



## Regular Meeting of the DUBLIN CITY COUNCIL

**Tuesday, September 15, 2020**

**Location: Electronic Methods**

### **REGULAR MEETING 7:00 PM**

#### **Meeting Procedure During Coronavirus (COVID-19) Outbreak:**

In keeping with the guidelines provided by the State of California and Alameda County Department of Public Health regarding gatherings during the coronavirus (COVID-19) outbreak, and recommendations to follow social distancing procedures, the City of Dublin will adopt the following practices during upcoming City Council meetings:

- The Dublin City Council will hold the meetings remotely via Zoom Video Communications.
  - Per normal practice, the meeting will be livestreamed and available at [www.TV30.org](http://www.TV30.org) for viewing and also broadcast live on Comcast T.V. channel 28 beginning at 7:00 p.m. This meeting will also be available on the City's website: <http://dublinca.iqm2.com/Citizens/default.aspx>
- Online speaker slips will be available at [www.dublin.ca.gov](http://www.dublin.ca.gov), and the public will be able to call in using a computer/or smart phone via a link which will be provided following submission of a speaker slip. A telephonic option will also be available.
- Once connected, the public speaker will be connected to the Zoom webinar as an attendee and muted. The speaker will be able to see the meeting from inside Zoom.
- When the agenda item upon which the individual would like to comment is addressed, the speaker will be announced in the meeting when it is his/her time to speak to the City Council. The speaker will then be unmuted for comment.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ORAL COMMUNICATIONS**

3.1. **Employee Introduction: Pratyush Bhatia STAFF REPORT**

New City of Dublin Staff member, Pratyush Bhatia, Transportation & Operations Manager with Public Works, will be introduced.

**STAFF RECOMMENDATION:**

Welcome the new City of Dublin Staff member.

**3.2. Public Comment**

At this time, the public is permitted to address the City Council on non-agendized items. Please step to the podium and clearly state your name for the record. COMMENTS SHOULD NOT EXCEED THREE (3) MINUTES. In accordance with State Law, no action or discussion may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may request Staff to report back at a future meeting concerning the matter. Any member of the public may contact the City Clerk's Office related to the proper procedure to place an item on a future City Council agenda. The exceptions under which the City Council MAY discuss and/or take action on items not appearing on the agenda are contained in Government Code Section 54954.2(b)(1)(2)(3).

**4. CONSENT CALENDAR**

Consent Calendar items are typically non-controversial in nature and are considered for approval by the City Council with one single action. Members of the audience, Staff or the City Council who would like an item removed from the Consent Calendar for purposes of public input may request the Mayor to remove the item.

**4.1. City Proclamations for the Months of September and October [STAFF REPORT](#)**

The City Council will consider the following proclamations for the months of September and October: Walk and Roll to School, National Fire Prevention Week, National Bullying Prevention Month, National Energy Awareness Month, National Breast Cancer Awareness Month, National Domestic Violence Awareness Month, National Youth Justice Awareness Month, National Disability Employment Awareness Month, National Cybersecurity Awareness Month, National Arts and Humanities Month, Global Diversity Awareness Month, and Manufacturing Day, National Small Business Week

**STAFF RECOMMENDATION:**

Approve the Proclamations.

**4.2. 2020 Development Agreement Annual Review [STAFF REPORT](#)**

The City Council will receive a report on the annual review of active Development Agreements to ensure compliance with the terms and provisions of the Agreements pursuant to the California Government Code, Sections 65864 - 65869.5, and to Chapter 8.56 of the Dublin Municipal Code.

**STAFF RECOMMENDATION:**

Adopt the Resolution Finding that Developers Having Obligations Under Active Development Agreements and Supplemental Agreements as Amended Have Complied in Good Faith with the Terms and Provisions of the Agreements.

**4.3. Acceptance of Office of Traffic Safety Grants for the Selective Traffic Enforcement Program and Traffic Record Improvement Project [STAFF REPORT](#)**

The City Council will consider accepting a traffic safety grant for Dublin Police Services in relation to the City's participation in the Selective Traffic Enforcement Program (STEP) and the Traffic Record Improvement Project (TRIP). The STEP grant program supports best practices and strategies to reduce the number of persons killed and injured in crashes involving alcohol and other primary collision factors. The TRIP grant program supports state and local agencies with the ability to plan and initiate traffic records improvement with the use of electronic citation equipment and software.

**STAFF RECOMMENDATION:**

Adopt the Resolution Confirming City of Dublin Participation in the State of California Office of Traffic Safety Selective Traffic Enforcement Grant and Traffic Records Improvement Project Agreement.

