



# 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, October 8, 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 6:03 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**

None.

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

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

Mayor Romero recessed the meeting at 6:05 p.m.

1. [19-739](#) Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Attorney
2. [19-740](#) 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
3. [19-741](#) Pursuant to Government Code Section 54956.9 (d)(1), Conference with Legal Counsel - Pending/Existing Litigation - Taylor Morrison of California, LLC, entitled *Taylor Morrison of California, LLC v. City of Hercules*, Superior Court for the County of Contra Costa, Case No. C19-00366.

4. [19-742](#) Pursuant to Government Code Section 54956.9, Conference with Legal Counsel - Pending/Existing Litigation: *Eva Rodum v. City of Hercules, et al.* Superior Court of California Case No. CIVMSC18-01148

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

Mayor Romero called the meeting to order at 7:25 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 the City Council discussed pending/existing litigation Hercules v. Department of Finance and pending/existing litigation Taylor Morrison of California v. City of Hercules and stated there were no final or reportable actions. City Attorney Tang announced that City Council will reconvene closed session at the conclusion of the regular meeting to discuss the remaining items.

#### **VI. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Romero.

#### **VII. MOMENT OF SILENCE**

Mayor Romero called for a moment of silence for those that lost their lives in the heinous shooting in Las Vegas on October 1, 2017.

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

None.

#### **IX. AGENDA ADDITIONS/DELETIONS**

City Manager Biggs provided an update on the PGE power shut downs scheduled to occur in the greater bay area on October 9, 2019. City Manager Biggs identified one supplemental document handed out prior to the meeting with copies available at the side table.

#### **X. PUBLIC COMMUNICATIONS**

Public Speakers: Albert Flanagan; Sherry Tindal; Helen Johe; Valerie Wilgus; Anne Debock.

#### **XI. PUBLIC HEARINGS**

None.

## XII. CONSENT CALENDAR

**MOTION:** A motion was made by Council Member Kelley, seconded by Council Member Boulanger, 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. [19-738](#) **Meeting Minutes**  
**Recommendation:** Approve the regular meeting minutes of September 24, 2019.  
Approved.
2. [19-735](#) **Request for Reclassification of Cable/Communication Technician to Information Systems Specialist**  
**Recommendation:** Adopt a Resolution approving the reclassification of Cable/Communications Technician to Information Systems Specialist and authorize the Information Systems Specialist job description be added to the City's Classification Plan and approve the assigned salary range of Grade 148 to the new classification.  
Approved.
3. [19-736](#) **Amended Full-Time and Part-Time Salary Schedules and Amended Executive Level and Non-Represented Employee Pay and Benefit Plans for FY 2019-21**  
**Recommendation:** Adopt a Resolution approving the amended full-time and part-time salary schedules and the amended Executive Level and Non-Represented Employee Pay and Benefit Plans for FY 19-21.  
Approved.

## XIII. DISCUSSION AND/OR ACTION ITEMS

1. [19-733](#) **Update on Parking Enforcement**  
**Recommendation:** Receive report, discuss, and provide direction, if any.  
City Manager Biggs introduced the item and provided a staff report. Police Chief Imboden provided additional information. City Council asked questions and provided comments.

2. [19-743](#)**Sidewalk Ordinance Discussion**

**Recommendation:** Receive report, discuss, and provide direction, if any.

City Attorney Tang introduced the item and provided a staff report. City Council asked questions and provided comments. City Council directed staff to bring this item back to a future meeting with additional information.

3. [19-734](#)**EV Chargers Discussion**

**Recommendation:** Receive report, discuss, and provide direction, if any.

City Manager Biggs introduced the item and provided a staff report. City Council asked questions and provided comments. Mr. Matt Miller of Greenlots provided additional information.

**XIV. PUBLIC COMMUNICATIONS**

None.

**XV. CITY COUNCIL/CITY MANAGER/CITY ATTORNEY ANNOUNCEMENTS,  
COMMITTEE, SUB-COMMITTEE AND INTERGOVERNMENTAL COMMITTEE REPORTS  
AND FUTURE AGENDA ITEMS**

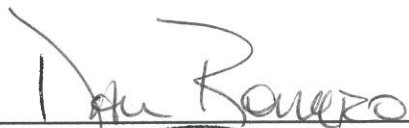
City staff and Council Members reported on attendance at events and community and regional meetings.

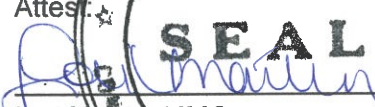
There were no future agenda items requested by City Council.

**XVI. ADJOURNMENT**

Mayor Romero recessed the meeting at 9:38 p.m. City Council to reconvene closed session and adjourn the meeting immediately following closed session. The regular meeting was adjourned at 10:02 p.m.

Mayor Romero closed the meeting in memory of Mario Zecchin.

  
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Dan Romero, Mayor

Attest:   
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Lori Martin, MMC  
Administrative Services Director/City Clerk

