

REGULAR MEETING
Tuesday, November 20, 2018
Council Chamber, 100 Civic Plaza
DUBLIN CITY COUNCIL
A G E N D A

- *Agendas and Staff Reports are posted on the City's Internet Website (www.dublin.ca.gov)*
- *Agendas may be picked up at the City Clerk's Office for no charge, or to request information on being placed on the annual subscription list, please call 833-6650.*
- *A complete packet of information containing Staff Reports and exhibits relate to each item is available of public review at least 72 hours prior to a City Council Meeting or, in the event that it is delivered to City Council members less than 72 hours prior to a City Council Meeting, as soon as it is so delivered. The packet is available in the City Clerk's Office and also at the Dublin Library.*

CLOSED SESSION 6:30 P.M.

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: 1 case

Facts and circumstances: Letter from Stuart Flashman to Mayor and City Council, dated October 18, 2018

REGULAR MEETING 7:00 P.M.

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
2. **REPORT ON CLOSED SESSION**
3. **ORAL COMMUNICATIONS**
 - 3.1. **Recognition of Alameda County Fire Department's 25th Anniversary [STAFF REPORT](#)**

The City Council will recognize the 25th anniversary of the Alameda County Fire Department.

STAFF RECOMMENDATION:
Present the recognition certificate to Fire Chief David Rocha.
 - 3.2. **Recognition of 2018 Inside Dublin Participants [STAFF REPORT](#)**

The City Council will recognize the 2018 Inside Dublin participants.

STAFF RECOMMENDATION:
Recognize the 2018 Inside Dublin participants.
 - 3.3. **Presentation of Banners to 2018 Military Banner Program Participants [STAFF REPORT](#)**

The City Council will present 2018 Military Banner Program participants with their individual banners. The Military Banner Program honors active duty military personnel or military veterans that reside or have immediate family in the City of Dublin.

STAFF RECOMMENDATION:
Present individual banners to Military Banner Program participants (honoree or banner sponsor).
 - 3.4. **Proclamation in Recognition of Small Business Saturday (November 24, 2018) [STAFF REPORT](#)**

The City Council will consider proclaiming November 24, 2018 as Small Business Saturday in the City of Dublin in conjunction with the national Small Business Saturday campaign.

STAFF RECOMMENDATION:
Proclaim November 24, 2018 as Small Business Saturday in Dublin, and present the proclamation to the Dublin Chamber of Commerce on behalf of all local small businesses.

3.5. 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. Approval of the November 8, 2018 Adjourned Regular and Special City Council Meeting Minutes [STAFF REPORT](#)

The City Council will consider approval of the minutes of the November 8, 2018 Adjourned Regular and Special City Council meetings.

STAFF RECOMMENDATION:

Approve the minutes of the November 8, 2018 Adjourned Regular and Special City Council meeting.

4.2. Amendment to Agreements with Cal Engineering and Geology, Jerry Haag, and Coit Cleaning and Restoration Services [STAFF REPORT](#)

The City Council will consider approving amendments to agreements with Cal Engineering and Geology, Jerry Haag, and Coit Cleaning and Restoration Services.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving Amendments to Agreements with Cal Engineering and Geology, Jerry Haag, and Coit Cleaning and Restoration Services.

4.3. Public Safety Complex Art Agreement [STAFF REPORT](#)

The City Council will consider approval of a Public Art Agreement between the City of Dublin and Gordon Huether + Partners, Inc. The artist Gordon Huether is to design, fabricate and install a piece of public artwork at the new Public Safety Complex.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving a Public Art Agreement with Gordon Huether + Partners, Inc. for a Public Art Project at the Dublin Public Safety Complex.

4.4. Amended and Restated Development Agreement Between Dublin Crossing LLC and the City of Dublin (PLPA-2018-00027) [STAFF REPORT](#)

The City Council will consider adoption of the amended and restated Development Agreement between Dublin Crossing LLC and the City of Dublin. The purpose of this amended and restated agreement is to address and update the actual number of units to be constructed and subject to the City's Inclusionary Zoning Program, increase the Community Benefit Payment, and other minor revisions relating to the funding for park maintenance.

STAFF RECOMMENDATION:

Waive the second reading and adopt an **Ordinance** Amended and Restated Development Agreement between the City of Dublin and Dublin Crossing, LLC Related to the Dublin Crossing Project PLPA-2018-00027 (Historical APNs 986-0001-001-15 (Partial), 986-0034-002-00, and 986-0034-006-00).

