



# City of Hercules

111 Civic Drive  
Hercules, CA 94547

## Meeting Minutes

### City Council

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

*David Biggs, City Manager*  
*Patrick Tang, City Attorney*

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Tuesday, December 8, 2020

7:00 PM

Virtual Meeting via Zoom

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**CLOSED SESSION - NONE.**  
**REGULAR SESSION - 7:00 P.M.**

**I. SPECIAL MEETING - CLOSED SESSION – NONE**

**II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS - NONE**

**III. CONVENE INTO CLOSED SESSION - NONE**

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

**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 - NONE**

**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 for Hercules resident, Robert Santos who passed away recently.

**VIII. AGENDA ADDITIONS/DELETIONS**

None.

**IX. PUBLIC COMMUNICATIONS**

City Clerk Martin read public comments submitted by: Faye Porter; Susan Keefe; Margaret Short; Tanya Little; Susan Dunlap; Sarah Creeley; Celsa Taraya; Selina Williams; Lori Chinn; Susan Pricco; Pil Orbison.

**X. PUBLIC HEARINGS - NONE****XI. 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 D. Romero, Council Member G. Boulanger

1.     [20-403](#)     **Declaring Results of the November 3, 2020 General Municipal Election**  
**Recommendation:** Adopt a Resolution declaring the results of the General Municipal Election held on November 3, 2020.  
Approved.
2.     [20-406](#)     **Ordinance Amending the Hercules Municipal Code to Establish Sidewalk Vending Regulations Consistent with the Requirements of SB 946**  
**Recommendation:** Consider waiving the second reading and adopt Ordinance 530 amending Title 6 of the Hercules Municipal Code by adding Chapter 4 "Sidewalk Vending".  
Approved.
3.     [20-415](#)     **Meeting Minutes**  
**Recommendation:** Approve the regular meeting minutes of November 10, 2020 and the special meeting minutes of November 19, 2020.  
Approved.
4.     [20-398](#)     **Emergency Declaration Extension**  
**Recommendation:** Adopt a Resolution extending the Declaration of Local Emergency by 60 days to March 7, 2021.  
Approved.

5.     [20-400](#)     **Annual Local Commission Appointment List**  
          **Recommendation:** Review and receive the Annual Local Commission Appointment List commonly referred to as the Maddy Act.  
  
          Approved.
6.     [20-408](#)     **Investment Report for the Quarter Ending September 30, 2020**  
          **Recommendation:** Accept the Investment Report for the quarter ending September 30, 2020.  
  
          Approved.

## **XII. CITY COUNCIL PRESENTATIONS**

1.     [20-409](#)     Mayor Esquivias to Present a Proclamation to Council Member Boulanger  
  
          Mayor Esquivias read aloud and presented a Proclamation to outgoing Council Member Boulanger.
2.     [20-411](#)     Remarks from Council Member Boulanger  
  
          Council Member Boulanger provided comments. Members of the City Council each thanked Council Member Boulanger for his time on the City Council and his service to the residents of Hercules.
3.     [20-410](#)     Vice Mayor Kelley to Present a Proclamation to Mayor Esquivias  
  
          Vice Mayor Kelley read aloud and presented outgoing Mayor Esquivias with a Proclamation.
4.     [20-405](#)     Remarks from Mayor Esquivias  
  
          Mayor Esquivias provided comments. Members of the City Council thanked Mayor Esquivias for his time on City Council and his service to the residents of Hercules.  
  
          Contra Costa County Supervisor Glover provided comments and thanked outgoing Council Member Boulanger and Mayor Esquivias for their service to the residents and to the City of Hercules.

**XIII. OATHS OF OFFICE & INSTALLATION OF RE-ELECTED AND NEWLY ELECTED COUNCIL MEMBERS**

1. [20-412](#) Administer Oath of Office to Re-Elected Council Member Dan Romero and Newly Elected Council Members Alex Walker-Griffin and Tiffany Grimsley  
  
City Clerk Martin introduced the item and welcomed State Superintendent of Public Instruction, Tony Thurmond stating that Superintendent Thurmond is attending at the request of incoming Council Member Walker-Griffin to administer his oath of office. Superintendent Thurmond thanked outgoing Mayor Esquivias and Council Member Boulanger for their service to the City of Hercules and congratulated the re-elected and incoming Council Members. Superintendent Thurmond administered the oath of office to incoming Council Member Walker-Griffin. City Clerk Martin administered the oath of office to re-elected Council Member Romero and incoming Council Member Grimsley.
2. [20-414](#) Remarks from Council Members Romero, Walker-Griffin, Grimsley  
  
Council Members Romero, Walker-Griffin and Grimsley each provided remarks.

