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, May 17, 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, May 17, 2022. Upon submission, you will receive Zoom link information from the City Clerk. Speakers slips will be accepted until the staff presentation on an agenda item 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 Recognition of 2022 Dublin Pride Week Contest Winners

The City Council will recognize the winners of the 2022 Dublin Pride Week Photography, Poster, and Essay Contests.

STAFF RECOMMENDATION:

Recognize the contest winners.

Staff Report

Item 3.1 - PowerPoint Presentation

3.2 Elder Abuse Awareness Month Proclamation

The City Council will present the Elder Abuse Awareness Month Proclamation to the Alameda County District Attorney's Office - Elder Protection Unit.

STAFF RECOMMENDATION:

Present the proclamation.

Staff Report

Attachment 1 - Elder Abuse Awareness Month Proclamation

3.3 Presentation of the Gun Violence Awareness Day and Month Proclamation

The City Council will present the Gun Violence Awareness Day and Month Proclamation to the Moms Demand Action for Gun Sense in America - Livermore Valley Chapter.

STAFF RECOMMENDATION:

Present the proclamation.

Staff Report

Attachment 1 - Gun Violence Awareness Day and Month Proclamation

3.4 Employee Introduction

New City of Dublin Staff members, Sandra Allen and Baylee Hill, Office Assistant II's with the Dublin Police Department will be introduced.

STAFF RECOMMENDATION:

Welcome the new City of Dublin Staff members.

Staff Report

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 May 3, 2022 Regular City Council Meeting Minutes

The City Council will consider approval of the minutes of the May 3, 2022 Regular City Council Meeting.

STAFF RECOMMENDATION:

Approve the minutes of the May 3, 2022 Regular City Council Meeting.

Staff Report

Attachment 1 - May 3, 2022 Regular City Council Meeting Minutes

4.2 Contract Instructor Services Agreement with Squad Estates DBA Skyhawks Tri Valley East Bay

The City Council will consider approval of a two-year Contract Instructor Services Agreement with Squad Estates DBA Skyhawks Tri Valley East Bay for a variety of sports programs and classes at various City facilities.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving a Contract Instructor Services Agreement with Squad Estates DBA Skyhawks Tri Valley East Bay for Recreation Services.

Staff Report

Attachment 1 - Resolution Approving A Contract Instructor Services Agreement with Squad Estates DBA Skyhawks Tri Valley East Bay

Attachment 2 - Exhibit A to the Resolution - Contract Instructor Services Agreement with Squad Estates DBA Skyhawks Tri Valley East Bay

4.3 Resolutions Directing Preparation of Annual Engineer's Reports, Approving Preliminary Engineer's Reports, and Appointing a Time and Place for Hearing Protests for Street Lighting Maintenance District 1983-1, Landscape and Lighting District 1983-2, Landscape and Lighting District 1986-1, Landscape and Lighting District 1997-1, and Street Lighting Maintenance District 1999-1

The City Council will consider directing preparation of the Fiscal Year 2022 -23 Engineer's Reports, approving the preliminary Fiscal Year 2022-23 Engineer's Reports, and scheduling a public hearing date of June 21, 2022 for the five assessment districts.

STAFF RECOMMENDATION:

Take the following actions: 1) Adopt the **Resolution** Directing Preparation of Annual Engineer's Reports for Street Lighting Maintenance District 1983-1, Landscape and Lighting District 1983-2, Landscape and Lighting District 1986-1, Landscape and Lighting District 1997-1, and Street Lighting Maintenance District 1999-1; and 2) adopt the **Resolution** Approving the Preliminary Engineer's Reports and Appointing a Time and Place for Hearing Protests for Street Lighting Maintenance District 1983-1, Landscape and Lighting District 1983-2, Landscape and Lighting District 1986-1, Landscape and Lighting District 1997-1, and Street Lighting Maintenance District 1999-1.

Staff Report

Attachment 1 - Resolution Directing Preparation of Annual Engineer's Reports for Street Lighting and Landscape Maintenance Districts

Attachment 2 - Resolution Approving the Preliminary Engineer's Reports and Appointing a Public Hearing Time

Attachment 3 - Preliminary Engineer's Report for Street Lighting Maintenance District 1983-1

Attachment 4 - Preliminary Engineer's Report for Landscaping and Lighting District 1983-1
Attachment 5 - Preliminary Engineer's Report for Landscaping and Lighting District 1986-1
Attachment 6 - Preliminary Engineer's Report for Landscaping and Lighting District 1997-1
Attachment 7 - Preliminary Engineer's Report for Street Lighting Maintenance District 1999-1

4.4 Second Amendment to the Agreement with Lanlogic, Inc.

The City Council will consider approving a second amendment to the agreement with Lanlogic, Inc. for information technology consulting and maintenance services, to extend the term and increase total compensation.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving a Second Amendment to the Agreement with Lanlogic, Inc. for Ongoing Support of the City's Network and Special Project Work Related to Technological Upgrades.

Staff Report
Attachment 1 - Resolution Approving a Second Amendment to the Agreement with Lanlogic, Inc. for Ongoing Support of the City's Network and Special Project Work Related to Technological Upgrades
Attachment 2 - Exhibit A to the Resolution - Second Amendment to the Consulting Services Agreement Between the City of Dublin and Lanlogic, Inc.
Attachment 3 - Consulting Services Agreement Between the City of Dublin and Lanlogic, Inc.
Attachment 4 - First Amendment to the Consulting Services Agreement Between the City of Dublin and Lanlogic, Inc.

4.5 Amendments to Agreements for On-Call Civil Engineering and Surveying Services

The City Council will consider approving amendments to the Consulting Services Agreements with BKF Engineers and Nichols Consulting Engineers, Chtd. for on-call civil engineering and surveying services to assist the Public Works Department on an as-needed basis.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving Amendments to the Consulting Services Agreements with BKF Engineers and Nichols Consulting Engineers, Chtd. for On-Call Civil Engineering and Surveying Services.

Staff Report
Attachment 1 - Resolution Approving Amendments to Consulting Services Agreements for On-Call Civil Engineering and Surveying Services
Attachment 2 - Exhibit A to the Resolution - Amendments to Consulting Services Agreements
Attachment 3 - Original Consulting Services Agreements for On-Call Civil Engineering and Surveying Services

4.6 Agreement with Willdan Energy Solutions, Inc. for Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Code Assistance

The City Council will consider approval of an agreement with Willdan Energy Solutions, Inc. for assistance with developing and implementing municipal and/or building codes related to building electrification, electric vehicle chargers, and low carbon concrete in support of Climate Action Plan 2030 and Beyond (CAP 2030) . Willdan Energy Solutions, Inc. would also assist with other programs and projects related to CAP 2030 implementation.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving the Consulting Services Agreement Between the City of Dublin and Willdan Energy Solutions, Inc. for Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Code Assistance.

Staff Report

Attachment 1 - Resolution Approving the Consulting Services Agreement Between the City of Dublin and Willdan Energy Solutions, Inc.

Attachment 2 - Exhibit A to the Resolution - Consulting Services Agreement Between the City of Dublin and Willdan Energy Solutions, Inc.

Attachment 3 - Resolution 100-20 Adopting the City of Dublin Climate Action Plan 2030 and Beyond

Attachment 4 - Request for Proposals for Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Code Assistance

4.7 Payment Issuance Report and Electronic Funds Transfers

The City Council will receive a listing of payments issued from April 1, 2022 - April 30, 2022 totaling $13,403,784.56.

STAFF RECOMMENDATION:

Receive the report.

Staff Report

Attachment 1 - Payment Issuance Report for April 2022

4.8 Local Housing Trust Fund Program Grant Application

The City Council will consider adoption of a Resolution authorizing the City Manager to submit an application and receive up to $3,333,333 in grant funds from the State of California's Local Housing Trust Fund (LHTF) Program. The purpose of the LHTF Program is to provide matching funds to local and regional housing trust funds dedicated to the creation, rehabilitation, or preservation of affordable housing, transitional housing and emergency shelters. If awarded, the grant funds will be used to help fund Phase 1 of the Amador Station affordable rental housing project proposed by BRIDGE Housing at 6501 Golden Gate Drive.

STAFF RECOMMENDATION:

Adopt the **Resolution** Authorizing Application for, and Receipt of, Local Housing Trust Fund Program Funds.

Staff Report

Attachment 1 - Resolution Authorizing Application for, and Receipt of, Local Housing Trust Fund Program Funds

4.9 City Treasurer's Informational Report of Investments for the Quarter Ending March 31, 2022

The City Council will receive an informational report of the City's investments through the quarter ending March 31, 2022 including a monthly transaction ledger. The City's investment portfolio for this period totaled $370,906,101 (market value) with an average market yield of 1.62%. 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 March 31, 2022.

Staff Report

Attachment 1 - City of Dublin Investment Report for Period Ending March 31, 2022

Attachment 2 - Transaction Ledger - January through March 2022

4.10 LGBTQ+ Pride Month Proclamation

The City Council will consider proclaiming June 2022 as LGBTQ+ Pride Month in Dublin and approving the flying of the Progress Pride Flag during the month of June 2022, consistent with the City's Outdoor Flag Display Policy.

STAFF RECOMMENDATION:

Proclaim June 2022 as LGBTQ+ Pride Month in Dublin and approve the flying of the Progress Pride Flag at City Hall during the month of June.

Staff Report

Attachment 1 - LGBTQ+ Pride Month Proclamation

4.11 City Proclamations for the Month of June

The City Council will consider the following proclamations for the month of June in the City of Dublin: Flag Day and National Flag Week, African American Music Appreciation Month, Caribbean American Heritage Month, Great Outdoors Month, Homeownership Month, Juneteenth, and Ocean Month.

STAFF RECOMMENDATION:

Approve the proclamations.

Staff Report

Attachment 1 - Flag Day and National Flag Week Proclamation

Attachment 2 - African American Music Appreciation Month Proclamation

Attachment 3 - Caribbean American Heritage Month Proclamation

Attachment 4 - Great Outdoors Month Proclamation

Attachment 5 - National Homeownership Month Proclamation

Attachment 6 - Juneteenth Proclamation

Attachment 7 - Ocean Month Proclamation

4.12 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, the City returned to in- person meetings and at the same time state law changed to require certain findings to be made for an agency to meet remotely. Under the new law, AB 361, the City can conduct virtual meetings where the Governor has proclaimed a State of Emergency and state or local health officials have imposed or

recommended social distancing or where the City Council has declared the need to meet remotely due to imminent risks to the health or safety of attendees. On January 11, 2022, the City Council adopted a resolution pursuant to AB 361 authorizing remote teleconferenced meetings for a 30 day period ending February 10, 2022. Due to the current increase in cases resulting from the Omicron variants, it would be prudent for the City Council and City Commissions to have the ability to attend meetings virtually for at least the next 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 - AB 361

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; and Authorizing Remote Teleconferenced Meetings of the Legislative Bodies of the City of Dublin Pursuant to AB 361

4.13 Approval of Letter in Support of Constitutional Protections for Women's Reproductive Rights

The City Council will consider sending a letter of support to Governor Newsom regarding constitutional protections for women's reproductive rights.

STAFF RECOMMENDATION:

Approve the letter of support to Governor Newsom regarding constitutional protections for women's reproductive rights.

Staff Report

Attachment 1 - Draft Letter of Support Regarding Constitutional Protections for Women's Reproductive Rights

4.14 Mayor's Recommendation for Appointment to the Senior Center Advisory Committee Unscheduled Vacancies

The City Council will consider the Mayor's recommendation for appointment to fill two unscheduled vacancies on the Senior Center Advisory Committee, one with a term ending December 2022 and one with a term ending December 2024.

STAFF RECOMMENDATION:

Confirm the Mayor's recommendation to appoint Christy Li to the Senior Center Advisory Committee for the remainder of a term ending December 2022 and Steve Kau for the remainder of a term ending December 2024.

Staff Report

Attachment 1 - Senior Center Advisory Committee Vacancy Applications

4.15 Transition to District-Based Councilmember Elections

On April 20, 2022, the City received a second notification threatening litigation under the California Voting Rights Act. The City Council will consider adopting another resolution of intent to transition from at-large elections to a district-based councilmember election

system. As the City Council is aware, the City has begun the process to transition to district-based councilmember elections, with hearings on going and the process scheduled to be completed by September 2022.

STAFF RECOMMENDATION:

Adopt the **Resolution** Declaring Its Intention to Transition From an At-Large Election System to a District-Based Election System.

Staff Report

Attachment 1 - Resolution Declaring Its Intention to Transition from an At-Large Election System to a District-Based Election System

Attachment 2 - Demand Letter from Rosel Trolan

4.16 Mayor's Recommendation for Appointment to the Planning Commission Unscheduled Alternate Vacancy

The City Council will consider the Mayor's recommendation for appointment to fill an unscheduled alternate vacancy on the Planning Commission.

STAFF RECOMMENDATION:

Confirm the Mayor's recommendation to appoint Matthew Aini as an alternate to the Planning Commission for the remainder of a term ending December 2022.

Staff Report

Attachment 1 - Planning Commission Alternate Vacancy Applications

4.17 June 7, 2022 Regular City Council Meeting Start Time

The City Council will consider approving a start time of 5:30 p.m. for the June 7, 2022 Regular City Council Meeting.

STAFF RECOMMENDATION:

Approve a change to the June 7, 2022 Regular City Council Meeting start time from 7:00 p.m. to 5:30 p.m.

Staff Report

5. WRITTEN COMMUNICATION – None.

6. PUBLIC HEARING

6.1 Inspiration Drive Memory Care and Assisted Living Projects (PLPA-2020-00044 and PLPA-2020-00045)

The Applicant, Steve Ring of Fulcrum Development, is proposing to develop two projects, a 55-bed memory care facility and an 84-bed assisted living facility, on Parcels 2 and 3, respectively, of the Valley Christian Center property. Requested approvals include Planned Development Rezoning with related Stage 1 and Stage 2 Development Plans, Site Development Review Permits, a Street Vacation and Tentative Parcel Map. The City Council will consider the Inspiration Drive Memory Care and Assisted Living projects, including a Supplemental Mitigated Negative Declaration to the Valley Christian Center Environmental Impact Report.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate and: 1) adopt the **Resolution** Adopting a Supplemental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Inspiration Drive Memory Care and Assisted Living Projects; 2) waive the reading and INTRODUCE the **Ordinance** Amending the Zoning Map and Approving a Planned Development Zoning District with a Stage 1 and Stage 2 Development Plan for the

Inspiration Drive Memory Care Project; 3) adopt the **Resolution** Approving a Site Development Review Permit for the Inspiration Drive Memory Care Project; 4) adopt the **Resolution** Summarily Vacating Unused Right-of-Way on Dublin Boulevard and Reservation of a Public Service Easement; 5) adopt the **Resolution** Approving a Purchase and Sale Agreement with Valley Christian Center; 6) waive the reading and INTRODUCE the **Ordinance** Amending the Zoning Map and Approving a Planned Development Zoning District with a Stage 1 and Stage 2 Development Plan for the Inspiration Drive Assisted Living Project; 7) waive the reading and INTRODUCE the **Ordinance** Amending Planned Development Ordinance No. 07-03 for the Valley Christian Center; and 8) adopt the **Resolution** Approving a Site Development Review Permit and Tentative Parcel Map No. 11241 for the Inspiration Drive Assisted Living Project.

Staff Report
Attachment 1 - Resolution Adopting a Supplemental MND and Mitigation Monitoring and reporting Program for the Inspiration Drive Memory Care and Assisted Living Projects
Attachment 2 - Exhibit A to the Resolution - Initial Study Supplemental Mitigated Negative Declaration
Attachment 3 - Ordinance Amending the Zoning Map and Approving a Planned Development Zoning District with a Stage 1 and Stage 2 Development Plan for the Inspiration Drive Memory Care Project
Attachment 4 - Resolution Approving a Site Development Review Permit for the Inspiration Drive Memory Care Project
Attachment 5 - Exhibit A to the Resolution - Memory Care Project Plans
Attachment 6 - Resolution Summarily Vacating Unused Right-of-Way on Dublin Boulevard and Reservation of a Public Service Easement
Attachment 7 - Resolution Approving a Purchase and Sale Agreement with Valley Christian Center for Exempt Surplus Former Right-of-Way on Dublin Boulevard
Attachment 8 - Exhibit A to the Resolution - Draft Purchase and Sale Agreement
Attachment 9 - Planning Commission Resolution No. 22-04
Attachment 10 - Amending the Zoning Map and Approving a Planned Development Zoning District with a Stage 1 and Stage 2 Development Plan for the Inspiration Drive Assisted Living Project
Attachment 11 - Ordinance Approving an Amendment to Planned Development Ordinance No. 07-03 for the Valley Christian Center
Attachment 12 - Resolution Approving a Site Development Review Permit and Tentative Parcel Map No. 11241 for the Inspiration Drive Assisted Living Project
Attachment 13 - Exhibit A to the Resolution - Assisted Living Project Plans
Attachment 14 - Exhibit B to the Resolution - Tentative Parcel Map No. 11241
Attachment 15 - Planning Commission Resolution No. 22-05
Attachment 16 - Community Engagement Summary by Fulcrum Development
Attachment 17 - Public Comments
Attachment 18 - Response to Environmental Comments - May 2022
Item 6.1 - PowerPoint Presentation
SB 343

6.2 Dublin Districts—Public Hearing 2: Program Update and Community Feedback Opportunity

The City Council will hold a public hearing to give the community an opportunity to provide input regarding potential boundaries and district composition. At the February

15, 2022, meeting, the City Council adopted a Resolution Declaring its Intention to Transition From an At-Large Election System to a District-Based Election System. Pursuant to Elections Code section 10010, the City is required to hold at least two public hearings over a period of no more than 30 days before any map or maps of the boundaries for the proposed voting districts are drawn. Representatives from National Demographics Corporation will provide a brief presentation prior to the public hearing to detail the map drawing and community outreach process.

STAFF RECOMMENDATION:

Receive the presentation, open the public hearing, receive public comment, and close the public hearing.

Staff Report

Attachment 1 - Community Feedback Received

Item 6.2 - PowerPoint Presentation

7. UNFINISHED BUSINESS

7.1 Draft 2023 – 2031 Housing Element

Each California city and county must update its General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. Dublin's current Housing Element is for the 2014 – 2022 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023 – 2031 planning period. In order to meet that mandate, the Housing Element Update must be adopted by the City Council and certified by the California Department of Housing and Community Development (HCD) prior to that date. Staff prepared the Draft 2023 – 2031 Housing Element and it was available for public review between April 15 and May 15, 2022. The City Council is now being asked to review the Draft 2023 – 2031 Housing Element and consider directing Staff to submit it to HCD for review.

STAFF RECOMMENDATION:

Adopt the **Resolution** Directing Staff to Submit the Draft 2023 – 2031 Housing Element to the California Department of Housing and Community Development for Review.

Staff Report

Attachment 1 - Resolution Directing Staff to Submit the Draft 2023 - 2031 Housing Element to the California Department of Housing and Community Development for Review

Attachment 2 - Draft 2023-2031 Housing Element

Attachment 3 - Public Feedback Form

Attachment 4 - Planning Commission Resolution No. 22-06

Item 7.1 - PowerPoint Presentation

SB 343

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.

Agenda Item 3.1

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Recognition of 2022 Dublin Pride Week Contest Winners
Prepared by: Tyler Phillips, Heritage & Cultural Arts Supervisor

EXECUTIVE SUMMARY:

The City Council will recognize the winners of the 2022 Dublin Pride Week Photography, Poster, and Essay Contests.

STAFF RECOMMENDATION:

Recognize the contest winners.

FINANCIAL IMPACT:

Funding for Dublin Pride Week activities is included in the Fiscal Year 2021-22 Operating Budget.

DESCRIPTION:

The 2022 Dublin Pride Week Celebration took place from Saturday, April 23 to Saturday, April 30, 2022. The theme for the 2022 Celebration was "*Celebrating 40 Years of CommUNITY.*"

Several events took place during the weeklong celebration including the *"Nature in Our Backyard"* Photography Contest and the Dublin Pride Poster and Essay Contests coordinated by the General Federation of Women's Club Dublin/San Ramon chapter (GFWC).

<u>Nature in Our Backyard Photography Contest</u>
The 4th annual photo contest was open to photographers who snapped pictures in Dublin over the last 12 months. The submission period ran March 7 through April 10, 2022, with a total of 132 submissions received. A panel of judges selected the top 10 photographs, which were then posted to the City's website from April 15 to April 29, 2022, for a public vote. The top four photographs based on the public voting results are awarded gift cards and certificates of recognition from the City. The grand prize winner will receive a $200 gift card, first place winner will receive a $100 gift card, second place winner will receive a $50 gift card, and third place winner will receive a $25 gift card. Mike's Camera of Dublin sponsored the 2022 event and donated large metal prints that

will be provided to the contest winners. Additionally, framed photographs will be displayed in the Civic Center lobby.

The 2022 "*Nature in Our Backyard"* Photography Contest winners are:

- Grand Prize Winner:
  Catherine Treyes, "Golden Hour"
- First Place Winner
  Monique Richardson, "We Shine Together"
- Second Place Winner
  Amit Srivastava, "Here to Help"
- Third Place Winner
  Shawna S., "Blue Bird"

<u>Dublin Pride Week Poster and Essay Contests</u>
Students in grades K-12 from all public and private schools located in the City of Dublin were invited to participate in this year's contest. The theme for the poster and essay contest was *"40 Years of CommUNITY."*

The GFWC handled the implementation of the two contests including supplying materials, judging, and distributing certificates of participation.

Each of the contest participants will receive a Certificate of Merit. Grand prize winners will receive a $100 gift card, first place winners will receive a $25 gift card, and second place winners will receive a $15 gift card. Lastly, a "Classroom Award" of $200 is presented to the class teacher of the Grand Prize winners of both the poster and essay contests. This gift can be spent at the discretion of the teacher and is intended to assist with classroom activities and supply costs.

