

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, December 20, 2022

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

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, December 20, 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.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ORAL COMMUNICATIONS

3.1 Employee Introduction

New City of Dublin Staff member, Skyler Donn Schifano, Senior Office Assistant with the Public Works Department, will be introduced.

STAFF RECOMMENDATION:

Welcome the new City of Dublin Staff member.

[Staff Report](#)

3.2 Presentation from Caltrans regarding the project along I-680 in Alameda and Contra Costa Counties

The City Council will receive a presentation from Jack Siau with Caltrans about the Caltrans Bay Area (District 4) I-680 Pavement Rehabilitation Project in Alameda and Contra Costa Counties which will begin this month.

STAFF RECOMMENDATION:

Receive the presentation.

3.3 Recognition of Outgoing Alameda County District Attorney Nancy O'Malley

The City Council will present a commendation to outgoing Alameda County District Attorney Nancy O'Malley, in appreciation of her dedicated service to the County of Alameda and City of Dublin.

STAFF RECOMMENDATION:

Present the commendation.

[Staff Report](#)

[Attachment 1 - Commendation in Recognition of Alameda County District Attorney Nancy O'Malley](#)

3.4 Recognition of Outgoing Alameda County Sheriff Gregory Ahern

The City Council will present a commendation to outgoing Alameda County Sheriff Gregory Ahern, in appreciation of his dedicated service to the County of Alameda and City of Dublin.

STAFF RECOMMENDATION:

Present the commendation.

[Staff Report](#)

[Attachment 1 - Commendation in Recognition of Alameda County Sheriff Gregory Ahern](#)

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 December 6, 2022 Regular City Council Meeting Minutes

The City Council will consider approval of the minutes of the December 6, 2022 Regular City Council Meeting.

STAFF RECOMMENDATION:

Approve the minutes of the December 6, 2022 Regular City Council Meeting.

[Staff Report](#)

[Attachment 1 - December 6, 2022 Regular City Council Meeting Minutes](#)

4.2 Acceptance of Work - Project No. ST0117, Annual Street Resurfacing Project (2021 Slurry Seal)

The City Council will consider the acceptance of the Annual Street Resurfacing Project (2021 Slurry Seal), CIP No. ST0117. The project included localized repair of failed asphalt concrete pavement, slurry seal, and pavement delineation on 81 street segments and on the Fallon Sports Park upper terrace parking lot.

STAFF RECOMMENDATION:

Adopt the **Resolution** Accepting the Annual Street Resurfacing Project (2021 Slurry Seal), CIP No. ST0117.

[Staff Report](#)

[Attachment 1 - Resolution Accepting the Annual Street Resurfacing Project \(2021 Slurry Seal\), CIP No. ST0117](#)

[Attachment 2 - Project Location Map](#)

[Attachment 3 - CIP No. ST0117](#)

4.3 Agreement with East Bay Pool Service for Pool Maintenance Services at The Wave

The City Council will consider a service agreement with East Bay Pool Service for pool maintenance at The Wave.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving an Agreement with East Bay Pool Service for Pool Maintenance Services.

[Staff Report](#)

[Attachment 1 - Resolution Approving an Agreement with East Bay Pool Service, Inc for Pool Maintenance Services](#)

[Attachment 2 - Exhibit A to the Resolution - Agreement Between the City of Dublin and East Bay Pool Service](#)

[Attachment 3 - Proposal East Bay Pool Service](#)

[Attachment 4 - Request for Proposals](#)

4.4 Payment Issuance Report

The City Council will receive a listing of payments issued from November 1, 2022 - November 30, 2022 totaling \$10,620,676.06.

STAFF RECOMMENDATION:

Receive the report.

[Staff Report](#)

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

4.5 Resolution Amending the City's Benefit Plan

The City Council will consider proposed changes to the City's current Personnel System. The proposed adjustments are based on the need to revise the City's Benefit Plan.

STAFF RECOMMENDATION:

Adopt the **Resolution** Amending the Benefit Plan.

[Staff Report](#)

[Attachment 1 - Resolution Amending the Benefit Plan](#)

4.6 Approval of the 2023 City Council Meeting Calendar

The City Council regularly meets the first and third Tuesday of each month for Regular City Council Meetings (Meetings). Meetings are cancelled when they conflict with City of Dublin holidays. Additionally, the City Council historically takes the first Tuesday of July and first Tuesday of August off, and traditionally meets on the second Tuesday of January, cancelling the first and third Tuesday meetings. The City Council is being asked to approve the 2023 City Council Meeting Calendar with these changes and include the cancellation of the July 18 and November 21, 2023 meetings.

STAFF RECOMMENDATION:

Approve the 2023 City Council Meeting Calendar.

[Staff Report](#)

[Attachment 1 - 2023 City Council Meeting Calendar](#)

4.7 Annual Comprehensive Financial Report (ACFR) and Annual Audit for Fiscal Year Ending June 30, 2022 and Supplemental Reports Completed by the City's Independent Auditors

The City Council will receive the Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ending June 30, 2022. This report includes financial statements prepared by Staff along with the audit prepared by Badawi and Associates, the independent auditors selected by the City Council. The ACFR is a report which encompasses information beyond minimum financial reporting requirements. The auditors have provided a "clean opinion" based on their review.

The auditors have also completed the following supplemental reports: 1) a compliance audit of Alameda County Transportation Commission Measure B Funds; 2) a compliance audit of Alameda County Transportation Commission Measure BB Funds; 3) a compliance audit of Alameda County Transportation Commission Measure F Fund Vehicle Registration Fee Program; 4) a single audit report related to Federal Grant Expenditures; and 5) a review of the City's Annual Appropriations Limit Calculation.

