

6:00 p.m. - Closed Session
7:00 p.m. - Regular Meeting
Hercules City Council
February 23, 2010

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 54956.9(a) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Hercules LLC vs The City of Hercules and Redevelopment Agency of the City of Hercules (Contra Costa Superior Court Case Nos. C07-02881 and N09-0290)
2. Pursuant to Government Code Section 54956.9(b) CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION - Two Cases
3. Pursuant to Government Code Section 54956.9(c) CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION – One Case

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 A Proclamation Commending Jaylene Watson For Her Years Of Service To The Hercules By The Bay Homeowners Association
2. Receive Presentation From Caltrans Representatives Regarding the High Occupancy Vehicle (HOV) Project
3. Receive Presentation Regarding the Intermodal Transit Center/Hercules Bayfront Project

VI. AGENDA ADDITIONS/DELETIONS

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.

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 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 [January 12, 2010](#), [January 26, 2010](#) And [February 9, 2010](#)
2. Adopt A [Proclamation](#) Recognizing Officer Dave Imada For Over Twenty Five Years Of Dedicated And Exceptional Service To The Hercules Police Department And City Of Hercules
3. Adopt A [Proclamation](#) Recognizing Sergeant Mark Stevenson For Over Thirty One Years Of Dedicated And Exceptional Service To The Hercules Police Department And City Of Hercules
4. Adopt A [Resolution](#) Authorizing The City Manager To Create The Classification Of Human Resources Manager (Annual Salary Range \$85,266 To \$108,823) And Authorizing The Advertising, Selection, And Hiring Of A Human Resources Manager

For The Remainder Of FY 09-10 From Account No. 100-4520-601.10-00 For An Amount Not To Exceed \$30,000

5. Adopt A [Resolution](#) Amending City Council Resolution 07-122 and Redevelopment Agency Resolution 07-047, Authorizing The Substitution Of Certain Members Of The Financing Team
6. Adopt 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
7. Adopt A [Resolution](#) Authorizing The Expenditure Of An Amount Not To Exceed \$40,000 For The Rental Of Portable Generators From Peterson Power Systems In Connection With An Upgrade To The Hercules Municipal Utility Distribution System
8. Adopt A [Resolution](#) Authorizing The Appropriation And Expenditure Of An Amount Not To Exceed \$15,000 From The Unappropriated Fund Balance Of The City's General Fund To Provide For The Installation Of One Innovative Classroom In The John Swett Unified School District

X. UNFINISHED BUSINESS

XI. PUBLIC HEARING

1. Adopt [Resolution](#) Accepting \$100,000 in Funding from the State of California COPS (Citizen Option for Public Safety) Program and to appropriate All Existing and Anticipated Program Moneys Exclusively to Provide Frontline Law Enforcement Service.
2. Have/Waive the [First Reading](#) of an Ordinance Amending Title 10 ("Land Use") of the Hercules Municipal Code with the Addition of Chapter 20, "Art In Public Places Program."

XII. COMMUNICATIONS

XIII. COUNCIL REPORTS AND RESOLUTIONS

XIV. CITY MANAGER REPORTS AND RESOLUTIONS

XV. PUBLIC COMMUNICATIONS

XVI. INTERGOVERNMENTAL ISSUES

XVII. ADJOURNMENT

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.

Redevelopment Agency Meeting
City of Hercules
February 23, 2010
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 [January 12, 2010](#), [January 26, 2010](#) And [February 9, 2010](#)
2. Adopt A [Resolution](#) Amending Redevelopment Agency Resolution 07-047 And City Council Resolution 07-122, Authorizing The Substitution Of Certain Members Of The Financing Team
3. Adopt A [Resolution](#) Authorizing The Executive Director To Execute Amendment No. 1 To An Existing Agreement With Cornerstone Structural Engineering Group For The Bayfront Blvd. Bridge Project Increasing the Scope of Work and Compensation For An Amount Not To Exceed \$78,000
4. Adopt A [Resolution](#) Authorizing The Executive Director To Execute Amendment No. 4 To An Existing Agreement With DK Consulting. Increasing The Compensation To Provide Additional Supplemental Civil Engineering And Surveying Services For Sycamore Downtown Street Development Not To Exceed \$10,000
5. Adopt A [Resolution](#) Authorizing The Executive Director To Execute Amendment No. 3 To An Existing Agreement With Solomon ETC Architecture And Urban Design Increasing The Compensation Pursuant To Additional Services Request #8 For The Sycamore Downtown Street Development For An Amount Not To Exceed \$152,351
6. Adopt A [Resolution](#) Authorizing The Executive Director To Execute Amendment No. 1 To An Existing Agreement With Stevenson, Porto And Pierce (SP2) For Continuing Work On The San Pablo Avenue Boardwalk Design Increasing Compensation For An Amount Not To Exceed \$65,670

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