

COUNCILMEMBERS
Melissa Hernandez, Mayor
Jean Josey, Vice Mayor
Shawn Kumagai, Councilmember
Dr. Sherry Hu, Councilmember
Michael McCorriston, Councilmember



City Council Chamber
Dublin Civic Center
100 Civic Plaza
Dublin, CA 94568
www.dublin.ca.gov

Regular Meeting of the **DUBLIN CITY COUNCIL**

Tuesday, November 15, 2022

**Location: City Council Chamber
100 Civic Plaza
Dublin, CA 94568**

CLOSED SESSION 6:30 PM
REGULAR MEETING 7:00 PM

Pursuant to AB 361, the City is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public, without making available any physical location for the public.

Additional Meeting Procedures Available During the COVID-19 Pandemic

This City Council meeting will be broadcast live on Comcast T.V. channel 28 beginning at 7:00 p.m. This meeting will also be livestreamed at www.tv30.org and on the City's website at: <https://dublin.ca.gov/ccmeetings>

Members of the public who wish to participate in the meeting electronically have the option of giving public comment via Zoom, subject to the following procedures:

- Fill out an online speaker slip available at www.dublin.ca.gov. The speaker slip will be made available at 10:00 a.m. on Tuesday, November 15, 2022. Upon submission, you will receive Zoom link information from the City Clerk. Speakers slips will be accepted until the public comment period ends, or until the public comment period on non-agenda items is closed.
- Once connected to the Zoom platform using the Zoom link information from the City Clerk, the public speaker will be added to the Zoom webinar as an attendee and muted. The speaker will be able to observe the meeting from the Zoom platform.
- When the agenda item upon which the individual would like to comment is addressed, the City Clerk will announce the speaker in the meeting when it is their time to give public comment. The speaker will then be unmuted to give public comment via Zoom.

CLOSED SESSION 6:30 PM

I. 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.

REGULAR MEETING 7:00 PM

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. REPORT ON CLOSED SESSION

3. ORAL COMMUNICATIONS

3.1 Recognition of 2022 Inside Dublin Participants

The City Council will recognize the 2022 Inside Dublin participants.

STAFF RECOMMENDATION:

Recognize the 2022 Inside Dublin Participants

[Staff Report](#)

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 Approval of the November 1, 2022 Regular City Council Meeting Minutes

The City Council will consider approval of the minutes of the November 1, 2022 Regular City Council Meeting.

STAFF RECOMMENDATION:

Approve the minutes of the November 1, 2022 Regular City Council Meeting.

[Staff Report](#)

[Attachment 1 - November 1, 2022 Regular City Council Meeting Minutes](#)

4.2 Approving Contract Payments to World Cup Soccer Camps & Clinics in Excess of \$45,000

The City Council will consider approving contract payments to World Cup Soccer Camps & Clinics in excess of \$45,000.

STAFF RECOMMENDATION:

Adopt the Resolution Approving Contract Payments to World Cup Soccer Camps & Clinics in Excess of \$45,000.

[Staff Report](#)

[Attachment 1 - Resolution Approving Contract Payments to World Cup Soccer Camps & Clinics in Excess of \\$45,000](#)

[Attachment 2 - Exhibit A to the Resolution - Agreement for Contract Instructor Services with World Cup Soccer Camps & Clinics](#)

4.3 Authorization to Purchase Two Marked Police Vehicles

The City Council will consider authorizing the purchase of two replacement vehicles for Police Services from Dublin Chevrolet using pricing through the current Alameda County General Services Agency contract for vehicle purchases.

STAFF RECOMMENDATION:

Adopt the Resolution Authorizing the Purchase of Two Marked Police Vehicles From Dublin Chevrolet and Declaring Replaced Vehicles as Surplus Property.

[Staff Report](#)

[Attachment 1 - Resolution Authorizing the Purchase of Two Marked Police Vehicles From Dublin Chevrolet and Declaring Replaced Vehicles as Surplus Property](#)

[Attachment 2 - Dublin Chevrolet Quote for two 2023 Chevrolet Tahoe Patrol Vehicles](#)

[Attachment 3 - Alameda County General Services Agency Contract for Vehicle Purchasing](#)

4.4 Authorizing Remote Meetings of City Council and City Commissions Due to Increase in COVID-19 Cases

From March 2020 through September 2021, the City conducted meetings of its legislative bodies remotely pursuant to various executive orders that suspended certain Brown Act provisions. In October 2021, the City returned to in-person meetings and the Brown Act was amended to allow for teleconferencing during a state of emergency. Under the new law, AB 361, the City can continue to conduct virtual meetings where the Governor has proclaimed a State of Emergency, or state or local health officials have imposed or recommended social distancing, if the City Council makes certain required findings. From January 11 – February 10, 2022, and since May 3, 2022, the City Council has operated under a resolution pursuant to AB 361 authorizing teleconferenced meetings for at least 30 days. The City Council will consider adopting a resolution that would allow for virtual attendance for the next 30 days.