The reports have been reviewed by the City Council Ad-Hoc Audit Subcommittee.

STAFF RECOMMENDATION:

Receive the reports.

[Staff Report](#)

[Attachment 1 - Summary - Key Information](#)

- [Attachment 2 - Annual Comprehensive Financial Report Fiscal Year 2021-22](#)
- [Attachment 3 - Fiscal Year 2021-22 Auditors' Communication with Those Charged with Governance](#)
- [Attachment 4 - Fiscal Year 2021-22 Measure B Report](#)
- [Attachment 5 - Fiscal Year 2021-22 Measure BB Report](#)
- [Attachment 6 - Fiscal Year 2021-22 Measure F Report](#)
- [Attachment 7 - Fiscal Year 2021-22 Single Audit Report](#)
- [Attachment 8 - Appropriations Limit Fiscal Year 2021-22](#)

4.8 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](#)

4.9 Delegation of Authority for Police Vehicle Procurement

The City Council will consider delegating purchasing authority of police vehicles exceeding \$45,000 to the City Manager for the remainder of Fiscal Year 2022-23.

STAFF RECOMMENDATION:

Adopt the **Resolution** Delegating Authority to the City Manager to Purchase Police Vehicles Exceeding \$45,000 for Fiscal Year 2022-23.

[Staff Report](#)

[Attachment 1 - Resolution Delegating Authority to the City Manager to Purchase Police Vehicles Exceeding \\$45,000 for Fiscal Year 2022-23](#)

5. WRITTEN COMMUNICATION – None.

6. PUBLIC HEARING – None.

7. **UNFINISHED BUSINESS** – None.

8. **NEW BUSINESS**

8.1 **Certification of November 8, 2022 Election Results**

The City has received, and the City Council will certify, the November 8, 2022 election results for the Office of Mayor and two City Councilmembers from the Alameda County Registrar of Voters.

STAFF RECOMMENDATION:

Adopt the **Resolution** Reciting the Facts of the General Municipal Election Held on November 8, 2022, Declaring the Results Thereof, and Such Other Matters as are Provided by Law.

[Staff Report](#)

[Attachment 1 - Resolution Reciting the Facts of the General Municipal Election Held on November 8, 2022, Declaring the Results Thereof, and Such Other Matters as are Provided by Law](#)

[Attachment 2 - Exhibit A to the Resolution - Alameda County Registrar of Voters Certified Results of November 8, 2022 General Election](#)

8.2 **Presentation to Outgoing Councilmember Shawn Kumagai**

The City will make a presentation to outgoing Councilmember Shawn Kumagai, in appreciation of his dedicated service to the City.

STAFF RECOMMENDATION:

Make a presentation and receive comments from outgoing Councilmember Shawn Kumagai.

[Staff Report](#)

8.3 **Administration of Oath of Office to Councilmembers-Elect Jean Josey and Kashef Qaadri and Mayor-Elect Melissa Hernandez**

The Oath of Office will be administered to Councilmembers-elect Jean Josey and Kashef Qaadri and Mayor-elect Melissa Hernandez.

STAFF RECOMMENDATION:

Administer the Oath of Office to Councilmembers-elect Jean Josey and Kashef Qaadri and Mayor-elect Melissa Hernandez.

[Staff Report](#)

8.4 **Selection of Vice Mayor**

The City Council's policy is to select, in December of each year, a member of the City Council to serve as Vice Mayor for a period of one year. In the absence of the Mayor, the Vice Mayor would become Mayor Pro Tempore and would assume the temporary responsibilities of the Mayor.

STAFF RECOMMENDATION:

Determine who shall serve as Vice Mayor for a one-year period, December 2022 - December 2023.

[Staff Report](#)

[Attachment 1 - Resolution No. 132-22 Establishing Rules for the Selection of Vice Mayor and Repealing Resolution](#)

8.5 Mayor's Appointment to City Commissions and Committees

Following the City of Dublin's general municipal elections in November of even-numbered years, terms expire on five of the City's Commissions and Committees. The number of openings includes: two members, one unscheduled vacancy, and two alternates on the Planning Commission; three members, one unscheduled vacancy, and one alternate on the Heritage and Cultural Arts Commission; one member, one unscheduled vacancy, and two alternates on the Human Services Commission; three members and two alternates on the Parks and Community Services Commission; and three members and two alternates on the Senior Center Advisory Committee. New members will take office in January 2023.

STAFF RECOMMENDATION:

Confirm the Mayor's appointments to the various commissions and committees or provide other appropriate direction.

[Staff Report](#)

[Attachment 1 - Planning Commission Applications](#)

[Attachment 2 - Heritage and Cultural Arts Commission Applications](#)

[Attachment 3 - Human Services Commission Applications](#)

[Attachment 4 - Parks and Community Services Commission Applications](#)

[Attachment 5 - Senior Center Advisory Committee Applications](#)

8.6 City Council Committee Appointments and Assignments

Each member of the City Council represents the City of Dublin on various local and regional boards, committees, and commissions. The City Council will consider confirming the Mayor's proposed appointments.

STAFF RECOMMENDATION:

Adopt the **Resolution** Confirming the Mayor's Appointments to Various Local and Regional Boards, Committees, and Commissions; and direct Staff to notify affected agencies, as appropriate.

[Staff Report](#)

[Attachment 1 - Resolution Confirming the Mayor's Appointments to Various Local and Regional Boards, Committees, and Commissions](#)

[Attachment 2 - Exhibit A to the Resolution – Mayor's Recommendation for City Council Appointments and Assignments](#)

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.