



# City of Hercules

111 Civic Drive  
Hercules, CA 94547

## Meeting Minutes

### City Council

*Mayor Chris Kelley*  
*Vice Mayor Dion Bailey*  
*Council Member Alexander Walker-Griffin*  
*Council Member Dan Romero*  
*Council Member Tiffany Grimsley*

*David Biggs, City Manager*  
*Patrick Tang, City Attorney*

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Tuesday, January 12, 2021

7:00 PM

Virtual Meeting Via Zoom

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**CLOSED SESSION - NONE.**  
**REGULAR SESSION - 7:00 PM.**

**I. SPECIAL MEETING - CLOSED SESSION – NONE.**

**II. PUBLIC COMMUNICATION - CLOSED SESSION ITEMS - NONE.**

**III. CONVENE INTO CLOSED SESSION - NONE.**

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

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

**Present:** 5 - Vice Mayor D. Bailey, Council Member A. Walker-Griffin, Council Member T. Grimsley, Council Member D. Romero, and Mayor C. Kelley

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

None.

**VI. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Kelley.

**VII. MOMENT OF SILENCE**

Mayor Kelley called for a moment of silence for Tom Guarino, a representative with PG&E who recently passed away due to an illness.

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

1.     [21-002](#)     **Proclamation Recognizing and Congratulating Laura Bond on Being Area 104 Starbucks Manager of the Year**  
  
Mayor Kelley read aloud and presented a Proclamation to Laura Bond, Manager of the Year for District 104 for the Willow Avenue Starbucks in Hercules. Ms. Bond thanked the Mayor and Council for the recognition and the Proclamation. City Council Members provided comments.
  
2.     [21-010](#)     **Proclamation Recognizing Planning Commissioner Susan Tolley for her Years of Service**  
  
Mayor Kelley read aloud and presented a Proclamation to former Planning Commissioner Susan Tolley. Ms. Tolley thanked the Mayor and Council for the recognition and Proclamation. Members of the City Council provided comments.  
  
City Clerk Martin read aloud a public comment submitted by former Council Member Gerard Boulanger recognizing Ms. Tolley's years of service on the Planning Commission.
  
3.     [21-007](#)     **Council on Aging Annual Report by Jennifer Doran, City Representative on Contra Costa County Advisory Council on Aging**  
          **Recommendation:** Receive and file report.  
  
Jennifer Doran, City Representative on the Council on Aging provided an annual update of the work program of the Commission. City Council Members asked questions and provided comments.

**IX. AGENDA ADDITIONS/DELETIONS**

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

**X. PUBLIC COMMUNICATIONS**

City Clerk Martin read aloud public comments submitted by: Faye Porter; Ali Birnbach; Estela DePaz; Shagoofa Khan; Dianne Ennaid; Jeff Axup; Lynn Schwaebe; Lucas Stuart-Chilcote; Pil Orbison. A late public comment was submitted by Amy Prindle which was not read aloud but available on the City website along with all other public comments received for January 12, 2021.

**XI. PUBLIC HEARINGS**

1.     [21-009](#)     **First Reading of Ordinance No. 532 Adding Chapter 2-1.06 to Title 2 "Administration entitled "Electronic Filing of Campaign Disclosure Documents".**  
**Recommendation:** Open the public hearing, take public testimony, waive the first reading, and approve the introduction of Ordinance 532 amending Title 2 of the Hercules Municipal Code by adding Chapter 2-1.06, "Electronic Filing of Campaign Disclosure Documents".  
  
City Clerk Martin introduced the item and provided a staff report. Members of the City Council asked questions and provided comments.  
  
Mayor Kelley opened the public hearing at 7:58 p.m.  
  
Mayor Kelley closed the public hearing at 7:58 p.m. with no comments offered from the public.  
  
**MOTION: A motion was made by Vice Mayor Bailey, seconded by Council Member Walker-Griffin to waive the first reading and approve the introduction of Ordinance 532.**  
  
**Aye:**   5 -   Vice Mayor D. Bailey, Council Member A. Walker-Griffin, Council Member T. Grimsley, Council Member D. Romero, and Mayor C. Kelley
2.     [21-008](#)     **Zoning Text Amendment #20-03: City Ordinance to update Municipal Code Section 13-35-320 to address changes in State housing law affecting local regulation of Accessory Dwelling Units (ADUs)**  
**Recommendation:** Open the public hearing, take public testimony, waive the first reading, and approve the introduction of Ordinance No. 531 amending Hercules Municipal Code Title 13, Chapter 35 "Specific Land Use Requirements" to update the City's current policies and processes for accessory dwelling units (ADU's) for conformity with current State law.  
  
City Manager Biggs introduced the item and Community Development Director Reber provided a staff report. Assistant City Attorney Crowl provided additional information. City Council Members asked questions and provided comments.  
  
City Council gave direction to staff to reach out to the Post Master in regards to applying a separate address to the ADU and to invite Fire Chief Craig to the next meeting to provide input.  
  
Mayor Kelley opened the public hearing at 8:36 p.m.  
  
Mayor Kelley closed the public hearing at 8:36 p.m. with no comments offered from the public.

