

REGULAR MEETING
Tuesday, November 15, 2016
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)*
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- *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.

I. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Space on city-owned light pole on the west side of 6900 block of Regional Street
Agency Negotiator: Chris Foss, City Manager
Negotiating parties: Mobilite, LLC
Under negotiation: Price and terms of payment

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. REPORT ON CLOSED SESSION

3. ORAL COMMUNICATIONS

3.1. Recognition of 2016 Inside Dublin Participants. STAFF REPORT

The City Council will recognize the 2016 Inside Dublin participants.

STAFF RECOMMENDATION:

Recognize the 2016 Inside Dublin participants.

3.2. Community Spotlight: Certificate of Recognition for CityServe of the Tri-Valley STAFF REPORT

The City Council will present a "Community Spotlight" certificate of recognition to CityServe of the Tri-Valley, in recognition of their continued contributions to the Dublin community.

STAFF RECOMMENDATION:

Present the certificate of recognition.

3.3. Valley Children's Museum Project Presentation STAFF REPORT

The City Council will receive a presentation by the Valley Children's Museum regarding the level of readiness and development time lines for the proposed Museum planned on the Dublin Crossing Community Park property.

STAFF RECOMMENDATION:

Receive the report and provide appropriate direction.

3.4. Employee Introductions: Laurie Sugang STAFF REPORT

New member of City Staff will be introduced: Laurie Sugang, Senior Civil Engineer, Public Works Department.

STAFF RECOMMENDATION:

Welcome the new City of Dublin Staff member.

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. Minutes of the November 1, 2016 Regular City Council Meeting [STAFF REPORT](#)

The City Council will consider approval of the minutes of the November 1, 2016 Regular City Council meeting.

STAFF RECOMMENDATION:

Approve the minutes of the November 1, 2016 Regular City Council meeting.

4.2. Second Reading of Ordinance Amending the Dublin Municipal Code regarding City Councilmembers' Salaries [STAFF REPORT](#)

The City Council will consider adopting an ordinance revising the Dublin Municipal Code to provide for a salary adjustment for City Councilmembers following certification of the November 2016 General Municipal election. The first reading of this ordinance was held at the November 1, 2016 Regular City Council meeting.

STAFF RECOMMENDATION:

Waive the reading and adopt the Ordinance Amending Dublin Municipal Code Section 2.08.020 and Providing for an Increase in the Salary for Members of the City Council.

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

The City Council will receive a listing of payments issued from October 1, 2016 – October 31, 2016 totaling \$11,699,575.84.

STAFF RECOMMENDATION:

Receive the report.

4.4. City Treasurer's Informational Report of Investments for the Quarter Ending September 30, 2016 [STAFF REPORT](#)

The City of Dublin's Investment Policy calls for a semi-annual report of investments. This report is for the quarter ending September 30, 2016, and includes a monthly transaction ledger. The City's investment portfolio for this period totaled \$206,835,691(book value) with an average market yield of 0.93%. All investment transactions continue to comply with the City's Investment Policy and the California Government Code. 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.

4.5. PLPA 2014-00034 Sierra Business Center Rezone [STAFF REPORT](#)

The City Council will consider the adoption of an Ordinance rezoning the Sierra Business Center from the M-1 (Light Industrial) Zoning District to the M-P (Industrial Park) Zoning District.

STAFF RECOMMENDATION:

Waive the reading and adopt an Ordinance Approving a Rezoning from the M-1 Zoning District to the M-P Zoning District for the Sierra Business Center.

4.6. Authorization to Bid for the Public Safety Complex - Police Services Building, CIP Project GI0116 [STAFF REPORT](#)

The Capital Improvement Program (CIP) includes funding to design and construct a Police Services Building at the Public Safety Complex. The project scope includes the demolition of two existing buildings, renovation of two buildings, and associated site improvements to accommodate current and future Dublin Police Services office space needs. Staff is requesting City Council authorization to bid the Public Safety Complex – Police Services Building, CIP No. GI0116.

STAFF RECOMMENDATION:

Authorize Staff to advertise the Public Safety Complex - Police Services Building, CIP Project No. GI0116 for bids, including a bid alternate for Zero Net Energy, Photovoltaic Power Generation.

4.7. Approval of a New Agreement with MCE Corporation [STAFF REPORT](#)

The City of Dublin has contracted with MCE Corporation for various maintenance services since 1984. The City Council will consider approving a new five-year agreement.

STAFF RECOMMENDATION:

Authorize the procurement as an exception to the requirement for competitive bidding; and adopt the **Resolution** Approving Agreement with MCE Corporation, Inc. for Maintenance Services.

