



City of Hercules

111 Civic Drive
Hercules, CA 94547

Meeting Minutes

City Council

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

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

Tuesday, February 12, 2019

Council Chambers

CLOSED SESSION - 6:30 PM **REGULAR SESSION - 7:00 PM**

I. SPECIAL MEETING - CLOSED SESSION – 6:30 P.M. CALL TO ORDER - ROLL CALL

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

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

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS

Public Speaker: Pil Orbison.

III. CONVENE INTO CLOSED SESSION

City Attorney Tang announced the item to be discussed in closed session.

Mayor Romero recessed the meeting at 6:04 p.m.

1. [19-459](#) Pursuant to Government Code Section 54957(b)(1) PUBLIC EMPLOYMENT - Title: City Manager Contract

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

Mayor Romero called the meeting to order at 7:00 p.m.

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

V. REPORT ON ACTION TAKEN IN CLOSED SESSION

Mayor Romero reported that there were no final or reportable actions taken in closed session.

VI. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Bailey.

VII. MOMENT OF SILENCE

Mayor Romero called for a moment of silence for the victims of the January 28, 2019 bombing attack at the Lady of Mount Carmel on the island of Jolo at the southern end of the Phillipines killing at least 20 church worshipers including 5 soldiers and injuring dozens more.

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

None.

IX. AGENDA ADDITIONS/DELETIONS

City Manager Biggs stated there were no additions or deletions to the agenda, however noted that copies of the presentation material for Item XIII.1 were handed out prior to the meeting and available for the public at the side table.

X. PUBLIC COMMUNICATIONS

Public Speaker: Lynne Noone.

XI. PUBLIC HEARINGS

1. [19-455](#) **Willow Glen Apartments - Tax Equity and Fiscal Responsibility Act Hearing**

Recommendations:

1. Open, Conduct, and Close a public hearing, in accordance with the Tax Equity and Fiscal Responsibility Act (TEFRA), in consideration of the issuance of tax-exempt bond financing by the California Public Finance Authority to provide financing for the acquisition and rehabilitation of an 84-unit multifamily rental housing project located at 1231 Willow Ave, known as Willow Glen Apartments; and

2. Adopt the attached resolution authorizing the City to enter into the Joint Exercise of Powers Agreement to join the California Public Finance Authority ("CalPFA") as an additional member, and approving the issuance of bonds by the CalPFA in an amount not to exceed \$28,000,000, to provide financing to The Reliant Group, Inc. for the acquisition and rehabilitation of the Willow Glen Apartments.

City Manager Biggs introduced the item and gave a staff report and introduced Jason Snyder with Reliant Group.

Mr. Snyder provided additional information.

Mayor Romero opened the public hearing at 7:14 p.m.

Members of the City Council asked questions and provided comments.

Mayor Romero called for public speakers. No comments were offered from the public. Mayor Romero closed the public hearing at 7:29 p.m.

City Manager Biggs introduced Mr. Scott Carper with GPM Municipal Advisors assigned to staff CalPFA. Mr. Carper provided additional information in regards to the Joint Powers Authority.

MOTION: A motion was made by Council Member Kelley, seconded by Vice Mayor Esquivias, to adopt Resolution 19-008. The motion carried by the following vote:

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

XII. CONSENT CALENDAR

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

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

1. [19-454](#) **Meeting Minutes**
Recommendation: Approve the Regular Meeting Minutes of January 22, 2019.

Approved.
2. [19-458](#) **Fill Vacancy on the Contra Costa County Library Commission and Re-appoint Commissioner Harris to the Finance Commission**
Recommendation: Accept resignation of Brian Campbell-Miller from his seat on the Contra Costa County Library Commission and appoint Evangelia Ward-Jackson. Re-appoint Commissioner Harris to the Finance Commission.

Approved.

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [19-456](#) **Workshop on Hercules Transportation Impact Fee Nexus Study**
Recommendation: Review draft report, receive report from staff and consultant, and provide direction to staff after discussing the outlined Nexus Program.

City Manager Biggs introduced the item and Planning Director Smyth provided a staff report. Planning Director Smyth introduced Erin Vaca and John Long with DKS and both provided additional information.

City Council asked questions and provided comments and provided direction to staff.

2. [19-453](#)

Review of City's Appeal Policy Related to Planning Decisions

Recommendation: Confirm the three policy directions related to Council appeals process and consider directing staff to prepare a Zoning Ordinance Amendment if desired.

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

3. [19-457](#)

CalPERS Contract Amendment

Recommendation: Waive reading and adopt Ordinance authorizing an amendment to the contract between the City of Hercules and the Board of Administration of the California Public Employees' Retirement System to include provisions pursuant to Government Code 20516 "Cost Sharing" for Local Miscellaneous Members, Local Police Officers Association and eligible Non-Represented Employees of the City of Hercules in accordance with the previously approved Memorandum of Understanding with the Teamsters Local 315 and the Hercules Police Officers Association and through approval of Pay and Benefit Plans for Executive Level Employees, Mid-Management Employees and Non-Represented employees of the City of Hercules.

City Clerk Martin introduced the item and provided a staff report.

MOTION: A motion was made by Council Member Bailey, seconded by Vice Mayor Esquivias, to waive the reading and adopt Ordinance 517. The motion carried by the following vote:

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

XIV. PUBLIC COMMUNICATIONS

Public Speaker: Pil Orbison.

**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.

XVI. ADJOURNMENT

Mayor Romero adjourned the meeting at 9:17 p.m. in memory of Antonio Briones who passed away on January 4, 2019.

Dan Romero, Mayor

Attest:

Lori Martin, MMC
Administrative Services Director/City Clerk