**XIV. RECESS**

Mayor Esquivias called for a 5 minute recess at 8:24 p.m.

**XV. RECONVENE - CALL TO ORDER - ROLL CALL**

Vice Mayor Kelley reconvened the meeting at 8:30 p.m.

**Present:** 5 - Vice Mayor C. Kelley, Council Member D. Bailey, Council Member D. Romero, Council Member A. Walker-Griffin, and Council Member T. Grimsley

**XVI. CITY COUNCIL REORGANIZATION**

1. [20-401](#) **Selection of Mayor and Vice Mayor**  
**Recommendation:** City Council to nominate and appoint a Mayor and Vice Mayor for 2021.  
  
Vice Mayor Kelley introduced the item.  
  
**MOTION: A motion was made by Council Member Bailey, seconded by Council Member Romero, to nominate and appoint Vice Mayor Kelley as Mayor. The motion carried by the following vote:**  
  
**Aye:** 5 - Vice Mayor C. Kelley, Council Member D. Bailey, Council Member D. Romero, Council Member A. Walker-Griffin, and Council Member T. Grimsley

1. [20-401](#)      **Selection of Mayor and Vice Mayor**  
**Recommendation:** City Council to nominate and appoint a Mayor and Vice Mayor for 2021.

**MOTION:** A motion was made by Council Member Romero, seconded by Council Member Walker-Griffin, to nominate and appoint Council Member Bailey as Vice-Mayor. The motion carried by the following vote:

**Aye:** 5 - Vice Mayor C. Kelley, Council Member D. Bailey, Council Member D. Romero, Council Member A. Walker-Griffin, and Council Member T. Grimsley

2. [20-416](#)      Remarks from Newly Appointed Mayor and Vice Mayor  
  
Mayor Kelley and Vice Mayor Bailey provided comments.

## **XVII. DISCUSSION AND/OR ACTION ITEMS**

1. [20-399](#)      **City Council Regular Meeting Dates for the 2021 Calendar Year**  
**Recommendation:** Review the schedule of City Council regular meeting dates in 2021 and consider canceling one or more regular meetings in August and the November 23rd and December 21st regular meetings.  
  
Mayor Kelley introduced the item. City Manager Biggs provided a staff report. Members of the City Council discussed the calendar, removing the second meeting in August from the calendar and tentatively approving the calendar and directed staff to bring the calendar back for review in May 2021 to determine if the City Council wishes to keep the first meeting in August on the calendar or cancel that meeting.
2. [20-402](#)      **2021 Council Appointments on Regional Committees and Council Subcommittees**  
**Recommendation:** Express interest and availability for the 2021 Council Appointments on Regional Committees and Council Subcommittees to be made by the Mayor at the January 12, 2021 City Council meeting.  
  
Mayor Kelley introduced the item and asked each Council Member to express their interest and availability on regional committee assignments to the City Clerk and stated that she will consider their requests and make appointments at the January 12, 2021 meeting.  
  
Mayor Kelley stated that due to the need to hold a Public Safety and Traffic Subcommittee meeting next week that she is making an interim appointment to this subcommittee to fill outgoing Council Member Boulanger's seat on this committee. Mayor Kelley appointed Vice Mayor Bailey as an interim appointment for December and will make the regular appointment at the January 12, 2021 City Council meeting.

**XVIII. PUBLIC COMMUNICATIONS**

None.

**XIX. 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 Requested:

Council Member Grimsley requested a presentation by a County Health official in regards to COVID-19 protocols and requirements in February. Mayor Kelley polled and received a consensus of City Council to add this item in February.

Council Member Walker-Griffin requested a presentation in January by the PHREED organization and also requested that staff provide information to the public in regards to recently signed Senate Bill 83. Mayor Kelley polled and received a consensus to add the presentation by PHREED at the second meeting in January and City Manager Biggs will provide information relating to SB 83 in the upcoming City Manager bi-weekly report which is available to the public.

Vice Mayor Bailey requested a discussion regarding public comments and making a request that the public be able to provide a public comment on a regular business item at the beginning of the meeting instead of waiting for the opening of the item. City Attorney Tang will review the City Council Rules of Procedure and provide a report to City Council at the next Council meeting.

**XX. ADJOURNMENT**

Mayor Kelley adjourned the meeting at 9:41 p.m.

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Chris Kelley, Mayor

Attest:

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Lori Martin, MMC  
Administrative Services Director/City Clerk