**4.4. Payment Issuance Report and Electronic Funds Transfers [STAFF REPORT](#)**

The City Council will receive a listing of payments issued from August 1, 2020 - August 31, 2020 totaling \$11,018,465.80.

**STAFF RECOMMENDATION:**

Receive the report.

**4.5. Ordinance Amending Chapter 2.24 of the Dublin Municipal Code Pertaining to the City's Conflict of Interest Code [STAFF REPORT](#)**

At the June 2, 2020 meeting, the City Council directed Staff to review the City's Conflict of Interest Code and make a determination by October 1, 2020, if there is a need to amend the Conflict of Interest Code. Staff conducted a thorough review of the Conflict of Interest Code and determined that several positions should be added or deleted. The City Council will consider introducing the Ordinance to update the Conflict of Interest Code.

**STAFF RECOMMENDATION:**

Waive the reading and INTRODUCE an Ordinance Amending Chapter 2.24 of the Dublin Municipal Code Relating to the City's Conflict of Interest Code, and direct Staff to file the 2020 Local Agency Biennial Notice with the Fair Political Practice Commission ("FPPC").

**4.6. Agreement Permitting Re-Allocation of Regional and Local Sewer Capacity with The Hungry Flower, LLC Doing Business as Mimi's Chocolates, Tralee Village, LLC, and Dublin San Ramon Services District [STAFF REPORT](#)**

The City Council will consider approving the re-allocation of sewer capacity rights for The Hungry Flower, LLC doing business as Mimi's Chocolates (applicant), Tralee Village, LLC, and Dublin San Ramon Services District to help offset the cost of sewer fees. The applicant is opening a new confectionary shop and cafe at Tralee Village, located at 6601 Dublin Blvd, Suite N.

**STAFF RECOMMENDATION:**

Approve the **Resolution** Approving an Agreement Permitting Re-Allocation of Regional and Local Sewer Capacity Rights with The Hungry Flower, LLC Doing Business as Mimi's Chocolates (applicant), Tralee Village, LLC, and Dublin San Ramon Services District to Help Offset the Cost of Sewer Fees.

**4.7. Approval of First Amendment to the Dublin Corporate Center Covenants, Conditions, and Restrictions [STAFF REPORT](#) [SB 343](#)**

The City Council will consider approving the First Amendment to the Dublin Corporate Center Declaration of Covenants, Conditions, and Restrictions (Park and Ride - Lot 8 of Koll Dublin Corporate Center). The proposed changes establish a parking space license program for private commuter shuttle companies and employers whose employees now utilize the Park and Ride facility, as well as make minor modifications to the allocation of costs associated with access routes to the facility and the noticing addresses listed.

**STAFF RECOMMENDATION:**

Adopt the **Resolution** Approving the First Amendment to the Dublin Corporate Center Declaration of Covenants, Conditions, and Restrictions (Park and Ride - Lot 8 of Koll Dublin Corporate Center).

**4.8. Proposition 68 Statewide Park Program Round Four Grant Funding [STAFF REPORT](#)**

The City Council will consider an application for the State of California Proposition 68 Statewide Park Program Round Four Grant Funding for the Iron Horse Nature Park and Open Space capital improvement project.

**STAFF RECOMMENDATION:**

Adopt the **Resolution** Approving the Filing of Application for Proposition 68 Statewide Park Development and Community Revitalization Program Round Four Grant Funds.

**4.9. Second Reading of Ordinance Authorizing Administrative Citations for the Municipal Code and Other Enforceable City Regulations and Standards and To Declare Violations of Public Health Orders to Be Unlawful [STAFF REPORT](#)**

The City Council will consider adopting an Ordinance amending the Dublin Municipal Code (DMC) to provide designated enforcement officers with the authority to impose administrative citations for violations of the Municipal Code and certain other enforceable city regulations and standards and to declare Public Health Orders to be unlawful. The first reading of this ordinance was held on the September 1, 2020 Regular City Council Meeting.

At that same meeting, the City Council introduced and adopted an identical Urgency Ordinance for the immediate preservation of the public peace, health, and safety for the period until this Ordinance becomes effective.

**STAFF RECOMMENDATION:**

Waive the reading and adopt the **Ordinance** Authorizing Administrative Citations for Violations of the Municipal Code and Other Enforceable City Regulations and Standards and to Declare Violations of Public Health Orders to be Unlawful.