The 2022 Dublin Pride Poster Contest winners are:

Best Overall Category

- Grand Prize Winner:
  Lauren Chuck, Seventh Grade, Fallon Middle School

- Classroom Award
  Sarah Bastida/Vena Olsen, Teacher, Fallon Middle School

K - 1st Grade Category

- First Place Winner:
  Annika Majunder, First Grade, Kolb Elementary
- Second Place Winner:
- Kiara Wanchoo, Kindergarten, Amador Elementary

2nd – 3rd Grade Category

- First Place Winner:
  Myra Idnani, Third Grade, Amador Elementary
- Second Place Winner:
  Aashi Kamdar, Second Grade, Cottonwood Creek Elementary

4th – *5th Grade Category*

- First Place Winner:
  Nishka Srivastava, Fourth Grade, Amador Elementary
- Second Place Winner:
  Nethro Sankar, Fourth Grade, Cottonwood Creek Elementary

6th – *8th Grade Category*

- First Place Winner:
  Hawley Lowe, Sixth Grade, Valley Christian

The 2022 Dublin Pride Essay Contest winners are:

Best Overall Category

- Grand Prize Winner:
  Kashyap Bharadwaj, 9th Grade, Dublin High School
- Classroom Award
  Ms. Carmen Chan, Teacher, Dublin High School

K - 1st Grade Category

- First Place Winner:
  Jainy Mandaliya, Kindergarten, Dougherty Elementary
- Second Place Winner:
  Ekas Singh Sandhu, Kindergarten, Kolb Elementary

2nd – 3rd Grade Category

- First Place Winner:
  Riya Vijay, Second Grade, Murray Elementary
- Second Place Winner:
  Nishka Poonater, Second Grade, John Green Elementary

4th – *5th Grade Category*

- First Place Winner:
  Miraya Khemani, Fourth Grade, John Green Elementary
- Second Place Winner:
  Gita Singaraju, Fourth Grade, Dougherty Elementary

6th – *8th Grade Category*

- First Place Winner:

Anay Sharma, Eighth Grade, Fallon Middle School

- Second Place Winner:
  Anya Bhatnagar, Sixth Grade, Fallon Middle School

9th – *12th Grade Category*

- First Place Winner:
  Shiraz Nomani, Eleventh Grade, Dublin High School
- Second Place Winner:
  Anika Yu, Tenth Grade, Dublin High School

All winning photographs, posters, and essays from the 2022 contest are posted and available on the City's website for public viewing.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

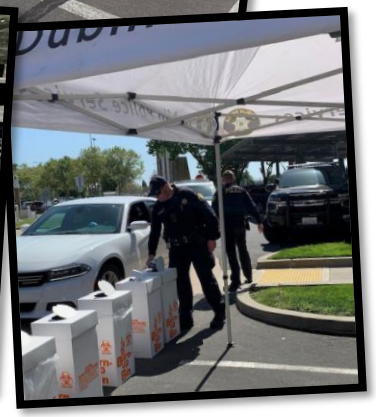
None.

DUBLIN
CALIFORNIA

Dublin Pride Week 2022
40 Years of CommUNITY

City Council Meeting
May 17, 2022

Dublin Pride Week



"Nature in Our Backyard" Photography Contest

Grand Prize: Catherine Treyes, "Golden Hour"

First Prize: Monique Richardson, "We Sine Together"

Second Prize: Amit Srivastava, "Here to Help"

Third Prize: Shawna S, "Bluebird"

Essay Contest

Anay Sharma
Fallon Middle School
Mrs. Jean Wood
8th Grade

40 Years of Community

Martin Luther King Jr., my role model in life once said, "Life's most persistent and urgent question is, 'What are you doing for others?'". This question is always in the back of my head because Dublin has done so much for me and I want to give back to it. Dublin, California turned 40 this year. Our Dublin has spent 40 years creating this vibrant and accepting community and this beautiful city which I love to call my home. Since I moved here, it feels like I've spent more days playing with friends in Emerald Glen Park than at my own house. My favorite memory in Dublin was when I got to volunteer at the Dublin Library by helping kids younger than me foster a love for reading. I can't wait to learn more about our city as I grow older, and want to make even more memories. But, what makes Dublin so special? Why is Dublin better than its neighboring cities? Dublin is unique because over the past 40 years, we have celebrat our diversity, planned amazing city events, and made our community's voices heard. This is what makes Dublin to me.

Riya Vijay
Murray Elementary
Mrs. Denise Fisher
2nd grade

40 Years of CommUNITY

The city of Dublin is known as the crossroads of the Bay area. The Native Americans were the earliest residents of Dublin. The city of Dublin was formed on February 1st 1982.

Dublin Pride - 40 Years of Community

Dublin makes a difference. because Dublin has the best schools. All the people who live in Dublin make our surroundings safe and loved.

There are a lot of **perks** about Dublin, but my favorite is our community. So let's talk about that.

But before we do that, I want you to ask yourself, *"What does the word "community" mean to you?*

Almost every single school has a mascot to **represent** their school. Dublin is **identical** to a school. As a **community** we have the Shamrock that identifies us as Dublin. Dublin is unique, in the way, that it includes ou entire community by way of different events/parades. We have the Dublin Pride Parade, Dublin Pride Week, St. Patrick Day Parade, and the

place to live in California?

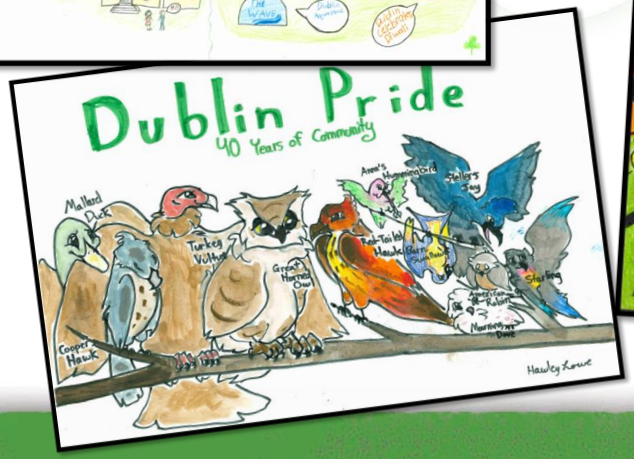
As I looked around this prosperous city, the answer became clearer to me, its people! Dublin's strength is investing in its people, from the early Indian tribes to the European colonization and to today's Dubliner, everyone has enhanced this splendid city by making it their home. From the residents to all the incredible people who served this community, everyone helped unite this city with their ability to work together, inspire one another and share challenges. The rapid growth is a strong testimony for a healthy, inclusive city, willingly to embrace people, build connections, and create a strong culture.

Essay Contest Winners

Grand Prize Winner: **Kashyap Bharadwaj,** 9th Grade, Dublin High School
(Classroom Award: Ms. Carmen Chan)

Grades K-1	Grades 2-3	Grades 4-5	Grades 6-8	Grades 9-12
Jainy Mandaiya Kinder Dougherty Elem.	**Riya Vijay** 2nd Grade Murray Elem.	**Miraya Khemani** 4th Grade Green Elem.	**Anay Sharma** 8th Grade Fallon Middle	**Shiraz Nomani** 11th Grade Dublin High
Ekas Singh Sandhu Kinder Kolb Elem.	**Nishka Poonater** 2nd Grade Green Elem.	**Gita Singaraju** 4th Grade Dougherty Elem.	**Anya Bhatnagar** 6th Grade Fallon Middle	**Anika Yu** 10th Grade Dublin High

Poster Contest Winners



Poster Contest
Grand Prize Winner

Laura Chuck
7th Grade
Fallon Middle School

Classroom Award
Sarah Bastida/Vena Olsen
Fallon Middle School

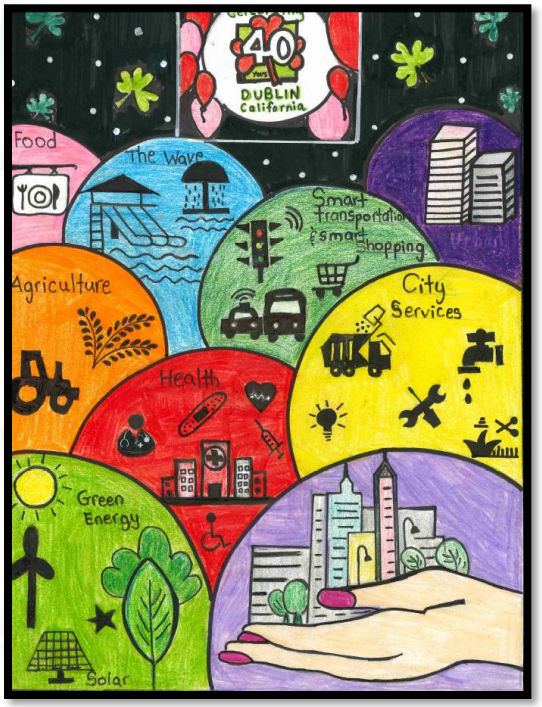
Poster Contest
Grades K-1

Annika Manjunder
1st Grade
Kolb Elementary School

Kiara Wanchoo
Kindergarten
Amador Elementary School

Poster Contest
Grades 2-3

Myra Idnani
3rd Grade
Amador Elementary School



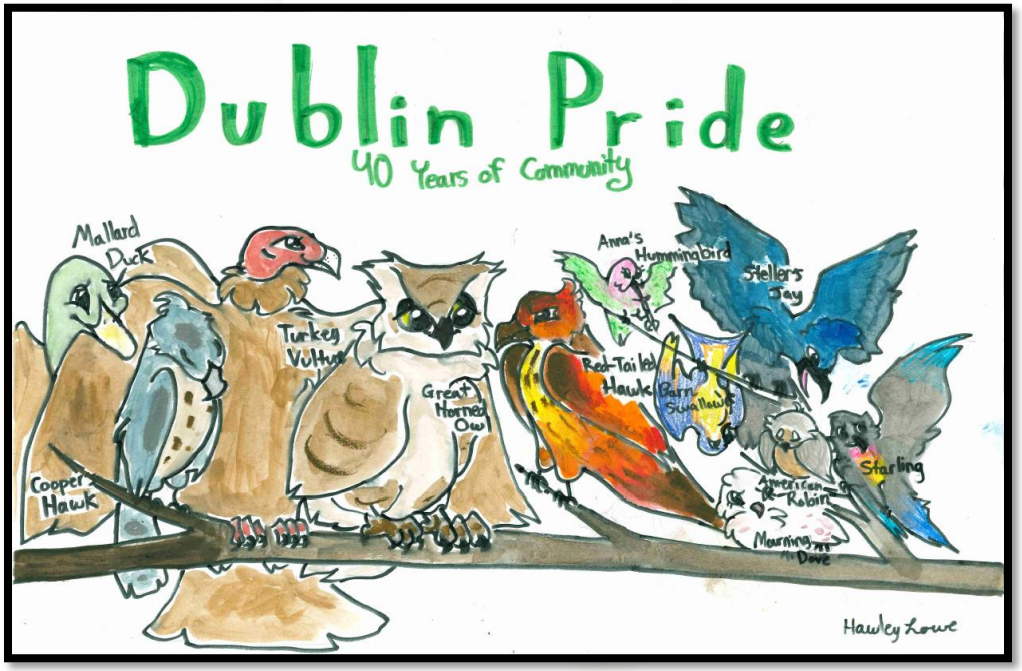
Aashi Kamdar
2nd Grade
Cottonwood Elementary School

Poster Contest
Grades 4-5

Nishka Srivastava
4th Grade
Amador Elementary School

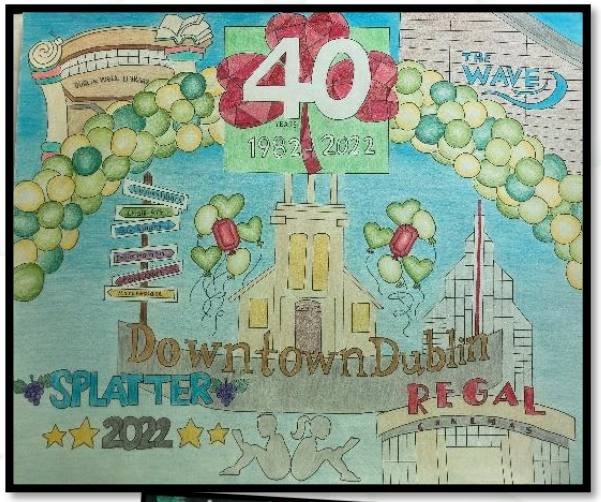
Nethra Sanker
4th Grade
Cottonwood Elementary School

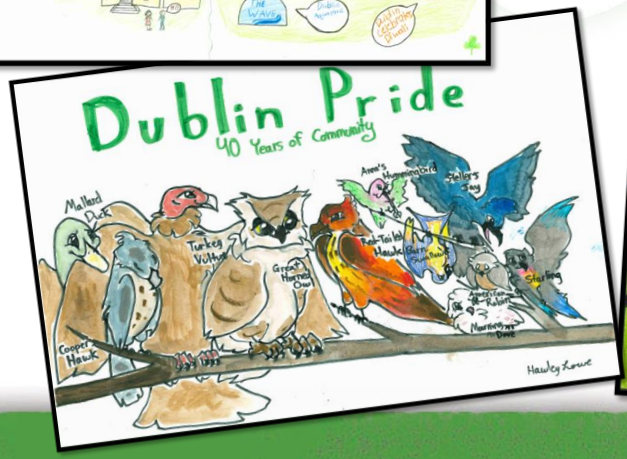
Poster Contest
Grades 6-8



Hawley Lowe
6th Grade
Valley Christian School

Poster Contest Winners





DUBLIN
CALIFORNIA

Thank You!

Agenda Item 3.2

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Elder Abuse Awareness Month Proclamation
Prepared by: Cierra Fabrigas, Executive Aide

EXECUTIVE SUMMARY:

The City Council will present the Elder Abuse Awareness Month proclamation to the Alameda County District Attorney's Office - Elder Protection Unit.

STAFF RECOMMENDATION:

Present the proclamation.

FINANCIAL IMPACT:

None.

DESCRIPTION:

The City Council's proclamation of June 2022 as Elder Abuse Awareness Month in the City of Dublin reflects the City's commitment to raising awareness on this issue and support of local service providers such as Alameda County District Attorney's Office.

The Alameda County District Attorney's Office and its Elder Protection Unit and Victim Witness Division, in collaboration with the Alameda County Social Services Agency – Adult Protective Services and Ombudsman Services of Alameda, Contra Costa, and Solano Counties, provide a network of services to elders who are in danger of becoming, or who have become, victims of abuse. These services include holding community workshops to promote crime prevention awareness resources, working with Dublin Police Services and other professionals, and prosecuting cases of elder abuse, neglect, and financial exploitation.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Elder Abuse Awareness Month Proclamation

A PROCLAMATION OF THE CITY COUNCIL
CITY OF DUBLIN, CALIFORNIA

"Elder Abuse Awareness Month"

WHEREAS, although the elder population is the largest growing segment in the country, elder abuse is one of the most under-reported crimes in the United States where it is estimated that only one in fourteen cases of elder abuse comes to the attention of Adult Protective Services and/or law enforcement agencies; and

WHEREAS, victims of elder abuse include both men and women of diverse educational, socio-economic, or ethnic backgrounds who have been victimized by strangers and/or by persons they know who may occupy a position of trust; and

WHEREAS, two years after the 2020 Coronavirus (COVID-19) pandemic became a concern in the United States, it continues to impact everyone, especially elders, by making fragile living situations more stressful, thereby putting elders more at risk for their physical safety and well-being, making reporting suspected elder abuse, neglect and financial exploitation more difficult, as well as giving those who commit scams an opportunity to morph existing scams and create new scams, to prey upon the concerns and fears of vulnerable members of society in order to obtain their money and property; and

WHEREAS, the Dublin Senior Center provides a comprehensive array of services, as well as social and recreational programs to meet the needs of the elder population, thereby enhancing their quality of life and helping them to remain active, healthy, safer, and independent; and

WHEREAS, the Alameda County District Attorney's Office, its Elder Protection Unit and its Victim Witness Division, in collaboration with the Alameda County Social Services Agency – Adult Protective Services and Ombudsman Services of Alameda, Contra Costa and Solano Counties, provide a network of services to elders who are in danger of becoming, or who have become, victims of abuse. These services include holding community workshops to promote crime prevention awareness resources, as well as working with Dublin Police Services and other professionals, and prosecuting cases of elder abuse, neglect, and financial exploitation; and

WHEREAS, the City of Dublin recognizes that both the awareness of elder abuse, neglect and financial exploitation, as well as reporting instances of suspected elder abuse, neglect and financial exploitation, particularly in this stressful time of an ongoing global pandemic, will help keep our elders and community safer.

NOW, THEREFORE, BE IT RESOLVED that the Dublin City Council does hereby proclaim June 2022 as "Elder Abuse Awareness Month" in the City of Dublin, in recognition of elders being valuable members of our city and having the right to live safely and securely in our community.

DATED: May 17, 2022

Mayor Melissa Hernandez

Vice Mayor Jean Josey

Councilmember Sherry Hu

Councilmember Shawn Kumagai

Councilmember Michael McCorriston

Agenda Item 3.3

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Gun Violence Awareness Day and Month Proclamation
Prepared by: Cierra Fabrigas, Executive Aide

EXECUTIVE SUMMARY:

The City Council will present the Gun Violence Awareness Day and Month Proclamation to the Moms Demand Action for Gun Sense in America - Livermore Valley Chapter.

STAFF RECOMMENDATION:

Present the proclamation.

FINANCIAL IMPACT:

None.

DESCRIPTION:

National Gun Violence Awareness Day and Month brings attention to gun violence and its impacts, and commemorates the life of Hadiya Pendleton, a 15-year-old who was tragically shot and killed in Chicago in 2013. National Gun Violence Awareness Day is observed annually on the first Friday of June and is marked by citizens wearing orange to pay tribute to Hadiya. Orange is a color that symbolizes the value of human life and to help raise awareness about gun violence. Throughout the month of June, many organizations across California, including Moms Demand Action for Gun Sense in America and throughout the United States will be holding events in recognition of the many who are tragic victims of gun violence.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Gun Violence Awareness Day and Month Proclamation

A PROCLAMATION OF THE CITY COUNCIL
CITY OF DUBLIN, CALIFORNIA

"Gun Violence Awareness Day and Month"

WHEREAS, every day, 100 Americans are killed by gun violence and on average there are nearly 13,000 gun homicides every year. Americans are 25 times more likely to be killed with guns than people in other high-income countries; and

WHEREAS, California has the 45th highest rate of gun deaths in the United States, with over 3,000 gun deaths every year, a rate of 7.6 deaths per 100,000 people; and

WHEREAS, gun violence touches every segment of our society. It increases the probability of deaths in incidents of domestic violence, raises the likelihood of fatalities by those who intend to injure others and among those who attempt suicide, places children and young people at special risk, and disproportionately affects communities of color; and

WHEREAS, protecting public safety in the communities they serve is an integral part of public safety in our communities; and

WHEREAS, in January 2013, 15-year-old Hadiya Pendleton was tragically shot and killed, and on June 3, 2022, to recognize her 25th birthday, people across the United States will recognize National Gun Violence Awareness Day and wear orange in tribute to Hadiya, other victims of gun violence, and their loved ones; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing the color orange because hunters wear orange to announce themselves to other hunters when out in the woods, and orange is a color that symbolizes the value of human life.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin does hereby proclaim June 3, 2022 as "Gun Violence Awareness Day" and June 2022 as "Gun Violence Awareness Month" and encourages citizens in the City of Dublin to join in commemorating Hadiya by wearing orange on June 3, 2022.

DATED: May 17, 2022

Mayor Melissa Hernandez

Vice Mayor Jean Josey

Councilmember Sherry Hu

Councilmember Shawn Kumagai

Councilmember Michael McCorriston

Agenda Item 3.4

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Employee Introduction
Prepared by: Sarah Monnastes, Human Resources Director

EXECUTIVE SUMMARY:

New City of Dublin Staff members, Sandra Allen and Baylee Hill, Office Assistant II's with the Dublin Police Department will be introduced.

STAFF RECOMMENDATION:

Welcome the new City of Dublin Staff member.

FINANCIAL IMPACT:

None.

DESCRIPTION:

New City of Dublin Staff members, Sandra Allen and Baylee Hill, Office Assistant II's with the Dublin Police Department will be introduced.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

None.

Agenda Item 4.1

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Approval of the May 3, 2022 Regular City Council Meeting Minutes
Prepared by: Marsha Moore, MMC, City Clerk

EXECUTIVE SUMMARY:

The City Council will consider approval of the minutes of the May 3, 2022 Regular City Council Meeting.

STAFF RECOMMENDATION:

Approve the minutes of the May 3, 2022 Regular City Council Meeting.

FINANCIAL IMPACT:

None.

DESCRIPTION:

The City Council will consider approval of the minutes of the May 3, 2022 Regular City Council Meeting.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) May 3, 2022 Regular City Council Meeting Minutes

MINUTES OF THE CITY COUNCIL OF THE CITY OF DUBLIN

Regular Meeting: May 3, 2022

The following are minutes of the actions taken by the City of Dublin City Council. A full video recording of the meeting with the agenda items indexed and time stamped is available on the City's website at: https://dublin.ca.gov/ccmeetings

CLOSED SESSION 5:30 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
Facts and circumstances: April 19, 2022 Letter from Rosel Trolan to City Clerk

II. 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

III. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: City Manager

IV. CONFERENCE WITH LABOR NEGOTIATORS
Agency Designated Representatives: Vice Mayor Josey and Councilmember McCorriston
Unrepresented Employee: City Manager

V. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Approximately 8,118 square feet of right-of-way adjacent to Dublin Boulevard at the intersection of Inspiration Drive
Agency Negotiator: Linda Smith, City Manager
Negotiating Parties: Valley Christian Center
Under Negotiation: Price and terms of payment

VI. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Portion of Alameda County Assessor's Parcel No. 941-1560-007-01 (11805 Dublin Blvd)
Agency Negotiator: Linda Smith, City Manager
Negotiating Parties: US Bank National Association
Under Negotiation: Price and terms of payment

REGULAR MEETING

A Regular Meeting of the Dublin City Council was held on **Tuesday, May 3, 2022**, in the City Council Chamber. The meeting was called to order at 7:00 PM., by Mayor Hernandez.

1) CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Attendee Name	Status
Melissa Hernandez, Mayor	Present
Jean Josey, Vice Mayor	Present
Shawn Kumagai, Councilmember	Present
Michael McCorriston, Councilmember	Present
Dr. Sherry Hu, Councilmember	Present

2) REPORT ON CLOSED SESSION

Mayor Hernandez reported there was no reportable action in Closed Session.

3) ORAL COMMUNICATIONS

3.1) Recognition of Sue Compton, Chief Executive Officer of Axis Community Health

The City Council recognized Sue Compton for her contributions to Dublin and the greater Tri-Valley region as the Chief Executive Officer of Axis Community Health.

3.2) Correctional Workers Week Proclamation

The City Council presented the Correctional Workers Week Proclamation in the City of Dublin to Warden Thahesha Jusino.

3.3) Recognition of Camp Parks' Sea Cadets Programs

The City Council recognized the cadets of the Rear Admiral C.W. Parks Battalion U.S. Naval Sea Cadet Corps / Training Ship Pampanito Navy League Cadet Corps.

3.4) Public Comment

No public comment.

4) CONSENT CALENDAR

4.1) Approved the April 19, 2022 Regular City Council Meeting Minutes.

4.2) Received a status update on the City's Two-Year Strategic Plan.

4.3) Adopted Resolution No. 39 titled, "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."

RESULT:	**ADOPTED [UNANIMOUS]**
MOVED BY:	Jean Josey, Vice Mayor
SECOND:	Shawn Kumagai, Councilmember
AYES:	Hernandez, Josey, Kumagai, McCorriston, Hu

5) WRITTEN COMMUNICATION – None.

