



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, March 26, 2024

7:00 PM

In-Person in Council Chambers or To Watch or Listen only:

Zoom ID: 886 0902 6036

Zoom Passcode: 422194

Zoom Phone Number: 1-669-900-6833

I. CLOSED SESSION – CALL TO ORDER - ROLL CALL - NONE

NONE

II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS - NONE

NONE

III. CONVENE INTO CLOSED SESSION

NONE

The Hercules City Council will meet in Closed Session regarding the following:
NO CLOSED SESSION

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

Vice Mayor Bailey was initially marked absent. He joined the Council meeting at 7:08 P.M.

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

V. REPORT ON ACTION TAKEN IN CLOSED SESSION- NO CLOSED SESSION

NONE

VI. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Grimsley.

VII. MOMENT OF SILENCE

NONE

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

Mayor Romero would like to acknowledge the following for the Month of April -

National Library Week - April 7th- 13th

National Volunteer Month

National Volunteer Week April 21-27th

The Herculean Mile Award Winners

Karen and Tony Sanchez

Jeanne Krall

Mayor Romero read the list of acknowledgements for the upcoming month of April.

Parks & Recreation Director, Christopher Roke, provided background on the Herculean Mile Award. Mayor Romero presented the awards to Karen and Tony Sanchez and Jeanne Krall. The award winners provided comment. Council provided comment and thanked the award winners for their service. Pictures were taken.

1. [22-818](#) Proclamation Recognizing Janette Lares- Miss Hercules and Miss CA. Earth 2022

Attachments: [Proclamation- Miss Hercules Janette Lares](#)

Mayor Romero presented the proclamation. Ms. Lares provided comment. Council provided comment and thanked her for her contribution and dedication to the City of Hercules. Pictures were taken.

IX. AGENDA ADDITIONS/DELETIONS

NONE

X. PUBLIC COMMUNICATIONS

Senior Community Library Manager, Alison Peters, provided a Library update and promoted National Library week and other upcoming events.

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. [22-810](#) Five Year Extension of the Expiration Date of the Vesting Tentative Map No. 9533 and Amendment #4 to the Development and Owner Participation Agreement (DOPA 07-01) for the Hill Town Project

RECOMMENDATION:

Staff recommends that the City Council approve adoption of Hill Town Amendment #4 to extend the term of the Development and Owner Participation Agreement (DOPA 07-01) by and between the City of Hercules and the Santa Clara Valley Housing Group, Inc. and authorize the City Manager to execute the amended DOPA if it is substantially similar to the approved draft (Attachment 2A), to extend the expiration date of the Vesting Tentative Map No. 9533 for the Hill Town project and finding the actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

Attachments: [Staff Report - DOPA & Vesting Map Amendment](#)

[Attach 2 - Draft Ordinance](#)

[Attach 2A - Draft DOPA Amendment No. 4](#)

[Attach 3 - PC Resolution Hill Town.docx](#)

[Attach 4 - Hill Town Development Short History](#)

City Manager, Dante Hall, introduced the item. Community Development Director, Tim Rood, presented the item. Cory Kusich and Matthew Schott, representatives from Santa Clara Valley Housing Group, were in attendance to respond to questions. Council asked questions and provided comment. Direct Rood provided a response. Mayor Romero opened the Public Hearing. No public comment. Mayor Romero closed the Public Hearing. Action was taken on this item.

MOTION: A motion was made by Council Member Kelley, seconded by Council Member Grimsley, to adopt Ordinance 24-020. The motion carried by the following vote:

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

2. [22-811](#) Repeal Local Density Bonus Regulations in Hercules Municipal Code and Reference State Density Bonus Law

RECOMMENDATION:

Staff recommends that the City Council adopt Ordinance No. 24-XX (Attachment 2) the proposed amended provisions of Hercules Municipal Code Sections 13-6.100, 13-6.300 and 13-30.420, amending and renumbering Sections 13-30.460 and 13-30.470, repealing Sections 13-30.430, 13-30.440 and 13-30.450 and amending Section 13-60.200 to comply with the State Density Bonus Law and finding the action exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

Attachments: [Staff Report - Density Bonus](#)

[Attach 2 - Draft Ordinance](#)

[Attach 3 - 24-02 - PC Resolution Density Bonus](#)

[Attach 4 - Legislative History](#)

[Attach 5 - Pending Legislation](#)

City Manager, Dante Hall, introduced the item. Community Development Director, Tim Rood, presented the item. Council asked questions and provided comment. Direct Rood provided a response. Mayor Romero opened the Public Hearing. No public comment. Mayor Romero closed the Public Hearing. Action was taken on this item.

MOTION: A motion was made by Vice Mayor Bailey, seconded by Council Member Walker-Griffin, to adopt Ordinance 551. The motion carried by the following vote:

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

XII. CONSENT CALENDAR

MOTION: A motion was made by Council Member Kelley, seconded by Council Member Grimsley, to approve the Consent Calendar. The motion carried by the following vote:

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

1. [22-817](#) Meeting Minutes for the Special Meeting of March 12, 2024

Attachments: [Meeting Minutes for the Special Meeting of March 12, 2024](#)

APPROVED

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [22-814](#) CCTA Feasibility Study Update for Expanded Ferry Service in Contra Costa County - Hercules Location
RECOMMENDATION:
It is recommended that the City Council receive a status update from Contra Costa County Transportation Authority (CCTA) Executive Director

Tim Haile on the draft Ferry Feasibility Study for the Hercules location and discuss the information provided.

