



# 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*

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Tuesday, June 11, 2019

6:00 PM

Council Chambers

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**Closed Session - 6:00 P.M.**

**Regular Session - 7:00 P.M.**

#### **I. SPECIAL MEETING - CLOSED SESSION – 6:00 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**

Speaker: Pil Orbison.

#### **III. CONVENE INTO CLOSED SESSION**

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

Mayor Romero recessed the meeting at 6:06 p.m.

1. 19-622 Pursuant to Government Code Section 54957.6 Conference With Labor Negotiators - City Negotiators: David Biggs, City Manager; Edwin Gato, Director of Finance; Lori Martin, Director of Administrative Services relative to the following employee groups:
  - a. Teamsters Local 315 Employee Organizations
  - b. Hercules Police Officers Association
  - c. Hercules Senior Manager Employee Group
  - d. Confidential Unrepresented Employee Group
  - e. Mid Management Employee Group
2. 19-623 Pursuant to Government Code Section 54956.9(a), Conference with Legal Counsel - Pending/Existing Litigation: Successor Agency to the Hercules Redevelopment Agency and City of Hercules v. California Department of Finance, et al, Sacramento Superior Court Case No. 34-2018-80003038

#### 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

City Attorney Tang 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 Kelley.

#### VII. MOMENT OF SILENCE

Mayor Romero called for a moment of silence for the veterans that passed away 75 years ago on the beaches of France's Normandy coastline, known as D-Day.

#### VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

1. 19-628 Presentation by Matt Miller Regarding Greenlots

Mayor Romero invited Mr. Matt Miller to the podium to present information on Smart EV Charging solutions by Greenlots.

#### IX. AGENDA ADDITIONS/DELETIONS

City Manager Biggs identified the supplemental documents handed out prior to the meeting and noted that additional copies are available to the public on the side table.

#### X. PUBLIC COMMUNICATIONS

Public Speakers: Susan Pricco; Lynne Noone; Bill Shea; Sarah Creeley; Pil Orbison.

#### XI. PUBLIC HEARINGS

1. 19-620 **Public Hearing of Proposed FY 2019-20 City of Hercules Budget Plan Including the First Year of the Five Year 2019-2024 Capital Improvement Budget**

**Recommendation:** Open the Public Hearing, receive a Staff Report, take Public Testimony, and continue the Public Hearing on June 25, 2019.

City Manager Biggs introduced the item and provided a staff report and presentation on the proposed FY 2019-20 budget. Finance Director Gato provided additional information.

City Council asked questions and provided comments.

Mayor Romero opened the public hearing at 9:00 p.m. There were no comments offered from the public. Mayor Romero continued the public hearing to the June 25, 2019 City Council meeting.

## **XII. CONSENT CALENDAR**

Mayor Romero requested a minor change to the minutes to reflect that Commissioner Han Chen is serving his sixth term instead of six years as a Commissioner on the Community and Library Services Commission.

**MOTION:** A motion was made by Council Member Kelley, seconded by Vice Mayor Esquivias, to adopt the Consent Calendar, as amended. 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. 19-618**

#### **Meeting Minutes**

**Recommendation:** Approve the Regular Meeting Minutes of May 28, 2019.

Approved.

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

### **1. 19-615**

#### **Gay Pride Proclamation Request**

**Recommendation:** Receive Report, Discuss, and Provide Direction, if any.

Mayor Romero introduced the item and read aloud the letter adopted by City Council at the May 28, 2019 City Council meeting recognizing June as Gay Pride Month. Vice Mayor Esquivias made a request to fly the Gay Pride Flag outside of City Hall and requested that the letter be substituted for a Proclamation.

City Council discussed the request brought forward by Vice Mayor Esquivias.

Public Speakers: Brian Campbell-Miller; Cesar Zepeda.

By consensus, City Council authorized an expenditure not to exceed \$1,000 to purchase the supplies needed to add the Gay Pride Flag to the existing flag pole outside of City Hall and further gave direction to staff to prepare a Proclamation in substitution of the recently adopted recognition letter.

2. 19-617 **City Council Regular Meeting Dates for 2019**  
**Recommendation:** Review the schedule of City Council Regular Meeting Dates in 2019 and consider canceling one or more regular meetings in August.  
City Manager Biggs introduced the item and provided a staff report. City Council asked questions and provided comments.

By consensus, City Council gave direction to cancel the first meeting in August and will go dark for the entire month of August 2019.

3. 19-621 **Report from Public Safety/Traffic Committee on Parking Issues in the City of Hercules**  
**Recommendation:** Receive Report, Discuss, and Provide Direction, if any.  
City Manager Biggs introduced the item. Sub Committee Members Chris Kelley and Gerard Boulanger provided a report on the discussion held at the last Public Safety and Traffic Sub Committee meeting.

City Council discussed the parking issues and by consensus agreed that Council Member Kelley and Council Member Boulanger would do some public outreach in the neighborhoods with parking issues and bring this item back for discussion again in July for an update on the outreach efforts and to discuss the cost of implementing solutions.

4. 19-616 **Approve Technical Correction to Amendment to Employment Agreement for City Manager David Biggs as Approved by Resolution 19-014**  
**Recommendation:** Approve a technical correction to Exhibit A to the Amendment to Employment Agreement for City Manager David Biggs as approved by Resolution 19-014.

City Attorney Tang introduced the item and provided a staff report.

City Council provided comments.

**MOTION:** A motion was made by Council Member Kelley, seconded by Council Member Bailey, to approve the technical correction to Amendment No. 2 to the City Manager's employment agreement. 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

None.


**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.

Future agenda items: Council Member Bailey made a request to have staff provide a Development Update and Council Member Bailey requested a discussion regarding a flag policy at a future Council meeting. There were no objections from City Council to add the two requested agenda items to the pending agenda items list.

**XVI. ADJOURNMENT**

Mayor Romero adjourned the meeting at 10:32 p.m.

  
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Dan Romero, Mayor

Attest:   
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~~Lori Martin, MMC~~ *Boonmanus Seclapasay*  
~~Administrative Services Director / City Clerk~~  
*Administrative Secretary / Deputy City Clerk*