



City of Hercules

111 Civic Drive
Hercules, CA 94547

Meeting Minutes

City Council

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

David Biggs, City Manager
Patrick Tang, City Attorney

Tuesday, October 27, 2020

5:30 PM

Virtual Meeting Via Zoom

Closed Session - 5:30 p.m.

Regular Session - 7:00 p.m.

I. SPECIAL MEETING - CLOSED SESSION – 5:30 P.M. CALL TO ORDER - ROLL CALL

Mayor Esquivias called the meeting to order at 5:32 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

City Clerk Martin read aloud a public comment submitted by Pil Orbison.

City Attorney Tang provided a response to Ms. Orbison's public comment.

III. CONVENE INTO CLOSED SESSION

City Attorney Tang announced the item listed on the agenda to be discussed in closed session.

Mayor Esquivias recessed the meeting at 5:37 p.m.

1. [20-362](#) Pursuant to Government Code Section 54957(b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Manager (Discuss Annual Evaluation Per Employment Agreement)

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

Mayor Esquivias called the meeting to order at 7:00 p.m.

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

V. REPORT ON ACTION TAKEN IN CLOSED SESSION

Mayor Esquivias reported that the City Manager Evaluation was completed in closed session.

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 Sherry Watney, a resident of Hercules who passed away on October 15, 2020.

VIII. INTRODUCTIONS/PRESENTATIONS/COMMISSION REPORTS

1. [20-365](#) Proclamation - Recognizing Commander Thomas Koeppe Upon His Retirement For Over Twenty-Seven Year of Dedicated and Exceptional Service to the Hercules Police Department and the City of Hercules

Mayor Esquivias read aloud the Proclamation and presented it to Commander Koeppe. City Manager Biggs and Police Chief Imboden spoke about Commander Koeppe's years of service. Police Chief Imboden read aloud a Proclamation from Congressman Mike Thompson. Police Chief Imboden stated that the Proclamation and American Flag was presented to Commander Koeppe at the Hercules Police station today. Commander Koeppe thanked the City Council for the Proclamation and recognition for his years of service.
2. [20-364](#) Proclamation - Recognizing October 2020 as Filipino American History Month in the City of Hercules

Mayor Esquivias read aloud the Proclamation and presented it to Mr. Romeo Serranzana, President of the Filipino Americans of Contra Costa County. Members of the City Council each spoke and recognized the Filipino Americans of Contra Costa. Mr. Serranzana thanked the City Council for the Proclamation and recognition.
3. [20-368](#) Presentation by Supervisor Gioia and Glover Regarding a new Medical Urgent Care Clinic in Pinole

Supervisor Glover introduced the item and provided a staff report. Supervisor Gioia provided additional information. Lucinda Bazile, Deputy Director of Life Long Medical Care gave a presentation to City Council on the new urgent care clinic in Pinole.

City Council asked questions and provided comments.

IX. AGENDA ADDITIONS/DELETIONS

City Manager Biggs stated that there were no additions or deletions to the agenda.

X. PUBLIC COMMUNICATIONS

City Clerk Martin read aloud public communications submitted by: Jhenie Sebastian; David Kavanaugh; John Bustos; Corazon Salumbides; Jim Paladino; Kyle Davis; Judith Snow; Joseph Kirby Alon; Gary Peregil; Ben Ferrer; Tanya Little; Lori Chinn; Alan Holm; Susan Keeffe; Elza Kavanaugh; Giorgio Consentino; Pil Orbison.

City Attorney Tang provided a response to Ms. Orbison's public comment.

XI. PUBLIC HEARINGS

1. [20-369](#) **Zone Text Amendment #20-02: Update to Hercules Municipal Code, Title 10, Chapter 16, "Wireless Telecommunications Facilities," regarding small wireless equipment**

Recommendation: Consider waiving the first reading and approving introduction of the draft zone text amendments to the City's wireless telecommunications regulations.

