



# City of Hercules

111 Civic Drive  
Hercules, CA 94547

## Meeting Minutes

### City Council

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

*David Biggs, City Manager*  
*Patrick Tang, City Attorney*  
*Lori Martin, City Clerk*

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Tuesday, January 14, 2020

6:00 PM

Council Chambers

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**CLOSED SESSION - 6:00 PM**

**REGULAR SESSION - 7:00 PM**

#### **I. SPECIAL MEETING - CLOSED SESSION – 6:00 P.M. CALL TO ORDER - ROLL CALL**

Mayor Esquivias called the meeting to order at 6:00 p.m.

**Present:** 5 - Mayor R. Esquivias, Vice Mayor C. Kelley, Council Member D. Bailey, Council Member D. Romero, and Council Member G. Boulanger

#### **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 Esquivias recessed the meeting at 6:03 p.m.

**Present:** 5 - Mayor R. Esquivias, Vice Mayor C. Kelley, Council Member D. Bailey, Council Member D. Romero, and Council Member G. Boulanger

1. [20-106](#) 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
2. [20-107](#) Conference with Legal Counsel - Anticipated Litigation Pursuant to Government Code Section 54956.9(d)(2): In one (1) matter: Hercules Development Partners, LP / Ledcor Corporation

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

Mayor Esquivias called the meeting to order at 7:25 p.m.

**V. REPORT ON ACTION TAKEN IN CLOSED SESSION**

City Attorney Tang identified the items discussed in closed session and stated that no final or reportable actions were taken in closed session.

**VI. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Council Member Boulanger.

**VII. MOMENT OF SILENCE**

Mayor Esquivias called for a moment of silence for the brushfire crisis in Australia and for those that have lost their lives or injured during this unfortunate event.

**VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS****1. [20-102](#) Census 2020 Presentation**

Ms. Darlene Drapkin from the U.S. Census Bureau gave a presentation on the 2020 Census process.

**IX. AGENDA ADDITIONS/DELETIONS**

City Manager Biggs identified supplemental documents related to Item XIII.1 was provided prior to the meeting and available to the public on the side table.

City Manager Biggs stated that staff would like to pull Consent Item XII.2 and stated this item will be placed on a future agenda.

**X. PUBLIC COMMUNICATIONS**

None.

**XI. PUBLIC HEARINGS****1. [20-103](#) Approval of a Parcel Map for the Hercules Self-Storage Project at 1444 Willow Avenue**

**Recommendation:** Adopt a Resolution approving Parcel Map M.S. 476-19 subdividing the 7 acre parcel at 1444 Willow Avenue into 3 lots for the Hercules Self-Storage project.

City Manager Biggs introduced the item and stated that the Developer, Art Lorenzini is in the audience to answer any questions. Public Works Director Roberts provided a staff report.

Mayor Esquivias opened the public hearing at 8:07 p.m. and invited Mr. Lorenzini to podium to provide any comments or updates on the project.

City Council asked questions and provided comments.

Mayor Esquivias closed the public hearing at 8:15 p.m. with no comments offered from the public.

**MOTION: A motion was made by Council Member Romero, seconded by Vice Mayor Kelley, to adopt Resolution 20-001. The motion carried by the following vote:**

**Aye:** 5 - Mayor R. Esquivias, Vice Mayor C. Kelley, Council Member D. Bailey, Council Member D. Romero, and Council Member G. Boulanger

## **XII. CONSENT CALENDAR**

Consent Item XII.2 was pulled by staff and will place on a future agenda for adoption. Council Member Romero pulled item XII.3 just to ask a question which was answered by staff. Council Member Romero requested that Consent Item XIII.3 to be added back on to the Consent Calendar and voted on.

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

**Aye:** 5 - Mayor R. Esquivias, Vice Mayor C. Kelley, Council Member D. Bailey, Council Member D. Romero, and Council Member G. Boulanger

### **1. [20-101](#)**

#### **Meeting Minutes**

**Recommendation:** Approve the regular meeting minutes of December 10, 2019.

Approved.

### **2. [20-110](#)**

#### **Acceptance of Offers of Dedication for Sierra Park and Shasta Park for Tract 9375 - Muir Pointe Residential Subdivision**

**Recommendation:** Adopt a Resolution accepting offers of dedication for Sierra Park and Shasta Park for Tract 9375 - Muir Pointe Residential Subdivision.

