)](#)

Resolution 24-011 APPROVED

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [22-780](#) Victoria by the Bay Landscaping and Lighting Assessment District - Adopt a Resolution Declaring the Results of the Property Owner Protest Ballot Proceedings and Discuss Options to Balance the Budget and Eliminate the Fund Deficit.

RECOMMENDATION:

It is recommended that City Council:

- a) Adopt a resolution declaring the results of the property owner protest ballot tabulation conducted on December 5, 2023 regarding a proposed increase in the maximum assessment for the Victoria by the Bay Landscaping and Lighting Assessment District No. 2002-1 (Victoria by the Bay LLAD) commencing Fiscal Year (FY) 2024/25; and
- b) Receive a staff report, discuss options to balance the budget and eliminate the fund deficit for the Victoria by the Bay LLAD, and provide direction to staff on the next steps to take.

Attachments: [Staff Report - Victoria by the Bay LLAD](#)
[Attach 1 - Resolution Declaring Results of The Protest Balloting 2002-1](#)

City Manager, Dante Hall, Introduced the item. Public Works Director, Mike Roberts and Ed Espinoza from Francisco and Associates, presented. Council Members asked questions and provided comment. Director Roberts, Mr. Espinoza and City Manager Hall provided a response. Public comment was provided by Veronica Wood. The following direction was provided by Council:

At the March 26th meeting, Staff will come back with answers to Council questions. Once questions are answered staff will proceed with the 218 process. Council members will begin community out reach in Victoria by the Bay informing residents what services will be cut if the 218 process is not approved.

Action was taken on this item.

MOTION: A motion was made by Council Member Kelley, seconded by Council Member Walker-Griffin, to adopt Resolution 24-012. The motion carried by the following vote:

Aye: 4 - Council Member C. Kelley, Council Member A. Walker-Griffin, Mayor D. Romero, and Vice Mayor D. Bailey

Absent: 1 - Council Member T. Grimsley

2. [22-783](#) Consideration of a Resolution Adopting the Hercules Parks & Recreation Facilities Master Plan

RECOMMENDATION:

Staff recommends that the City Council review, discuss, and consider approving a resolution adopting the Hercules Parks and Recreation Facilities Master Plan.

Attachments: [Staff Report - Consideration of a Resolution Adopting the Park System Master Plan](#)
[Attach 1 - Resolution](#)
[Attach 2 - Draft Hercules Parks and Recreation Facilities Master Plan](#)
[Attach 3 - Draft Master Plan Appendices](#)
[Presentation - Draft Plan](#)
[Attach 5 - Joint Commission Meeting Comments](#)

City Manager, Dante Hall, introduced the item. Rachel Edmonds from MIG, presented. Council members asked questions and provided comment. Public comment was provided by Tyler Darke, Bob Redlo, Luke Dunn, Peter Myers, Krista Perryman and Emily Wilson. Staff and Council provided a response. Action was taken on this item.

MOTION: A motion was made by Vice Mayor Bailey, seconded by Council Member Kelley, to adopt Resolution 24-013. The motion carried by the following vote:

Aye: 4 - Council Member C. Kelley, Council Member A. Walker-Griffin, Mayor D. Romero, and Vice Mayor D. Bailey

Absent: 1 - Council Member T. Grimsley

3. [22-786](#) Requested Report on Business License Taxes

RECOMMENDATION:

Staff requests that the City Council receive this report, discuss, and provide direction, if any.

Attachments: [Staff Report - Business License Tax Update](#)
[Attach 1 - Municipal Code Chapter 6 - Business License Tax](#)
[Attach 2 - List of Businesses - Renewal Notices](#)
[Attach 3 - Hercules Fee Schedule and FAQs](#)

Finance Director, Edwin Gato, introduced and presented the item.

Representatives from Avenue attended the meeting to answer questions. Council asked questions and provided comment. Director Gato and Avenue provided a response. Public comment was provided by Veronica Wood. Staff will follow up with a memo to Council in the future with an update on Avenue's communication improvements. This item does not need to come back to Council at a future date. No action was taken on this item.

4. [22-785](#) Consideration of Adopting a Resolution Electing to Retain the Housing Assets and Functions Previously Performed by the Hercules Redevelopment Agency
RECOMMENDATION:
Adopt a resolution electing to retain the housing assets and functions previously performed by the Hercules Redevelopment Agency pursuant to Health and Safety Code Section 34176.

Attachments: [Staff Report - Elect to be Housing Successor](#)
[Attach 1 - Resolution - Elect to be Housing Successor](#)
[Exhibit A - DOF Letter to CCC Housing Authority](#)
[Exhibit B - Contra Costa Response to 9-17-12 DOF Letter re Hercules RDA](#)
[Exhibit C - Hercules Housing Asset List Form - Redevelopment Agency](#)

City Manager, Dante Hall, introduced the item. Finance Director, Edwin Gato, presented the item. Suzy Kim, from RSG was in attendance to answer questions. Council asked questions and provided comment. Finance Director Gato and RSG provided a response. No public comment. Action was taken on this item.

