



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

**DATE:** Regular Meeting of January 8, 2019

**TO:** Members of the City Council

**SUBMITTED BY:** David Biggs, City Manager  
Patrick Tang, City Attorney

**SUBJECT:** Second Reading and Adoption of Ordinance No. 516 Approving an Amendment to 2008 Hilltown Development and Owner Participation Agreement (“Development Agreement”) with Santa Clara Valley Housing Group (SCVHG) to Extend Key Performance Dates by Four Months.

**RECOMMENDATION:** Waive the Second Reading and Adopt Ordinance 516 of the City Council of the City of Hercules approving amendments to the Hilltown Development Agreement to extend key performance dates. (Attachment 2).

**COMMISSION/SUBCOMMITTEE ACTION AND RECOMMENDATION:** On November 19, 2018, the Planning Commission approved Resolution 18-18 to recommend to the City Council the approval of the proposed amendments to the Development Agreement.

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

### **DISCUSSION:**

On December 11, 2018, the City Council, following a public hearing, waived the first reading and introduced Ordinance 516 approving an amendment to the Hilltown Development Agreement. A copy of the staff report from that date is attached (Attachment 3). At that time, the City Council also modified the key performance dates, as set forth in the proposed amendment, to extend the first date from August 2019 to September 2019, and the subsequent key performance date from December 2019 to January 2020, in consideration of the City Council’s meeting schedule. This change has been made to the proposed amendment.

### **ATTACHMENTS:**

Attachment 1 – Ordinance 516

Attachment 2 – Development Agreement Amendment No. 2

Attachment 3 – December 11, 2018, Staff Report

Attachment 4 – Planning Commission Resolution 18-18 and Amend No 2 to Hilltown DOPA