4.8. Dublin Camp Parks Military History Center Memorandum of Understanding [STAFF REPORT](#)

The City Council will consider approving a Memorandum of Understanding (MOU) between the City of Dublin and Parks Reserve Forces Training Area for operation of the Dublin Camp Parks Military History Center.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving a Memorandum of Understanding Between the City of Dublin and Parks Reserve Forces Training Area Regarding Joint Operations of a History Center.

4.9. Support for Bay Area Rapid Transit District (BART) and Altamont Corridor Express (ACE) Rail Connection in the Tri-Valley [STAFF REPORT](#)

The City Council will consider a resolution in support of a rail connection between the Bay Area Rapid Transit (BART) and the Altamont Corridor Express (ACE) rail systems in the Tri-Valley to increase ridership and reduce traffic congestion between the San Joaquin Valley and the Bay Area.

STAFF RECOMMENDATION:

Adopt the **Resolution** Supporting a Rail Connection between the Bay Area Rapid Transit and Altamont Corridor Express Rail Systems in the Tri-Valley.

4.10. Dublin Chamber of Commerce Annual Partnership [STAFF REPORT](#)

The City Council will consider an annual partnership with the Dublin Chamber of Commerce, with the goal of enhancing communications and events that benefit the Dublin business community.

STAFF RECOMMENDATION:

Authorize the expenditure for an annual partnership with the Dublin Chamber of Commerce.

4.11. Update on Efforts to Improve Professional Services Contracting Practices [STAFF REPORT](#)

The City Council will receive an informational report on Staff's efforts to improve the City's contracting practices for professional services. Earlier this year, the City Manager issued six Administrative Actions aimed at increasing contracting transparency. The City Manager also requested an independent review of the Administrative Actions to determine if they are sufficient or if additional steps should be taken to meet with best practices of other municipal organizations that rely heavily on contracting services for their ongoing operations.

STAFF RECOMMENDATION:

Receive the report.

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

At the September 6, 2016 meeting, City staff, as part of the biennial review required by state law, informed the Council that amendments to the City's Conflict of Interest Code are necessary to accurately reflect all of the designated positions within the City that are required by state law to disclose financial interests and to include appropriate disclosure categories for each of the designated positions. Staff has conducted a thorough review of the Conflict of Interest Code and determined that a number of revisions should be made. Staff proposes an amended Conflict of Interest Code adopting the Fair Political Practice Commission's model Conflict of Interest Code by reference; adding and removing a number of positions from the list of designated positions; and revising some disclosure categories for the listed positions.

STAFF RECOMMENDATION:

Waive the reading and INTRODUCE an Ordinance Amending Chapter 2.24 of the Dublin Municipal Code, regarding the City's Conflict of Interest Code.

4.13. Approval of a New Capital Improvement Program (CIP) Project - IT Infrastructure Improvements [STAFF REPORT](#)

The City Council will consider approval of a new Capital Improvement Program (CIP) project for the implementation of various Information Technology (IT) infrastructure improvements and upgrades.

STAFF RECOMMENDATION:

Approve the addition of the IT Infrastructure Improvements Project (CIP No. GI0117) to the Five-Year Capital Improvement Program; and approve the budget change.

4.14. Community Benefit Agreement with Avesta Development Group [STAFF REPORT](#)

The City Council will consider approval of a Community Benefit Agreement with Avesta Development Group for the development of a senior care facility in Downtown Dublin, consisting of 35 senior apartments, 13 high-acuity assisted living units, 32 memory care units and related supporting space. A Community Benefit Agreement is required in order to allocate units and/or additional square footage from the Downtown Dublin Specific Plan's Development Pool. All entitlements relating to the approval of the project were approved by the Planning Commission on March 22, 2016.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving the Community Benefit Agreement between the City of Dublin and Avesta Development Group.

4.15. Summary Vacation of an Unused Public Utility Easement Located at 7601 Amador Valley Boulevard (Avesta Development Group, LLC) [STAFF REPORT](#)

Avesta Development Group, LLC is requesting a Summary Vacation of a 10-foot wide Public Utility Easement (PUE) crossing the parcel located at 7601 Amador Valley Boulevard. No utilities are currently located within the PUE. The PUE has also not been occupied by any public service facility for at least the past five consecutive years.

STAFF RECOMMENDATION:

Adopt a **Resolution** Summarily Vacating an Unused 10-Foot Wide Public Utility Easement Located at 7601 Amador Valley Boulevard.