This item was pulled from the Consent Calendar and will be placed on a future agenda.

### **3. [20-109](#)**

#### **TDA Article 3 Grant Request for the Willow/Palm Sidewalk Project**

**Recommendation:** Adopt a Resolution of request to the Metropolitan Transportation Commission for the allocation of fiscal year 2020-2021 Transportation Development Act Article 3 Pedestrian/Bicycle project funding.

Approved.

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

1.     [20-104](#)     **Recognized Obligation Payment Schedule for the Period of July 1, 2020 through June 30, 2021 (ROPS 20-21A and ROPS 20-21B)**  
**Recommendation:** Adopt a Resolution approving the Recognized Obligation payment Schedule for the period of July 1, 2020 through June 30, 2021.

City Manager Biggs introduced the item and Finance Director Gato provided a staff report. City Council asked questions and provided comments.

**MOTION:** A motion was made by Vice Mayor Kelley, seconded by Council Member Boulanger, to adopt Successor Agency Resolution 20-003. The motion carried by the following vote:

**Aye:** 5 - Mayor R. Esquivias, Vice Mayor C. Kelley, Council Member D. Bailey, Council Member D. Romero, and Council Member G. Boulanger

2.     [20-100](#)     **2020 Council Appointments on Regional Committees and Council Subcommittees**

**Recommendation:** Express interest and availability for the 2020 Council Appointments on Regional Committees and Council Subcommittees to be made by the Mayor at the January 14, 2020 City Council meeting.

City Manager Biggs introduced the item and provided a staff report. Mayor Esquivias solicited interest from Council Members on an interest to serve or make changes to their appointments on Regional Boards and Council Subcommittee's. Each Council Member provided input. Mayor Esquivias will make appointments to Regional Boards and Council Sub-committees at the next City Council meeting.

3.     [20-111](#)     **City Council to Consider Adopting a Flag Policy**  
**Recommendation:** Adopt a flag policy.

City Manager Biggs introduced the item and provided a staff report. City Council asked questions and provided comments. City Attorney Tang provided additional information.

**MOTION:** A motion was made by Vice Mayor Kelley, seconded by Council Member Bailey, to adopt a City Flag Policy. The motion carried by the following vote:

**Aye:** 5 - Mayor R. Esquivias, Vice Mayor C. Kelley, Council Member D. Bailey, Council Member D. Romero, and Council Member G. Boulanger

4.     [20-108](#)     **2020 Development Site Update and Review**  
**Recommendation:** Receive report, discuss, and provide direction if any.

City Manager Biggs introduced the item and gave a presentation on the City's development site update and review.

**XIV. PUBLIC COMMUNICATIONS**

None.

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

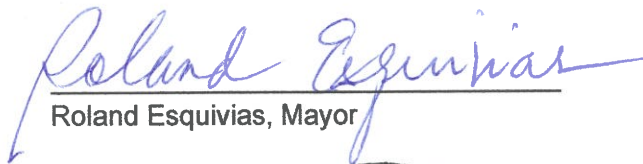
City staff and Council Members reported on attendance at events and community and regional meetings.

Future agenda items requested:


1. Council Member Romero requested to have a discussion to create a subcommittee to assist code enforcement volunteers. There was a consensus of City Council to have a discussion and update on code enforcement cases and compliance results on a future agenda.
2. Council Member Romero requested a discussion regarding establishing a preferred parking district in Victoria by the Bay. There was a consensus of City Council to discuss this item, however to delay the discussion for approximately a month to allow for time to hear the results of a survey conducted by Victoria by the Bay HOA.
3. Council Member Romero requested an update on a new new law related to accessory dwelling units and update to Hercules Municipal Code. City Manager Biggs stated staff may have an update approximately in March 2020.
4. Council Member Romero stated that local realtors have requested copies of the Bayfront development pictures to display in their office. City Manager Biggs stated that he would pass that along to the developer.
5. Council Member Bailey made a request to discuss Charter Cities options in either the first or second meeting in February. City Attorney Tang responded stating that he will make best efforts to provide a report at the February 25, 2020 City Council meeting.

**XVI. ADJOURNMENT**

Mayor Esquivias adjourned the meeting at 10:08 p.m.

  
Roland Esquivias, Mayor

Attest:

  
Lori Martin, MMC  
Administrative Services Director/City Clerk