6) PUBLIC HEARING

6.1) Proposed Amendment to East Ranch Vesting Tentative Tract Map Conditions of Approval Pursuant to the Housing Accountability Act (PLPA-2020-00028)

The City Council received a presentation regarding a request from Trumark Companies to modify Condition of Approval Nos. 6 and 7 of Resolution No. 140-21 adopted by the City Council on December 7, 2021, approving Vesting Tentative Tract Map No. 8563 and a Heritage Tree Removal Permit for the East Ranch project and to correspondingly amend the text of Ordinance No. 11-21 that had been incorporated by reference into Resolution No. 140-21. The request was submitted pursuant to the Housing Accountability Act (Government Code Section 65589.5) and proposes to amend these conditions to comply with the objective standards of the City's Inclusionary Zoning Regulations.

Mayor Hernandez opened the public hearing.

Arunabha Chakma provided public comment.

Norm Lewandowski provided public comment.

Tom Evans provided public comment.

Applicant's Counsel, Cecily Barclay, provided comments.

Mayor Hernandez closed the public hearing.

Motion by Councilmember Kumagai, seconded by Councilmember McCorriston, and unanimously adopted Resolution No. 40-22 titled, "Approving an Amendment to Condition of Approval Nos. 6 and 7 of Resolution No. 140-21 Approving Vesting Tentative Tract Map No. 8563 and a Heritage Tree Removal Permit for the East Ranch Project," as amended by Staff.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVED BY:	Shawn Kumagai, Councilmember

SECOND:	Michael McCorriston, Councilmember
AYES:	Hernandez, Josey, Kumagai, McCorriston, Hu

7) UNFINISHED BUSINESS – None.

8) NEW BUSINESS

8.1) Business Recovery Playbook

The City Council received a report on the Business Recovery Playbook, a post-pandemic strategic action plan to support Dublin businesses.

9) OTHER BUSINESS

By consensus, the City Council directed Staff to draft a letter in support of State constitutional protections for women's reproductive rights for the May 17 agenda.

Mayor Hernandez asked for a moment of silence in memory of former San Jose Mayor, U.S. Representative, and U.S. Secretary of Transportation Norm Mineta and Dublin High School student Christopher Wessley.

10) ADJOURNMENT

Mayor Hernandez adjourned the meeting at 8:50 p.m. in memory of former San Jose Mayor, U.S. Representative, and U.S. Secretary of Transportation Norm Mineta and Dublin High School student Christopher Wessley.

_____
Mayor

ATTEST:

_____
City Clerk

Agenda Item 4.2

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Contract Instructor Services Agreement with Squad Estates DBA Skyhawks Tri Valley East Bay
Prepared by: Jennifer Mendez, Management Analyst I

EXECUTIVE SUMMARY:

The City Council will consider approval of a two-year Contract Instructor Services Agreement with Squad Estates DBA Skyhawks Tri Valley East Bay for a variety of sports programs and classes at various City facilities.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving a Contract Instructor Services Agreement with Squad Estates DBA Skyhawks Tri Valley East Bay for Recreation Services.

FINANCIAL IMPACT:

Under the proposed agreement, the City retains 40% and the contractor receives 60% of fee revenue generated from classes held within City facilities.

DESCRIPTION:

The Parks and Community Services Department regularly engages independent contractors for the delivery of recreational activities and programs to the community. Upon acceptance of a proposal, Staff works with the contractor to determine the specifics of the activity, facility availability, participant minimums and maximums, and participant age ranges. All contractors set their own prices and schedules for their activities or programs.

Squad Estates DBA Skyhawks Tri Valley East Bay has submitted a proposal to provide sports classes and programs for a term beginning July 1, 2022 and ending June 30, 2024. Skyhawks has provided these services to the City of Dublin since 2013, and Staff has received positive feedback from participants of their activities.

As the pass-through payments to the contractor will likely exceed the City Manager's purchasing limit of $45,000, this agreement requires City Council approval.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Approving a Contract Instructor Services Agreement with Squad Estates DBA Skyhawks Tri Valley East Bay for Recreation Services
2) Exhibit A to the Resolution - Contract Instructor Services Agreement with Squad Estates DBA Skyhawks Tri Valley East Bay for Recreation Services

RESOLUTION NO. XX - 22

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF DUBLIN**

APPROVING A CONTRACT INSTRUCTOR SERVICES AGREEMENT WITH SQUAD ESTATES DBA SKYHAWKS TRI VALLEY EAST BAY FOR RECREATION SERVICES

WHEREAS, the Parks and Community Services Department receives and approves proposals from independent contractors who are interested in providing recreational activities or programs to the Dublin community; and

WHEREAS, Staff has reviewed and accepted a proposal from Squad Estates DBA Skyhawks Tri Valley East Bay to provide sport classes and camps through the City of Dublin; and

WHEREAS, Staff has negotiated terms with Squad Estates DBA Skyhawks Tri Valley East Bay for an agreement that shall begin on July 1, 2022 and shall end on June 30, 2024.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin does hereby approve a Contract Instructor Services Agreement with Squad Estates DBA Skyhawks Tri Valley East Bay for Recreation Services.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute the Agreement, attached hereto as **Exhibit A**, and make any necessary, non-substantive changes to carry out the intent of this Resolution.

PASSED, APPROVED AND ADOPTED this 17th day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

AGREEMENT FOR CONTRACT INSTRUCTOR SERVICES

This Agreement for Contract Instructor Services ("Agreement") is made and entered into as of the1st day of July, 2022 by and between the City of Dublin, a municipal corporation of the State of California ("City") and Squad Estates DBA Skyhawks Tri Valley East Bay ("Contractor"), a sole proprietorship in the State of California (collectively, the "Parties"). In consideration of their mutual covenants, the Parties hereto agree as follows:

1. Scope of Work. The Parties acknowledge that Contractor possesses experience and knowledge of value to the City and, as such, enter into this Agreement for specialized services. Subject to the terms and conditions of this Agreement, the Contractor shall provide the following ("Services"):

[SEE "EXHIBIT A" FOR DESCRIPTION OF SERVICES]

2. Performance of Services. Contractor has the right and power to control how the Services provided under this Agreement will be performed by the Contractor and its employees, agents, or representatives. Contractor shall direct the means, manner, and method by which the Services under this Agreement will be performed, without interference from the City as to the mode of accomplishing or effectuating the performance of Services. Contractor may, at its own expense, retain the services of third-parties in performing the Services under this Agreement, unless doing so would result in a material breach of any provision contained herein.

3. Payment Terms. For the services described in Section 1 above, the City agrees to pay Contractor 60% of the resident rate of onsite courses for each participant, or, 70% of the resident rate of offsite/virtual courses for each participant, which amount shall include all expenses. Except as specifically authorized by City, Contractor shall not bill City for duplicate services performed by more than one person (reasonable quality control and assurance work as generally recognized as an acceptable practice in this field is expected). Contractor understands that any time a participant requests a refund or credit, that amount will be reduced from the gross revenue on which Contractor's payment is calculated. Contractor understands and agrees that Contractor will complete and submit a Contract Contractor Course Proposal Form for each session that courses will be offered. Submitting a proposal does not guarantee that the course, program or activity will be added to the City's public recreation offerings. Session dates may be altered from time to time at the City's discretion. City, at its sole discretion, will accept or reject Contractor's proposal and collaborate with Contractor in finalizing a session schedule. When each session schedule is finalized, the City will produce a Schedule Summary. Final Schedule Summaries will be incorporated herein by this reference as if set forth in full.

At the end of each session, the City shall pay Contractor for services rendered. The City will issue payment to Contractor within 30 business days after services are complete. Prior to City processing payment, Contractor shall submit course attendance sheets and completed evaluation forms, if applicable, to the Parks and Community Services Department within five working days upon completion of service.

4. Location of Work. Due to the nature of work and subject to the terms and conditions of this Agreement, the City and Contractor agree that Contractor will provide services and/or class instruction (check all that apply):

☐ **Offsite:** At his/her/their own facility, located off-premises from any City-owned facility located at _____.
(Street, City, Zip Code)

☒ **Onsite:** At a City-owned facility.

☒ **Other:** _____Virtual_____.
(Please Describe)

5. Expenses. Except as otherwise specified in this Agreement or mutually agreed upon by the Parties, the Contractor shall be responsible for all the necessary costs and expenses incurred in connection with the performance of the Services under this Agreement. This may include, but is not limited to, supplies, software, subscriptions, working spaces, equipment, operating costs, business costs, licenses, registrations, employment costs, taxes, Social Security contributions / payments, disability insurance, unemployment taxes, and any other cost that is made in connection with the Services provided Contractor.

6. Term. Contractor's engagement with the City, and the terms and conditions of this Agreement, shall be effective as of July 1st 2022 ("Effective Date") and shall terminate on June 30th 2024.

7. Termination. This Agreement may be terminated by either Party upon sixty (60) days of prior written notice, or as mutually agreed upon in writing by both Parties. At the time of termination, Contractor agrees to return all the City property in Contractor's possession including, but not limited to, any documents, materials, and other proprietary information belonging to the City, in both physical and electronic form. The City shall issue a final payment to Contractor for all Services provided and due as of the date of termination.

If either Party materially breaches any term of this Agreement, in addition to any other remedies at law or equity, the other Party may terminate the Agreement if such breach is not cured within ten (10) days after written notice of such breach is given.

In addition, if the Contractor is convicted of any crime or offense, fails or refuses to comply with the written policies or reasonable directive of City, is guilty of serious misconduct in connection with performance hereunder, or materially breaches provisions of this Agreement, City at any time may terminate the engagement of the Contractor immediately and without written notice to the Contractor.

By signing this Agreement, Contractor agrees it may be subject to civil penalties for the filing of false claims as set forth in the California False Claims Act, Government Code sections 12650, et seq.

8. Relationship of Parties. It is understood by the Parties that, under the code of the Internal Revenue Service (IRS) and applicable law, the Contractor is an independent contractor with respect to the City. Therefore, the Parties agree and acknowledge that neither the Contractor, or any of its employees, subcontractors, volunteers, or agents (collectively, "Representatives") are employed by the City. Furthermore, at all times during the term of this Agreement, the Contractor and its Representatives shall have no authority, express or implied, to bind the City to any obligation whatsoever. Notwithstanding any other state or federal law to the contrary, the Contractor and its Representatives shall not qualify for, or become entitled to any compensation, benefit, except as specified in this Agreement, or any incident of employment with the City. In its capacity as an independent contractor, Contractor agrees and represents that:

(i) Contractor has the right to control and direct the means, manner, and method by which the Services required by this Agreement will be performed;
(ii) Contractor maintains all necessary licenses, registrations, permits, and certifications required to perform the Services under this Agreement;
(iii) Contractor sets its own hours and maintains a business location that is separate from the business or work location of the City;
(iv) Contractor is customarily engaged in an independently established business providing the same or similar services as provided by this Agreement;
(v) Contractor has the ability to contract with other businesses to provide the same or similar services as provided by this Agreement, without restriction from the City;
(vi) Contractor holds itself out to the public as available to provide the same or similar services;
(vii) Contractor provides its own tools, equipment, software, programs, and any other supplies necessary to perform the Services;
(viii) Contractor can negotiate its own rates;
(ix) Contractor has the right to hire assistants, retain subcontractors, or utilize employees to provide the services required under this Agreement;

(x) Contractor shall be solely responsible for the payment of payroll taxes and any unemployment compensation on behalf of their employees and personnel;

(xi) Contractor shall be responsible for providing all workers' compensation insurance on behalf of their employees and, if Contractor hires employees to perform any work under this Agreement, Contractor agrees to grant workers' compensation coverage to the extent required by law.

By initialing below, Contractor agrees and acknowledges that Contractor has reviewed the enumerated list contained in Section 8. Contractor further agrees and acknowledges that everything listed in subsections (i) through (xi) above is true and accurate.

DS

_____ Initial

9. Non-Exclusivity. It is contemplated that the relationship between the Contractor and the City shall be a non-exclusive one. Contractor has the right and ability to perform services for other business entities, organizations, and/or individuals, without restriction from the City, except where matters may arise as to confidentiality and conflicts of interest.

10. Indemnification. Contractor will defend and indemnify the City and its officers, directors, managers, employees, agents, and representatives ("Affiliates") against any and all claims, deductibles, self-insured retentions, demands, liability, judgments, awards, fines, mechanics' liens, or other liens, labor disputes, losses, damages, expenses, charges or costs, of any kind or character, including attorneys' fees and court costs (collectively, "Claims"), which arise out of or are in any way connected to this Agreement or Contractor's activities pursuant to this Agreement, including without limitation, Claims related to sexual abuse or molestation, and Claims caused by the concurrent negligent act, error, or omission, whether active or passive, of the City and its Affiliates.

11. Insurance. Where necessary to perform the Services under this Agreement, Contractor, at its sole cost and expense, shall procure and maintain for the duration of the Agreement the types and amounts of insurance listed below against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractor and its Representatives. Contractor will obtain and maintain policies of commercial general liability insurance and automobile liability insurance, and worker's compensation insurance and/or sexual abuse and molestation liability insurance, if applicable, from an insurance company authorized to transact the business of insurance in the State of California. The insurance requirements are as follows:

(i) Commercial General Liability: Insurance plan, at least as broad as Insurance Services Office Form CG 0001 (most recent edition), with an "occurrence" basis, including property damage, bodily injury, personal & advertising injury, and sexual abuse and molestation with limits no less than $1,000,000 per occurrence.

(ii) Automobile Liability: Contractor shall maintain a current and valid Automobile Insurance Policy at or above the minimum level required by the State of California for any and all vehicles used to perform the Services under this Agreement.

(iii) Workers' Compensation: Insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with a limit of no less than $1,000,000 per accident for bodily injury or disease. Proof of workers' compensation insurance is applicable if Contractor has employees other than self. If Contractor does not have employees other than self, Contractor shall submit a completed "No Employees Declaration Form" provided by the City.

(iv) Sexual Abuse or Molestation (SAM) Liability: If the Commercial General Liability policy referenced above is not endorsed to include affirmative coverage for sexual abuse or molestation, Contractor shall obtain and maintain a policy covering Sexual Abuse and Molestation with a limit no less than $1,000,000 per occurrence.

The insurance will be in force during the life of this Agreement and will not be canceled without thirty (30) days prior written notice to the City by certified mail. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A-:VII. The City of Dublin and its elected officials, officers, employees, agents, and volunteers must be named as additional insureds on commercial general liability insurance, automobile liability insurance, and sexual abuse or molestation liability insurance, if applicable. Contractor's insurance coverage will be primary insurance with respect to City and its elected officials, officers, employees, agents, and volunteers. The insurance policies must include a waiver of all rights of subrogation against the City, its elected or appointed officers, officials, agents, and employees for losses paid under the terms of any policy which arise from work performed by the Contractor for the City (including workers' compensation insurance, if applicable). Any insurance or self-insurance maintained by the City will be in excess of Contractor's insurance and not contributory with it. Contractor will furnish certificates of insurance and endorsements to City prior to City's execution of this Agreement. This Agreement is expressly contingent upon the insurance requirements being met, and this Agreement shall not be complete and no work may commence until Contractor has provided adequate proof of insurance. If the City does not receive the required insurance documents prior to the Contractor beginning work, it shall not waive the Contractor's obligation to provide them. The City reserves the right to modify these requirements, and reserves the right to require complete copies of all required insurance policies at any time.

12. **Nondiscrimination and Equal Opportunity**. The Parties shall not discriminate, on the basis of a person's race, sex, gender, religion (including religious dress and grooming practices), national origin, ancestry, physical or mental disability, medical condition (including cancer and genetic characteristics), marital status, age, sexual orientation, color, creed, pregnancy, genetic information, gender identity or expression, political affiliation or belief, military/veteran status, or any other classification protected by applicable local, state, or federal laws (each a "Protected Characteristic"), against any employee, applicant for employment, subcontractor, bidder for a subcontract, or applicant for any services or programs provided under this Agreement.

13. **Mandated Reporting**. Contractor recognizes and acknowledges that persons under the age of 18 may participate in classes/activities to be conducted by Contractor pursuant to this Agreement. Contractor further recognizes and acknowledges that if any person under the age of 18 does, in fact, participate in said classes/activities, then Contractor is deemed to be a "Mandated Reporter" pursuant to the California Child Abuse and Neglect Reporting Act (Penal Code §§ 11164-11174.3) ("CANRA"). Concurrently with the execution of this Agreement and pursuant to Penal Code section 11166.5, Contractor has been provided with, and has executed, an Acknowledgement of Mandated Requirements, Receipt of Training, and Receipt of Penal Code Statutes, which acknowledgement shall be maintained by the City during the term of this Agreement.

If the Contractor has employees, subcontractors, volunteers, and agents, and those employees, subcontractors, volunteers, and agents will come into contact with minors on a regular basis, those employees must also follow the Mandated Reporter requirements. Contractors who have employees will be required to execute an Acknowledgement and Release of Information, which acknowledgement shall be maintained by the City during the term of this Agreement.

14. **TB Test Requirements**. If the Services include contact with minors, Contractor shall produce a certificate, issued by a licensed physician or other authorized agency, showing that within the last two years the Contractor has been examined and has been found to be free of communicable tuberculosis (TB). If the Contractor has employees, those employees must also follow the TB requirements set forth in this Agreement. Contractors who have employees, subcontractors, volunteers, and agents will be required to execute an Acknowledgement and Release of Information, which acknowledgement shall be maintained by the City during the term of this Agreement.

15. **Fingerprint Requirements**. If class/program is open to youth under the age of 18 years, Contractor and any of its employees, subcontractors, volunteers, and agents of the Contractor agrees to fulfill all fingerprint/background checks prior to the first class. Contractor and the Contractor's employees, subcontractors, volunteers, and agents, if any, are not eligible to work until the clearance is received from the Department of Justice and Contractor has been notified by a Parks & Community Services Department representative.

16. **Transporting Participants**. Contractor or any of its employees, subcontractors, volunteers, and agents shall not transport any participant in his/her own vehicle. Transportation is the responsibility of the program participant.

17. **Mutual Representations and Warranties.** Both the City and Contractor represent and warrant that each Party has full power, authority and right to execute and deliver this Agreement, has full power and authority to perform its obligations under this Agreement, and has taken all necessary action to authorize the execution and delivery of this Agreement. No other consents are necessary to enter into or perform this Agreement.

18. **No Implied Waiver of Breach.** The waiver of performance or any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

19. **Notice.** Any notice or other communication given or made to either Party under this Agreement shall be in writing and delivered by hand, sent by certified or registered mail, return receipt requested, to the addresses provided below or to another address as that Party may subsequently designate by notice, and shall be deemed given on the date of delivery.

City	Contractor
Linda Smith City Manager 100 Civic Plaza Dublin CA 94568 (925) 833-6650	Sergio Parra - Squad Estates DBA Skyhawks Tri Valley East Bay 1222 136th Avenue San Leandro CA 94578 (925) 339-6859

20. **Severability.** If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.

21. **Disputes.** All disputes arising out of this agreement shall be submitted to final and binding arbitration in accordance with the rules of the American Arbitration Association. The dispute shall be submitted to arbitration in accordance with the laws of the State of California. The arbitrator's award shall be final, and judgment may be entered upon it by any court having jurisdiction thereof.

22. **Governing Law and Venue.** In the event that either Party brings any action against the other under this Agreement, the Parties agree that trial of such action will be vested exclusively in the state courts of California in the County of Alameda or in the United States District Court for the Northern District of California. The laws of the State of California will govern this Agreement.

23. **Integration and Amendments.** This Agreement represents the entire and integrated agreement between the City and the Contractor and supersedes all prior negotiations, representations, or agreements, either written or oral as of the Effective Date. The Parties may amend this Agreement if mutually agreed upon in writing.

SIGNATURES ON THE FOLLOWING PAGE

IN WITNESS WHEREOF, this Agreement has been executed and delivered as of the Effective Date.

CITY OF DUBLIN:	**CONTRACTOR:**
BY: DocuSigned by: ECFFECC2E04A4BC...	BY: _____
SIGNATURE	SIGNATURE
Sergio Parra	
NAME	NAME
DATE: 4/19/2022	DATE: _____

3629050.1

EXHIBIT A

Skyhawks Sports Academy is a franchise youth sports organization that offers nationwide programs for ages 4 – 14 years old. Skyhawks Tri Valley East Bay provides programming in the Tri Valley focusing on the basics and fundamentals of specific sports including: basketball, lacrosse, soccer, golf, track and field, flag football, baseball, and multi-sport classes and camps year round. Classes are taught by coaches who have been trained by professional sport grade curriculums and all programming welcomes players of all skill levels, including beginners and those looking to fine tune their current skills. During Spring and Fall seasons, Skyhawks also offers basketball and soccer clinics in Dublin. All equipment and class materials are provided by Skyhawks so that participants can simply arrive to class ready to engage in fun.

Agenda Item 4.3

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Resolutions Directing Preparation of Annual Engineer's Reports, Approving Preliminary Engineer's Reports, and Appointing a Time and Place for Hearing Protests for Street Lighting Maintenance District 1983-1, Landscape and Lighting District 1983-2, Landscape and Lighting District 1986-1, Landscape and Lighting District 1997-1, and Street Lighting Maintenance District 1999-1
Prepared by: Jordan Foss, Management Analyst II

EXECUTIVE SUMMARY:

The City Council will consider directing preparation of the Fiscal Year 2022-23 Engineer's Reports, approving the preliminary Fiscal Year 2022-23 Engineer's Reports, and scheduling a public hearing date of June 21, 2022 for the five assessment districts.

STAFF RECOMMENDATION:

Take the following actions: 1) Adopt the **Resolution** Directing Preparation of Annual Engineer's Reports for Street Lighting Maintenance District 1983-1, Landscape and Lighting District 1983-2, Landscape and Lighting District 1986-1, Landscape and Lighting District 1997-1, and Street Lighting Maintenance District 1999-1; and 2) adopt the **Resolution** Approving the Preliminary Engineer's Reports and Appointing a Time and Place for Hearing Protests for Street Lighting Maintenance District 1983-1, Landscape and Lighting District 1983-2, Landscape and Lighting District 1986-1, Landscape and Lighting District 1997-1, and Street Lighting Maintenance District 1999-1.

FINANCIAL IMPACT:

The cost of preparing the Engineer's Reports is included in the annual adopted budget and is paid by each respective assessment district. A summary of revenues, expenditures, and balances of each district is shown in the following table. Revenues and expenditures for each assessment district are tracked separately.

SUMMARY OF PRELIMINARY ASSESSMENT DISTRICT
PROJECTED FISCAL YEAR 2022-2023 REVENUES & EXPENDITURES

	ST. LIGHT 1983-1	STAGECOACH RD LANDSCAPE 1983-2	DOUGHERTY RD LANDSCAPE 1986-1	SANTA RITA LANDSCAPE 1997-1	EAST DUBLIN ST. LIGHT 1999-1
PROJECTED REVENUE	$320,395	$112,241	$198,669	$390,680	$336,937
ESTIMATED EXPENDITURES	$305,399	$78,466	$128,102	$351,313	$262,041
TRANSFER TO CAPITAL IMPROVEMENT FUND	$14,996	$33,775	$70,567	$39,367	$74,896
BALANCE TO RESERVES	$0	$0	$0	$0	$0
RESERVES BALANCE					
ESTIMATED BEGINNING BALANCE[1]	$602,476	$337,959	$100,979	$1,217,805	$465,191
RESERVE TRANSFER TO OPERATING FUND	$0	$0	$0	$0	$0
ESTIMATED INTEREST AND OTHER INCOME	$0	$0	$0	$0	$0
RESERVE TRANSFER TO CAPITAL IMPROVEMENT FUND	$14,996	$33,775	$70,567	$39,367	$74,896
TRANSFER OUT FOR CIP	$0	$0	$0	($195,000)	($42,000)
PROJECTED ENDING BALANCE FISCAL YEAR 2022-23	$617,472	$371,734	$171,546	$1,062,172	$498,087

[1]The Fund Balances shown in the table above, represent amounts held for both operating reserves and capital replacement.