Attachments: [Staff Report - Ferry Feasibility](#)
[Presentation - Feasibility Study for Expanded Ferry Service](#)

City Manager, Dante Hall, introduced the item. Tim Haile, Executive Director for Contra Costa Transportation Authority(CCTA), presented the item. Council asked questions and provided comment. Director Haile provided a response.No public comment. No action was taken on this item.

2. [22-813](#)

Contra Costa Countywide Smart Signals Project

RECOMMENDATION:

It is recommended that the City Council receive a presentation from Contra Costa County Transportation Authority (CCTA) Planning Director John Hoang on the Contra Costa Countywide Smart Signals Project including within the City of Hercules and discuss the information provided.

Attachments: [Staff Report - Countywide Signal Project](#)
[Presentation - Contra Costa Countywide Smart Signals](#)

City Manager, Dante Hall, introduced the item. John Huang, Planning Director for Contra Costa Transportation Authority(CCTA), presented the item. Council asked questions and provided comment. Director Huang provided a response. No public comment. No action was taken on this item.

3. [22-812](#)

Draft Fiscal Year 2024-25 Capital Projects Proposed Budget and Ten-Year Capital Improvement Projects (CIP) Plan

RECOMMENDATION:

City Council receive a report and the Draft Fiscal Year (FY) 2024-25 Proposed Budget and Ten-Year CIP plan to discuss and provide direction to staff regarding future funding options as recommended below:

1. Capital Grants
2. General Fund Reserve
3. Bond Financing

Attachments: [Staff Report - Ten Year CIP](#)
[Attach 1 - Summary of Completed Projects and PY Carrovers](#)
[Attach 2 - Summary of CIP Spending Plan FY 2024-2034](#)
[Attach 3 - Ten Year CIP - Facility Category](#)
[Attach 4 - Ten Year CIP - Street Category](#)
[Attach 5 - Ten Year CIP - Sewer Category](#)
[Attach 6 - Ten Year CIP - Parks Category](#)
[Attach 7 - Ten Year CIP - Transportation Category](#)
[Presentation - Bond Financing Options](#)

City Manager, Dante Hall, introduced the item. Public Works Director, Mike Roberts, Finance Director, Edwin Gato and Wing-Sing Fox, from Urban Futures presented. Council asked questions and provided comment. Ms. Fox, Director Roberts, Director Gato and City Manager Hall provided a response. No public comment. Council requested that Staff come back with information on all of the options at a future meeting. No action was taken on this item.

4. [22-815](#)

Victoria by the Bay Landscaping and Lighting Assessment District - Implementing Strategy to Balance the Budget and Eliminate the Fund Deficit.

RECOMMENDATION:

It is recommended that City Council:

a) Receive a report from staff on the follow-up items from the February 27, 2024 Council meeting; and

b) Direct staff by minute order to begin preparing documents for a Proposition 218 property owner ballot proceeding to increase assessment rates for the Victoria by the Bay Landscaping and Lighting Assessment commencing Fiscal Year 2024/25 to balance the budget and eliminate the cumulative fund deficit over a 10-year period, to be considered for approval at a future Council meeting during the regularly scheduled, annual LLAD assessment approval process; and

c) Select by minute order the cessation of irrigation and maintenance of the landscaping on residential streets, excepting trees, as the preferred cost-cutting option to balance the budget and eliminate the deficit over a 10-year period, should the Proposition 218 proceedings to increase the assessments not pass, and authorize staff to communicate the same to property owners in advance of said proceedings; and

d) Authorize staff by minute order to include the funding of a Lighting and Landscaping Program Supervisor in the Fiscal Year 2024/25 Budget to be considered for approval at a future Council meeting as part of the annual budget adoption process.

Attachments: [Staff Report - Victoria by the Bay LLAD](#)

[Attach 1 - February 27th Staff Report - Victoria by the Bay LLAD](#)

City Manager, Dante Hall, Introduced the item. Public Works Director, Mike Roberts, presented. Ed Espinoza, from Francisco and Associates, was in attendance to answer questions. Council asked questions and provided comment. Director Roberts, Mr. Espinoza and City Manager Hall provided a response. No public comment. Action was taken on this item. This action provided Staff direction.

MOTION: A motion was made by Vice Mayor Bailey, seconded by Council Member Kelley, to direct Staff to do the following: Proceed with the 2018 process, following the schedule outlined by Staff. At a future meeting, come back to Council with a detailed job description for the Landscape Program Supervisor Position. Lastly, if Proposition 218 does not pass, Council will decide when the water gets turned off.

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**

There were no announcements from City Manager, Dante Hall or City Attorney Christie Crawl.

1. Regional Committee

Council Member Kelly reported out on the March WestCat meeting, Contra Costa Transportation Authority Meeting and the West Contra Costa Transportation Advisory Committee(WCCTAC) meeting. Vice Mayor Bailey reported out on the MCE Board 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 items requests

XVI. ADJOURNMENT

Mayor Romero adjourned the meeting at 10:57 P.M.

DocuSigned by:

Dan Romero

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Dan Romero, Mayor
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Attest:



Eibleis Melendez, City Clerk