**MOTION: A motion was made by Council Member Bailey, seconded by Council Member Grimsley, to continue the public hearing to January 26, 2021. The motion carried by the following vote:**

**Aye:** 4 - Vice Mayor D. Bailey, Council Member A. Walker-Griffin, Council Member T. Grimsley, and Mayor C. Kelley

**Nay:** 1 - Council Member D. Romero

## **XII. CONSENT CALENDAR**

**MOTION: A motion was made by Council Member Bailey, seconded by Council Member Walker-Griffin, to adopt the Consent Calendar. The motion carried by the following vote:**

**Aye:** 5 - Vice Mayor D. Bailey, Council Member A. Walker-Griffin, Council Member T. Grimsley, Council Member D. Romero, and Mayor C. Kelley

### **1. [21-003](#)**

#### **Minutes**

**Recommendation:** Approve the regular meeting minutes of December 12, 2020.

Approved.

### **2. [21-005](#)**

#### **Review Upcoming Council Agenda Items List**

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

Approved.

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

### **1. [20-407](#)**

#### **FY 2019-20 Comprehensive Annual Financial Reports**

**Recommendation:** Receive the fiscal year 2019-20 Comprehensive Annual Financial Reports (CAFR) and Accept the Audited Financial Statements.

City Manager Biggs introduced the item and Finance Director Gato provided a staff report. Ken Pun and Gary Caporicci of the Pun Group gave a presentation on the audited financial statements. City Council asked questions and provided comments.

The FY 2019-20 Comprehensive Annual Financial Reports were received and filed.

### **2. [20-427](#)**

#### **Recognized Obligation Payment Schedule for the Period of July 1, 2021 through June 30, 2022 (ROPS 21-22)**

**Recommendation:** Adopt a Resolution approving the recognized obligation payment schedule for the period of July 1, 2021 through June 30, 2022 (ROPS 21-22).

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

**MOTION: A motion was made by Council Member Walker-Griffin, seconded by Council Member Bailey, to adopt Resolution SA 20-001. The motion carried by the following vote:**

**Aye:** 5 - Vice Mayor D. Bailey, Council Member A. Walker-Griffin, Council Member T. Grimsley, Council Member D. Romero, and Mayor C. Kelley

3. [21-004](#)

**2021 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 current status of development projects. Members of the City Council asked questions and provided comments.

4. [21-001](#)

**Contra Costa County Library Commission Appointment**

**Recommendation:** Consider making an appointment to the Contra Costa County Library Commission to an unexpired term ending June 30, 2023.

City Clerk Martin introduced the item and provided a staff report.

**MOTION: A motion was made by Council Member Bailey, seconded by Council Member Walker-Griffin, to approve the appointment of Brian Campbell-Miller to the Contra Costa County Library Commission. The motion carried by the following vote:**

**Aye:** 5 - Vice Mayor D. Bailey, Council Member A. Walker-Griffin, Council Member T. Grimsley, Council Member D. Romero, and Mayor C. Kelley

5. [21-006](#)

**2021 Council Appointments on Regional Committees and Council Subcommittees**

**Recommendation:** Express additional interest and availability for the 2021 Council Appointments on Regional Committees and Council Subcommittees to be made by the Mayor.

Mayor Kelley introduced the item and provided a staff report. Mayor Kelley's proposed appointments to regional committees and city subcommittees was provided to Council prior to the meeting. There were no questions or concerns in regards to any of the appointments. The 2021 Council appointments on regional committees and Council subcommittees was approved by consensus.

**XIV. PUBLIC COMMUNICATIONS**

City Clerk Martin read aloud a public comment submitted by Selina Williams.

**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:

1. Council Member Walker-Griffin requested a discussion regarding service cap fees on 3rd party app based delivery service;
2. Council Member Romero requested staff to do an update on the City's smoking ordinance;
3. Council Member Romero requested a workshop on the traffic subcommittee instead of just a subcommittee meeting;
4. Council Member Romero requested a discussion item to consider allowing Community Development Director Reber to have more latitude to deal with minor project amendments in regards to paint color.

A poll was conducted and a consensus was obtained to add a discussion item regarding delivery service cap fee for app based delivery service providers.

A poll was conducted and a consensus was obtained to add a discussion item regarding an update on the City's smoking ordinance.

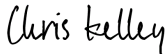
A poll was conducted which resulted in a 3-2 vote to not discuss the item requested for a City Council Workshop to discuss public safety and traffic issues instead of a subcommittee meeting.

A poll was conducted which resulted in a 3-2 vote to not discuss the item requested to consider allowing Community Development Director Reber to have more latitude in dealing with minor project amendments in regards to paint color on buildings.

**XVI. ADJOURNMENT**

Mayor Kelley adjourned the meeting at 11:08 p.m. in memory of Brian D. Sicknick, a Capitol Police Officer who passed away on January 7, 2021 due to injuries sustained while on-duty responding to the recent riots at the State Capitol.

DocuSigned by:



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Chris Kelley, Mayor

DocuSigned by:

Attest:

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Lori Martin, MMC

Administrative Services Director/City Clerk