City Manager Biggs introduced the item and Community Development Director Reber provided a staff report. Consultant Robert Ross gave a presentation and provided additional information.

City Council asked questions and provided comments.

Mayor Esquivias opened the public hearing at 8:47 p.m.

Mayor Esquivias closed the public hearing at 9:24 p.m. with no comments offered from the public.

Council Member Romero made a motion to adopt Ordinance 529 and Council Member Bailey seconded the motion. Council Member Romero amended his motion to waive the first reading and approve the introduction of Ordinance 529. Council Member Bailey accepted the amendment to the motion and seconded the motion.

MOTION: A motion was made by Council Member Romero, seconded by Council Member Bailey, to waive the first reading and approve the introduction of Ordinance 529. 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

Council Member Boulanger requested to pull Item #2 from the Consent Calendar for a discussion.

Council Member Boulanger, members of the City Council and staff discussed details of the Measure B and C Report.

Council Member Boulanger requested the item be placed back on the 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. [20-367](#) **Minutes**
Recommendation: Approve the regular meeting minutes of October 13, 2020.
 Approved.
2. [20-366](#) **Receive the Finance Commission's Annual Report on Measures B and C for Fiscal Year Ending June 30, 2019**
Recommendation: Receive and file the Finance Commission's Annual Report on Measures B and C for fiscal year ending June 30, 2019.
 Approved.
3. [20-370](#) **Removal of the Marked Crosswalk on San Pablo Avenue at the East Side of the Intersection with Sycamore Avenue**
Recommendation: Receive any input from the public, discuss as needed, and adopt a Resolution authorizing the removal of the marked crosswalk on San Pablo Avenue at the east side of the intersection with Sycamore Avenue.
 Approved.

XIII. DISCUSSION AND/OR ACTION ITEMS

1. [20-363](#) **SB 946 Sidewalk and Park Vending Requirements and Proposed Draft Ordinance**
Recommendation: Accept staff report, discuss, and direct staff to agendize amendments to the Hercules Municipal Code to establish revised regulations for sidewalk and park vendors consistent with the requirements of SB 946.
 City Manager Biggs introduced the item and City Attorney Tang provided a

staff report and a summary of changes made to the draft Ordinance based on input from the last Council meeting. City Council asked questions and provided comments.

MOTION: A motion was made by Council Member Romero, seconded by Vice Mayor Kelley, to authorize staff to publish a notice of public hearing for a first reading and introduction of the Ordinance at the November 10, 2020 City Council 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

2. [20-360](#)

Update on Parking Enforcement

Recommended Action: 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 Clerk Martin read aloud 2 public comments submitted by: Erin LaFlamme; Lauren (resident of Hercules by the Bay).

City Council asked questions and provided comments.

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 announced upcoming events in the City of Hercules and reported on attendance at events and community and regional meetings.

Future Agenda Items:-

Council Member Bailey requested a discussion regarding traffic calming on Hercules Ave. (Hercules Ave off of Sycamore leading to Village Parkway and to also discuss blind spots in that area.

Vice Mayor Kelley recommended that this item go before the Public Safety and Traffic Subcommittee first. City Manager Biggs concurred with that and stated that Police Chief Imboden and Public Works Director Roberts would participate in the Subcommittee meeting.

By consensus of City Council, the traffic calming discussion item requested by Council Member Bailey will be forwarded to the Public Safety and Traffic Committee for a discussion and recommendation to City Council.

Council Member Bailey requested an item related to the City installing evacuation signs. City Manager Biggs recommended that we include Council Member Bailey's request to the hazardous mitigation and safety plan that will come before Council in January 2021. A consensus of City Council was obtained to address this request in the upcoming hazardous mitigation and safety plan.

XVI. ADJOURNMENT

Mayor Esquivias adjourned the meeting at 10:42 p.m.

DocuSigned by:

Roland Esquivias

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Roland Esquivias, Mayor
DocuSigned by:

Attest:



Lori Martin, MMC
Administrative Services Director/City Clerk