

6:00 p.m. - Closed Session
7:00 p.m. - Regular Meeting
Hercules City Council
July 13, 2010

Council Chambers
City Hall
111 Civic Drive
Hercules, CA 94547

AMENDED 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(b) CONFERENCE WITH LEGAL COUNSEL - SIGNIFICANT EXPOSURE TO LITIGATION - One Case
2. Pursuant to Government Code Section 54956.9(c) CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION - One Case
3. Pursuant to Government Code Section 54957(e) PUBLIC EMPLOYEE PERFORMANCE EVALUATION - City Manager
4. Pursuant to Government Code Section 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATOR Regarding Assessor Parcel Number 404-720-009. The City's/Agency's Negotiators are Nelson Oliva, City Manager/Executive Director and Alfred Cabral, City Attorney/Agency Counsel
5. Pursuant to Government Code Section 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATOR Regarding Assessor Parcel Number 404-040-064. The Agency's Negotiators are Nelson Oliva, Executive Director and Alfred Cabral, Agency Counsel
6. Pursuant to Government Code Section 54956.8 CONFERENCE WITH REAL PROPERTY NEGOTIATOR Regarding Assessor Parcel Number 404-020-076. 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

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.

V. CITY OF HERCULES INTRODUCTIONS/PRESENTATIONS

1. Presentation Of A Proclamation Recognizing Anita Hayward And Her Years Of Service To The Hercules Community
2. Presentation On The Value Engineering Report For The Intermodal Transit Center Project

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 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 Special Meeting Minutes Of [June 7, 2010](#) And Regular Meeting Minutes Of [June 8, 2010](#)
2. Receive And File [Annual Report](#) Of The Affordable Housing Program For Fiscal Year 2009-2010

3. Adopt A [Resolution](#) Approving Amendments To The City Of Hercules Citywide Employee Incentive Program Guidelines
4. Adopt A [Resolution](#) Of The City Council Of The City Of Hercules Approving The Contra Costa Clean Water Program Agreement (2010)
5. Adopt A [Resolution](#) Approving The City Of Hercules Statement Of Investment Policy To Be Effective For The 2010-2011 Fiscal Year
6. Adopt A [Resolution](#) Authorizing The City Manager To Execute An Agreement With Stevenson, Porto & Pierce, Inc. To Provide On-Call/Stand-By Staff Support For The Processing Of Planning-Related Applications For An Amount Not To Exceed \$110,000
7. Adopt A [Resolution](#) Authorizing The City Manager To Execute An Amendment To An Existing Agreement With Urban Logic Consultants, Inc. Increasing The Scope Of Work To Add The Preliminary Engineering And Design For The Wastewater Transmission System And Appropriating An Additional Amount Not To Exceed \$1,162,000 From Bond Proceeds

X. UNFINISHED BUSINESS

XI. PUBLIC HEARING

1. Adopt A [Resolution](#) Establishing The Central Hercules Property And Business Improvement District, Approving The Assessment Formula And Levying Assessments For Fiscal Year 2010-2011
2. Adopt A [Resolution](#) Authorizing The Imposition Of A Lien On The Property Located At 1059 Canterbury, Hercules, California For The Collection Of Nuisance Abatement Costs
3. Adopt A [Resolution](#) Approving The Collection Of The 2009-2010 Fiscal Year Outstanding Garbage Liens On The County Tax Roll For Fiscal Year 2010-2011 And Reconfirming Of The Delinquent Accounts Report Pursuant To The City Of Hercules Municipal Code Section 5-2.01 To 5-2.16, Mandatory Garbage/Solid Waste Disposal
4. Have/Waive The First Reading Of An Ordinance Amending Title 9. Building Regulations, Chapter 6. Housing Code, Sections 9-6.15, 9-6.16 And 9-6.19 Of The Hercules Municipal Code Relative To The Residential Health And Safety And Neighborhood Preservation Program **(Staff will be requesting that this item be continued to the July 27, 2010 meeting.)**

XII. COMMUNICATIONS

XIII. COUNCIL REPORTS AND RESOLUTIONS

1. Conduct Discussion And Designate Voting [Delegates](#) And Alternates For The League Of California Cities Annual Conference To Be Held September 15-17, 2010

XIV. CITY MANAGER REPORTS AND RESOLUTIONS

1. Adopt A [Resolution](#) Of Intention and Have/Waive the First Reading of An Ordinance To Grant Another Designated Period for Two Years Additional Service Credit Between the Board of Administration of the Public Employee's Retirement System and the City Council of the City of Hercules, Under Government Code Section 20903 For Miscellaneous and Confidential Classifications
2. Adopt A [Resolution](#) Of Intention And Have/Waive The First Reading Of An Ordinance To Approve An Amendment To Contract Between Board Of Administration California Public Employees' Retirement System (CalPERS) and the City Council of the City of Hercules Adding Two Years Of Additional Service Credit, Under Government Code Section 20903 For Safety Classifications

XV. PUBLIC COMMUNICATIONS

XVI. INTERGOVERNMENTAL ISSUES

XVII. ADJOURNMENT

Redevelopment Agency Meeting
City of Hercules
July 13, 2010
Immediately Following the Regular
City Council Meeting

Council Chambers
City Hall
111 Civic Drive
Hercules, CA 94547

AMENDED REDEVELOPMENT AGENCY MEETING

I. CALL TO ORDER--ROLL CALL

II. AGENDA ADDITIONS/DELETION

III. PUBLIC COMMUNICATIONS

IV. CONSENT CALENDAR

1. Approve Redevelopment Agency Meeting Minutes of [June 8, 2010](#)
2. Receive And File [Annual Report](#) Of The Affordable Housing Program For Fiscal Year 2009-2010
3. Adopt A [Resolution](#) Approving Amendments To The City Of Hercules Citywide Employee Incentive Program Guidelines
4. Adopt A [Resolution](#) Authorizing The Executive Director To Execute Amendment No. 3 To An Existing Agreement With Engeo Inc. For An Amount Not To Exceed \$128,300 To Provide Additional Geotechnical Engineering Consultation Services Related To The Sycamore Downtown Street Development
5. Adopt A [Resolution](#) Authorizing The Executive Director To Execute An Amendment To The Existing Agreement With HDR Engineering, Inc. For An Amount Not To Exceed \$2,334,225 To Provide Professional Consulting Services For The Hercules Intermodal Transit Center Project For FY 2010-11
6. Adopt A [Resolution](#) Authorizing The Executive Director To Execute An Amendment To An Existing Agreement With HDR Engineering, Inc. For An Amount Not To Exceed \$285,220 To Provide Senior Project Manager Consulting Services For The Intermodal Transit Center Project For FY 2010-11
7. Adopt A [Resolution](#) Accepting The “Value Engineering Report And Recommendations” Prepared By HDR Engineering Inc., Dated April 2, 2010
8. Adopt A [Resolution](#) Authorizing The City Manager To Execute Amendment No. 1 To An Existing Agreement With Ruggeri, Jensen, Azar And Associates Increasing The

Scope of Work And Compensation To Provide Additional Services For The Palm Project For An Amount Not To Exceed \$10,000 In Fiscal Year 2009-2010 And \$2,400 In Fiscal Year 2010-2011

V. PUBLIC HEARINGS

1. Adopt A [Resolution](#) Approving And Authorizing The Execution Of A Lease Agreement With True Blu Logistics For Hercules Redevelopment Agency Owned Property Located At 3001 Franklin Canyon Road, Rodeo, CA **(The staff report and attachments for this item will be distributed prior to the July 13, 2010 meeting.)**

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