

REGULAR MEETING
Tuesday, August 20, 2019
Council Chamber, 100 Civic Plaza
DUBLIN CITY COUNCIL
A G E N D A

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CLOSED SESSION 6:30 P.M.

- I. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager
- II. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 941-0305-028-00
Agency negotiator: Christopher L. Foss, City Manager
Negotiating parties: ASVRF Dublin Place, LP
Under negotiation: Price and terms of payment

REGULAR MEETING 7:00 P.M.

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**
2. **REPORT ON CLOSED SESSION**
3. **ORAL COMMUNICATIONS**
 - 3.1. **American Muslim Appreciation and Awareness Month - August 2019 [STAFF REPORT](#)**

The City Council will consider proclaiming August 2019 as American Muslim Appreciation and Awareness Month in the City of Dublin to acknowledge and promote awareness of the myriad of invaluable contributions of American Muslims in California and the United States.
STAFF RECOMMENDATION:
Present the proclamation.
 - 3.2. **Report on Dublin Multi-Family Real Estate Market [STAFF REPORT](#)**

The City Council will receive an update on the City's Multi-Family real estate market.
STAFF RECOMMENDATION:
Receive the presentation.
 - 3.3. **Employee Introductions [STAFF REPORT](#)**

New members of City Staff will be introduced: Michael Cass, Principal Planner, Community Development Department; Kristie Wheeler, Assistant Community Development Director, Community Development Department; David Kloss, Permit Technician, Public Works Department; and Lauren Marriott, Special Events Coordinator, Parks & Community Services Department.
STAFF RECOMMENDATION:
Welcome the new City of Dublin Staff members.

3.4. **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 July 16, 2019 Regular City Council Meeting Minutes [STAFF REPORT](#)**

The City Council will consider approval of the minutes of the July 16, 2019 Regular City Council meeting.

STAFF RECOMMENDATION:

Approve the minutes of the July 16, 2019 Regular City Council meeting.

4.2. **State of California Proposition 68 Per Capita Program Grant Funding**

[STAFF REPORT](#)

The City Council will consider Staff's request to apply for the State of California Proposition 68 Per Capita Program Grant Funding.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving the Filing of Application for Prop 68 Per Capita Grant Funds.

4.3. **Batting Cage Facility Policy and Fee Structure [STAFF REPORT](#)**

The City Council will consider the proposed Cricket Batting Cage Facility Policy and Fee Structure.

STAFF RECOMMENDATION:

Approve the proposed Cricket Batting Cage Facility Policy and Fee Structure.

4.4. **Avesta Development LLC Public Art [STAFF REPORT](#)**

The City Council will consider Avesta Development Group LLC's proposal for public art for its new Senior Care Facility, now under construction at 7601 Amador Valley Boulevard.

STAFF RECOMMENDATION:

Approve Avesta Development Group's proposal for public artwork, and adopt the **Resolution** Approving a Public Art Installation and Maintenance Agreement with Avesta Development Group LLC. for Public Art at 7601 Amador Valley Boulevard.

4.5. **Adopt an Ordinance Amending Dublin Municipal Code Section 6.76 (Taxicabs) to Comply with State Laws AB 1069 and AB 939 [STAFF REPORT](#)**

Assembly Bill 1069 (Chapter 753, Statutes of 2017) and Assembly Bill 939 (Chapter 472, Statutes of 2018) amended the state laws regarding local regulation of taxicabs. The changes are intended to create a level playing field with "for-hire" ridesharing companies. Previously, taxicab operators were subject to the local laws of each city in which they operated, requiring licenses and fees for each jurisdiction where they provided services. AB 1069 allows cities to regulate taxicabs only if the taxicab is operated and substantially located within its jurisdiction. AB 1069 also imposes updated requirements for safety, drug and alcohol testing and increased penalties for noncompliance. AB 939 makes technical and clarifying changes to AB 1069. The attached Ordinance conforms the City's taxicab laws to AB 1069 and AB 939, and makes additional revisions to reflect current City practices.

On July 16, 2019, the City council waived the reading and introduced an Ordinance Amending Dublin Municipal Code Section 6.76 regarding Taxicabs.

STAFF RECOMMENDATION:

Waive the reading and adopt an **Ordinance** Amending Dublin Municipal Code Section 6.76 regarding Taxicabs.

