



City of Hercules

111 Civic Drive
Hercules, CA 94547

Meeting Minutes

City Council

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

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

Tuesday, July 24, 2018

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

Vice Mayor Romero called the meeting to order at 6:00 p.m.

Present: 4 - Council Member G. Boulanger, Council Member M. de Vera, Council Member R. Esquivias, and Vice Mayor D. Romero

Absent: 1 - Mayor C. Kelley

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS

None.

III. CONVENE INTO CLOSED SESSION

City Attorney Tang announced the items to be discussed in closed session.
Vice Mayor Romero recessed the meeting at 6:02 p.m.

1. [18-251](#) Pursuant to Government Code Section 54957.6 CONFERENCE WITH LABOR NEGOTIATORS - City Negotiators: David Biggs, City Manager; Annie To, Director of Finance; Lori Martin, Director of Administrative Services relative to the following employee groups:
 - a. 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

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

Vice Mayor Romero called the meeting to order at 7:02 p.m.

Present: 4 - Council Member G. Boulanger, Council Member M. de Vera, Council Member R. Esquivias, and Vice Mayor D. Romero

Absent: 1 - Mayor C. Kelley

V. REPORT ON ACTION TAKEN IN CLOSED SESSION

City Attorney Tang reported that there was no final or reportable actions taken during closed session.

VI. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member de Vera.

VII. MOMENT OF SILENCE

Vice Mayor Romero called for a moment of silence for the attack that occurred Sunday, July 22, 2018 at the McArthur Bart Station which murdered 18 year old Nia Wilson.

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

1. [18-252](#) **Contra Costa Animal Services (CCAS) Presentation and Update by Director Beth Ward**

Steve Burdo presented an update on the Contra Costa Animal Services Agency. City Council asked questions and provided comments.

IX. AGENDA ADDITIONS/DELETIONS

City Manager Biggs identified the supplemental documents provided prior to the meeting.

X. PUBLIC COMMUNICATIONS

Speakers: Lynne Noone; Jeffra Cook; Pil Orbison

XI. PUBLIC HEARINGS

None.

XII. CONSENT CALENDAR

MOTION: A motion was made by Council Member Esquivias, seconded by Council Member Boulanger, to adopt the Consent Calendar. The motion carried by the following vote:

Aye: 4 - Council Member G. Boulanger, Council Member M. de Vera, Council Member R. Esquivias, and Vice Mayor D. Romero

Absent: 1 - Mayor C. Kelley

1. [18-256](#) **Meeting Minutes**
Recommendation: Approve the Regular City Council Meeting Minutes of July 10, 2018.
Approved.
2. [18-259](#) **Contra Costa County Council on Aging Commission Appointment**
Recommendation: Consider the nomination and re-appointment of Jennifer Doran to the Contra Costa Council on Aging for a new two year term beginning on October 1, 2018.
Approved.

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [18-253](#) **Acceptance of the Pilot Streetlight Replacement Project**
Recommendation: Adopt a Resolution accepting the Pilot Streetlight Replacement Project contract with NEMA as complete for a total amount of \$96,750 and authorizing the filing of a Notice of Completion with the Contra Costa County Recorder's Office.

City Manager Biggs introduced the item and Public Works Director Roberts provided a staff report. Members of the City Council asked questions and provided comments. Council Member de Vera requested an amendment to the 2nd "Whereas" of the Resolution changing the word persecution to execution.

MOTION: A motion was made by Council Member de Vera, seconded by Council Member Boulanger, to adopt Resolution 18-051, as amended. The motion carried by the following vote:

Aye: 4 - Council Member G. Boulanger, Council Member M. de Vera, Council Member R. Esquivias, and Vice Mayor D. Romero

Absent: 1 - Mayor C. Kelley

2. [18-254](#) **Stormwater Program - Update on Landscaping Waste Blown Down Storm Drains**

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

City Manager Biggs introduced the item and Public Works Director Roberts provided a staff report. City Council asked questions and provided comments. City Council asked for another update on this program in six months. The report was received and filed.

3. [18-258](#) **Discuss Whether Restrictions on Smoking in Multi-Unit Housing as Adopted by Contra Costa County Should Be Considered in Hercules**

Recommendation: Receive report, discuss, and provide direction to staff, in any.

City Manager Biggs introduced the item and City Attorney Tang provided a staff report.

Council Member Boulanger recused himself and left the room during the discussion of this item.

City Council gave direction to staff to bring this item back as a proposed Hercules Ordinance amendment.

Vice Mayor Romero noted that 2 letters were received in support of this item, a letter was received from Breath California and a letter was received from American Cancer Society.

MOTION: A motion was made by Council Member de Vera, seconded by Council Member Esquivias, directing staff to prepare a proposed Hercules Ordinance amendment to a future meeting for consideration. The motion carried by the following vote:

Aye: 3 - Council Member M. de Vera, Council Member R. Esquivias, and Vice Mayor D. Romero

Absent: 1 - Mayor C. Kelley

Recused: 1 - Council Member G. Boulanger

XIV. PUBLIC COMMUNICATIONS

Vice Mayor Romero called for a short recess at 8:27 p.m.

Vice Mayor Romero reconvened the meeting at 8:31 p.m.

**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 events and attendance at community and regional meetings.

A future agenda item was requested by Council Member Esquivias to discuss and consider adopting an animal control noise ordinance at a future meeting later in the year.

A future town hall meeting was requested by Vice Mayor Romero to discuss the possible new proposed development at Franklin Canyon. A consensus of City Council was established to add this to the pending agenda items list.

Vice Mayor Romero requested that staff provide the contact information of the new owner of the Franklin Canyon Golf Course property to City Council. A consensus of City Council was established to add this to the pending agenda items list.

XVI. ADJOURNMENT

Vice Mayor Romero recessed the meeting to closed session 8:47 p.m.

Vice Mayor Romero adjourned the meeting at 9:35 p.m.

Chris Kelley, Mayor

Attest:

Lori Martin, MMC
Administrative Services Director/City Clerk