DESCRIPTION:

The procedure for establishing annual maintenance assessments is governed by the Landscaping and Lighting Act of 1972, which is State Law codified in the Streets and Highways Code. The procedure requires that the City Council direct preparation of Engineer's Reports and consider approval of those reports for the City of Dublin's two street lighting maintenance assessment districts and the three landscaping and lighting districts described below for Fiscal Year 2022-23. The City Council must also consider setting a public hearing date to hear any protests prior to approving the levy of assessments in each district. Staff proposes the public hearing to be on June 21, 2022, in the City Council Chamber, located at 100 Civic Plaza, Dublin, and remotely via Zoom Communications.

The five assessment districts formed under the Landscaping and Lighting Act of 1972 are briefly described below. More detailed information about each district, including a map of the boundary of each district, can be found in Attachments 3 through 7.

Street Lighting Maintenance District 1983-1

This District was established to replace the County Service Area, which had paid maintenance and energy costs for public streetlights within the City of Dublin. The boundary of this assessment district encompasses the entire City, except for the Dublin Ranch area, Tracts 7067, 7586, 8024, 8073, and 8074, and the Boulevard project. The City Council approved formation of this District on August 2, 1983, with the initial assessment in the 1984-1985 tax year.

The maximum assessment allowed under the authorizing documents is $19.34 per unit for residential uses and $106.37 per acre for commercial uses. The maximum assessment has been levied since Fiscal Year 2007-08. There is no provision in the formation documents to increase the per unit levy. As noted in the Engineer's Report any increase would require the approval of the property owners subject to the assessment.

In past years, the largest expenditure within this District's operating expenses was the annual capital lease payment to Chevron Energy Solutions for a light emitting diode (LED) fixture retrofit project. This project took place in Fiscal Year 2012-13, retrofitting 2,821 streetlights. In Fiscal Year 2016-17, the City Council approved the use of a General Fund reserve to pay the annual capital lease payment; the entire lease balance was subsequently paid off by the General Fund reserve in Fiscal Year 2018-19. Without the debt expenditure, the District can build up reserves and a capital improvement fund balance for future repair and replacement costs of streetlight infrastructure that is at the end of its service life or has been damaged due to automobile accidents.

The proposed assessment amount for Fiscal Year 2022-23 remains the same as Fiscal Year 2021-22, as shown below.

Property Type	Current Fiscal Year	Proposed Fiscal Year 2022-23	Annual Change ($)
Equivalent Dwelling Unit (EDU)	$19.34	$19.34	$0
Commercial Per Acre	$106.37 per acre	$106.37 per acre	$0

Landscaping and Lighting District 1983-2 (Stagecoach Road)

This District provides funds for the maintenance of certain landscape improvements in the Dublin Hills Estates and Amador Lakes developments along Stagecoach Road. The District's boundaries include all of Tract 4719 and cover the 150-unit single-family Dublin Hills Estates development and the Amador Lakes development. The City Council approved formation of this District on January 23, 1984, with the initial assessment in the 1985-1986 tax year.

The District is responsible for the maintenance of the Stagecoach Road landscaping and the interior slope landscaping within Tract 4719. The spread of assessments assigns 61.6% of the

total assessment to the single-family homes of Dublin Hills Estates and 38.4% to the Amador Lakes Apartments. The Fiscal Year 2022-23 assessments are expected to pay for the ongoing maintenance and utility costs associated with the District. Details of budgeted expenditures can be found within the Fiscal Year 2022-23 Preliminary Engineer's Report.

The assessment methodology approved in Fiscal Year 2003-04 by property owners in the District includes an escalation clause that allows for adjustments to the assessment according to the Consumer Price Index and utility cost increases. These factors are updated in the Engineer's Report on an annual basis. The maximum assessment in the Engineer's Report for Fiscal Year 2022-23 is $487.79 per single family residence and $82.48 per multi-family residence. The City can elect to levy less than the maximum based on reserve funds on hand and the budgeted costs for District expenditures.

The proposed assessment amount for Fiscal Year 2022-23 was increased 9.6% over the Fiscal Year 2021-22 amount to increase the District capital improvement fund (CIF) balance, which will be used to fund repair and replacement of v-ditches and retaining walls within the District.

The proposed assessment amount for Fiscal Year 2022-23 is shown below.

Stagecoach Road Assessments (District 1983-2)

Property Type	Current Fiscal Year	Proposed Fiscal Year 2022-23	Annual Change ($)
Dublin Hills Estate - Single Family Homes	$409.40	$448.60	$39.20
Amador Lakes - Apt/Condominiums	$69.25	$75.87	$6.62

Landscaping and Lighting District 1986-1 (Villages at Willow Creek)

This District was formed with the initial assessment in the 1987-1988 tax year and encompasses the Villages at Willow Creek development off Dougherty Road and north of Amador Valley Boulevard. The surrounding homes are apartment complexes, condominiums, and the 145-unit single-family development (Ridgecreek).

The work performed by this District includes litter pickup, maintenance of fences, and landscaping along Dougherty Road between Amador Valley Boulevard and Fall Creek Road, along Amador Valley Boulevard between Dougherty Road and Wildwood Road, and along Wildwood Road, Fall Creek Road, Shady Creek Drive, and Willow Creek Drive. Landscaping within the condominium and apartment developments is the responsibility of the homeowners' association or property owners for those individual developments. The landscaping along and within the Alamo Creek channel area is not included in the assessment district as it is the responsibility of the Alameda County Flood Control and Water Conservation District (Zone 7). The Fiscal Year 2022-23 assessments are expected to pay for the ongoing maintenance and utility costs associated with the District. Details related to the budgeted expenditures can be found within the Fiscal Year 2022-23 Preliminary Engineer's Report.

The assessment methodology approved in 2001 by property owners in the District includes an

escalation clause that allows for adjustments to the assessment according to the Consumer Price Index and the utility cost increases. These factors are updated in the Engineer's Report on an annual basis. The maximum assessment in the Engineer's Report for Fiscal Year 2022-23 is $298.03 per single family residence, $149.02 per multi-family residence, and $1,192.10 for commercial property.

The proposed assessment amount for Fiscal Year 2022-23 was increased 21.4% over the Fiscal Year 2021-22 amount to increase the District CIF balance, which will be used to fund repair and replacement of additional plantings as well as sidewalk repairs within the District. The District CIF balance was also appropriated to a City Capital Improvement Program (CIP) project to remove, replace, and/or repair tubular steel fencing throughout the District.

The proposed assessment amount for Fiscal Year 2022-23 is shown below.

Villages at Willow Creek Assessments (District 1986-1)

Property Type	Current Fiscal Year	Proposed Fiscal Year 2022-23	Annual Change ($)
Single Family Homes	$245.51	$298.03	$52.52
Amador Lakes - Apt/Condominiums	$122.76	$149.02	$26.25
Commercial	$982.04	$1,192.10	$210.06

Landscaping and Lighting District 1997-1 (Santa Rita Area)

This District was formed in 1996 at the request of the Alameda County Surplus Property Authority. The initial assessment was levied in Fiscal Year 1997-1998. The area covered by this District is bound by Gleason Drive on the North, Interstate 580 on the South, Arnold Road on the West, and Tassajara Road on the east.

The District maintains portions of roadside landscaping for Dublin Boulevard, Hacienda Drive, Central Parkway, Arnold Road, Tassajara Road (westerly portion), and Gleason Drive. The District also maintains the trail and landscaping along the Tassajara Creek channel. Median landscape maintenance is not included in this District.

As provided in the Engineer's Report, individual lots in residential subdivisions are assessed based on density. The original Engineer's Report for this District provided for an initial maximum assessment of $710.00 per acre, which could be increased annually based on the change in the Consumer Price Index as well as actual increases in the cost of utilities. This maximum allowable assessment is updated in the Engineer's Report on an annual basis. The maximum assessment per acre in the Engineer's Report for Fiscal Year 2022-23 is $1,588.25 per acre.

Although the assessment district formula establishes a maximum cost that can be levied, based on planned expenditures in the District the proposed assessment amount for Fiscal Year 2022-23 remains the same as Fiscal Year 2021-22, as shown below. The density of the various housing units changes the allocation on a per-acre basis and results in different assessments as shown

below.

Santa Rita Area Assessments (District 1997-1)

Property Type	Current Fiscal Year	Proposed Fiscal Year 2022-23	Annual Change ($)
California Creekside Single-Family Residential	$128.52	$128.52	$0.00
California Brookside Multi-Family Residential	$55.69	$55.69	$0.00
Summer Glen - Richmond American (North) Lots	$112.54	$112.54	$0.00
Summer Glen - Richmond American (South) Lots	$123.85	$123.85	$0.00
Summer Glen - Kaufman & Broad Lots	$172.36	$172.36	$0.00
Summer Glen - Pulte Lots	$216.24	$216.24	$0.00
Dublin Greene Tract 7084 Single Family Residential	$136.13	$136.13	$0.00
Dublin Greene Tract 7149 Single Family Residential	$102.50	$102.50	$0.00
Dublin Greene Tract 7149 Condominiums	$53.43	$53.43	$0.00
Other Parcels Including Retail, Office, and Industrial	$903.85	$903.85	$0.00

Street Lighting Maintenance District 1999-1 (Dublin Ranch)

This District funds the electric energy, maintenance, and repair costs associated with street lighting that has been installed in the Dublin Ranch area and Tracts 7067, 7586, 8024, 8073, and 8074. The City Council approved formation of this District on June 1, 1999, with the initial assessment in the 1999-2000 tax year.

The District also includes a CIF reserve set aside to pay for improvement projects outside the normal operations and maintenance costs, such as painting a portion of the decorative streetlight poles within the District. In addition to pole painting, it is planned that CIF will be used to complete a project to convert the existing decorative lights to more energy-efficient LED lights.

The assessment methodology in the original Engineer's Report for this District includes an escalation clause that allows for adjustments to the assessment according to the Consumer Price Index and utility cost increases. These factors are updated in the Engineer's Report on an annual basis. The maximum assessment in the Engineer's Report for Fiscal Year 2022-23 adjusted by the approved adjustment formula is $64.14 per single family residence and $352.77 per acre for commercial parcels. The City can levy less than the maximum based on reserve funds on hand and the budgeted costs for District expenditures.

The proposed assessment amount for Fiscal Year 2022-23 remains the same as Fiscal Year 2021-22, as shown below.

Dublin Ranch Street Lighting Assessments (District 1999-1)

Property Type	Current Fiscal Year	Proposed Fiscal Year 2022-23	Annual Change ($)

Equivalent Dwelling Unit (EDU)	$38.03	$38.03	$0.00
Commercial Per Acre	$209.15	$209.15	$0.00

Upon City Council adoption of the resolution approving the respective preliminary Engineer's Reports, a public hearing will be held on June 21, 2022 at 7:00 p.m. on the proposed assessments.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Directing Preparation of Annual Engineer's Reports for Street Lighting Maintenance District 1983-1, Landscape and Lighting District 1983-2, Landscape and Lighting District 1986- 1, Landscape and Lighting District 1997-1, and Street Lighting Maintenance District 1999-1
2) Resolution Approving the Preliminary Engineer's Reports and Appointing a Time and Place for Hearing Protests for Street Lighting Maintenance District 1983-1, Landscape and Lighting District 1983-2, Landscape and Lighting District 1986-1, Landscape and Lighting District 1997- 1, and Street Lighting Maintenance District 1999-1
3) Preliminary Engineer's Report for Street Lighting Maintenance District 1983-1
4) Preliminary Engineer's Report for Landscaping and Lighting District 1983-2
5) Preliminary Engineer's Report for Landscaping and Lighting District 1986-1
6) Preliminary Engineer's Report for Landscaping and Lighting District 1997-1
7) Preliminary Engineer's Report for Street Lighting Maintenance District 1999-1

RESOLUTION NO. XX – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

DIRECTING PREPARATION OF ANNUAL ENGINEER'S REPORTS FOR STREET LIGHTING MAINTENANCE DISTRICT 1983-1, LANDSCAPE AND LIGHTING DISTRICT 1983-2, LANDSCAPE AND LIGHTING DISTRICT 1986-1, LANDSCAPE AND LIGHTING DISTRICT 1997-1, AND STREET LIGHTING MAINTENANCE DISTRICT 1999-1

WHEREAS, on August 2, 1983, by its Resolution No. 38-83, the City Council ordered the formation of and levied the first assessment within the City of Dublin Street Lighting Maintenance District ("the District") pursuant to the provisions of the Landscaping and Lighting Act of 1972 (commencing at Section 22500 of the California Streets and Highways Code) (hereinafter, "the Act"); and; and

WHEREAS, on January 23, 1984, by its Resolution No. 11-84, the City Council initiated proceedings, and by Resolution No. 10-84, ordered the formation of City of Dublin Landscape and Lighting District No. 83-2 ("the District") pursuant to the provisions of the Landscaping and Lighting Act of 1972 (commencing at Section 22500 of the California Streets and Highways Code) (hereinafter, "the Act"); and

WHEREAS, on November 10, 1986, by its Resolution No. 128-86, the City Council initiated proceedings, and by Resolution No. 129-86, ordered the formation of City of Dublin Landscape and Lighting District No. 86-1 ("the District") pursuant to the provisions of the Landscaping and Lighting Act of 1972 (commencing at Section 22500 of the California Streets and Highways Code) (hereinafter, "the Act"); and

WHEREAS, on July 23, 1996, by its Resolution No. 94-96, the City Council initiated proceedings, and by Resolution No. 115-96, ordered the formation of City of Dublin Landscape and Lighting District No. 97-1 ("the District") pursuant to the provisions of the Landscaping and Lighting Act of 1972 (commencing at Section 22500 of the California Streets and Highways Code) (hereinafter, "the Act"); and

WHEREAS, on March 16, 1999, by its Resolution No. 37-99, the City Council initiated proceedings, and by Resolution No. 153-99, ordered the formation of City of Dublin Street Lighting Maintenance District No. 99-1 ("the District") pursuant to the provisions of the Landscaping and Lighting Act of 1972 (commencing at Section 22500 of the California Streets and Highways Code) (hereinafter, "the Act"); and

WHEREAS, Section 22620 et seq of the Act provides for the levy of annual assessments after formation of the Districts.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin hereby designates the City Engineer, or their designee, as Engineer for purposes of preparing and filing with the Clerk a written report in accordance with Section 22565 et seq of the Act; said Engineer is hereby directed to apportion said assessments in accordance to the benefits received from said improvements by the lots, pieces and parcels of land within the District, and said Engineer is hereby directed to accomplish such preparation and filing forthwith.

PASSED, APPROVED AND ADOPTED this 17th day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

RESOLUTION NO. XX – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

APPROVING THE PRELIMINARY ENGINEER'S REPORTS AND APPOINTING A TIME AND PLACE FOR HEARING PROTETS FOR STREET LIGHTING MAINTENANCE DISTRICT 1983-1, LANDCAPE AND LIGHTING DISTRICT 1983-2, LANDSCAPE AND LIGHTING DISTRICT 1986-1, LANDSCAPE AND LIGHTING DISTRICT 1997-1, AND STREET LIGHTING MAINTENANCE DISTRICT 1999-1

WHEREAS, by its Resolution, directing preparation of annual reports for City of Dublin Street Lighting Maintenance Districts and Landscape and Lighting Districts (the "Districts"), the City Council designated the City Engineer, or their designee, as Engineer of Work and ordered said Engineer to make and file a report in writing in accordance with and pursuant to the Landscaping and Lighting Act of 1972 (the "Act"); and

WHEREAS, said Engineer of Work has made and filed with the City Clerk preliminary reports in writing as called for in said Resolution and under and pursuant to said Act, which reports have been presented to this Council for consideration; and

WHEREAS, the City Council has duly considered said reports and finds that each and every part of said reports is sufficient and that said reports neither require nor should be modified in any respect.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED, PURSUANT TO CHAPTER 3 OF THE ACT, AS FOLLOWS:

Section 1: That the Engineer's estimate of the itemized and total costs and expenses of the acquisition of improvements and maintaining said improvements and of the incidental expenses in connection therewith, as contained in said reports be, and each of them are hereby preliminarily approved and confirmed by the City Council.

Section 2: That the diagrams showing the assessment districts, description of the improvements to be acquired and maintained, and the boundaries and dimensions of the respective lots and parcels of land within said Districts, as contained in said reports be, and it is hereby preliminarily approved and confirmed by the City Council.

Section 3: That the assessment of the total amount of the cost and expenses of the proposed maintenance of said improvements upon the several lots and parcels of land in said Districts in proportion to the estimated benefits to be received by such lots and parcels, respectively, from said maintenance, and of the expenses incidental thereto, as contained in said reports be, and they are hereby preliminarily approved and confirmed by the City Council.

Section 4: The City Council hereby declares that it is its intention to seek the Annual Levy of the Districts pursuant to the Act, over and including the land within the District boundaries, and to levy and collect assessments on all such land to pay the annual costs of the improvements. The City Council finds that the public's best interest requires such levy and collection.

Section 5: The boundaries of the Districts are described as the boundaries previously defined in the formation documents of the original Districts, within the boundaries of the City of Dublin, within the County of Alameda, State of California.

Section 6: The improvements within the Districts may include, operation, maintenance, acquisition and servicing of street lighting, landscaping, and appurtenant facilities within the boundaries of the Districts. Services provided include all necessary service, operations, administration, and maintenance required to keep the improvements in a satisfactory operating condition.

Section 7: For Fiscal Year 2022-2023, the proposed assessments are outlined in the Engineer's Reports which details any changes or increases in the annual assessment.

Section 8: The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the Districts in accordance with *Chapter 3, Section 22626* of the Act.

Section 9: The City Clerk is hereby directed to give notice of said hearing to all property owners in the Districts by causing the publishing of this Resolution once a week in a local newspaper published and circulated in the City, for two consecutive weeks not less than ten (10) days before the date of the Public Hearing, and by posting a copy of this Resolution in official posting locations customarily used by the City Council for the posting of notices. Any interested person may file a written protest with the City Clerk prior to the conclusion of the Public Hearing, or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection and a protest by a property owner shall contain a description sufficient to identify the property owned by such property owner. At the Public Hearing, all interested persons shall be afforded the opportunity to hear and be heard.

Section 10: Notice is hereby given that a Public Hearing on Street Lighting Maintenance District 1983-1, Landscape and Lighting District 1983-2, Landscape and Lighting District 1986-1, Landscape and Lighting District 1997-1, and Street Lighting Maintenance District 1999-1, and these matters will be held by the City Council on **Tuesday, June 21, 2022, at 7:00 p.m.** or as soon thereafter as feasible in the City Council Chamber, located at 100 Civic Plaza, Dublin, and remotely via Zoom Communications.

Section 11: The City Clerk is hereby authorized and directed to give notice of such hearing as provided by law.

PASSED, APPROVED AND ADOPTED this 17th day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

DUBLIN
CALIFORNIA

Street Lighting Maintenance District No. 1983-1 Fiscal Year 2022-23 Preliminary Engineer's Report

May 17, 2022

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

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ENGINEER'S REPORT
CITY OF DUBLIN
STREET LIGHTING MAINTENANCE DISTRICT NO. 1983-1
FISCAL YEAR 2022-23

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Dublin City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, provisions of the Landscaping and Lighting Act of 1972 and Section 22500 et al of the California Streets and Highways Code. The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: April 29, 2022

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Dublin ("City") levies and collects special assessments on parcels within the City of Dublin Street Lighting Maintenance Assessment District No. 1983-1 ("District") to maintain the public street lighting improvements. The District was initially formed in 1983 to provide a dedicated source of funding for the ongoing maintenance of street lighting improvements within the boundaries of the District.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

General Description of the District

The District was created in 1983 to replace the County of Alameda Lighting Service Area within the City of Dublin and to fund the maintenance and servicing costs for the City's street lighting system. In Fiscal Year 1995-96, the City of Dublin acquired the PG&E owned streetlights within the District to reduce maintenance costs. The District includes all parcels that were within the County of Alameda Lighting Service Area which includes all parcels within the City except for Dublin Ranch; the Clifton Park development in the western hills; Tracts 7067, 8024, 8073 and 8074; and the Jordan Ranch Development.

A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Compliance with the California Constitution

Assessments are levied annually within the District pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code ("1972 Act"). All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are compliant with the provisions of the California Constitution Article XIIID ("Article XIIID"), which was enacted with the passage of Proposition 218 in November 1996. Pursuant to Article XIIID Section 5, certain existing assessments are exempt from the substantive and procedural requirements of Article XIIID Section 4. Specifically, Article XIIID Section 5(a) exempted:

> *"Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4."*

The City has determined that the annual assessments originally established for the District were for the maintenance and operation of streetlights within the public street rights-of-way. As such, pursuant to Article XIIID Section 5(a), the pre-existing assessment amount has been exempted from the procedural requirements of Article XIIID Section 4 since the amount of the assessment has not increased since the passage of Proposition 218.

Any future increase in the assessment rate or substantial changes in the services provided would require that the District be brought into compliance with all the requirements of Article XIIID and would require the approval of the property owners subject to the assessment based upon a mailed ballot which would be sent to each property owner.

Summary of District

A summary of the assessments to be levied for each property type are shown in the table below. Based upon the estimated expenditures, a transfer will be contributed to the Capital Improvement Fund Balance for Fiscal Years 2022-23 and 2023-24, which is also reflected in the projected fund balances. However, should expenditures continue to rise to a level that exceeds the annual assessment revenue, a transfer from the Operating Fund Balance will be required in that fiscal year. Should annual transfers be required to cover annual expenditures, the fund balance will be drawn upon and depleted in future years. Should this circumstance occur, this may require a significant reduction in service levels in future years so that expenditures match assessment revenues or the City will need to contribute to the District from other available funds or increase the current assessment rate by receiving approval by property owners within the District.