4.6. Acceptance of Office of Traffic Safety Grant for the Selective Traffic Enforcement Program STAFF REPORT

The City Council will consider confirming its participation in and accepting a traffic safety grant for Dublin Police Services from the Office of Traffic Safety - Selective Traffic Enforcement Program. This 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.

STAFF RECOMMENDATION:

Adopt the **Resolution** Confirming City of Dublin Participation in the State of California Office of Traffic Safety Selective Traffic Enforcement Grant Agreement.

4.7. Authorize the Purchase of Concession Products from US Foods, Inc. STAFF REPORT

The City Council will consider authorizing the purchase of concession products for The Wave from US Foods, Inc. Staff desires to purchase concession items such as produce, beverages, and meats. US Foods, Inc. was selected because of the Government Premier Pricing Index, which is a multi-government competitive bidding process securing the best possible prices. The goods and products cost will exceed \$45,000, which requires City Council approval.

STAFF RECOMMENDATION:

Adopt the **Resolution** Authorizing Purchase of Concession Products for The Wave from US Foods, Inc.

4.8. City Manager's Employment Agreement STAFF REPORT

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

STAFF RECOMMENDATION:

Approve and authorize the Mayor to execute the Fifth Amendment to City Manager's Employment Agreement and Adopt the Resolution Amending Salary Plan.

4.9. Ordinance Adding Chapter 5.34 to the Dublin Municipal Code to Ban Expanded Polystyrene for Use as Disposable Food Serviceware STAFF REPORT

The City Council will consider introducing an ordinance adding Chapter 5.34 to the Dublin Municipal Code to ban expanded polystyrene for use as disposable food serviceware in the City of Dublin. The Ordinance will also mandate that food vendors and city facility users use only readily recyclable or compostable disposable food serviceware for prepared food.

STAFF RECOMMENDATION:

Waive the reading and INTRODUCE an Ordinance Adding Chapter 5.34 (Disposable Food Serviceware) to Title 5 (Public Welfare) to the Dublin Municipal Code.

4.10. Commercial Façade Improvement Grant Program Agreement for 6999 Dublin Boulevard STAFF REPORT

The City Council will consider approving a Commercial Façade Improvement Grant Program Agreement with Fred N. Delanoy, Trustee (property owner). The property owner has requested participation in the Commercial Façade Improvement Grant Program to assist with the facade improvements to Dublin Plaza commercial center, located at 6999 Dublin Boulevard.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving a Commercial Façade Improvement Grant Program Agreement with Fred N. Delanoy, Trustee for Façade Improvements to Dublin Plaza Commercial Center located at 6999 Dublin Boulevard.

4.11. Award of Contract to Chrisp Company for On-Call Pavement Striping and Marking

[STAFF REPORT](#)

The City Council will consider awarding an On-Call Striping and Marking Contract to Chrisp Company for the installation and replacement of pavement striping and markings throughout the City on an as-needed basis.

STAFF RECOMMENDATION:

Adopt the **Resolution** Awarding a Contract for On-Call Striping and Marking to Chrisp Company.

4.12. Amendment to Legal Services [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.

STAFF RECOMMENDATION:

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

4.13. City Treasurer's Informational Report of Investments for the Quarter Ending June 30, 2019 [STAFF REPORT](#)

The City Council will receive an informational report of the City's investments through the quarter ending June 30, 2019 including a monthly transaction ledger. The City's investment portfolio for this period totaled \$286,533,795 (book value) with an average market yield of 2.13%. 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.

4.14. Appointments to the City Council 2019 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, 2019. 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 recommendation of Councilmembers Josey and Kumagai as the 2019 Ad-Hoc Audit Review Committee.

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

The City Council will receive a listing of payments issued from June 1, 2019 - July 31, 2019 totaling \$17,435,706.36.

STAFF RECOMMENDATION:

Receive the report.

4.16. Sponsorship of the Innovation TriValley Leadership Group's 2040 Vision Plan

[STAFF REPORT](#)

The City Council will consider supporting Innovation TriValley Leadership Group's 2040 Vision Plan in the amount of a \$5,000 sponsorship. The 2040 Vision Plan will convene a cross-sector group of stakeholders to compile a vision plan for the Tri-Valley region centered around four economic drivers: transportation and mobility; land use/housing/transit-oriented development; workforce development; and innovation/entrepreneurship.

STAFF RECOMMENDATION:

Receive the report and approve a sponsorship of the Innovation TriValley Leadership Group's 2040 Vision Plan in the amount of \$5,000.