MOTION: A motion was made by Council Member Kelley, seconded by Council Member Walker-Griffin, to adopt Resolution 24-014. The motion carried by the following vote:

Aye: 4 - Council Member C. Kelley, Council Member A. Walker-Griffin, Mayor D. Romero, and Vice Mayor D. Bailey

Absent: 1 - Council Member T. Grimsley

5. [22-782](#) FY 23-24 Midyear Budget Review and Recommended Midyear Budget Appropriations and Adjustments
RECOMMENDATION:
Receive a report on the FY 23-24 midyear budget review and adopt a resolution approving midyear budget appropriations and adjustments as summarized and detailed in Attachment 2.

Attachments: [Staff Report - FY 23-24 Mid-Year Budget Update](#)

[Attach 1 - Resolution](#)

[Attach 2 - Proposed Budget Amendment](#)

[Attach 3 - General Fund Summary](#)

[Attach 4 - Non-General Fund Summary](#)

Finance Director, Edwin Gato, Introduced and presented the item. Council asked questions and provided comment. Director Gato provided a response. No public comment. Action was taken on this item.

MOTION: A motion was made by Council Member Walker-Griffin, seconded by Council Member Kelley, to adopt Resolution 24-015. The motion carried by the following vote:

Aye: 4 - Council Member C. Kelley, Council Member A. Walker-Griffin, Mayor D. Romero, and Vice Mayor D. Bailey

Absent: 1 - Council Member T. Grimsley

6. [22-787](#) Proposed Resolution to Amend City Manager Hall's Employment Agreement to Increase the Annual Salary from \$262,086 to \$285,000 and to Provide Education Incentive Pay of 3%
- RECOMMENDATION:
Discuss and consider adoption of a resolution to amend City Manager Dante Hall's Employment Agreement to increase the current annual salary from \$262,086 to \$285,000 and to Provide Education Incentive Pay of 3%.

Attachments: [Staff Report - CM Employment Agreement Amendment](#)

[Attach 1 - 21-028 - Hall CM Employment Agreement](#)

[Attach 2 - 21-028 Hall- CM Employment Agreement Amendment1](#)

[Attach 3 - Amendment No. 2 CM Hall Agreement](#)

[Attach 4- Resolution Amending City Manager Employment Agreement](#)

City Attorney, Patrick Tang, Introduced and presented the item. Council did not have questions or comments. Public comment was provided by Veronica Wood. Action was taken on this item.

MOTION: A motion was made by Council Member Kelley, seconded by Council Member Walker-Griffin, to adopt Resolution 24-016. The motion carried by the following vote:

Aye: 4 - Council Member C. Kelley, Council Member A. Walker-Griffin, Mayor D. Romero, and Vice Mayor D. Bailey

Absent: 1 - Council Member T. Grimsley

7. [22-784](#) Request for Information Regarding a Welcome Baby Event
- RECOMMENDATION:
Staff recommends that the City Council receive information regarding a Welcome Baby event and provide direction, if any.

Attachments: [Staff Report - Welcome Baby](#)
[Attach 1 - Welcome Baby event - City of Montebello](#)

Parks and Recreation Director, Christopher Roke, introduced and presented the item. Council Members asked questions and provided comment. Director Roke and City Manager Hall provided a response. Council Member Walker-Griffin and Director Roke will work together in planning an event and finding partners to put this event on in the future. No action was taken on this item.

XIV. PUBLIC COMMUNICATIONS

NONE

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.

- 1. Regional Committee**
- 2. City Council Committees and Subcommittees**
- 3. Commission Liaisons**

City Manager, Dante Hall, and City Attorney, Patrick Tang, did not have any announcements or updates.

1. Regional Committee

Council Member Kelley reported out on the February Contra Costa Transit Authority (CCTA) and West Contra Costa Transportation Advisory Committee (WCCTAC) meetings. Mayor Romero reported out on issues that were discussed at the West County Mayors and Supervisors meeting.

2. City Council Committees and Subcommittees

No reports were provided

3. Commission Liaisons

No reports were provided

Community Events-

Council Members reported out on events they attended throughout the City

and County.

Future Agenda Items Requests-

There were no future agenda item requests.

XVI. ADJOURNMENT

Vice Mayor Bailey closed the meeting in memory of Felicia Phillips. Mayor Romero adjourned the meeting at 10:26 P.M.

Dan Romero, Mayor

Attest:

Eibleis Melendez, City Clerk