



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

Tuesday, July 14, 2020

6:30 PM

Virtual Meeting Via Zoom

JOINT MEETING OF THE HERCULES CITY COUNCIL AND THE HERCULES PUBLIC FINANCING AUTHORITY

I. SPECIAL MEETING - CLOSED SESSION – 6:30 P.M. CALL TO ORDER - ROLL CALL

Mayor Esquivias called the meeting to order at 6:30 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 item listed on the agenda to be discussed in closed session.

1. 20-284 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. City Manager Contract (City Negotiator - Mayor Esquivias)

IV. REGULAR AND JOINT MEETING – 7:00 P.M. CALL TO ORDER - ROLL CALL

Mayor Esquivias called the meeting to order at 7:12 p.m.

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

V. REPORT ON ACTION TAKEN IN CLOSED SESSION

City Attorney Tang identified the item discussed in closed session and stated that no were no final or reportable actions to report. Mayor Esquivias also stated there were no final or reportable actions taken on the City Manager Contract discussion.

VI. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Esquivias.

VII. MOMENT OF SILENCE

Mayor Esquivias called for a moment of silence for Donald Worms who passed away last month. Mr. Warns was a Hercules resident since 1981.

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

None.

IX. AGENDA ADDITIONS/DELETIONS

City Manager Biggs stated that there were no additions or deletions to the agenda. City Manager Biggs identified the supplemental documents provided prior to the meeting and available to the public on the City website.

X. PUBLIC COMMUNICATIONS

City Clerk Martin read aloud two public comments submitted by: Pil Orbison; Jamela Smith-Folds.

XI. PUBLIC HEARINGS

1. 20-282 **Continued Public Hearing on Approving Additions, Deletions and Adjustments to the Master Fee Schedule with Said Additions, Deletions and Adjustments to become effective July 15, 2020**
Recommendation: Open the continued public hearing, receive a staff report, take public testimony, close the public hearing and consider adopting a Resolution approving the Master Fee Schedule effective July 15, 2020.

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

Mayor Esquivias opened the public hearing at 8:07 p.m.

Mayor Esquivias closed the public hearing at 8:07p.m. with no comments

offered from the public.

City Council provided closing comments. There was a consensus of City Council to bring forward the Master Fee Schedule in March or April each year instead of June and to have the Finance Commission and the Community and Library Services Commission conduct a review of the Master Fee Schedule prior to it coming before the City Council.

MOTION: A motion was made by Vice Mayor Kelley, seconded by Council Member Boulanger, to adopt Resolution 20-050. 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. 20-275

Mandatory Garbage/Solid Waste Disposal - Delinquent Accounts

Recommendation: Conduct a Public Hearing and upon conclusion, consider adopting a Resolution confirming the report of delinquent accounts and placing liens on said properties and special assessments upon property taxes pursuant to City of Hercules Municipal Code Section 5-2.01 to 5-2.16, Mandatory Garbage/Solid Waste Disposal.

City Manager Biggs introduced the item and provided a staff report. Ms. Janna Coverston from Republic Services provided additional information. City Council asked questions and provided comments.

Mayor Esquivias opened the public hearing at 8:20 p.m.

Mayor Esquivias closed the public hearing at 8:28 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 20-051. 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

3. 20-277

First Reading and Introduction of an Ordinance Amending Chapter 13-34 "Sign Regulations" of the Hercules Municipal Code to Allow the City to Make the Regulations Content-Neutral and Consistent with Recent Court Rulings (Including U.S. Supreme Court *Reed v. Town of Gilbert*) as Well as Making Certain Minor Regulatory Changes for Consistency and Clarity

Recommendation: Open the public hearing, receive a staff report, take public testimony, close the public hearing and consider waiving the first reading and approving the introduction of Ordinance 527.

City Manager Biggs introduced the item. City Attorney Tang provided a staff report. Community Development Director Reber provided additional information.

Mayor Esquivias opened the public hearing at 8:30 p.m.

Mayor Esquivias closed the public hearing at 8:51 p.m. with no comments offered from the public.