4.17. Actions Taken During Council Recess, Budget Appropriation, Adopt Resolution Approving the Filing of Application for Specified Grant Funds, and Authorization for Purchase Agreements for Playground Equipment, Safety Surfacing and Pre-Engineered Concession/Restroom Building - Imagine Playground [STAFF REPORT](#)

The City Council will receive a report on the administrative actions taken during the City Council recess between July 17, 2019 and August 19, 2019 of awarding a construction contract for the Imagine Playground at Dublin Sports Grounds project (CIP No. PK018); and will consider approving a budget change and authorizing purchase agreements with Specified Play Equipment Company and Romtec, Inc. for the playground equipment, safety surfacing, and a pre-engineered concession/restroom building at Dublin Sports Grounds Project; and will consider adopting the Resolution approving application for Dublin Sports Grounds all - abilities playground specified grant funds.

STAFF RECOMMENDATION:

Receive the report on administrative actions taken during City Council recess, and adopt the **Resolution** Authorizing the Purchase of Play Equipment and Safety Surfacing from Specified Play Equipment Company and Pre-Engineered Concession/Restroom from Romtec Inc. and approve the budget change for the Imagine Playground at Dublin Sports Grounds (CIP No. PK018); and adopt the **Resolution** Approving the Application for Dublin Sports Grounds All-Abilities Playground Specified Grant Funds.

4.18. Mayor's Recommendation for Appointments to Heritage & Cultural Arts and Human Services Commissions [STAFF REPORT](#)

The City Council will consider the Mayor's recommendations for appointments to fill unscheduled vacancies on the Heritage & Cultural Arts and Human Services Commissions.

STAFF RECOMMENDATION:

Confirm the Mayor's recommendations of Georgan Vonheeder-Leopold and Sawsan Wolski to the Heritage & Cultural Arts Commission; Shweta Agrawal as an alternate to the Heritage & Cultural Arts Commission; Michael McCorriston as an alternate to the Human Services Commission; or provide other appropriate direction.

5. WRITTEN COMMUNICATION - NONE.

6. PUBLIC HEARING

6.1. Dublin Boulevard – North Canyons Parkway Extension Project [STAFF REPORT](#)

The City Council will consider approving a General Plan Amendment, Eastern Dublin Specific Plan Amendment, certifying of the Final Environmental Impact Report, and establishing a Precise Alignment of Dublin Boulevard Right-Of-Way Lines. The City of Dublin, in cooperation with the California Department of Transportation, the City of Livermore, the Alameda County Transportation Commission, and Alameda County, proposes to extend Dublin Boulevard approximately 1.5 miles eastward through Dublin and unincorporated Alameda County, and connect to North Canyons Parkway in Livermore (Project), from its current terminus at Fallon Road. This roadway extension would provide four to six travel lanes and bicycle and pedestrian facilities.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate and take the following actions: 1) Adopt the **Resolution** Certifying a Final Environmental Impact Report and Adoption of Environmental Findings under CEQA for the Dublin Boulevard - North Canyons Parkway Extension Project; 2) Adopt the **Resolution** Amending the General Plan and the Eastern Dublin Specific Plan related to the Dublin Boulevard - North Canyons Parkway Extension Project; and, 3) Waive the reading and INTRODUCE the Ordinance To Establish Right-Of-Way Lines for Dublin Boulevard between Fallon Road and the Eastern City Limit.

7. **UNFINISHED BUSINESS** – NONE.

8. **NEW BUSINESS**

8.1. **Discussion on the City of Dublin's Sister City Activities** **STAFF REPORT**

The City Council will consider providing a one-time contribution to the Dublin Sister City Association in support of the Green & White Gala event in 2020, consider the Mayor traveling to Ireland at the invitation of the Wicklow County Council, and receive a report on the City's participation in Sister Cities International.

STAFF RECOMMENDATION:

1) Receive a brief presentation from the Dublin Sister City Association ("DSCA" or "Association"); 2) Discuss and consider a one-time only contribution to DSCA of \$5,000 towards the Green & White Gala in March, 2020; 3) Discuss and consider the Mayor traveling to Bray, Ireland in 2019 to participate in a planning meeting to discuss a visit by a City of Dublin delegation to Bray, Ireland in 2020; and, 4) Receive a report on the City's participation in Sister Cities International.

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)

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Mission

The City of Dublin promotes and supports a high quality of life, ensures a safe and secure environment, and fosters new opportunities.