

6:00 p.m. - Closed Session
7:00 p.m. - Regular Meeting
Hercules City Council
May 12, 2009

Council Chambers
City Hall
111 Civic Drive
Hercules, CA 94547

CITY COUNCIL AGENDA

Cablecast live on Channel 28 and webcast live via the City's website at www.ci.hercules.ca.us

I. JOINT CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION

The Hercules City Council/Redevelopment Agency will meet in Closed Session regarding the following:

1. Pursuant to Government Code Section 54957(e) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - City Manager
2. Pursuant to Government Code Section 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATORS Regarding Assessor Parcel Numbers 358-030-024, 358-030-027 and 358-030-026. The City's/Agency's Negotiators are Nelson Oliva, City Manager/Executive Director and Alfred Cabral, City Attorney/Agency Counsel

II. ROLL CALL – CALL TO ORDER - REPORT ON ACTION TAKEN IN CLOSED SESSION

III. PLEDGE OF ALLEGIANCE

IV. MOMENT OF SILENCE

V. CITY OF HERCULES INTRODUCTIONS/PRESENTATIONS

1. Receive Presentation From Gerald Richards, City Of Hercules Representative To The Contra Costa County Advisory Council On Aging

VI. AGENDA ADDITIONS/DELETIONS

VII. PUBLIC COMMUNICATIONS

This time is reserved for members of the public to address issues not included in the agenda. In accordance with the Brown Act, Council will refer to staff any matters brought before them at this time, and those matters may be placed on a future agenda.

Individuals wishing to address the City Council are asked to complete a form indicating the name and address of the speaker and the general topic to be addressed. Speakers must make their

All writings or documents provided to a majority of the City Council regarding any item on this agenda are available for public inspection at the Reception Desk at City Hall, 111 Civic Drive during normal business hours.

comments from the podium and will be allowed three (3) minutes to discuss their concerns. All public comments are recorded and become part of the public record. A limit of thirty (30) minutes will be devoted to taking public comment at this point in the agenda. If any speakers remain at the conclusion of the initial thirty-minute period, time will be reserved at the conclusion of the meeting to take the remaining comments.

VIII. CITY COUNCIL/CITY MANAGER ANNOUNCEMENTS AND CITY COUNCIL COMMITTEE, SUB-COMMITTEE AND INTERGOVERNMENTAL COMMITTEE REPORTS

This is the time for brief announcements on issues of interest to the community. In accordance with the provisions of the Brown Act, matters which do not appear on this agenda but require City Council discussion may be either (a) referred to staff or other resources for factual information or (b) placed on a future meeting agenda.

IX. CONSENT CALENDAR

The Consent Calendar consists of items that are considered to be routine and are recommended for approval. These items may be acted upon and approved by one motion of the City Council. However, individual items may be removed from the Consent Calendar, for discussion, by individual Council Members wishing to consider the matter separately.

1. Approve City Council Meeting Minutes Of [February 10, 2009](#), [February 24, 2009](#), [March 10, 2009](#) And [March 24, 2009](#)
2. Adopt A [Resolution](#) Authorizing The City Manager To Execute An Agreement With PHA Transportation Consultants To Provide Disadvantaged Business Enterprise Assistance Required By The Federal Highway Agencies (FHWA) Grant For An Amount Not To Exceed \$10,800
3. Adopt a [Resolution](#) Authorizing The City Manager/Executive Director To Execute Agreements and Amendments To Existing Agreements For An Amount Not To Exceed \$172,100 For The Preparation Of Design And Construction Documents For Various Capital Improvement Projects That May Be Funded By Future Federal Economic Stimulus Funds
4. Adopt A [Resolution](#) Authorizing The City Manager/Executive Director To Execute An Agreement With Ms. Elizabeth D. Warmerdam To Provide Consulting Services To The Redevelopment Agency And Other City Services For An Amount Not To Exceed \$105,000 For The Period Of May 1, 2009 Through June 30, 2010

X. UNFINISHED BUSINESS

XI. PUBLIC HEARING

1. Have/Waive The [Second Reading](#) And Adopt An Ordinance Repealing And Replacing Chapter 10-7, "Flood Damage Prevention" of the Hercules Municipal Code