TABLE 1: ASSESSMENTS TO BE LEVIED
Street Lighting Maintenance District No. 1983-1

Property Type	Assessment Rate
Single Family Residential (SFR)	$19.34 per Parcel
Condominium	$19.34 per Parcel
Duplex, Multi Family Residential	$38.68 per Parcel
Triplex, Multi Family Residential	$58.02 per Parcel
Fourplex, Multi Family Residential	$77.36 per Parcel
Apartments, Multi Family Residential	$116.04 per Parcel
Commercial/Industrial/Institutional	$106.37 per Acre
Vacant Commercial/Industrial/Institutional	$53.18 per Acre
Rural	$9.67 per Parcel
Exempt, Cemeteries, Common Open Space	$0.00 per Parcel

SECTION II

ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF LANDSCAPING AND LIGHTING ACT OF 1972 SECTION 22500 THROUGH 22679 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

CITY OF DUBLIN

STREET LIGHTING MAINTENANCE DISTRICT NO. 1983-1 FISCAL YEAR 2022-23

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 Division 15 of the Streets and Highways Code of the State of California, commencing with Section 22500), and in accordance with the Resolution of Intention, adopted by the City Council of the City of Dublin on May 17, 2022, I, Eduardo Espinoza, the duly appointed Engineer of Work, Assessment Engineer for the City of Dublin Street Lighting Maintenance District No. 1983-1 (the "District") submit the following Report, consisting of Section I (Introduction), and this, Section II (Engineer's Report), which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Dublin and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2022-23, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Dublin.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Dublin.

The lines and dimension of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's land use classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Dublin and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

The District provides for the continued installation, maintenance, and servicing of street lighting improvements within the public right-of-way which provide special benefit to parcels and properties within the District.

As generally defined in the 1972 Act, maintenance and servicing of the street lighting improvements may include one or any combination of the following:

1) The installation or construction of public lighting facilities, including, but not limited to streetlights and traffic signals.
2) The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof; including but not limited to, grading, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
3) The maintenance or servicing, or both, of any of the foregoing including the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including, but not limited to:
    a) Repair, removal, or replacement of all or any part of any improvements;
    b) Grading, clearing, removal of debris, the installation, repair or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities;
    c) The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti;
    d) Electric current or energy, gas, or other agent for the lighting or operation of any other improvements.
4) Incidental expenses associated with the improvements including, but not limited to:
    a) The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
    b) The costs of printing, advertising, and publishing, posting, and mailing of notices;
    c) Compensation payable to the County for collection of assessments;
    d) Compensation of any engineer or attorney employed to render services;
    e) Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements; and,
    f) Costs associated with any elections held for the approval of a new or increased assessment.

Pursuant to the 1972 Act:

> "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including repair, removal, or replacement of all or any part of any improvement.

"Service" or "servicing" means the furnishing of electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.

Drawings showing the specific locations of the improvements are on file in the City's Public Works Department and are made a part of this report by reference.

PART B

ESTIMATE OF COSTS

All public streetlights and other eligible improvements within the District are maintained and serviced on a regular basis, using assessment revenues. Since the assessment rate cannot be increased, due to the passage of Proposition 218 in 1996, assessment revenues have not always been sufficient to fund 100% of the annual operations and maintenance costs of street lighting in past years. In years where the revenues were less than the costs to maintain the District improvements, the District transferred funds from the District's existing fund balances to fund the shortfall in assessment revenues.

Although the District has seen an increase in revenue because of new development, the increases in costs have increased much more quickly than the increase in assessment revenue because of growth.

The proposed cost estimate for the District is shown in Table 2. This includes an estimate of the costs of utilities, operations, services, administration, and maintenance associated with the improvements, including all labor, personnel, equipment, materials, and administrative expenses for the next two (2) fiscal years. The summary also shows the estimated fund balance, and the projected contribution/(transfer) that will be required from the fund balance based upon the estimated expenditures and assessment revenue. Projected cost estimates are also shown for two (2) fiscal years.

The following describes the general services and costs shown in the cost estimate.

District Costs

Operating Supplies – The cost of supplies for ongoing maintenance and servicing of the street lighting improvements including street light repair parts and the labor associated with performing the repair work. In addition, a portion of this cost is set aside as a contingency amount for both large scheduled and unscheduled, but necessary repairs.

Contract with Alameda County – The cost of street light maintenance provided from the County of Alameda based on the current fiscal year contract.

California Street Light Association – The cost of Street Light Association dues based on the relative number of streetlights within the District.

Utilities Electricity – The cost of streetlight electrical energy use, including miscellaneous utility charges.

Improvements (Not Building) – The cost of improvements (not building) includes costs associated with the maintenance, construction, and rehabilitation of authorized improvements.

Miscellaneous Expenses – Costs that cannot easily be categorized into any of the other District Costs defined above.

Legal Notices – The cost of legal notices includes costs associated with preparation and publishing of any, and all required legal notices associated with the District.

District Administration – The costs of contracting with professionals to provide services specific to the annual levy administration, including preparation of the Engineer's Report, resolutions, and levy submittal to the County. These fees can also include any additional administrative, legal, or engineering services specific to the District such as the cost to prepare and mail notices of the public meeting and hearing.

Public Works Administration – The cost of public works administration includes costs derived by the City's Public Works Department or other department in relation to the administration and management of the District.

County Collection Fee – The cost to the District for the County to collect assessments on the annual secured property tax bills. Alameda County charges 1.7% of the total amount levied.

Miscellaneous Costs and Collections/(Credits) Applied to Levy

Reserve Collection/(Transfer) – The 1972 Act pursuant to *Chapter 1, Article 4 Section 22569 (a)*, provides for a District Reserve Fund for operations. Negative amounts shown for this cost estimate item represent transfers from the Reserve Fund that reduces the Balance to Levy. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the Fiscal Year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

Capital Improvement Fund Collection/(Transfer) – The 1972 Act pursuant to *Chapter 5, beginning with Section 22660,* provides for the District to establish by resolution an assessment installment plan for proposed improvements and expenditures that are greater than can be conveniently raised from a single annual assessment. Depending on the nature of the planned improvements, the collection of funds necessary to complete the project may be collected over a period up to thirty years, but typically not more than five years. The funds collected shall be accumulated in a separate improvement fund commonly referred to as a Capital Improvement Fund (CIF) and are not considered part of the regular maintenance of the improvements or the Reserve Fund.

Because the money accumulated in the Capital Improvement Fund is for a specific planned project (budgeted separately), the amount shown for this item in the annual cost estimate will typically be a positive number representing the amount being collected that year as part of the Balance to Levy. A negative number (Transfer) should only occur after the project has been completed and excess funds are being credited back to the District's regular accounts. The annual fund Reserve Collection/(Transfer) and Capital

Improvement Fund Collection/(Transfer) are shown under the Fund Balance Information section of the Cost Estimate.

Balance to Levy – This is the total amount to be collected for the current fiscal year through the annual assessments (for special benefits). The Balance to Levy represents the sum of Total District (Direct and Administration) Costs, Reserve Fund Contributions or Transfers, Contributions from Other Revenue Sources, and the Contribution Replenishment (if any). Only those costs related to the improvements identified as conferring special benefits to property within the District are levied and collected on the tax roll.

The following page shows the cost estimates for Fiscal Year 2022-23 and 2023-24.

Table 2: City of Dublin
Street Lighting Maintenance District No. 1983-1

	FY 2022-23 Cost Estimate	Projected FY 2023-24 Cost Estimate
DISTRICT REVENUES		
Estimated Assessment Revenues	$ 315,395	$ 315,395
Contributions from Other Revenue Sources	$ 5,000	$ 5,500
Total District Revenues[1]	**$ 320,395**	**$ 320,895**
DISTRICT COSTS		
Operating Supplies	$ 10,000	$ 10,000
Contract with Alameda County	$ 88,786	$ 93,225
California Street Light Association	$ 1,000	$ 1,000
Utilities - Electricity	$ 192,383	$ 198,155
Improvements (Not Building)	$ -	$ -
Miscellaneous	$ -	$ -
Legal Notices	$ 575	$ 592
District Administration	$ 6,655	$ 6,855
Public Works Administration	$ -	$ -
County Collection Fee	$ 6,000	$ 6,180
Total District Costs	**$ 305,399**	**$ 316,007**
MISCELLANEOUS COSTS AND COLLECTIONS/(CREDITS) APPLIED TO LEVY		
Reserve Collection/(Transfer)	$ -	$ 5,304
Capital Improvement Fund Collection/(Transfer)	$ 14,996	$ (416)
Total Miscellaneous Costs and Collections/(Credits) Applied to Levy	**$ 14,996**	**$ 4,888**
Balance to Levy	**$ 315,395**	**$ 315,395**
Variance Between Estimated Assessment Revenues and Balance to Levy	$ -	$ -
Total Assessment Revenue at Maximum Rate	**$ 315,395**	**$ 315,395**
Variance above/(below) Maximum Assessment Revenue	$ -	$ -
FUND BALANCE INFORMATION		
Beginning Operating Reserve Fund Balance (est. 7/1/22 and 7/1/23)	$ 152,700	$ 152,700
Reserve Fund Adjustments	$ -	$ 5,304
Transfer From/(To) Capital Improvement Fund	$ -	$ -
Prior/Penalties/Public Damage	$ -	$ -
Interest	$ -	$ -
Ending Operating Reserve Fund Balance (est. 6/30/23 and 6/30/24)	**$ 152,700**	**$ 158,003**
Beginning CIF Balance (est. 7/1/22 and 7/1/23)	$ 449,776	$ 464,772
CIF Adjustment	$ 14,996	$ (416)
Transfer From/(To) Reserve Fund	$ -	$ -
Prior/Penalties/Public Damage	$ -	$ -
Interest	$ -	$ -
Ending CIF Balance (est. 6/30/23 and 6/30/24)	**$ 464,772**	**$ 464,356**

[1]Total District Revenues includes the estimated assessment revenues for each fiscal year and contributions from other revenue sources such as interest earnings, etc.

Capital Improvement Projects

In addition to collecting funds annually for maintenance, funds are also allowed to be collected for capital improvement projects. Capital improvement projects generally include the repair and replacement of public improvements authorized to be maintained by the District. These funds are collected and often accumulated in a separate fund and are not considered to be a part of the regular maintenance of the improvements.

Following is a list of capital improvement projects the City plans to address utilizing District funds in the upcoming fiscal years and thereafter as funds allow.

Citywide Streetlight Replacement: As needed replacement of streetlights that are at the end of their service life or that have been damaged due to automobile accidents.

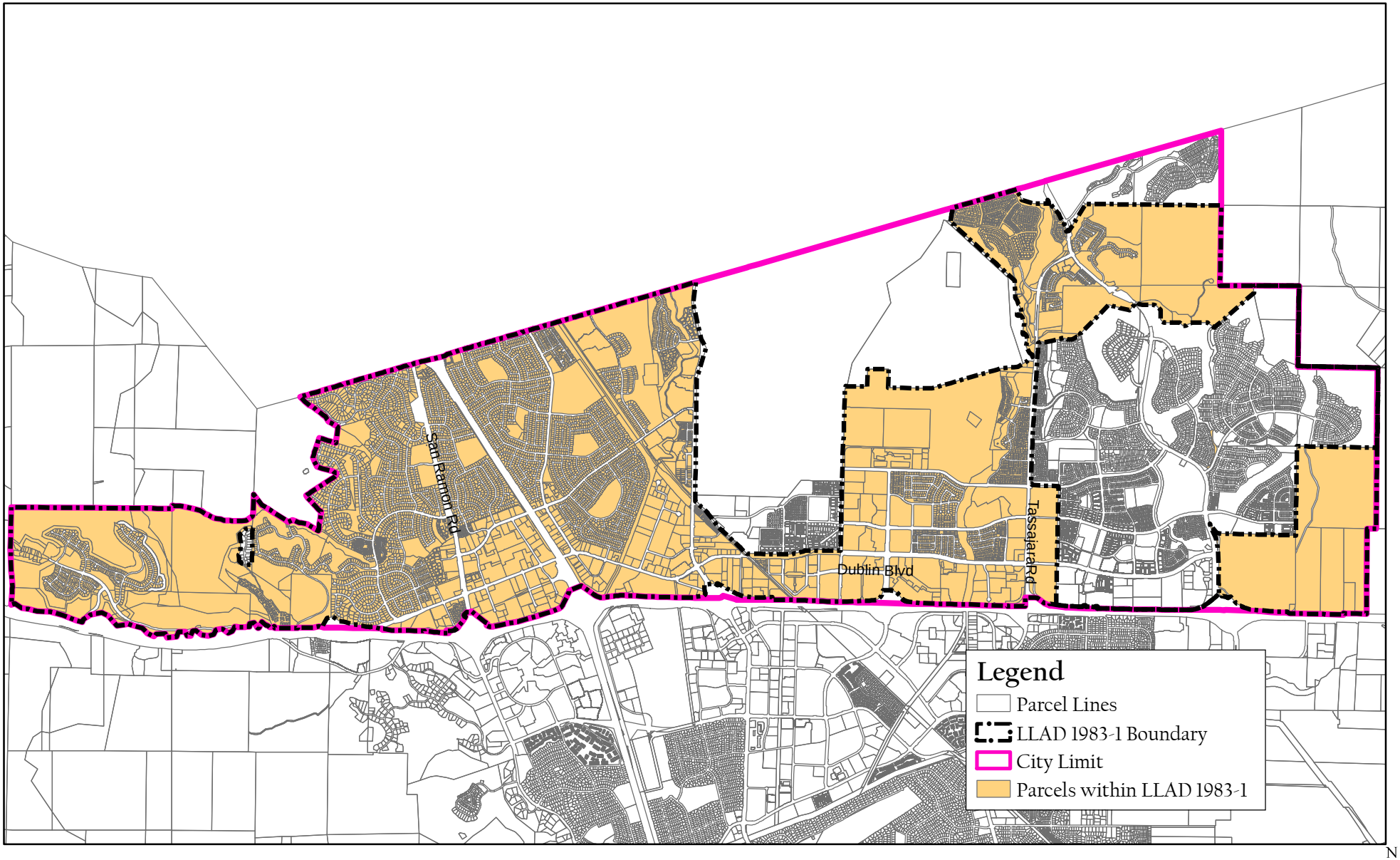
PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

City of Dublin
Street Lighting Maintenance District No. 1983-1
Assessment Diagram



N

3,250 1,625 0 3,250 6,500 Feet

Prepared by Francisco & Associates, Inc.

N:\Dublin\FY18-19\Diagrams\LLAD1983-1_Assessment Diagram (SA 04/20/2018)

PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of public lights, landscaping, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel. In addition, pursuant to Article XIIID Section 4:

> "*No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel."*

Benefit Analysis

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on special benefits received from the improvements as determined at the time the District was established.

General Benefits — In reviewing each of the District improvements, the proximity of those improvements to both properties within the District and those outside the District, as well as the reasons for installing and constructing such improvements, it is evident that the improvements are solely the result of developing properties within the District and the ongoing maintenance and operation of these improvements will directly affect the properties within the District. Although the improvements include public areas, easements, rights-of-way, and other amenities available or visible to the public at large, the construction and installation of these improvements were only necessary for the development of properties within the District and were not required, nor necessarily desired by any properties or developments outside the District boundary and any public

access or use of the improvements by others is incidental. Therefore, it has been determined that the improvements and the ongoing maintenance, servicing and operation of those improvements provide no measurable general benefit to properties outside the District or to the public at large, but clearly provide distinct and special benefits to properties within the District.

Special Benefits — The method of apportionment (method of assessment) outlined herein is based on the premise that each assessed parcel within the District receives special benefits from the improvements and the desirability and security of those properties as enhanced by the presence of public lighting near those properties.

The special benefits conferred on property from street lighting and other public lighting facilities includes the convenience, safety, and security of property, improvements, and goods. Specifically:

1) Enhanced deterrence of crime and the aid to police protection.

2) Increased nighttime safety on roads, streets, and public areas.

3) Improved ability of pedestrians and motorists to see.

4) Improved ingress and egress to property.

5) Reduced vandalism and other criminal acts and damage to improvements or property.

6) Improved traffic circulation and reduced nighttime accidents and personal property loss.

The preceding special benefits contribute to the aesthetic value and desirability of each of the assessed parcels within the District and thereby provide a special enhancement of the properties. Furthermore, it has been determined that the lack of funding to properly service and maintain the District improvements would have a negative impact on the properties within the District.

All the preceding special benefits contribute to a specific enhancement and desirability of each of the assessed parcels within the District.

Non-Assessable Properties — Within the boundaries of the District, there are several types of properties that are considered to receive no special benefit from the District improvements and are therefore not assessed. These parcels include:

1) Publicly owned parcels that are reserved as public open space or are developed as City parks for active recreation and are maintained and serviced by the District;
2) Publicly owned wetland parcels;
3) Certain public utility parcels;

4) Privately owned open space parcels; and
5) Privately owned "sliver" parcels that have resulted from a lot line adjustment with an adjacent larger parcel. The adjacent larger parcels, of which these "sliver" parcels are a part, are assessed at the residential rate

Assessment Methodology

The special benefits received by each parcel within the District and each parcel's proportional annual assessment are calculated based on a formula that utilizes Equivalent Dwelling Units. The Equivalent Dwelling Unit (EDU) method of apportionment establishes a proportional benefit relationship between the various parcels within the District and the improvements maintained by the District. The typical single family residential parcel is assigned 1.00 Equivalent Dwelling Unit (EDU) since it represented more than 73% of the total parcels within the District.

EDU's are assigned to the other land uses based upon the property's development status, type of development (County of Alameda land use code) and property size as shown in the table below. Parcels determined to be vacant will be assessed at a reduced rate of 50%, by multiplying the parcel's assigned EDU factor by 0.5 (or 50%).

TABLE 1: ASSESSMENTS TO BE LEVIED
Street Lighting Maintenance District No. 1983-1

Property Type	Assessment Rate
Single Family Residential (SFR)	$19.34 per Parcel
Condominium	$19.34 per Parcel
Duplex, Multi-Family Residential	$38.68 per Parcel
Triplex, Multi-Family Residential	$58.02 per Parcel
Fourplex, Multi-Family Residential	$77.36 per Parcel
Apartments, Multi-Family Residential	$116.04 per Parcel
Commercial/Industrial/Institutional	$106.37 per Acre
Vacant Commercial/Industrial/Institutional	$53.18 per Acre
Rural	$9.67 per Parcel
Exempt, Cemeteries, Common Open Space	$0 per Parcel

Single-Family Residential (SFR) — (County land use 1x) this land use identifies properties that are developed for single family residential use and are assigned a factor of 1.00 EDU per parcel. This is the base value that all other land use types are compared and weighted against (i.e., Equivalent Dwelling Unit "EDU"). This land use classification may include, but is not limited to, lots or parcels identified as single family residential homes, planned development (tract or townhouse type), and modular/manufactured single family residential units.

Condominium Unit — (County land use 73) this land use identifies properties that are subdivided residential parcels that have more than one residential unit developed on the property. This land use is assigned 1.00 EDU per unit.

Duplex, Multi-Family Residential — (County land use 22) this land use identifies properties that are developed for multi-family residential use and are assigned a factor of 2.00 EDU per parcel. This land use classification includes double or duplex units.

Triplex, Multi-Family Residential — (County land use 23) this land use identifies properties that are developed for multi-family residential use and are assigned a factor of 3.00 EDU per parcel. This land use classification includes triplex units; or double or duplex units together with a single-family home.

Fourplex, Multi-Family Residential — (County land use 24) this land use identifies properties that are developed for multi-family residential use and are assigned a factor of 4.00 EDU per parcel. This land use classification includes four living units; a fourplex, a triplex and a single-family home, two doubles or duplexes, or a combination thereof.

Apartment Complex, Multi-Family Residential — (County land use 7x, except 73) This land use identifies properties that are developed for multi-family residential use of five (5) or more units and are assigned a factor of 6.00 EDU per parcel. This land use classification may include, but is not limited to, lots or parcels identified as vacant apartment land capable of supporting 5 or more units, residential property converted to 5 or more units, cooperatives, restricted income properties, fraternities, sororities, church homes, multiple residential (5 or more units), and residential high-rise (7 or more units).

Commercial — (County land use 3x, 8x, 9x) this land use identifies properties that are considered improved for commercial use and are assigned a factor of 5.50 EDU per gross acre. This land use classification may include, but is not limited to, lots or parcels identified as car washes, commercial garages, automotive dealerships, parking lots, parking garages, service stations, funeral homes, nursing or boarding homes, hospitals, hotels/motels, banks, medical-dental, single and multi-story office buildings, commercial land, department stores, discount stores, restaurants, shopping centers, or supermarkets.

Industrial — (County land use 4x) this land use identifies properties that are developed for industrial use and are assigned a factor of 5.50 EDU per gross acre. This land use classification may include, but is not limited to lots, or parcels identified as vacant industrial land, warehouses, light and heavy industrial, nurseries, sand and gravel quarries, salt ponds, trucking and distribution terminals, wrecking yards, and miscellaneous industrial.

Institutional — (County land use 6x, except 65) this land use identifies properties that are developed for institutional use and are assigned a factor of 5.50 EDU per gross acre. This land use classification may include, but is not limited to, lots or parcels identified as vacant land that is a necessary part of an institutional property, improved government-owned property, low income housing (secured P.I.'s only), golf courses, private schools, churches, lodge-halls, clubhouses, and other institutional properties.

Rural Property — (County land use 5x) this land use identifies properties that are defined as rural lands and are assigned a factor of 0.50 EDU per parcel. This land use classification may include, but is not limited to, lots or parcels identified as rural residential

home sites, one or more mobile homes on rural home sites, rural property with significant commercial or industrial use, property used for agriculture (more than 10 acres), rural land in transition to higher land use classification, and rural land under non-renewal of the Williamson Act.

Exempt Property, Cemeteries & Common Open Space — (County land use 0, 03-05, 65) this land use identifies properties that are exempt from assessment and are assigned 0.00 EDU. This land use classification may include, but is not limited to, lots or parcels identified as exempt public agencies; property leased or owned by public utilities, cemeteries, and planned development common areas.

PART E

ASSESSMENT ROLL

The proposed assessment and the amount of the assessment apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office, are on file under separate cover with the City Clerk. Furthermore, the description of each lot or parcel is part of the records of the Assessor of the County of Alameda and those records are, by reference, made part of this report. The assessments shown will be submitted to the County Auditor/Controller and included on the property tax roll for each parcel shown in the assessment roll for Fiscal Year 2022-23.

Parcel identification, the lines and dimensions of each lot, parcel, and subdivision of land within the District, are inclusive of the parcels as shown on the Alameda County Assessor's Parcel Maps as they existed at the time of the passage of the Resolution of Intention, and shall include subsequent subdivisions, lot line adjustments or parcel changes therein. Reference is hereby made to the Alameda County Assessor's maps for a detailed description of the lines and dimensions of each lot and parcel of land within the District.

DUBLIN
CALIFORNIA

Landscape & Lighting District No. 1983-2 Fiscal Year 2022-23 Preliminary Engineer's Report

May 17, 2022

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

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ENGINEER'S REPORT
CITY OF DUBLIN
LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1983-2
FISCAL YEAR 2022-23

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Dublin City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, provisions of the Landscaping and Lighting Act of 1972 and Section 22500 et al of the California Streets and Highways Code. The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: April 29, 2022

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Dublin ("City") levies and collects special assessments on parcels within the City of Dublin Landscape and Lighting Assessment District No. 1983-2 ("District") to maintain the landscaping and irrigation improvements within the District.

