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, January 8, 2019 **7:00 PM** **Council Chambers**

CLOSED SESSION - NONE.
REGULAR MEETING - 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: 4 - Mayor D. Romero, Council Member G. Boulanger, Council Member D. Bailey, and Council Member C. Kelley
Absent: 1 - Vice Mayor R. Esquivias

V. REPORT ON ACTION TAKEN IN CLOSED SESSION

VI. PLEDGE OF ALLEGIANCE

VII. MOMENT OF SILENCE

Mayor Romero called for a moment of silence for Newman Police Officer Ronil Singh who was fatally shot in the line of duty on December 26, 2018.

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

1. 19-421 Introduction of School Board Members

Newly elected School Board members, Tom Panas, Board President, Stephanie Hernandez-Jarvis, Board Trustee, and Lara Consuelo, Board Trustee introduced themselves to the City Council and audience.

2. 19-419 Wastewater Treatment Plant Construction Update by Mike Warriner

Mike Warriner from Carollo Engineering presented an update on the Wastewater Treatment Plant construction project. City Council asked questions and provided comments.

IX. AGENDA ADDITIONS/DELETIONS

Mayor Romero requested that Item XIII.5, Review of City's Appeal Policy be tabled to the next meeting so that Vice Mayor Esquivias will be present to discuss the item. There were no objections to Mayor Romero's request.

X. PUBLIC COMMUNICATIONS

Public Speaker: Lynne Noone.

XI. PUBLIC HEARINGS

1. 19-416 **CalPERS Contract Amendment**

Recommendation: Open the public hearing, take public comment and adopt a Resolution of Intention to approve an amendment to the contract between the Board of Administration California Public Employees' Retirement System and the City Council of the City of Hercules and waive the first reading and introduce an Ordinance authorizing the amendment to the CalPERS Contract.

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

Mayor Romero opened the public hearing at 7:33 p.m.

Public Speaker: Pil Orbison

Mayor Romero closed the public hearing at 7:37 p.m.

MOTION: A motion was made by Council Member Kelley, seconded by Council Member Boulanger, to adopt the Resolution of Intention to approve an amendment to the contract between the Board of Administration California Public Employees Retirement System and the City of Hercules . The motion carried by the following vote:

Aye: 4 - Mayor D. Romero, Council Member G. Boulanger, Council Member D. Bailey, and Council Member C. Kelley

Absent: 1 - Vice Mayor R. Esquivias

MOTION: A motion was made by Council Member Bailey, seconded by Council Member Kelley, to waive the reading and approve the introduction of an Ordinance authorizing an amendment to the Contract between the Board of Administration California Public Employees Retirement System and the City of Hercules. The motion carried by the following vote:

Aye: 4 - Mayor D. Romero, Council Member G. Boulanger, Council Member D. Bailey, and Council Member C. Kelley

Absent: 1 - Vice Mayor R. Esquivias

XII. CONSENT CALENDAR

MOTION: A motion was made by Council Member Boulanger, seconded by Council Member Kelley, to adopt the consent calendar. The motion carried by the following vote:

Aye: 4 - Mayor D. Romero, Council Member G. Boulanger, Council Member D. Bailey, and Council Member C. Kelley

Absent: 1 - Vice Mayor R. Esquivias

1. 19-414 **Meeting Minutes**
Recommendation: Approve the Regular City Council Meeting Minutes of December 11, 2018.

Approved.

2. 19-417 **Acceptance of the 2018 Pavement Maintenance Project**
Recommendation: Adopt a Resolution accepting the 2018 Pavement Maintenance project contract with Telfer Pavement Technologies as complete for a total amount of $971,071 and authorizing the filing of the Notice of Completion with the Contra Costa County Recorder's Office.

Approved.

3. 19-420 **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.

Adopted.

XIII. DISCUSSION AND/OR ACTION ITEMS

1. 18-407 **Developer Update on Bayfront Project Implementation**
Recommendation: Receive Presentation.

Pat Patterson and Ben Ortega of Ledcor provided an update on the project. Chris Haegglund of BAR Architects provided additional information.

City Council asked questions and provided comments.

2. 19-423 **Professional Services Agreement with Carollo in the Amount of $787,313 for the Design of the Sewer Main Replacement from Duck Pond Park to the Waste Water Treatment Plant**

Recommendation: Adopt a Resolution authorizing the City Manager to execute an agreement with Carollo for a not to exceed amount of $787,313 for the design of the Sewer Main Replacement Project - Duck Pond Park to the Waste Water Treatment Plant.

City Manager Biggs introduced the item. Public Works Director Roberts provided a staff report. Ann Prudhel from Carollo gave a presentation on the project.

City Council asked questions and provided comments.

Public Speaker: Pil Orbison.

MOTION: A motion was made by Council Member Kelley, seconded by Council Member Bailey, to adopt Resolution 19-002. The motion carried by the following vote:

Aye: 4 - Mayor D. Romero, Council Member G. Boulanger, Council Member D. Bailey, and Council Member C. Kelley

Absent: 1 - Vice Mayor R. Esquivias

3. 19-415 **Solid Waste Collection Franchise Agreement - Recommendation to Adjust Republic Services Rate +5.41% for 2019**

Recommendation: Adopt a Resolution approving Republic Services' requested base year rate adjustment of +5.41% effective January 1, 2019 per the recommended order issued by the Public Works Director.

City Manager Biggs introduced the item and Public Works Director Roberts provided a staff report.

MOTION: A motion was made by Council Member Bailey, seconded by Council Member Kelley, to adopt Resolution 19-003. The motion carried by the following vote:

Aye: 4 - Mayor D. Romero, Council Member G. Boulanger, Council Member D. Bailey, and Council Member C. Kelley

Absent: 1 - Vice Mayor R. Esquivias

4. 19-422 **Recognized Obligation Payment Schedule for the Period of July 1, 2019 through June 30, 2020**

Recommendation: Adopt a Resolution approving the Recognized Obligation Payment Schedule for the period of July 1, 2019 through June 30, 2020 (ROPS 19-20A and ROPS 19-20B).

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

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

Aye: 4 - Mayor D. Romero, Council Member G. Boulanger, Council Member D. Bailey, and Council Member C. Kelley

Absent: 1 - Vice Mayor R. Esquivias

5. 18-378 **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.

Item tabled to the next meeting.

6. 19-418 **2019 Council Appointments on Regional Committees and Council Subcommittees**

Recommendation: Appointment of members of the City Council by the Mayor to both Regional Committees and Council Subcommittees.

City Clerk Martin introduced the item and provided a staff report. City Council discussed and by consensus approved the Regional Committees and Council Subcommittees as presented.

7. 18-405 **Review Upcoming Council Agenda Items List**

Recommendation: Review, discuss and provide direction.

City Council reviewed the agenda pending items list and requested an update at an upcoming meeting on the Queen Anne building and requested a discussion item at the next meeting for an update on the street sweeping.

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

City staff and Council Members reported on attendance at events and community and regional meetings and made annoucements of upcoming events.

Council Member Boulanger requested a future agenda item to discuss bus service from San Pablo to the Bayfront area.

XVI. ADJOURNMENT

Mayor Romero adjourned the meeting at 10:24 p.m. in the memory of Celia "Sally" Camacho.

Dan Romero, Mayor

Attest:

Lori Martin, MMC
Administrative Services Director/City Clerk