XII. COMMUNICATIONS

XIII. COUNCIL REPORTS AND RESOLUTIONS

XIV. CITY MANAGER REPORTS AND RESOLUTIONS

XV. PUBLIC COMMUNICATIONS

XVI. INTERGOVERNMENTAL ISSUES

XVII. ADJOURNMENT

Redevelopment Agency Meeting
City of Hercules
May 12, 2009
Immediately Following the Regular
City Council Meeting

Council Chambers
City Hall
111 Civic Drive
Hercules, CA. 94547

REDEVELOPMENT AGENCY MEETING

I. CALL TO ORDER--ROLL CALL

II. AGENDA ADDITIONS/DELETIONS

III. PUBLIC COMMUNICATIONS

IV. CONSENT CALENDAR

1. Approve Redevelopment Agency Meeting Minutes Of [February 10, 2009](#), [February 24, 2009](#), [March 10, 2009](#) And [March 24, 2009](#)
2. Adopt A [Resolution](#) Authorizing The Executive Director To Execute An Agreement With Impact Sciences To Provide Environmental Analysis For John Muir Parkway Phase 2 And The Culvert As An Added Component To The Intermodal Transit Center Environmental Impact Report (EIR) And Environmental Analysis (EA) For An Amount Not To Exceed \$33,000
3. Adopt A [Resolution](#) Authorizing The Executive Director To Execute An Agreement With Stevenson, Porto & Pierce, Inc., For An Amount Not To Exceed \$30,000 To Provide Documentation Of Environmental Constraints, A Preliminary Biological Assessment And The Preparation Of Plans And Specifications For The Construction Of A Boardwalk Along The Westerly Side Of San Pablo Avenue
4. Adopt a [Resolution](#) Authorizing The City Manager/Executive Director To Execute Agreements and Amendments To Existing Agreements For An Amount Not To Exceed \$172,100 For The Preparation Of Design And Construction Documents For Various Capital Improvement Projects That May Be Funded By Future Federal Economic Stimulus Funds
5. Adopt A [Resolution](#) Authorizing The City Manager/Executive Director To Execute An Agreement With Ms. Elizabeth D. Warmerdam To Provide Consulting Services To The Redevelopment Agency And Other City Services For An Amount Not To Exceed \$105,000 For The Period Of May 1, 2009 Through June 30, 2010

V. PUBLIC HEARINGS

VI. EXECUTIVE DIRECTOR REPORTS AND RESOLUTIONS

VII. ADJOURNMENT

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THE HERCULES CITY COUNCIL AND THE REDEVELOPMENT AGENCY ADHERE TO THE FOLLOWING POLICIES, PROCEDURES AND REGULATIONS REGARDING CITY COUNCIL MEETINGS:

1. In compliance with the Americans with Disabilities Act, if you require special accommodations to participate in a City Council or Redevelopment Agency meeting, please contact the City Clerk at 510-799-8215 at least 48 hours prior to the meeting.
2. If you challenge a decision of the City Council or Redevelopment Agency in court, you may be limited to raising only those issues you or someone else raised at the Council Meeting or in written correspondence delivered at, or prior to, the Council Meeting. Actions challenging City Council or Redevelopment Agency decisions shall be subject to the time limitations contained in Code of Civil Procedure Section 1094.6.
3. Persons wishing to add an item to an agenda must submit the final written documentation 12 calendar days prior to the City Council or Redevelopment Agency Meeting.
4. In order to ensure the efficient conduct of City Council/Redevelopment Agency meetings, and to provide opportunities for all interested persons to speak and be heard, the City Council will adhere to the following meeting procedures:

Public Comment Period

- Persons wishing to speak must complete and submit a speaker's card.
- The City Council will listen with respect and an open mind.
- Council responses to speakers will be as follows:
 - 1) Short answers by Council or staff as appropriate; or
 - 2) Item is directed to staff for later action/ follow-up; or
 - 3) Item is placed on a future agenda
- Conversation between the public and staff or the City Council will not be allowed.
- A three-minute time limit per speaker will be enforced when there are numerous speakers addressing a single agenda item.

Process for Addressing Agenda Items Before the City Council

- Mayor reads the agenda item
- Staff presents their report
- Council questions staff
- Public comments are heard
- Council discusses item
- A motion is made
- Final Council discussion
- Council votes or provides direction to staff