MOTION: A motion was made by Council Member Boulanger, seconded by Council Member Bailey, to waive the first reading and approve the introduction of Ordinance 527. 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

MOTION: A motion was made by Council Member Romero, seconded by Vice Mayor Kelley, to adopt the consent calendar. 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. 20-276 **Minutes**
Recommendation: Approve the regular meeting minutes and special meeting minutes of June 23, 2020.
Approved.
2. 20-278 **Sterling National Bank Equipment Lease Purchase Agreement**
Recommendation: Eliminate the contingency related to the Sterling National Bank Equipment Lease Purchase Agreement as approved on June 23, 2020.
Approved.
3. 20-281 **Acceptance of the Refugio Valley Park Tennis Court Resurfacing Project**
Recommendation: Adopt a Resolution accepting the Refugio Valley Park tennis court resurfacing project as complete for a total amount of \$162,300 and authorizing the filing of the Notice of Completion with the Contra Costa County Recorder's Office.
Approved.
4. 20-283 **Side Letter with Hercules Police Officers Association**
Recommendation: Approve a side letter with the Hercules Police Officers Association modifying the existing Memorandum of Understanding effective through June 30, 2021.
Approved.

XIII. DISCUSSION AND/OR ACTION ITEMS

1. 20-285 **Designation of Voting Delegate and Alternates for the League of California Cities Annual Conference and Business Meeting**
Recommendation: Designate voting delegate and alternates for the League of California Cities Annual Conference and Business Meeting to be held October 7-9 in Long Beach, CA.
- City Manager Biggs introduced the item and City Clerk Martin provided a staff report.
- Vice Mayor Kelley nominated Mayor Esquivias to be the voting delegate for the 2020 League of California Cities Annual Conference and Business Meeting. Council Member Romero seconded Vice Mayor Kelley's nomination of Mayor Esquivias.
- Council Member Romero nominated Vice Mayor Kelley as the alternate voting delegate and Vice Mayor Kelley accepted the nomination.
- MOTION: A motion was made by Mayor Esquivias, seconded by Council Member Bailey, to appoint Mayor Esquivias as the voting delegate and Vice Mayor Kelley as the alternate voting delegate to the 2020 LOCC Annual Conference and Business Meeting. 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

XIV. COMMISSION OF THE HERCULES PUBLIC FINANCING AUTHORITY

1. 20-280 **Resolution of the Commission of the Hercules Public Financing Authority Setting July 28, 2020 as a Regular Commission Meeting**
Recommendation:
- 1) Adopt a Resolution establishing July 28, 2020 as a regular meeting of the Authority.
 - 2) Authorize the officers of the Authority to take all actions necessary to implement the purpose of such Resolution.
- Executive Director Biggs introduced the item and provided a staff report. City Council asked questions and provided comments.
- MOTION: A motion was made by Authority Member Bailey, seconded by Authority Member Kelley to adopt HPFA Resolution 20-01.**
- Aye:** 5 - Chair R. Esquivias, Vice Chair Mayor C. Kelley, Authority Member D. Bailey, Authority Member D. Romero, and Authority Member G. Boulanger

XV. PUBLIC COMMUNICATIONS

None.

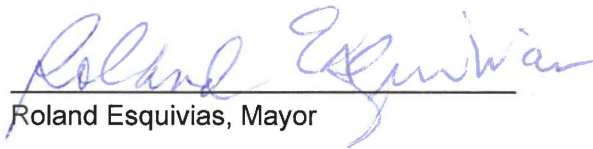
**XVI. CITY COUNCIL/CITY MANAGER/CITY ATTORNEY ANNOUNCEMENTS,
COMMITTEE, SUB-COMMITTEE AND INTERGOVERNMENTAL COMMITTEE REPORTS
AND FUTURE AGENDA ITEMS**

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

There were no requests for future agenda items.

XVII. ADJOURNMENT

Mayor Esquivias adjourned the meeting at 9:20 p.m.



Roland Esquivias, Mayor