STAFF RECOMMENDATION:

Adopt the Resolution Finding That There is a Proclaimed State of Emergency; Finding That Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees as a Result of the State of Emergency; and Authorizing Remote Teleconferenced Meetings of the Legislative Bodies of the City of Dublin Pursuant to AB 361.

[Staff Report](#)

[Attachment 1 - Resolution Finding That There is a Proclaimed State of Emergency; Finding That Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees as a Result of the State of Emergency](#)

4.5 Payment Issuance Report and Electronic Funds Transfers

The City Council will receive a listing of payments issued from October 1, 2022 - October 31, 2022 totaling \$7,745,223.20.

STAFF RECOMMENDATION:

Receive the report.

[Staff Report](#)

[Attachment 1 - Payment Issuance Report for October 2022](#)

4.6 City Treasurer's Informational Report of Investments for the Quarter Ending September 30, 2022

The City Council will receive an informational report of the City's investments through the quarter ending September 30, 2022 including a monthly transaction ledger. The City's investment portfolio for this period totaled \$363,439,614 (market value) with an average market yield of 3.66%. 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 City Treasurer's Informational Report of Investments for the Quarter Ending September 30, 2022.

[Staff Report](#)

[Attachment 1 - City of Dublin Investment Report for Period Ending September 30, 2022](#)

[Attachment 2 - Transaction Ledger - July through September 2022](#)

4.7 Acceptance of Work – Project No. PK0215, Dublin Heritage Park Cemetery Improvements Project

The City Council will consider the acceptance of the Dublin Heritage Park Cemetery Improvements. The project improved the courtyard, pathways, landscape, irrigation, parking lot, street frontage, lighting, memorial program elements, site furniture, and upgraded IT infrastructure.

STAFF RECOMMENDATION:

Adopt the Resolution Accepting the Dublin Heritage Park Cemetery Improvements Project, CIP No. PK0215.

[Staff Report](#)

[Attachment 1 - Resolution Accepting the Dublin Heritage Park Cemetery Improvements, CIP No. PK0215](#)

4.8 Establishing Rules for the Selection of Vice Mayor

The City Council will consider amending the rules for the selection of the Vice Mayor to reflect the change to using Rosenberg's Rules of Order.

STAFF RECOMMENDATION:

Approve the Resolution Establishing Rules for the Selection of Vice Mayor and Repealing Resolution No. 120-20.

[Staff Report](#)

[Attachment 1 - Resolution Establishing Rules for the Selection of Vice Mayor and Repealing Resolution No. 120-20](#)
[Attachment 2 - Resolution No. 120-20](#)

5. WRITTEN COMMUNICATION – None.

6. PUBLIC HEARING

6.1 2023 – 2031 Housing Element and Related Amendments to the General Plan, Eastern Dublin Specific Plan and Downtown Dublin Specific Plan, and Planned Development Zoning for Dublin Transit Center Sites D-2 and E-2 and Hacienda Crossings Shopping Center (PLPA-2022-00036)

The City Council will consider the proposed 2023 – 2031 Housing Element and related amendments to implement the Housing Element. This includes amendments to the General Plan, Eastern Dublin Specific Plan, and Downtown Dublin Specific Plan, and amendments to the Planned Development Zoning for Sites D-2 and E-2 at the Dublin Transit Center and Hacienda Crossings shopping center. Additionally, the City Council will consider an Initial Study/Negative Declaration.