The assessments and methods of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

General Description of the District

The District was initially formed in 1983 to provide a dedicated source of funding for the ongoing maintenance of street landscaping within Tract 4719. The District originally included the maintenance of Stagecoach Park and the landscaping along Stagecoach Road north of the City Limit; however, those improvements are no longer funded by the District. Currently, the District includes only the roadway landscaping along Stagecoach Road and on the "interior slopes" (Coral Way and Agate Way) within the Dublin Hills Estates development. The maintenance cost of Stagecoach Park, as well as the undeveloped Dougherty Hills Park, is paid by the City through the Park Maintenance Operating Budget and is not a part of this Assessment District.

A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Compliance with the California Constitution

Assessments are levied annually within the District pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code ("1972 Act"). All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are in compliance with the provisions of the California Constitution Article XIIID ("Article XIIID"), which was enacted with the passage of Proposition 218 in November 1996.

Pursuant to Article XIIID Section 5, certain existing assessments were exempt from the substantive and procedural requirements of Article XIIID Section 4. Specifically, Article XIIID Section 5(a) exempted:

> *"Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4."*

The City determined that the annual assessments originally established for the District were for the maintenance and operation of landscaping within the public street rights-of-way or public easements.

However, in 2003/2004, the City conducted a public hearing that included a mailed ballot to all the property owners in this District proposing an increased assessment to maintain and replace certain landscaping improvements. In accordance with the requirements of Proposition 218, the property owners approved a 10% increase in assessment rates and the addition of an escalation clause for succeeding years that allows the maintenance cost to increase according to the Consumer Price Index and the utility cost to increase according to the actual cost of utilities.

Any future increase in the assessment rate more than the maximum allowable rate or substantial changes in the services provided would require the approval of the property owners subject to the assessment based upon a mailed ballot which would be sent to each property owner pursuant to the provisions of the California Constitution Article XIIID.

Summary of District

A summary of the assessments to be levied in Fiscal Year 2022-23 for each property type is shown in the table below.

TABLE 1: SUMMARY OF PROPOSED ASSESSMENTS
Landscape & Lighting District No. 1983-2

Property Type	Assessment Rate
Single Family Residential (SFR)	$448.60 per Parcel
Multi Family Residential (MFR)	$75.87 per Parcel/Unit
Exempt, Cemeteries, Common Open Space	$0.00 per Parcel

SECTION II

ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF LANDSCAPING AND LIGHTING ACT OF 1972 SECTION 22500 THROUGH 22679 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

CITY OF DUBLIN

LANDSCAPE AND LIGHTING DISTRICT NO. 1983-2
FISCAL YEAR 2022-23

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 Division 15 of the Streets and Highways Code of the State of California, commencing with Section 22500), and in accordance with the Resolution of Intention, adopted by the City Council of the City of Dublin on May 3, 2022, I, Eduardo Espinoza, the duly appointed Engineer of Work, Assessment Engineer for the City of Dublin Landscape and Lighting District No. 1983-2 (the "District") submit the following Report, consisting of Section I (Introduction), and this, Section II, which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Dublin and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2022-23, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Dublin.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Dublin.

The lines and dimension of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's land use classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Dublin and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

The District provides for the continued maintenance and servicing of the landscaping and irrigation improvements within the public right-of-way and public easement along Stagecoach Road between the limits of Amador Valley Boulevard and the northerly City Limit. In addition, the District also provides for the maintenance of the slopes, including landscaping and irrigation, within the public right-of-way for the slope areas along the rear of Lots 80 through 86, and 37 through 48 within Tract 4719.

As generally defined in the 1972 Act, maintenance and servicing of the improvements may include one or any combination of the following:

1) The installation or planting of landscaping. The installation or construction of statuary, fountains, and other ornamental structures and facilities.
2) The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof; including but not limited to, grading, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
3) The maintenance or servicing, or both, of any of the foregoing including the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including, but not limited to:
    a. Repair, removal, or replacement of all or any part of any improvements;
    b. Grading, clearing, removal of debris, the installation, repair or construction of curbs, gutters, walls, sidewalks, paving, or water, irrigation, drainage, or electrical facilities
    c. Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury;
    d. The removal of trimmings, rubbish, debris, and other solid waste;
    e. The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti;
    f. Electric current or energy, gas, or other agent for the lighting or operation of any other improvements;
    g. Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.
4) Incidental expenses associated with the improvements including, but not limited to:
    a. The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
    b. The costs of printing, advertising, and the publishing, posting, and mailing of notices;
    c. Compensation payable to the County for collection of assessments;
    d. Compensation of any engineer or attorney employed to render services;

e. Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements; and,
f. Costs associated with any elections held for the approval of a new or increased assessment.

Pursuant to the 1972 Act:

> "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including repair, removal, or replacement of all or any part of any improvement.
>
> "Service" or "servicing" means the furnishing of electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.

Drawings showing the specific locations of the improvements are on file in the City's Public Works Department and are made a part of this report by reference.

PART B

ESTIMATE OF COSTS

All landscape and other eligible improvements within the District are maintained and serviced on a regular basis. The proposed cost estimate for the District is shown on a following page herein. This includes an estimate of the costs of utilities, operations, services, administration, and maintenance associated with the improvements, including all labor, personnel, equipment, materials, and administrative expenses. The summary also shows the estimated fund balance, and the projected contribution/ (transfer) based upon the estimated expenditures and assessment revenue. Projected cost estimates are also shown for the next two (2) fiscal years.

The following describes the general services and costs shown in the cost estimate.

District Costs

Maintenance Landscape – The cost of maintenance and repair of the landscaping and open space areas within the District.

Utilities Water – The cost of furnishing water for maintenance of landscape and irrigation systems within the District.

Utilities Electricity – The cost of electricity for maintenance of landscape, powering of irrigation systems, and entry lighting within the District.

Miscellaneous Expenses – Costs that cannot easily be categorized into any of the other District Costs defined above.

Legal Notices – The cost of legal notices includes costs associated with preparation and publishing of any, and all required legal notices associated with the District.

District Administration – The costs of contracting with professionals to provide services specific to the annual levy administration, including preparation of the Engineer's Report, resolutions, and levy submittal to the County. These fees can also include any additional administrative, legal, or engineering services specific to the District such as the cost to prepare and mail notices of the public meeting and hearing.

Public Works Administration – The cost of public works administration includes costs derived by the City's Public Works Department or other department in relation to the administration and management of the District.

County Collection Fee – The cost to the District for the County to collect assessments on the annual secured property tax bills. Alameda County charges 1.7% of the total levy amount.

Miscellaneous Costs and Collections/(Credits) Applied to Levy

Reserve Collection/(Transfer) – The 1972 Act pursuant to Chapter 1, Article 4 Section 22569 (a), provides for a District Reserve Fund for operations. Negative amounts shown for this cost estimate item represent transfers from the Reserve Fund that reduces the Balance to Levy. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

Capital Improvement Fund Collection/(Transfer) – The 1972 Act pursuant to *Chapter 5, beginning with Section 22660,* provides for the District to establish by resolution an assessment installment plan for proposed improvements and expenditures that are greater than can be conveniently raised from a single annual assessment. Depending on the nature of the planned improvements, the collection of funds necessary to complete the project may be collected over a period up to thirty years, but typically not more than five years. The funds collected shall be accumulated in a separate improvement fund commonly referred to as a Capital Improvement Fund (CIF) and are not considered part of the regular maintenance of the improvements or the Reserve Fund.

Because the money accumulated in the Capital Improvement Fund is for a specific planned project (budgeted separately), the amount shown for this item in the annual cost estimate will typically be a positive number representing the amount being collected that year as part of the Balance to Levy. A negative number (Transfer) should only occur after the project has been completed and excess funds are being credited back to the District's regular accounts. The actual fund balances and expenditures for Capital Improvements are clearly identified under the Fund Balance Information section of the cost estimate.

Balance to Levy – This is the total amount to be collected for the current fiscal year through the annual assessments (for special benefits). The Balance to Levy represents the sum of Total District (Direct and Administration) Costs, Reserve Fund Contributions or Transfers, Contributions from Other Revenue Sources, and the Contribution Replenishment (if any). Only those costs related to the improvements identified as conferring special benefits to property within the District are levied and collected on the tax roll.

The following page shows the cost estimates for Fiscal Year 2022-23 and 2023-24.

Table 2: City of Dublin
Landscape & Lighting District No. 1983-2

	FY 2022-23 Cost Estimate	Projected FY 2023-24 Cost Estimate
DISTRICT REVENUES		
Estimated Assessment Revenues	$ 109,241	$ 111,425
Contributions from Other Revenue Sources	$ 3,000	$ 3,300
Total District Revenues[1]	**$ 112,241**	**$ 114,725**
DISTRICT COSTS		
Maintenance - Landscape (MCE)	$ 42,772	$ 43,803
Utilities - Water	$ 28,308	$ 29,723
Utilities - Electricity	$ 1,638	$ 1,720
Miscellaneous Expenses	$ -	$ -
Legal Notices	$ 575	$ 592
District Administration	$ 3,410	$ 3,512
Public Works Administration	$ -	$ -
County Collection Fee	$ 1,763	$ 1,816
Total District Costs	**$ 78,466**	**$ 81,166**
MISCELLANEOUS COSTS AND COLLECTIONS/(CREDITS) APPLIED TO LEVY		
Reserve Collection/(Transfer)	$ -	$ 1,350
Capital Improvement Fund (CIF) Collection/(Transfer)	$ 33,775	$ 32,209
Total Miscellaneous Costs and Collections/(Credits) Applied to Levy	**$ 33,775**	**$ 33,559**
Balance to Levy	**$ 109,241**	**$ 111,425**
Variance Between Estimated Assessment Revenues and Balance to Levy	$ -	$ -
Total Assessment Revenue at Maximum Rate[2]	**$ 118,778**	**$ 121,154**
Variance above/(below) Maximum Assessment Revenue	$ (9,538)	$ (9,729)
FUND BALANCE INFORMATION		
Beginning Operating Reserve Fund Balance (est. 7/1/22 and 7/1/23)	$ 39,233	$ 39,233
Reserve Fund Adjustments	$ -	$ 1,350
Transfer From/(To) Capital Improvement Fund	$ -	$ -
Prior/Penalties/Public Damage	$ -	$ -
Interest	$ -	$ -
Ending Operating Reserve Fund Balance (est. 6/30/23 and 6/30/24)	**$ 39,233**	**$ 40,583**
Beginning CIF Balance (est. 7/1/22 and 7/1/23)	$ 298,726	$ 332,501
CIF Adjustment	$ 33,775	$ 32,209
Transfer From/(To) Reserve Fund	$ -	$ -
Prior/Penalties/Public Damage	$ -	$ -
Interest	$ -	$ -
Ending CIF Balance (est. 6/30/23 and 6/30/24)	**$ 332,501**	**$ 364,709**

[1]Total District Revenues includes the estimated assessment revenues for each fiscal year and contributions from other revenue sources such as interest earnings, etc.

[2]The Maximum Assessment Revenue for Fiscal Year (FY) 2023/24 was estimated to be equal to the FY 2022/23 Maximum Assessment Revenues and escalated by 2%.

Capital Improvement Projects

In addition to collecting funds annually for maintenance, funds are also allowed to be collected for capital improvement projects. Capital improvement projects generally include the repair and replacement of public improvements authorized to be maintained by the District. These funds are collected and often accumulated in a separate fund and are not considered to be a part of the regular maintenance of the improvements.

Following is a list of capital improvement projects the City plans to address utilizing District funds in the upcoming fiscal years and thereafter as funds allow.

General Improvements: The City has identified the need for minor retaining wall repairs, additional irrigation and planting, as well as repairs to V-ditches, which fall outside the scope of the regular maintenance budget for the District. Repairs will be addressed based upon need and available fund balance in the upcoming two-year cycle.

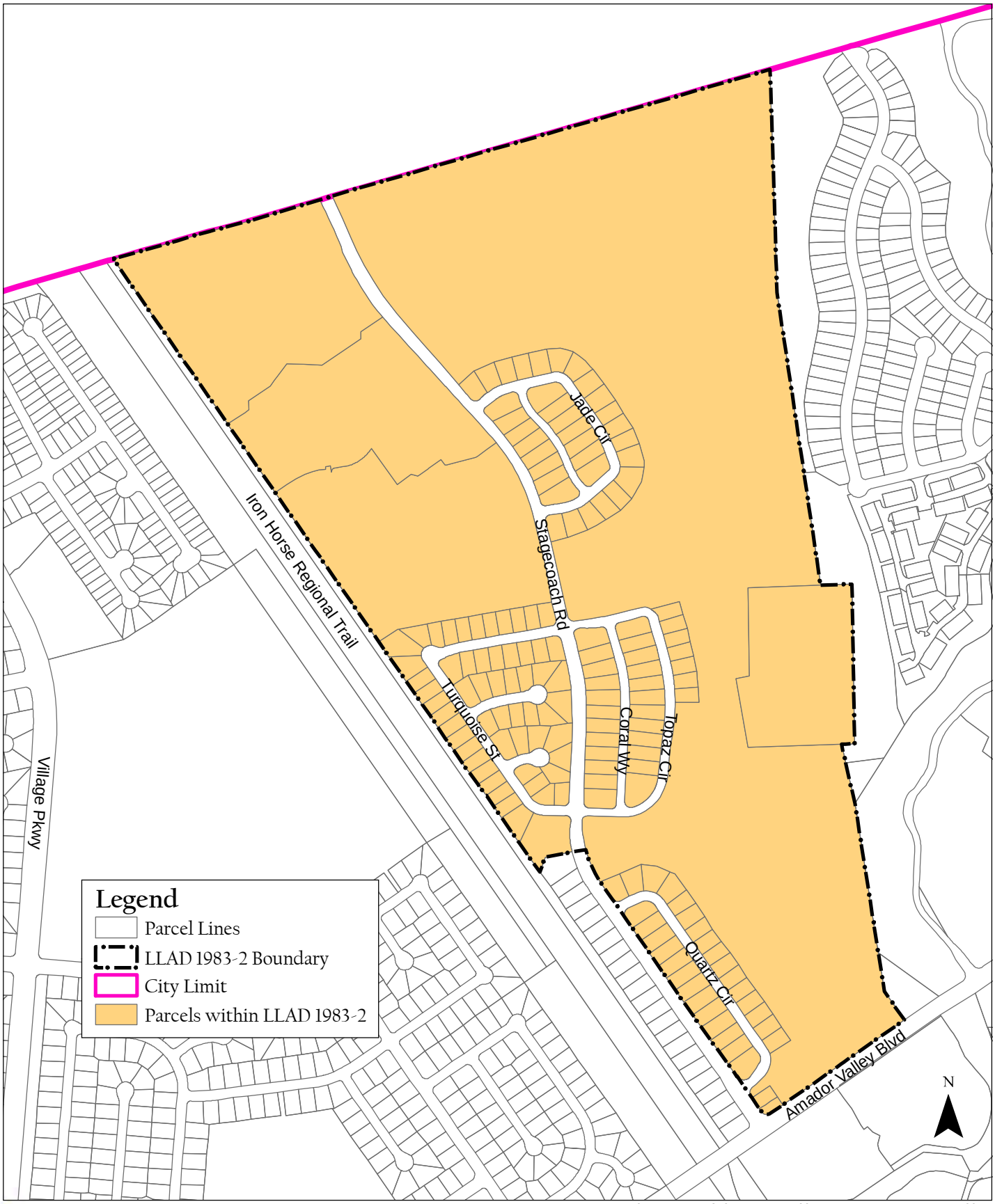
PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

City of Dublin
Landscape and Lighting District No. 1983-2
Assessment Diagram



Prepared by Francisco & Associates, Inc.

N:\Dublin\FY18-19\Diagrams\LLAD1983-2_Assessment Diagram (SA 01/24/2018)

PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of public lights, landscaping, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel. In addition, pursuant to Article XIIID Section 4:

> *"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel."*

Benefit Analysis

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on special benefits received from the improvements as determined at the time the District was established.

General Benefits — In reviewing each of the District improvements, the proximity of those improvements to both properties within the District and those outside the District, as well as the reasons for installing and constructing such improvements, it is evident that the improvements are solely the result of developing properties within the District and the ongoing maintenance and operation of these improvements will directly affect the properties within the District. Although the improvements include public areas, easements, rights-of-way, and other amenities available or visible to the public at large, the construction and installation of these improvements were only necessary for the development of properties within the District and were not required, nor necessarily desired by any properties or developments outside the District boundary and any public access or use of the improvements by others is incidental. Therefore, it has been

determined that the improvements and the ongoing maintenance, servicing and operation of those improvements provide no measurable general benefit to properties outside the District or to the public at large, but clearly provide distinct and special benefits to properties within the District.

Special Benefits — The method of apportionment (method of assessment) established herein is based on the premise that each assessed parcel within the District receives special benefits from the improvements and the desirability of those properties enhanced by the presence of well-maintained landscaping near those properties.

The special benefits associated with landscape improvements are specifically:

1) Enhanced desirability of properties through association with the improvements.

2) Improved aesthetic appeal of properties providing a positive representation of the area and properties.

3) Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.

4) Environmental enhancement through improved erosion resistance, dust and debris control, and fire prevention.

5) Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.

6) Enhanced quality of life through well-maintained green space and landscaped areas.

7) Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.

8) Enhanced environmental quality of the parcels by moderating temperatures, providing oxygenation, and attenuating noise.

The preceding special benefits contribute to the aesthetic value and desirability of each of the assessed parcels within the District and thereby provide a special enhancement of the properties. Furthermore, it has been determined that the lack of funding to properly service and maintain the District improvements would have a negative impact on the properties within the District.

Non-Assessable Properties — Within the boundaries of the District, there are several types of properties that are considered to receive no special benefit from the District improvements and are therefore not assessed. These parcels include:

1) Publicly owned parcels that are reserved as public open space or are developed as City Parks for active recreation and are maintained and serviced by the District;
2) Publicly owned wetland parcels;
3) Certain public utility parcels;
4) Privately owned open space parcels; and
5) Privately owned "sliver" parcels that have resulted from a lot line adjustment with an adjacent larger parcel. The adjacent larger parcel, of which these "sliver" parcels are a part, are assessed at the residential rate.

Assessment Methodology

The special benefits received by each parcel within the District and each parcel's proportional annual assessment are calculated as follows:

- Sixty-one and six tenths' percent (61.6%) spread equally to the 150 single family homes of Dublin Estates; and
- Thirty-eight and four tenths' percent (38.4%) spread equally among the 553 apartments/condominiums of Amador Lakes Complex.

Maximum Assessment Rate

It is recognized that the cost of maintaining the District improvements increases slightly every year because of inflation. In Fiscal Year 2003-04, the property owners approved a formula for increasing assessments for each future fiscal year to offset increases in costs due to inflation.

The maximum assessment amount for each property type shall be increased each fiscal year in an amount equal to the annual percentage increase of the local San Francisco Oakland San Jose Area Consumer Price Index ("Index") for "All Urban Wage Earners and Clerical Workers" which is applied to all costs except utilities (water and electricity), plus the actual percentage increase in utility costs (collectively, "Annual Escalation Factor").

In order to implement the District's Annual Escalation Factor annually, two rates were developed based on the cost estimate that was prepared at the time the property owners approved the annual escalator. The first rate (the "CPI Rate") was created to encompass the annual District cost increases except for utilities. The second rate (the "Utility Rate") was created to encompass the annual utility cost increases.

The Index is to be applied annually to the prior year's maximum CPI Rate for each property type to pay for all costs except utilities. The maximum Utility Rate was established to pay for all utility costs for each property type and is to be increased annually by the percentage change in the budgeted amount for utilities as shown in the District's annual fiscal year Engineer's Reports. The increase in utility costs shall be calculated by taking the upcoming fiscal year's budgeted amount for utilities and subtracting the District's previous highest yearly budgeted amount for utilities. This difference is used to calculate the annual increase in the Utility Rate for each property type. The combination

of the maximum CPI Rate and maximum Utility Rate (collectively, "Maximum Assessment Rate") shall equal the Maximum Assessment Rate for the upcoming fiscal year. Please see Table 3 for details regarding the Maximum Assessment Rate for Fiscal Year 2022-23.

The timing of the annual percentage increase of the Index was changed beginning in 2018 and for each year thereafter for administrative purposes, to ensure the City is allowed the time necessary to have all annual documents prepared and approved by the City Council by June of each year, and to meet both County submittal and statutory requirements. Each fiscal year, the City shall identify the annual percentage difference in the Index between the most recent calendar year and that of the prior calendar year; more specifically, the annual percentage change used to escalate the prior year's assessment rates for Fiscal Year 2022-23 was determined based on the difference using the annual amount for calendar years 2021 and 2020. Should the Bureau of Labor Statistics revise such Index or discontinue the preparation of such Index, the City shall use the revised index or comparable index as approved by the City Council for determining fluctuations in the cost of living. The following table shows the Maximum Assessment Rates allowable for Fiscal Year 2022-23.

TABLE 3: MAXIMUM ASSESSMENT RATE Landscape & Lighting District No. 1983-2	
CPI for 2020 Calendar Year[1]	292.601
CPI for 2021 Calendar Year[1]	304.602
% Change in CPI - Increase	4.10%
FY 2021/22 Maximum Rate per SFR - CPI Rate	$322.53
FY 2021/22 Maximum Rate per MFR - CPI Rate	$54.54
FY 2022/23 Maximum Rate per SFR - CPI Rate	$335.76
FY 2022/23 Maximum Rate per MFR - CPI Rate	$56.77
Prior Year Maximum Utility Budget[2]	$37,020
Utility Budget for FY 2022/23	$29,946
% Change in Utilities Rate - Increase[3]	0.000%
FY 2021/22 Maximum Rate per SFR - Utility Rate	$152.03
FY 2021/22 Maximum Rate per MFR - Utility Rate	$25.71
FY 2022/23 Maximum Rate per SFR - Utility Rate	$152.03
FY 2022/23 Maximum Rate per MFR - Utility Rate	$25.71
FY 2021/22 Maximum Assessment Rate per SFR	$474.56
FY 2021/22 Maximum Assessment Rate per MFR	$80.24
FY 2022/23 Maximum Assessment Rate per SFR[4]	$487.79
FY 2022/23 Maximum Assessment Rate per MFR[4]	$82.48

[1] CPI is based off of the All Urban Wage Earners and Clerical Workers.

[2] The FY 2020/21 Budget Amount for Utilities was the previous highest amount budgeted for utility costs.

[3] Equals the % difference between the FY 2021/22 and FY 2022/23 Maximum Utility Rate. If the Utility Budget does not increase, no increase will be realized.

[4] Equals the FY 2021/22 Maximum CPI Rate + Maximum Utility Rate.

If the City Council determines that an inflation adjustment is not required for a given fiscal year, the City Council may authorize the ensuing fiscal year's assessment without applying the adjustment formula to the amount levied. If the cost estimate and assessments for the District require an increase greater than the adjustment set forth in the formula, then the proposed increase would be subject to approval by the District property owners. Each fiscal year, the maximum assessment rate shall increase at the maximum amount allowable regardless of whether the increase is levied to the parcels within the District.