4.5. Acceptance of Work - CIP Project No. PK0105, Emerald Glen Recreation & Aquatic Complex Audio System [STAFF REPORT](#)

The City Council will consider acceptance of the audio system improvements for the Emerald Glen Recreation and Aquatic Complex, CIP No. PK0105. The project provided installation of an audio system for the building and exterior pool decks.

STAFF RECOMMENDATION:

Adopt the **Resolution** Accepting the Emerald Glen Recreation & Aquatic Complex Audio System (CIP No. PK0105).

4.6. Authorization to Purchase Police Motorcycle and Emergency Equipment Directly from Vendor STAFF REPORT

The City Council will consider approving the purchase of one new marked police motorcycle and associated emergency equipment to accommodate the addition of one sworn staff member to the Dublin Police Services Traffic Unit in Fiscal Year 2018-19. Staff conducted an extensive study to determine which available police motorcycle would best suit the upcoming needs of Dublin Police Services and is recommending the purchase of one 2019 Police Harley-Davidson FLHTP Electra Glide from Livermore Harley-Davidson and emergency equipment.

STAFF RECOMMENDATION:

Adopt the **Resolution** Authorizing Staff to Procure One 2019 Police Harley-Davidson FLHTP Electra Glide from Livermore Harley-Davidson and Emergency Equipment, and approve the budget change.

4.7. Request for Waiver of Bid Requirement as Authorized by Municipal Code and Authorization to Purchase Desktop Computers and Related Equipment from Dell, Inc. STAFF REPORT

The City Council will consider authorizing the purchase of computer equipment from Dell, Inc., as part of the City's annual computer and equipment replacements. Staff desires to purchase a combination of desktop computers, virtual desktop units, servers, computer monitors, and laptops via Dell's agreement with the NASPO ValuePoint Cooperative Purchasing Organization (previously known as the Western State Contracting Alliance), which allows public agencies to use agreements established through a cooperative public bid process. The equipment cost will exceed \$45,000, which requires City Council approval.

STAFF RECOMMENDATION:

Adopt the **Resolution** Authorizing Staff to Procure Computers and Related Equipment from Dell, Inc.

4.8. Contract Instructor Service Agreement STAFF REPORT

The City Council will consider approval of a Contract Instructor Services Agreement for recreational services (tennis instruction). The term of this Agreement shall begin on January 1, 2019 and shall end on December 31, 2020.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving Contract Instructor Services Agreement with Akshay Arora dba Arora Tennis and Fitness for Recreation Services.

4.9. Authorization of Acceptance of Work and Approval of Final Change Order - CIP Project No. ST0911, Dougherty Road Improvements STAFF REPORT

The City Council will consider authorizing the City Manager to accept the Dougherty Road Improvements and to approve the Final Contract Change Order for CIP No. ST0911. The project provided for the widening of Dougherty Road from four lanes to six lanes and installing landscaped median islands between Sierra Lane and the Northern City limits.

STAFF RECOMMENDATION:

Adopt the **Resolution** Authorizing the City Manager to Accept the Dougherty Road Improvements and to Approve the Final Contract Change Order (CIP No. ST0911).

4.10. City Treasurer's Informational Report of Investments for the Quarter Ending September 30, 2018 STAFF REPORT

The City Council will receive an informational report of the City's investments through the quarter ending September 30, 2018 including a monthly transaction ledger. The City's investment portfolio for this period totaled \$254,650,649 (book value) with an average market yield of 2.61%. As required by the Policy, the City Treasurer (Administrative

Services Director) affirms that the City is able to meet its expenditure requirements for the next six months.

STAFF RECOMMENDATION:

Receive the report.

4.11. Amended and Restated Ordinance Levying a Special Tax Within and Relating to CFD 2015-1 [STAFF REPORT](#)

On November 8, 2018, the City Council waived the reading and introduced an amended and restated Ordinance Levying a Special Tax, that clarified the mechanics of the levy within Community Facilities District (CFD) 2015-1 (Dublin Crossing). The City Council is now being asked to waive the second reading and adopt the Ordinance Levying a Special Tax within CFD 2015-1.

STAFF RECOMMENDATION:

Waive the reading and adopt An Amended and Restated **Ordinance** of the City Council of the City of Dublin Levying a Special Tax Within and Relating to the City of Dublin Community Facilities District No. 2015-1 (Dublin Crossing).

4.12. City Manager's Employment Agreement [STAFF REPORT](#)

The City Council will consider the Fourth Amendment to City Manager's Employment Agreement.