STAFF RECOMMENDATION:

Conduct a public hearing, deliberate, and: 1) adopt the Resolution Adopting an Initial Study/Negative Declaration; Approving the 2023 – 2031 Housing Element, Associated Amendments to the General Plan, Including the Land Use Element and Land Use Map, and Seismic Safety and Safety Element, and Associated Amendments to the Eastern Dublin Specific Plan; and Authorizing Staff to submit the Housing Element to the California Department of Housing and Community Development for Certification; 2) adopt the Resolution Amending the Downtown Dublin Specific Plan to Specify Residential Units on Three Housing Element Sites are Allowed by Right and Not Subject to the Development Pool or Community Benefit Program; 3) waive the reading and INTRODUCE the Ordinance Approving Amendments to the Planned Development Zoning Stage 1 Development Plan and Approving a Stage 2 Development Plan for Sites D-2 and E-2 of the Dublin Transit Center; and 4) waive the reading and INTRODUCE the Ordinance Approving Amendments to the Planned Development Zoning Stage 1 Development Plan and Approving a Stage 2 Development Plan for the Hacienda Crossings Shopping Center.

Staff Report

[Attachment 1 - Resolution Approving an Initial Study/Negative Declaration, and Approving the 2023-2031 Housing Element, Associated Amendments to the General Plan, and Associated Amendments to the Eastern Dublin Specific Plan](#)

[Attachment 2 - Exhibit 1 to the Resolution - 2023-2031 Housing Element](#)

[Attachment 3 - Exhibit 2 to the Resolution- Seismic Safety and Safety Element Amendments](#)

[Attachment 4 - Resolution Amending the Downtown Dublin Specific Plan](#)

[Attachment 5 - Ordinance Approving a Planned Development Rezone with an Amended Stage 1 Development Plan and Approving a Stage 2 Development Plan for Sites D-2 and E-2 of the Dublin Transit Center](#)

[Attachment 6 - Ordinance Approving a Planned Development Rezone with an Amended Stage 1 Development Plan and Approving a Stage 2 Development Plan for the Hacienda Crossings Shopping Center](#)

[Attachment 7 - Environmental Justice Memo](#)

[Attachment 8 - HCD's Comments](#)

[Attachment 9 - Initial Study/Negative Declaration](#)

[Attachment 10 - Planning Commission Resolution No. 22-14 \(without exhibits\)](#)

[Attachment 11 - Public Comments](#)

[Item 6.1 PowerPoint](#)

[Item 6.1 - SB 343.pdf](#)

6.2 SCS Dublin (PLPA-2022-00005)

The City Council will consider the SCS Dublin project which includes development of up to 650 residential units and up to 265,000 square feet of retail commercial development on a 76.9-acre parcel. The SCS Dublin project is the first step in implementing the Preferred Vision for the SCS Property approved by the City Council on February 15, 2022. Requested approvals include General Plan and Eastern Dublin Specific Plan Amendments, a Planned Development Rezone with Stage 1 and Stage 2 Development Plans, and a Development Agreement. The City Council will also consider certification of a Final Environmental Impact Report.

STAFF RECOMMENDATION:

Conduct a public hearing, deliberate, and take the following actions: 1) adopt the **Resolution** Certifying an Environmental Impact Report and Adopting Environmental Impact Findings, Findings Regarding Alternatives, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the SCS Dublin Project; 2) adopt the **Resolution** Amending the General Plan and Eastern Dublin Specific Plan Related to the SCS Dublin Project; 3) waive the reading and INTRODUCE the Ordinance Amending the Zoning Map and Approving a Planned Development Zoning District with Stage 1 and Stage 2 Development Plans For the SCS Dublin Project; and 4) waive the reading and INTRODUCE the Ordinance Approving a Development Agreement Between the City of Dublin and SCS Development Company Related to the SCS Dublin Project.

Staff Report

[Attachment 1 - Certifying an Environmental Impact Report and Adopting Environmental Impact Findings, Findings Regarding Alternatives, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the SCS Dublin Project](#)

[Attachment 2 - Exhibit A to the Resolution - Draft Environmental Impact Report](#)

[Attachment 3 - Exhibit B to the Resolution - Final Environmental Impact Report](#)

[Attachment 4 - Exhibit C to the Resolution - Findings Concerning Significant Impacts and Mitigation Measures](#)

[Attachment 5 - Exhibit D to the Resolution - Findings Concerning Infeasibility of Alternatives and Potential Additional Mitigation Measures](#)

[Attachment 6 - Exhibit E to the Resolution - Statement of Overriding Considerations](#)

[Attachment 7 - Exhibit F to the Resolution - Mitigation Monitoring and Reporting Program](#)