PART E

ASSESSMENT ROLL

The proposed assessment and the amount of the assessment apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office, are on file under separate cover with the City Clerk. Furthermore, the description of each lot or parcel is part of the records of the Assessor of the County of Alameda and those records are, by reference, made part of this report. The assessments shown will be submitted to the County Auditor/Controller and included on the property tax roll for each parcel shown in the assessment roll for Fiscal Year 2022-23.

Parcel identification, the lines and dimensions of each lot, parcel, and subdivision of land within the District, are inclusive of the parcels as shown on the Alameda County Assessor's Parcel Maps as they existed at the time of the passage of the Resolution of Intention, and shall include subsequent subdivisions, lot line adjustments or parcel changes therein. Reference is hereby made to the Alameda County Assessor's maps for a detailed description of the lines and dimensions of each lot and parcel of land within the District.

DUBLIN
CALIFORNIA

Landscape & Lighting District No. 1986-1 Fiscal Year 2022-23 Preliminary Engineer's Report

May 17, 2022

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

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ENGINEER'S REPORT
CITY OF DUBLIN
LANDSCAPE AND LIGHTING DISTRICT NO. 1986-1
FISCAL YEAR 2022-23

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Dublin City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, provisions of the Landscaping and Lighting Act of 1972 and Section 22500 et al of the California Streets and Highways Code. The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: April 29, 2022

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Dublin ("City") levies and collects special assessments on parcels within Landscape and Lighting District No. 1986-1 ("District") to maintain the improvements within the Villages in the Willow Creek area.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

General Description of the District

The District was initially formed in 1986 to provide a dedicated source of funding for the ongoing maintenance of landscaping, including fencing and sound walls, along the west side of Dougherty Road from Amador Valley Boulevard to the northerly City Limit, along Amador Valley Boulevard from Dougherty Road to Wildwood Road, along Wildwood Road and Fall Creek Road, and certain landscaped areas within the Ridgecreek single-family home development. Landscaping within the condominium and apartment developments is the responsibility of the homeowners' association(s) or property owner(s) for those individual developments.

A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Compliance with the California Constitution

Assessments are levied annually within the District pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code ("1972 Act"). All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are in compliance with the provisions of the California Constitution Article XIIID ("Article XIIID"), which was enacted with the passage of Proposition 218 in November 1996.

In Fiscal Year 2001-02, the assessments in the District were increased by 54% with the approval of property owners in compliance with the requirements of Proposition 218. The increase in the assessment rate was required as the reserve funds had become depleted and could no longer be used to offset utility and maintenance cost increases. The property owners also approved an escalation clause for future years that allows the assessment to increase according to the annual percentage change of the Consumer Price Index and the utility cost to increase according to the actual cost of utilities.

Any future increase in the assessment rate in excess of the maximum allowable rate or substantial changes in the services provided would require the approval of the property owners subject to the assessment based upon a mailed ballot which would be sent to each property owner.

Summary of District

A summary of the assessments to be levied in Fiscal Year 2022-23 for each property type is shown in the table below.

TABLE 1: SUMMARY OF PROPOSED ASSESSMENTS
Landscape & Lighting District No. 1986-1

Property Type	EDU Factor	Assessment Rate	
Single Family Residential (SFR)	1.00 per Parcel	$298.03	per Parcel
Multi Family Residential (MFR)	0.50 per Unit	$149.02	per Unit
Commercial	4.00 per Parcel	$1,192.10	per Parcel
Exempt, Cemeteries, Common Open Space	0.00 per Parcel	$0.00	per Parcel

SECTION II

ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF LANDSCAPING AND LIGHTING ACT OF 1972 SECTION 22500 THROUGH 22679 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

CITY OF DUBLIN

LANDSCAPE AND LIGHTING DISTRICT NO. 1986-1 FISCAL YEAR 2022-23

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 Division 15 of the Streets and Highways Code of the State of California, commencing with Section 22500), and in accordance with the Resolution of Intention, adopted by the City Council of the City of Dublin on May 17, 2022, I, Eduardo Espinoza, the duly appointed Engineer of Work, Assessment Engineer for the City of Dublin Landscape and Lighting District No. 1986-1 (the "District") submit the following Report, consisting of Section I (Introduction), and this, Section II, which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Dublin and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2022-23, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Dublin.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Dublin.

The lines and dimension of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's land use classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Dublin and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

The District provides for the continued maintenance and servicing of landscaping, including fencing and sound-walls within the public rights-of-way and within public easements within private streets, which provide special benefit to parcels and properties within the District. The specific improvements maintained by the District include:

a. The median and roadside landscaping along the north side of Willow Creek Drive.

b. Roadside landscaping along Shady Creek Drive within Lots 1, 2, 3, 4, 5, 6, 15, 16, 37, 38, and south of Lot 145, all within Tract 5511.

c. Roadside landscaping, wall, fence, and pathway improvements along the west side of Dougherty Road, between Amador Valley Boulevard and the northerly City limit, and along the north side of Amador Valley Boulevard, between Dougherty Road and Wildwood Road.

d. Roadside landscaping, fence, and pathway improvements on the west side of Wildwood Road.

e. Roadside landscaping, fence, wall, and pathway improvements on the west side of Dougherty Road and the south side of Amador Valley Boulevard, adjacent to Lot 150.

f. Roadside landscaping, fence, and pathway improvements on the west and north sides of Fall Creek Road.

g. Roadside landscaping and emergency access surfacing at the north end of Crossridge Road within the street right-of-way.

Pursuant to the 1972 Act:

> "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including repair, removal, or replacement of all or any part of any improvement.
>
> "Service" or "servicing" means the furnishing of electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.

Drawings showing the specific locations of the improvements are on file in the City's Public Works Department and are made a part of this report by reference.

PART B

ESTIMATE OF COSTS

All landscaping and other eligible improvements within the District are maintained and serviced on a regular basis. The proposed cost estimate for the District is shown on a following page herein. This includes an estimate of the costs of utilities, operations, services, administration, and maintenance associated with the improvements, including all labor, personnel, equipment, materials, and administrative expenses. The summary also shows the estimated fund balance, and the projected contribution/(transfer) based upon the estimated expenditures and assessment revenue. Projected cost estimates are also shown for the next two (2) fiscal years.

The following describes the general services and costs shown in the cost estimate.

District Costs

Maintenance Landscape – The cost of maintenance and repair of the landscaping and open space areas within the District.

Utilities Water – The cost of furnishing water for maintenance of landscape and irrigation systems within the District.

Utilities Electricity – The cost of electricity for maintenance of landscape and powering of irrigation systems within the District.

Miscellaneous Expenses – Costs that cannot easily be categorized into any of the other District Costs defined above.

Legal Notices – The cost of legal notices includes costs associated with preparation and publishing of any, and all required legal notices associated with the District.

District Administration – The costs of contracting with professionals to provide services specific to the annual levy administration, including preparation of the Engineer's Report, resolutions, and levy submittal to the County. These fees can also include any additional administrative, legal, or engineering services specific to the District such as the cost to prepare and mail notices of the public meeting and hearing.

Public Works Administration – The cost of public works administration includes costs derived by the City's Public Works Department or other department in relation to the administration and management of the District.

County Collection Fee – The cost to the District for the County to collect assessments on the annual secured property tax bills. Alameda County charges 1.7% of the total levy amount.

Miscellaneous Costs and Collections/(Credits) Applied to Levy

Reserve Collection/(Transfer) – The 1972 Act pursuant to *Chapter 1, Article 4 Section 22569 (a)*, provides for a District Reserve Fund for operations. Negative amounts shown for this cost estimate item represent transfers from the Reserve Fund that reduces the Balance to Levy. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the Fiscal Year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

Capital Improvement Fund Collection/(Transfer) – The 1972 Act pursuant to *Chapter 5, beginning with Section 22660,* provides for the District to establish by resolution an assessment installment plan for proposed improvements and expenditures that are greater than can be conveniently raised from a single annual assessment. Depending on the nature of the planned improvements, the collection of funds necessary to complete the project may be collected over a period up to thirty years, but typically not more than five years. The funds collected shall be accumulated in a separate improvement fund commonly referred to as a Capital Improvement Fund (CIF) and are not considered part of the regular maintenance of the improvements or the Reserve Fund.

Because the money accumulated in the Capital Improvement Fund is for a specific planned project (budgeted separately), the amount shown for this item in the annual cost estimate will typically be a positive number representing the amount being collected that year as part of the Balance to Levy. A negative number (Transfer) should only occur after the project has been completed and excess funds are being credited back to the District's regular accounts. The actual fund balances and expenditures for Capital Improvements are clearly identified under the Fund Balance Information section of the Cost Estimate.

Balance to Levy – This is the total amount to be collected for the current fiscal year through the annual assessments (for special benefits). The Balance to Levy represents the sum of Total District (Direct and Administration) Costs, Reserve Fund Contributions or Transfers, Contributions from Other Revenue Sources, and the Contribution Replenishment (if any). Only those costs related to the improvements identified as conferring special benefits to property within District are levied and collected on the tax roll.

The following page shows the cost estimates for Fiscal Year 2022-23 and 2023-24.

Table 2: City of Dublin
Landscape & Lighting District No. 1986-1

	FY 2022-23 Cost Estimate	Projected FY 2023-24 Cost Estimate
DISTRICT REVENUES		
Estimated Assessment Revenues	$ 194,169	$ 198,052
Contributions from Other Revenue Sources	$ 4,500	$ 4,950
Total District Revenues[1]	**$ 198,669**	**$ 203,002**
DISTRICT COSTS		
Maintenance - Landscape (MCE Base Amount)	$ 45,768	$ 45,981
Maintenance - Landscape (MCA Additional)	$ -	$ -
Utilities - Water	$ 73,143	$ 76,800
Utilities - Electricity	$ 2,356	$ 2,474
Miscellaneous Expenses	$ -	$ -
Legal Notices	$ 575	$ 592
District Administration	$ 3,410	$ 3,512
Public Works Administration	$ -	$ -
County Collection Fee	$ 2,850	$ 2,936
Total District Costs	**$ 128,102**	**$ 132,295**
MISCELLANEOUS COSTS AND COLLECTIONS/(CREDITS) APPLIED TO LEVY		
Reserve Collection/(Transfer)	$ -	$ 2,097
Capital Improvement Fund (CIF) Collection/(Transfer)	$ 70,567	$ 68,611
Total Miscellaneous Costs and Collections/(Credits) Applied to Levy	**$ 70,567**	**$ 70,707**
Balance to Levy	**$ 194,169**	**$ 198,052**
Variance Between Estimated Assessment Revenues and Balance to Levy	$ -	$ -
Total Assessment Revenue at Maximum Rate[2]	**$ 194,169**	**$ 198,052**
Variance above/(below) Maximum Assessment Revenue	$ -	$ -
FUND BALANCE INFORMATION		
Beginning Operating Reserve Fund Balance (est. 7/1/22 and 7/1/23)	$ 64,051	$ 64,051
Reserve Fund Adjustments	$ -	$ 2,097
Transfer From/(To) Capital Improvement Fund	$ -	$ -
Prior/Penalties/Public Damage	$ -	$ -
Interest	$ -	$ -
Ending Operating Reserve Fund Balance (est. 6/30/23 and 6/30/24)	**$ 64,051**	**$ 66,148**
Beginning CIF Balance (est. 7/1/22 and 7/1/23)[3]	$ 36,928	$ 107,495
CIF Adjustment	$ 70,567	$ 68,610
Transfer From/(To) Reserve Fund	$ -	$ -
Prior/Penalties/Public Damage	$ -	$ -
Interest	$ -	$ -
Ending CIF Balance (est. 6/30/23 and 6/30/24)[3]	**$ 107,495**	**$ 176,105**

[1]Total District Revenues includes the estimated assessment revenues for each fiscal year and contributions from other revenue sources such as interest earnings, etc.

[2]The Maximum Assessment Revenue for Fiscal Year (FY) 2023/24 was estimated to be equal to the FY 2022/23 Maximum Assessment Revenues and escalated by 2%.

[3]The City is planning to utilize the CIF Balance to contribute towards the cost for future fencing projects throughout the District.

Capital Improvement Projects

In addition to collecting funds annually for maintenance, funds are also allowed to be collected for capital improvement projects. Capital improvement projects generally include the repair and replacement of public improvements authorized to be maintained by the District. These funds are collected and often accumulated in a separate fund and are not considered to be a part of the regular maintenance of the improvements.

Following is a list of capital improvement projects the City plans to address utilizing District funds in the upcoming fiscal year and thereafter.

General Improvements: The City has identified the need for additional plantings, as well as sidewalk repairs, which fall outside of the regular maintenance budget for this District. Repairs will be addressed based upon need and available fund balance in the upcoming two-year cycle.

Alamo Creek Park and Assessment District - Fence Replacement: The City has identified the need to remove, replace, and/or repair tubular steel fencing throughout the District and around and within Alamo Creek Park. The projects costs associated with Alamo Creek Park fencing is not funded by the District, but is funded by the City's General Fund. District funding for the project is currently $400,000.

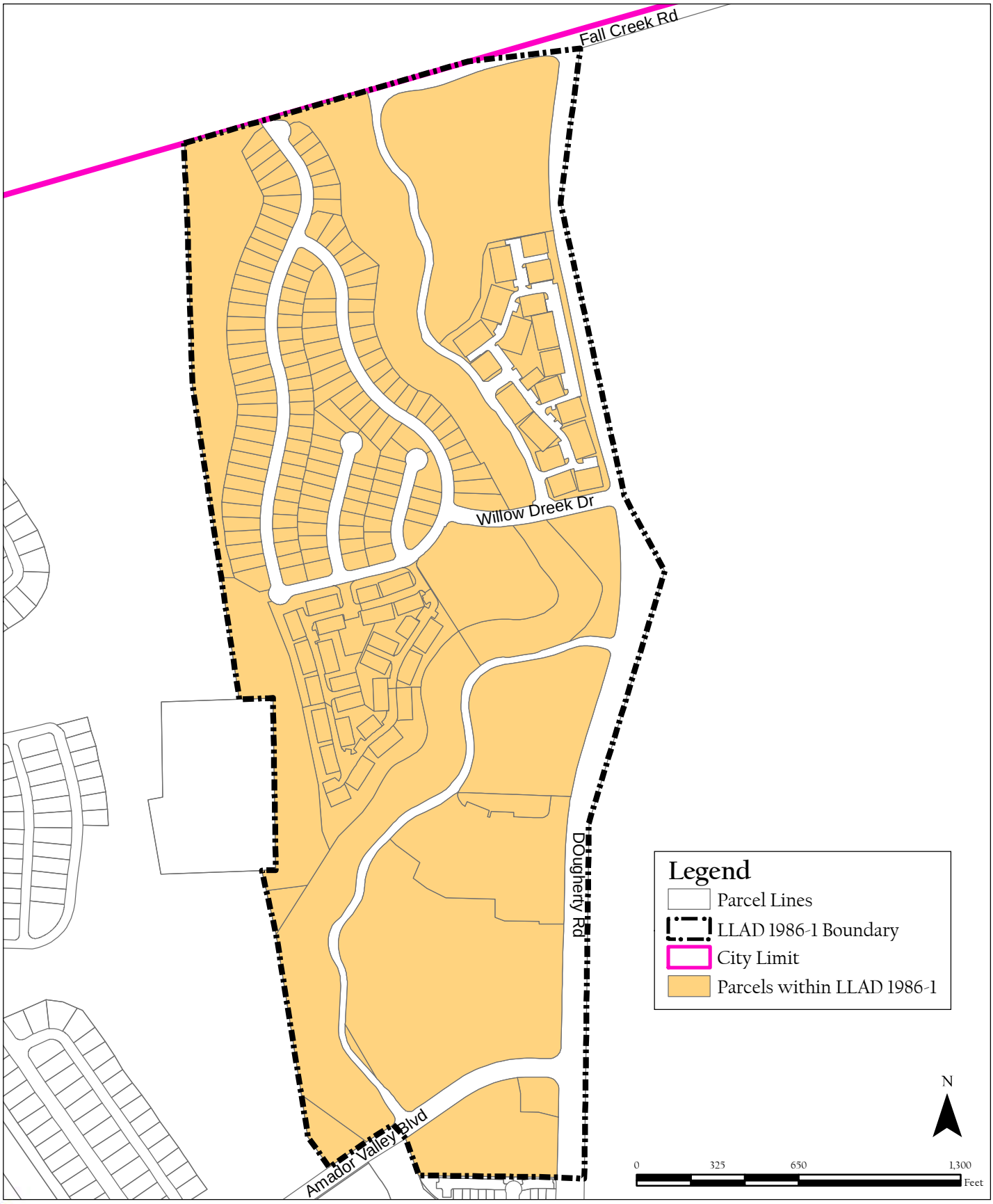
PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

City of Dublin
Landscape and Lighting District No. 1986-1
Assessment Diagram



Prepared by Francisco & Associates, Inc.

N:\Dublin\FY18-19\Diagrams\LLAD1986-1_Assessment Diagram (SA 04/17/2018)

PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of public lights, landscaping, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel. In addition, pursuant to Article XIIID Section 4:

> "*No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel."*

Benefit Analysis

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on special benefits received from the improvements as determined at the time the District was established.

General Benefits — In reviewing each of the District improvements, the proximity of those improvements to both properties within the District and those outside the District, as well as the reasons for installing and constructing such improvements, it is evident that the improvements are solely the result of developing properties within the District, and the ongoing maintenance and operation of these improvements will directly affect the properties within the District. Although the improvements include public areas, easements, rights-of-way, and other amenities available or visible to the public at large, the construction and installation of these improvements were only necessary for the development of properties within the District and were not required, nor necessarily desired by any properties or developments outside the District boundary and any public access or use of the improvements by others is incidental. Therefore, it has been

determined that the improvements and the ongoing maintenance, servicing and operation of those improvements provide no measurable general benefit to properties outside the District or to the public at large, but clearly provide distinct and special benefits to properties within the District.

Special Benefits — The method of apportionment (method of assessment) established herein is based on the premise that each assessed parcel within the District receives special benefits from the improvements and the desirability of those properties is enhanced by the presence of well-maintained landscaping near those properties.

The special benefits associated with landscape improvements are specifically:

1) Enhanced desirability of properties through association with the improvements.
2) Improved aesthetic appeal of properties providing a positive representation of the area and properties.
3) Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
4) Environmental enhancement through improved erosion resistance, dust and debris control, and fire prevention.
5) Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.
6) Enhanced quality of life through well-maintained green space and landscaped areas.
7) Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
8) Enhanced environmental quality of the parcels by moderating temperatures, providing oxygenation, and attenuating noise.

The preceding special benefits contribute to the aesthetic value and desirability of each of the assessed parcels within the District and thereby provide a special enhancement of the properties. Furthermore, it has been determined that the lack of funding to properly service and maintain the District improvements would have a negative impact on the properties within the District.

Non-Assessable Properties — Within the boundaries of the District, there are several types of properties that are considered to receive no special benefit from the District improvements and are therefore not assessed. These parcels include:

1) Publicly owned parcels that are reserved as public open space or are developed as City parks for active recreation and are maintained and serviced by the District;
2) Publicly owned wetland parcels;
3) Certain public utility parcels;
4) Privately owned open space parcels; and
5) Privately owned "sliver" parcels that have resulted from a lot line adjustment with an adjacent larger parcel.

Assessment Methodology

The special benefits received by each parcel within the District and each parcel's proportional annual assessment are calculated on the basis of a formula that utilizes Equivalent Dwelling Units. The Equivalent Dwelling Unit (EDU) method of apportionment establishes a proportional benefit relationship between the various parcels within the District and the improvements maintained by the District. The typical single family residential parcel is assigned 1.00 EDU.

EDU's are assigned to the other land uses based upon the property's development status, and type of development (County of Alameda land use code) as shown in the table below.

TABLE 3: ASSESSMENT METHODOLOGY
Landscape & Lighting District No. 1986-1

Property Type	EDU Factor
Single Family Residential (SFR)	1.00 per Parcel
Multi Family Residential (MFR)	0.50 per Unit
Commercial	4.00 per Parcel
Exempt, Cemeteries, Common Open Space	0.00 per Parcel

Single-Family Residential (SFR) — (County land use 1x) This land use identifies properties that are developed for single-family residential use and are assigned a factor of 1.00 EDU per parcel. This is the base value that all other land use types are compared and weighted against using EDUs.

Multi-Family Residential — This land use identifies properties that are developed for multi-family use and are assigned a factor of 0.50 EDU per unit.

Commercial — This land use identifies properties that are classified for commercial use and are assigned a factor of 4.00 EDU per parcel/lot.

Common Open Space, Cemeteries & Other Exempt Property — This land use identifies properties that are exempt from assessment and are assigned 0.00 EDU.

The following formulas are used to calculate each property's assessment:

Total Balance to Levy / Total EDUs = Levy per EDU (Rate)

Parcel EDU x Levy per EDU = Parcel Levy Amount

Maximum Assessment Rate

It is recognized that the cost of maintaining the District improvements increases slightly every year because of inflation. In Fiscal Year 2001-02, the property owners approved a formula for increasing assessments for each future fiscal year to offset increases in costs due to inflation.

The maximum assessment amount for each property type shall be increased each fiscal year in an amount equal to the annual percentage increase of the local San Francisco-Oakland-San Jose Area Consumer Price Index ("Index") for "All Urban Wage Earners and Clerical Workers" which is applied to all costs except utilities (water and electricity), plus the actual percentage increase in utility costs (collectively, "Annual Escalation Factor").

In order to implement the District's Annual Escalation Factor annually, two rates were developed based on the cost estimate that was prepared at the time the property owners approved the annual escalator. The first rate (the "CPI Rate") was created to encompass the annual District cost increases except for utilities. The second rate (the "Utility Rate") was created to encompass the annual utility cost increases.

The Index is to be applied annually to the prior year's maximum CPI Rate for each property type to pay for all costs except utilities. The maximum Utility Rate was established to pay for all utility costs for each property type and is to be increased annually by the percentage change in the budgeted amount for utilities as shown in the District's annual fiscal year Engineer's Reports. The increase in utility costs shall be calculated by taking the upcoming fiscal year's budgeted amount for utilities and subtracting the District's previous highest yearly budgeted amount for utilities. This difference is used to calculate the annual increase in the Utility Rate for each property type. The combination of the maximum CPI Rate and maximum Utility Rate (collectively, "Maximum Assessment Rate") shall equal the Maximum Assessment Rate for the upcoming fiscal year. Please see Table 3 for details regarding the Maximum Assessment Rate for Fiscal Year 2022-23.

The timing of the annual percentage increase of the Index was changed beginning in 2018 and for each year thereafter for administrative purposes, to ensure the City is allowed the time necessary to have all annual documents prepared and approved by the City Council by June of each year, and to meet both County submittal and statutory requirements. Each fiscal year starting in 2018, the City shall identify the annual percentage difference in the Index between the most recent calendar year and that of the prior calendar year; more specifically, the annual percentage change used to escalate the prior year's assessment rates for Fiscal Year 2022-23 was determined based on the difference using the annual amount for calendar years 2021 and 2020. Should the Bureau of Labor Statistics revise such Index or discontinue the preparation of such Index, the City shall use the revised index or comparable index as approved by the City Council for determining fluctuations in the cost of living. The following table shows the Maximum Assessment Rates allowable for Fiscal Year 2022-23.

