

6:30 p.m. - Closed Session
7:00 p.m. - Regular Meeting
Hercules City Council
July 28, 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 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATOR Regarding Assessor Parcel Number 406-522-005. 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. Presentation Of Awards To The 2009 City Of Hercules Photo Contest Winners
2. Presentation Of Proclamation Supporting The 2010 Census
3. Receive Presentation From Dr. Ludwig Bednarz, City Representative To The Contra Costa Transportation Advisory Committee

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

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.

their 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. Authorize The [Cancellation](#) Of The Regular City Council And Redevelopment Agency Meetings Scheduled For August 11, 2009 and August 25, 2009
2. Adopt A [Resolution](#) Of The City Council Of The City Of Hercules, California, Contra Costa County, Supporting The Promotion Of “Buy American” As Part Of The Expenditure Of Federal Stimulus Funding
3. Adopt A [Resolution](#) Authorizing The City Manager To Execute An Amendment To And Existing Agreement With D & H Landscaping For 2009-10 Services To Victoria By The Bay Tract No 8573 For An Amount Not To Exceed \$16,051.00
4. Adopt A [Resolution](#) Authorizing An Additional Expenditure Of An Amount Not To Exceed \$426,644 Payable To Ghilotti Brothers For The BART Replacement Parking Facility Project
5. Adopt A [Resolution](#) Authorizing An Increase In Funding In An Amount Not To Exceed \$25,000 For Additional Unscheduled Landscape Repairs In Various Lighting And Landscape And Irrigation Systems Throughout The City
6. Adopt A [Resolution](#) Authorizing The Submission Of The Measure C Calendar Years (CY) 2006 and 2007, And Growth Management Program Compliance Checklist For Allocation Of Fiscal Year (FY) 2007-08 and 2008-09 Local Street Maintenance And Improvement Funds To The Contra Costa Transportation Authority

7. Authorize The Mayor To [Sign](#) A Letter Of Support To TransForm For The “West Contra Costa Bicycle And Pedestrian Wayfinding Signage Plan” Planning Grant Application For Safe Routes To Transit Funding
8. Adopt A [Resolution](#) Approving The City Of Hercules Statement Of Investment Policy To Be Effective For The 2009-2010 Fiscal Year
9. Adopt A [Resolution](#) Accepting The Completion of The Swim Center Pool, Decking Project No. F08007 And Authorizing The Filing Of The Notice Of Completion With The Contra Costa County Recorder’s Office

X. JOINT CITY COUNCIL/PUBLIC FINANCING AUTHORITY CONSENT CALENDAR

1. **City Council:** Adopt A [Resolution](#) Authorizing The Transfer Of The Venture Commerce Center II (203-295 Linus Pauling Drive, Hercules, California) To The Hercules Public Financing Authority

Public Financing Authority: Adopt A Resolution Accepting The Transfer Of The Venture Commerce Center II (203-295 Linus Pauling Drive, Hercules, California) From The City Of Hercules

XI. UNFINISHED BUSINESS

XII. PUBLIC HEARING

1. Adopt A [Resolution](#) Approving The 2009 Development Impact Fee Study; Affirming The 2001 Development Impact Fee Study For Parks Facilities; Adopting The 2009 Fire Facilities Impact Fee Study For The Rodeo-Hercules Fire Protection District, Establishing New Levels Of Development Impact Fees For General Public Facilities, Police Facilities, Traffic Facilities And Fire Facilities, Establishing A Development Impact Fee For Sewer Facilities

XIII. COMMUNICATIONS

XIV. COUNCIL REPORTS AND RESOLUTIONS

XV. CITY MANAGER REPORTS AND RESOLUTIONS

XVI. PUBLIC COMMUNICATIONS

XVII. INTERGOVERNMENTAL ISSUES

XVIII. ADJOURNMENT

Redevelopment Agency Meeting
City of Hercules
July 28, 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. Authorize The [Cancellation](#) Of The Regular City Council And Redevelopment Agency Meetings Scheduled For August 11, 2009 and August 25, 2009
2. Adopt A [Resolution](#) Authorizing The Executive Director To Execute A Second Amendment To An Existing Agreement With Chiodo Art Development To Provide Additional Professional Services Related To The Design Development Of A Veterans' Tribute For An Amount Not To Exceed \$100,000
3. Adopt A [Resolution](#) Authorizing The Executive Director To Execute An Agreement With Civitas Advisors, Inc. For The Establishment Of A Downtown Property And Business Improvement District For An Amount Not To Exceed \$21,500
4. Adopt A [Resolution](#) Authorizing The Executive Director To Execute An Asset And Property Management Agreement And An Amendment To The Existing Pre-Operation Retail Management Services Agreement With Main Street Property Services For The Sycamore Main Street Project
5. Adopt A [Resolution](#) Authorizing The Executive Director To Execute Amendment No. 2 To An Existing Agreement With Obrestad Landscaping For The Installation Of Ninety-Three (93) New Wooden Mail Box Frames For An Amount Not To Exceed \$76,730.00 And Authorizing The Purchase Of An Additional 284 Mail Boxes For An Amount Not To Exceed \$24,765.75 For A Total Appropriation Not To Exceed \$101,495.75 For The Completion Of Phase V Of The Secure Mail Box Replacement Program
6. Adopt A [Resolution](#) Authorizing The Executive Director To Execute An Agreement With Pacific Biology To Provide Wetland And Habitat Permitting Services For An Amount Not To Exceed \$120,000

7. Adopt A [Resolution](#) Authorizing The Executive Director To Execute An Agreement With Treadwell & Rollo To Provide Services For A Geotechnical Investigation of the Sycamore Crossing Project For An Amount Not To Exceed \$48,600
8. Adopt A [Resolution](#) Authorizing The Executive Director To Execute Amendments To An Agreement With T.Y. Lin International/CCS To Complete Reports And Obtain Approvals From Caltrans For The Relocation Of State Highway Ramps And Authorizing The Expenditure Of \$850,000 Of Redevelopment Funds For Capital Improvements
9. Adopt A [Resolution](#) Authorizing The Executive Director To Execute An Amendment To An Existing Agreement With Woldemar And Associates For an Amount Not to Exceed \$151,900.00 To Provide For Phase Two Of The Palm Center Project
10. Adopt A [Resolution](#) Accepting The Completion of The Swim Center Pool, Decking Project No. F08007 And Authorizing The Filing Of The Notice Of Completion With The Contra Costa County Recorder's Office

V. PUBLIC HEARINGS

VI. EXECUTIVE DIRECTOR REPORTS AND RESOLUTIONS

VII. ADJOURNMENT

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