[Attachment 8 - Resolution Amending the General Plan and Eastern Dublin Specific Plan Related to the SCS Dublin Project](#)

[Attachment 9 - Ordinance Amending the Zoning Map and Approving a Planned Development Zoning District with Stage 1 and Stage 2 Development Plans For the SCS Dublin Project](#)

[Attachment 10 - Ordinance Approving a Development Agreement Between the City of Dublin and SCS Development Company Related to the SCS Dublin Project](#)
[Attachment 11 - Exhibit A to the Ordinance - Development Agreement](#)
[Attachment 12 - Fiscal Analysis](#)
[Attachment 13 - Local Transportation Analysis](#)
[Attachment 14 - Planning Commission Resolution No 22-13](#)
[Item 6.2 PowerPoint](#)
[Item 6.2 - SB 343.pdf](#)

6.3 Updates to the City's Construction and Fire Codes in Accordance with Requirements of State Law

The City Council will consider adopting an Ordinance repealing the 2019 California Building Standards Code and adopting the 2022 California Building Code. In connection with this action, the City Council will be asked to approve findings relating to the City's local amendments to the California Building Standards Code. The 2022 Edition of the California Building Standards Code was approved by the California Building Standards Commission earlier this year and will go into effect on January 1, 2023. The City must adopt an Ordinance incorporating the updated provisions to ensure accuracy and alignment with state law. On November 1, 2022, the City Council waived the first reading and introduced the ordinance and the City Council is now being asked to adopt the Ordinance.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate and: 1) Adopt the **Resolution** Approving Findings Regarding the Need for Local 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; and 2) Waive the second reading and adopt the **Ordinance** Repealing and Replacing Chapters 5.08 (Fire Code), 7.28 (Building Regulation Administration Code), 7.32 (Building Code), 7.34 (Residential Code), 7.36 (Electrical Code), 7.40 (Plumbing Code), 7.44 (Mechanical Code), 7.48 (Building Maintenance Code) and 7.94 (Green Building Code) of the Dublin Municipal Code, and Repealing Chapter 7.24 (Flood Control) and Adopting Chapter 7.24 (Floodplain Management Regulations) and Adding Chapter 7.46 (Existing Building Code) to the Dublin Municipal Code, in Order to Adopt by Reference and Amend Provisions of the 2022 Edition of the California Building Standards Code, Title 24, California Code of Regulations, and Adding Chapter 7.45 (Swimming Pool and Spa Code) to the Dublin Municipal Code in Order to Adopt by Reference and Amend Provisions of the 2021 Edition of the International Swimming Pool and Spa Code.

Staff Report

[Attachment 1 - Resolution Approving Findings Regarding the California Building Standards Code](#)
[Attachment 2 - Exhibit A to the Resolution - 2022 California Building Standards Code Findings](#)
[Attachment 3 - Ordinance Amending Sections of the California Building Standards Code](#)
[Attachment 4 - Exhibit A to the Ordinance - DMC Chapter 5.08 Fire Code](#)
[Attachment 5 - Exhibit B to the Ordinance - DMC Chapter 7.24 Floodplain Management Regulations](#)

Attachment 6 - Exhibit C to the Ordinance - DMC Chapter 7.28 Building Regulation Administration Code

Attachment 7 - Exhibit D to the Ordinance - DMC Chapter 7.32 Building Code

Attachment 8 - Exhibit E to the Ordinance - DMC Chapter 7.34 Residential Code

Attachment 9 - Exhibit F to the Ordinance - DMC Chapter 7.36 Electrical Code

Attachment 10 - Exhibit G to the Ordinance - DMC Chapter 7.40 Plumbing Code

Attachment 11 - Exhibit H to the Ordinance - DMC Chapter 7.44 Mechanical Code

Attachment 12 - Exhibit I to the Ordinance - DMC Chapter 7.45 Swimming Pool and Spa Code

Attachment 13 - Exhibit J to the Ordinance - DMC Chapter 7.46 Existing Building Code

Attachment 14 - Exhibit K to the Ordinance - DMC Chapter 7.48 Building Maintenance Code

Attachment 15 - Exhibit L to the Ordinance - DMC Chapter 7.94 Green Building Code

Attachment 16 - City Council Staff Report dated November 1, 2022 without attachments
Item 6.3 PowerPoint

7. UNFINISHED BUSINESS – None.

8. NEW BUSINESS – None.

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.