**4.10. Tract 8484 Tassajara Hills Phase 4 - Final Map Notice [STAFF REPORT](#)**

The City Council will receive a notification of the City Engineer's pending approval of the Final Map for Tract 8484, Tassajara Hills Phase 4.

**STAFF RECOMMENDATION:**

Receive the notification.

**4.11. Purchase of Laserfiche Forms Portal, DocuSign Integration, and Additional Licenses from ECS Imaging, Inc [STAFF REPORT](#)**

The City Council will consider approving the purchase and installation of Laserfiche Forms Portal, DocuSign Integration, and additional licenses to enhance the workflow of internal and external documents used in City business.

**STAFF RECOMMENDATION:**

Adopt the **Resolution** Approving the Purchase of the Laserfiche Forms Portal, DocuSign Integration, and Additional Licenses from ECS Imaging, Inc.; and approve the budget change.

**4.12. Mayor's Recommendation for Appointment to Planning Commission Unscheduled Vacancy [STAFF REPORT](#)**

The City Council will consider the Mayor's recommendation for appointment to fill an unscheduled vacancy on the Planning Commission.

**STAFF RECOMMENDATION:**

Confirm the Mayor's recommendation to appoint Catheryn Grier to the Planning Commission for the remainder of a term ending December 2022; or provide other appropriate direction.

**4.13. Urgency Ordinance Establishing a Temporary Cap on Commission Charges by Third-Party Food Delivery Services on Dublin Restaurants During the COVID-19 Pandemic [STAFF REPORT](#) [SB 343](#)**

The City Council will consider adopting an urgency ordinance establishing a temporary 15% cap on commission fees charged by third-party food delivery companies on local restaurants during the COVID-19 pandemic.

**STAFF RECOMMENDATION:**

Adopt the **Urgency Ordinance** Establishing a Temporary Cap on Commission Charges by Third-Party Food Delivery Services on Dublin Restaurants During the COVID-19 Pandemic.

**4.14. Approval of the August 18, 2020 and the September 1, 2020 Regular City Council Meeting Minutes [STAFF REPORT](#)**

The City Council will consider approval of the minutes of the August 18, 2020 and the September 1, 2020, Regular City Council meetings.

**STAFF RECOMMENDATION:**

Approve the minutes of the August 18, 2020 and the September 1, 2020, Regular City Council meetings.

**5. WRITTEN COMMUNICATION - NONE**

**6. PUBLIC HEARING**

**6.1. Climate Action Plan 2030 and Beyond [STAFF REPORT AND PRESENTATION](#) [ATTACHMENT 5](#) [SB 343](#)**

The City Council will conduct a public hearing on the Initial Study/Negative Declaration for, and consider adoption of, the Climate Action Plan 2030 and Beyond. The Climate Action Plan establishes 22 measures to achieve greenhouse gas emissions reductions equal to 40% below 1990 levels by 2030 and puts the City on the path to achieve carbon neutrality by 2045.

**STAFF RECOMMENDATION:**

Conduct the public hearing, deliberate, and adopt the **Resolution** Adopting an Initial Study/Negative Declaration for the City of Dublin Climate Action Plan 2030 and Beyond and adopt the **Resolution** Adopting the City of Dublin Climate Action Plan 2030 and Beyond.

7. **UNFINISHED BUSINESS - NONE**

8. **NEW BUSINESS**

8.1. **Introduction to Fallon-East Property Planning and Development Framework**

**STAFF REPORT AND PRESENTATION SB 343**

The City Council will receive a report on a proposed Fallon-East Property Planning and Development Framework. The City Council has identified in their Two-Year Strategic Plan the objectives of establishing an economic development zone to prioritize commercial and industrial development east of Fallon Road, and working with area property owners in conjunction with the Dublin Boulevard Extension project on issues such as road and project mitigation, entitlements, as well as supporting infrastructure. This report represents the initial step for this effort.

**STAFF RECOMMENDATION:**

Receive the report and provide initial feedback on the Fallon-East Property Development Framework.

9. **OTHER BUSINESS**

Brief information only reports from City Council and/or Staff, including committee reports and reports by City Council related to meetings attended at City expense (AB1234).

10. **ADJOURNMENT**

This AGENDA is posted in accordance with Government Code Section 54954.2(a)

If requested, pursuant to Government Code Section 54953.2, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation, please contact the City Clerk's Office (925) 833-6650 at least 72 hours in advance of the meeting.

*Mission*

*The City of Dublin promotes and supports a high quality of life, ensures a safe and secure environment, fosters new opportunities, provides equity across all programs, and champions a culture of diversity and inclusion.*