STAFF RECOMMENDATION:

Approve and authorize the Mayor to execute the Fourth Amendment to City Manager's Employment Agreement; and adopt the **Resolution** Amending Salary Plan.

4.13. Amended and Restated Legal Services Agreement with Meyers Nave [STAFF REPORT](#)

Meyers Nave has requested that the City Council consider amending its legal services agreement with the City to increase the hourly rate for general legal services, litigation services, and reimbursable third-party services to reflect the 3.85% change in the CPI since the last increase.

STAFF RECOMMENDATION:

Approve the Amended and Restated Agreement for Legal Services and authorize the Mayor to execute the same.

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

The City Council will receive a listing of payments issued from October 1, 2018 - October 31, 2018 totaling \$6,883,551.18.

STAFF RECOMMENDATION:

Receive the report.

4.15. IKEA Retail Center PLPA-2016-00016 [STAFF REPORT](#)

On November 8, 2018, the City Council approved the IKEA Retail Center project (branded as "The Glen at Dublin"). The project is comprised of up to 410,000 square feet of commercial uses, consisting of a 317,000 square foot IKEA store and 93,000 square foot retail center on the 27.45-acre parcel. The land use approvals include certification of a Supplemental Environmental Impact Report, a Site Development Review Permit, and Vesting Tentative Parcel Map 10792. In addition, an ordinance was introduced to approval a Planned Development Rezone with a Stage 1 and Stage 2 Development Plan. The City Council will hold a second reading of an Ordinance amending the Zoning Map and approving a Planned Development Zoning District with a related Stage 1 and Stage 2 Development Plan for the IKEA Retail Center project.

STAFF RECOMMENDATION:

Waive the reading and adopt an **Ordinance** Amending the Zoning Map and Approving a Planned Development Zoning District with a related Stage 1 and Stage 2 Development Plan for the IKEA Retail Center project.

4.16. Appointments to the City Council 2018 Ad-Hoc Audit Review Committee

STAFF REPORT

The City's independent auditor, Badawi and Associates, has commenced the field work necessary to complete the Comprehensive Annual Financial Report for year ending June 30, 2018. The City Council will consider the establishment of an Ad-Hoc Committee, comprised of two City Councilmembers, who will review the audit process and final report with the auditors.

STAFF RECOMMENDATION:

Confirm the Mayor's appointment of Vice Mayor Hernandez and himself as the 2018 Ad-Hoc Audit Review Committee that will serve for a limited time.

5. WRITTEN COMMUNICATION – NONE.

6. PUBLIC HEARING

6.1. AT Dublin Project (PLPA-2017-00061) STAFF REPORT

The City Council will consider the AT Dublin project. The proposed project includes up to 665 residential units comprised of apartments, townhomes and detached small-lot single family homes, and up to 400,500 square feet of retail commercial development, a 2.23-acre public park, and related infrastructure and landscape improvements. The project is located on a 77.3-acre site primarily bounded by Tassajara Road, Interstate 580, Brannigan Street and Gleason Drive. Requested land use approvals include a General Plan and Eastern Dublin Specific Plan Amendment, Planned Development Rezone with a Stage 1 and Stage 2 Development Plan, a Site Development Review Permit, Vesting Tentative Maps, Tentative Parcel Map, street vacation, Development Agreement, and certification of an Environmental Impact Report.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate and take the following actions: **a)** Adopt the **Resolution** Certifying a Final Environmental Impact Report and Adoption of Environmental Findings under CEQA for the AT Dublin project **b)** Adopt the **Resolution** Approving a General Plan and Eastern Dublin Specific Plan Amendment for the AT Dublin Project; **c)** Waive the reading and INTRODUCE an Ordinance Amending the Zoning Map and approving a Planned Development Zoning District with a related Stage 1 and Stage 2 Development Plan; **d)** Adopt the **Resolution** Approving a Site Development Review Permit, Vesting Tentative Maps 8440, 8449, 8450, 8451, 8452 and Tentative Parcel Map 10800 for the AT Dublin project; and, **e)** Waive the reading and INTRODUCE an Ordinance Approving a Development Agreement between the SCS Development Company and the City of Dublin for the AT Dublin project.

7. UNFINISHED BUSINESS – NONE.

8. NEW BUSINESS

8.1. Fiscal Year 2017-18 4th Quarter Financial Review STAFF REPORT

The City Council will receive a financial report on the fourth quarter of Fiscal Year 2017-18 and consider amendments to General Fund reserve designations.

STAFF RECOMMENDATION:

Receive the report and confirm General Fund reserve designations as of June 30, 2018.

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, and fosters new opportunities.