5. WRITTEN COMMUNICATION - NONE.

6. PUBLIC HEARING

6.1. Updates to the City's Construction and Fire Codes in Accordance with Requirements of State Law [STAFF REPORT](#)

The 2016 Edition of the California Building Standards Code (the "CBSC"), was approved by the California Building Standards Commission earlier this year and will go into effect on January 1, 2017. In order to ensure the continuity of the building standards for the City of

Dublin, the City Council must adopt an Ordinance incorporating the new codes. The City Council is being asked to review and adopt an Ordinance repealing the 2013 CBCS and adopting the 2016 CBCS. In connection with this action, the City Council is also being asked to adopt a Resolution approving findings relating to the local (City of Dublin) amendments to the California Building Code Standards.

STAFF RECOMMENDATION:

Conduct the public hearing; deliberate; and 1) waive the Second Reading and adopt an **Ordinance** Repealing and Adopting Chapters 5.08 (Fire Code), 7.32 (Building Code), 7.34 (Residential Code), 7.36 (Electrical Code), 7.40 (Plumbing Code), Chapter 7.44 (Mechanical Code), and 7.94 (Green Building Code), and amending Chapter 7.28 (Building Regulation Administration Code) of the Dublin Municipal Code, in Order to Adopt By Reference and Amend Provisions of the 2016 Edition of the California Building Standards Code, Title 24, California Code of Regulations; and 2) adopt the **Resolution** Approving Findings Regarding the Need for Amendments to Provisions in the California Building Standards Code as Adopted by the State of California, in the California Code of Regulations, Title 24, to Be Adopted By Reference in the Dublin Municipal Code.

7. UNFINISHED BUSINESS

7.1. Consideration of Community Choice Aggregation for the City of Dublin and Authorization to Form the East Bay Community Energy Authority, a Joint Powers Authority, and City of Dublin Membership in the Authority. [STAFF REPORT](#)

At the November 1, 2016 meeting, the City Council received a report from Alameda County staff and consultants on the technical findings for the Community Choice Aggregation (CCA) Program and received an update on the status of the East Bay Community Energy Authority Joint Powers Agreement. CCA would provide an alternative to PG&E supplied electric power within City of Dublin, as well as the other cities in Alameda County. The City Council will consider joining the CCA, approving of the East Bay Community Choice Energy Joint Powers Agreement (“JPA”) and introducing the related Ordinance.

STAFF RECOMMENDATION:

Approve the East Bay Community Energy Authority Joint Powers Agreement in order to participate in a CCA JPA for East Bay municipalities, adopt the **Resolution** Approving an Agreement to Participate In a Joint Powers Agency for Community Choice Aggregation Program in Alameda County, and INTRODUCE an Uncodified Ordinance Authorizing the Implementation of a Community Choice Aggregation Program.

8. NEW BUSINESS

8.1. Consideration of Appointments to 2016 Citizens/Organization of the Year Ad-Hoc Committee [STAFF REPORT](#)

Each year, the City of Dublin recognizes a citizen, young citizen and organization of the year at its Volunteer Recognition Event. As part of the process, an Ad-Hoc Committee comprised of two Dublin City Councilmembers is needed to perform duties including arranging for impartial judging and selection of winners. The City Council will consider appointment of two City Councilmembers to the Ad-Hoc Committee.

STAFF RECOMMENDATION:

Appoint Vice Mayor Gupta and Councilmember Biddle to the 2016 Citizens/Organization of the Year Ad-Hoc Committee.

8.2. Dublin Crossing Community Park Master Plan [STAFF REPORT](#)

The City Council will consider approval of the Dublin Crossing Community Park Master Plan for the 30-acre park site within the Dublin Crossing Specific Plan area. The Master Plan has been developed following an extensive community engagement process.

STAFF RECOMMENDATION:

Approve the Dublin Crossing Community Park Master Plan.

8.3. City Operations of the Dublin Swim Center STAFF REPORT

The City Council will consider the ceasing of City operations of the Dublin Swim Center by the end of this calendar year. The decision would require a subsequent amendment to the Agreement between City of Dublin and Dublin Unified School District Regarding Use of Facilities.

STAFF RECOMMENDATION:

Authorize the ceasing of City operations at the Dublin Swim Center at Dublin High School, effective December 31, 2016 and direct Staff to amend the Agreement with Dublin Unified School District.

9. OTHER BUSINESS

Brief INFORMATION ONLY reports from Council and/or Staff, including Committee Reports and Reports by 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.

Vision

Dublin is a vibrant city committed to its citizens, natural resources and cultural heritage. As Dublin grows, it will balance history with progress, to sustain an enlightened, economically balanced and diverse community.

Dublin is unified in its belief that an engaged and informed community encourages innovation in all aspects of City life, including programs to strengthen our economic vitality, and preserve our natural surroundings through environmental stewardship and sustainability. Dublin is dedicated to promoting an active and healthy lifestyle through the creation of first-class recreational opportunities, facilities and programs.