TABLE 3: MAXIMUM ASSESSMENT RATE Landscape & Lighting District No. 1986-1	
CPI for 2020 Calendar Year[1]	292.601
CPI for 2021 Calendar Year[1]	304.602
% Change in CPI - Increase	4.10%
FY 2021/22 Maximum Rate per EDU - CPI Rate	$163.61
FY 2022/23 Maximum Rate per EDU - CPI Rate	$170.32
Prior Year Maximum Utility Budget[2]	$83,200
Utility Budget for FY 2022/23	$75,499
% Change in Utility Rate - Increase[3]	0.000%
FY 2021/22 Maximum Rate per EDU - Utility Rate	$127.71
FY 2022/23 Maximum Rate per EDU - Utility Rate	$127.71
FY 2021/22 Maximum Assessment Rate per EDU	$291.32
FY 2022/23 Maximum Assessment Rate per EDU[4]	$298.03

[1] CPI is based off of the All Urban Wage Earners and Clerical Workers.
[2] The FY 2017/18 Budget Amount for Utilities was the previous highest amount budgeted for utility costs.
[3] Equals the % difference between the FY 2021/22 and FY 2022/23 Maximum Utility Rate. If the Utility Budget does not increase, no increase will be realized.
[4] Equals the FY 2022/23 Maximum CPI Rate + Maximum Utility Rate.

If the City Council determines that an inflation adjustment is not required for a given fiscal year, the City Council may authorize the ensuing fiscal year's assessment without applying the adjustment formula to the amount levied. If the cost estimate and assessments for the District require an increase greater than the adjustment set forth in the formula, then the proposed increase would be subject to approval by the District property owners. Each fiscal year, the maximum assessment rate shall increase at the maximum amount allowable regardless of whether the increase is levied to the parcels within the District.

PART E

ASSESSMENT ROLL

The proposed assessment and the amount of the assessment apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office, are on file under separate cover with the City Clerk. Furthermore, the description of each lot or parcel is part of the records of the Assessor of the County of Alameda and those records are, by reference, made part of this report. The assessments shown will be submitted to the County Auditor/Controller and included on the property tax roll for each parcel shown in the assessment roll for Fiscal Year 2022-23.

Parcel identification, the lines and dimensions of each lot, parcel, and subdivision of land within the District, are inclusive of the parcels as shown on the Alameda County Assessor's Parcel Maps as they existed at the time of the passage of the Resolution of Intention, and shall include subsequent subdivisions, lot line adjustments or parcel changes therein. Reference is hereby made to the Alameda County Assessor's maps for a detailed description of the lines and dimensions of each lot and parcel of land within the District.

DUBLIN
CALIFORNIA

Landscape & Lighting District No. 1997-1 Fiscal Year 2022-23 Preliminary Engineer's Report

May 17, 2022

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

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ENGINEER'S REPORT
CITY OF DUBLIN
LANDSCAPE AND LIGHTING DISTRICT NO. 1997-1
FISCAL YEAR 2022-23

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Dublin City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, provisions of the Landscaping and Lighting Act of 1972 and Section 22500 et al of the California Streets and Highways Code. The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: April 29, 2022

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

REGISTERED PROFESSIONAL ENGINEER
EDUARDO ESPINOZA
C 83709
CIVIL
STATE OF CALIFORNIA

SECTION I

INTRODUCTION

The City of Dublin ("City") levies and collects special assessments on parcels within the City of Dublin Landscape and Lighting District No. 1997-1 ("District") to maintain the landscaping and irrigation improvements within the Santa Rita area.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

General Description of the District

The District was formed to fund street landscape maintenance and utility costs for the Santa Rita development area, also known as Emerald Park. The total District area is approximately 422 developed acres bounded by Arnold Road on the west, Gleason Drive on the north, Tassajara Road on the east, and Interstate 580 on the south. A diagram of the District is included within this report.

A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Compliance with the California Constitution

Assessments are levied annually within the District pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code ("1972 Act"). All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are in compliance with the provisions of the California Constitution Article XIIID ("Article XIIID"), which was enacted with the passage of Proposition 218 in November 1996.

In accordance with the requirements of Proposition 218, the property owners approved a formula for increasing assessments in succeeding years that allows the maintenance cost to increase according to the Consumer Price Index and the utility cost to increase according to the actual cost of utilities.

Any future increase in the assessment rate in excess of the maximum allowable rate or substantial changes in the services provided would require the approval of the property owners subject to the assessment based upon a mailed ballot which would be sent to each property owner pursuant to the provisions of the California Constitution Article XIIID.

Summary of District

A summary of the assessments to be levied in Fiscal Year 2022-23 for each property type is shown in the table below.

TABLE 1: SUMMARY OF PROPOSED ASSESSMENTS Landscape & Lighting District No. 1997-1	
Development/Property Type	**Assessment Rate**
California Creekside Single Family Residential (SFR)	$128.52 per Parcel
California Brookside Multi Family Residential (MFR)	$55.69 per Unit
Summer Glen - Richmond American (North) Lots	$112.54 per Parcel
Summer Glen - Richmond American (South) Lots	$123.85 per Parcel
Summer Glen - Kaufman & Broad Lots	$172.36 per Parcel
Summer Glen - Pulte Lots	$216.24 per Parcel
Dublin Greene Tract 7084 Single Family Residential	$136.13 per Parcel
Dublin Greene Tract 7149 Single Family Residential	$102.50 per Parcel
Dublin Greene Tract 7149 Condominiums	$53.43 per Unit
Other Parcels Including Retail, Office, and Industrial[1]	$903.85 per Acre

[1] Other Parcels includes all other land uses including commercial, retail, office, industrial, and all other parcels that do not fall into one of the developments/property types referenced above.

SECTION II

ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF LANDSCAPING AND LIGHTING ACT OF 1972 SECTION 22500 THROUGH 22679 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

CITY OF DUBLIN

LANDSCAPE AND LIGHTING DISTRICT NO. 1997-1 FISCAL YEAR 2022-23

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 Division 15 of the Streets and Highways Code of the State of California, commencing with Section 22500), and in accordance with the Resolution of Intention, adopted by the City Council of the City of Dublin on May 17, 2022, I, Eduardo Espinoza, the duly appointed Engineer of Work, Assessment Engineer for the City of Dublin Landscape and Lighting District No. 1997-1 (the "District") submit the following Report, consisting of Section I (Introduction), and this, Section II (Engineer's Report), which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Dublin and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2022-23, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Dublin.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Dublin.

The lines and dimension of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's land use classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements to be apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Dublin and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

The District provides for the continued maintenance and servicing of the landscaping and open space areas within the following areas:

1. Portions of the northerly and southerly street frontages for Dublin Boulevard, from Arnold Road to Tassajara Road.
2. The northerly and southerly street frontages for Central Parkway from Hacienda Drive to Tassajara Road, excluding the elementary school and Emerald Glen Park frontage landscaping.
3. The southerly street frontage for Gleason Drive, from Arnold Road to Tassajara Creek.
4. The easterly street frontage for Arnold Road, from Central Parkway to Gleason Drive.
5. The easterly street frontage for Hacienda Drive from Summer Glen Drive to Gleason Drive, and westerly street frontage for Hacienda Drive from Central Parkway to Gleason Drive.
6. Tassajara Creek and trail, from I-580 to the northerly property boundary of the Alameda County Surplus Property Authority property (APN 986-1-1-10).
7. Street median landscaping is not part of this District.

As generally defined in the 1972 Act, maintenance and servicing of the improvements may include one or any combination of the following:

1. The installation or planting of landscaping. The installation or construction of statuary, fountains, and other ornamental structures and facilities.
2. The installation or construction of any facilities which are appurtenant to any of the foregoing, or which are necessary or convenient for the maintenance or servicing thereof; including but not limited to, grading, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, paving, or water, irrigation, drainage, or electrical facilities.
3. The maintenance or servicing, or both, of any of the foregoing including the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including, but not limited to:
    a. Repair, removal, or replacement of all or any part of any improvements;
    b. Grading, clearing, removal of debris, the installation, repair or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities;
    c. Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury;
    d. The removal of trimmings, rubbish, debris, and other solid waste;
    e. The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti;
    f. Electric current or energy, gas, or other agent for the lighting or operation of

any other improvements;

g. Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

4. Incidental expenses associated with the improvements including, but not limited to:
   a. The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
   b. The costs of printing, advertising, and the publishing, posting, and mailing of notices;
   c. Compensation payable to the County for collection of assessments;
   d. Compensation of any engineer or attorney employed to render services;
   e. Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements; and,
   f. Costs associated with any elections held for the approval of a new or increased assessment.

Pursuant to the 1972 Act:

> "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including repair, removal, or replacement of all or any part of any improvement.
>
> "Service" or "servicing" means the furnishing of electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.

Drawings showing the specific locations of the improvements are on file in the City's Public Works Department and are made a part of this report by reference.

PART B

ESTIMATE OF COSTS

All landscaping and other eligible improvements within the District are maintained and serviced on a regular basis. The proposed cost estimate for the District is shown on a following page herein. This includes an estimate of the costs of utilities, operations, services, administration, and maintenance associated with the improvements, including all labor, personnel, equipment, materials, and administrative expenses. The summary also shows the estimated fund balance, and the projected contribution/(transfer) based upon the estimated expenditures and assessment revenue. Projected cost estimates are also shown for the next two (2) fiscal years.

The following describes the general services and costs shown in the cost estimate.

District Costs

Maintenance Landscape – The cost of maintenance and repair of landscaping and open space areas.

Utilities Water – The cost of furnishing water for maintenance of landscape and irrigation systems.

Utilities Electricity – The cost of electricity for maintenance of landscape, powering of irrigation systems, and entry lighting within the District.

Miscellaneous Expenses – Costs that cannot easily be categorized into any of the other District Costs defined above.

Legal Notices – The cost of legal notices includes costs associated with preparation and publishing of any, and all required legal notices associated with the District.

District Administration – The costs of contracting with professionals to provide services specific to the annual levy administration, including preparation of the Engineer's Report, resolutions, and levy submittal to the County. These fees can also include any additional administrative, legal, or engineering services specific to the District such as the cost to prepare and mail notices of the public meeting and hearing.

Public Works Administration – The cost of public works administration includes costs derived by the City's Public Works Department or other department in relation to the administration and management of the District.

County Collection Fee – The cost to the District for the County to collect assessments on the annual secured property tax bills. Alameda County charges 1.7% of the total levy amount.

Miscellaneous Costs and Collections/(Credits) Applied to Levy

Reserve Collection/(Transfer) – The 1972 Act pursuant to *Chapter 1, Article 4 Section 22569 (a)*, provides for a District Reserve Fund for operations. Negative amounts shown for this cost estimate item represent transfers from the Reserve Fund that reduces the Balance to Levy. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

Capital Improvement Fund Collection/(Transfer) – The 1972 Act pursuant to *Chapter 5, beginning with Section 22660,* provides for the District to establish by resolution an assessment installment plan for proposed improvements and expenditures that are greater than can be conveniently raised from a single annual assessment. Depending on the nature of the planned improvements, the collection of funds necessary to complete the project may be collected over a period up to thirty years, but typically not more than five years. The funds collected shall be accumulated in a separate improvement fund commonly referred to as a Capital Improvement Fund (CIF) and are not considered part of the regular maintenance of the improvements or the Reserve Fund.

Because the money accumulated in the Capital Improvement Fund is for a specific planned project (budgeted separately), the amount shown for this item in the annual cost estimate will typically be a positive number representing the amount being collected that year as part of the Balance to Levy. A negative number (Transfer) should only occur after the project has been completed and excess funds are being credited back to the District's regular accounts. The actual fund balances and expenditures for capital improvements are clearly identified under the Fund Balance Information section of the Cost estimate.

Balance to Levy – This is the total amount to be collected for the current fiscal year through the annual assessments (for special benefits). The Balance to Levy represents the sum of Total District (Direct and Administration) Costs, Reserve Fund Contributions or Transfers, Contributions from Other Revenue Sources, and the Contribution Replenishment (if any). Only those costs related to the improvements identified as conferring special benefits to property within the District are levied and collected on the tax roll.

The following page shows the cost estimates for Fiscal Year 2022-23 and 2023-24.

Table 2: City of Dublin
Landscape & Lighting District No. 1997-1

	FY 2022-23 Cost Estimate	Projected FY 2023-24 Cost Estimate
DISTRICT REVENUES		
Estimated Assessment Revenues	$ 380,680	$ 388,294
Contributions from Other Revenue Sources	$ 10,000	$ 11,000
Total District Revenues[1]	**$ 390,680**	**$ 399,294**
DISTRICT COSTS		
Maintenance - Landscape (MCE Base Amount)	$ 209,753	$ 213,377
Maintenance - Landscape (MCE Additional)	$ -	$ -
Utilities - Water	$ 115,920	$ 121,716
Utilities - Electricity	$ 655	$ 688
Miscellaneous Expenses	$ 14,000	$ 14,000
Legal Notices	$ 575	$ 592
District Administration	$ 3,410	$ 3,512
Public Works Administration	$ -	$ -
County Collection Fee	$ 7,000	$ 7,210
Total District Costs	**$ 351,313**	**$ 361,095**
MISCELLANEOUS COSTS AND COLLECTIONS/(CREDITS) APPLIED TO LEVY		
Reserve Collection/(Transfer)	$ -	$ 4,891
Capital Improvement Fund (CIF) Collection/(Transfer)	$ 39,367	$ 33,308
Total Miscellaneous Costs and Collections/(Credits) Applied to Levy	**$ 39,367**	**$ 38,199**
Balance to Levy	**$ 380,680**	**$ 388,294**
Variance Between Estimated Assessment Revenues and Balance to Levy	$ -	$ -
Total Assessment Revenue at Maximum Rate[2]	**$ 668,937**	**$ 682,315**
Variance above/(below) Maximum Assessment Revenue	**$ (288,257)**	**$ (294,022)**
FUND BALANCE INFORMATION		
Beginning Operating Reserve Fund Balance (est. 7/1/22 and 7/1/23)	$ 175,657	$ 175,657
Reserve Fund Adjustment	$ -	$ 4,891
Transfer From/(To) Capital Improvement Fund	$ -	$ -
Prior/Penalties/Public Damage	$ -	$ -
Interest	$ -	$ -
Ending Operating Reserve Fund Balance (est. 6/30/23 and 6/30/24)	**$ 175,657**	**$ 180,548**
Beginning CIF Balance (est. 7/1/22 and 7/1/23)	$ 1,042,148	$ 886,514
CIF Adjustment	$ 39,367	$ 33,308
Transfer Out For CIP	$ (195,000)	$ -
Transfer From/(To) Reserve Fund	$ -	$ -
Prior/Penalties/Public Damage	$ -	$ -
Interest	$ -	$ -
Ending CIF Balance (est. 6/30/23 and 6/30/24)	**$ 886,514**	**$ 919,822**

[1]Total District Revenues includes the estimated assessment revenues for each fiscal year and contributions from other revenue sources such as interest earnings, etc.

[2]The Maximum Assessment Revenue for Fiscal Year (FY) 2023/24 was estimated to be equal to the FY 2022/23 Maximum Assessment Revenues and escalated by 2%.

Capital Improvement Projects

In addition to collecting funds annually for maintenance, funds are also allowed to be collected for capital improvement projects. Capital improvement projects generally include the repair and replacement of public improvements authorized to be maintained by the District. These funds are collected and often accumulated in a separate fund and are not considered to be a part of the regular maintenance of the improvements.

Following is a list of capital improvement projects the City plans to address utilizing District funds in the upcoming fiscal year and thereafter.

General Improvements: The City has identified the need for minor sound wall repairs, as well as pavement/trail repairs at Tassajara Creek, which are outside of the scope of the regular maintenance budget for this District. Repairs will be addressed based upon the need and available fund balance in the upcoming two-year cycle.

Persimmon Drive Asphalt Path Rehabilitation: The City has identified the need for rehabilitation of the asphalt trail adjacent to Persimmon Drive.

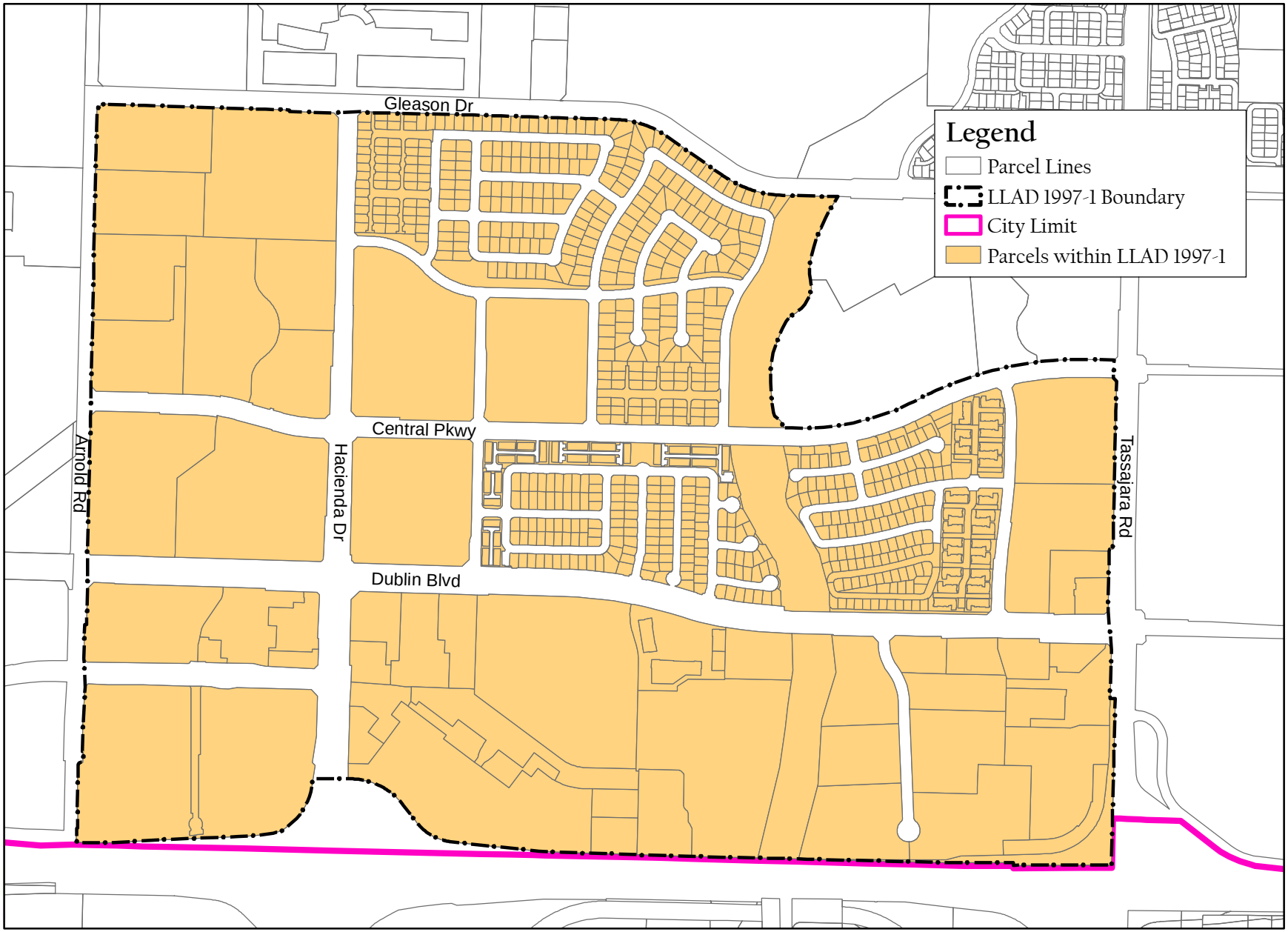
PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

City of Dublin
Landscape and Lighting District No. 1997-1
Assessment Diagram



Prepared by Francisco & Associates, Inc.

N:\Dublin\FY18-19\Diagrams\LLAD1997-1_Assessment Diagram (SA 04/17/2018)

PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of public lights, landscaping, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel. In addition, pursuant to Article XIIID Section 4:

> "*No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel."*

Benefit Analysis

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on special benefits received from the improvements as determined at the time the District was established.

General Benefits — In reviewing each of the District improvements, the proximity of those improvements to both properties within the District and those outside the District, as well as the reasons for installing and constructing such improvements, it is evident that the improvements are solely the result of developing properties within the District and the ongoing maintenance and operation of these improvements will directly affect the properties within the District. Although the improvements include public areas, easements, rights-of-way, and other amenities available or visible to the public at large, the construction and installation of these improvements were only necessary for the development of properties within the District and were not required, nor necessarily desired by any properties or developments outside the District boundary and any public access or use of the improvements by others is incidental. Therefore, it has been

determined that the improvements and the ongoing maintenance, servicing and operation of those improvements provide no measurable general benefit to properties outside the District or to the public at large, but clearly provide distinct and special benefits to properties within the District.

Special Benefits — The method of apportionment (method of assessment) established herein is based on the premise that each assessed parcel within the District receives special benefits from the improvements and the desirability of those properties enhanced by the presence of well-maintained landscaping in close proximity to those properties.

The special benefits associated with landscape improvements are specifically:

1) Enhanced desirability of properties through association with the improvements.

2) Improved aesthetic appeal of properties providing a positive representation of the area and properties.

3) Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.

4) Environmental enhancement through improved erosion resistance, dust and debris control, and fire prevention.

5) Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.

6) Enhanced quality of life through well-maintained green space and landscaped areas.

7) Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.

8) Enhanced environmental quality of the parcels by moderating temperatures, providing oxygenation, and attenuating noise.

The preceding special benefits contribute to the aesthetic value and desirability of each of the assessed parcels within the District and thereby provide a special enhancement of the properties. Furthermore, it has been determined that the lack of funding to properly service and maintain the District improvements would have a negative impact on the properties within the District.

Non-Assessable Properties — Within the boundaries of the District, there are several types of properties that are considered to receive no special benefit from the District improvements and are therefore not assessed. These parcels include:

1) Publicly owned parcels that are reserved as public open space or are developed as City parks for active recreation and are maintained and serviced by the District;
2) Publicly owned wetland parcels;
3) Certain public utility parcels;
4) Privately owned open space parcels; and
5) Privately owned "sliver" parcels that have resulted from a lot line adjustment with an adjacent larger parcel.

Assessment Methodology

The initial Engineer's Report provided for a maximum assessment of $710 per developed acre, based on a total of 389,400 square feet of street improvements and a total of 957,000 square feet of creek improvements and 440.08 acres of developed property anticipated at the time of formation for build-out of all property within the District. The cost of the improvements was divided equally among the total number of developed properties within the boundaries of the District on a per acre basis.

"Developed acres" shall include property having a recorded final map or parcel map as of July 1st of each year.

The following formulas are used to calculate each property's assessment:

1. Cost of maintenance of installed improvements ("M").
2. Total amount of developed acres ("A").
3. The annual assessment for the developed acres for that year ("M") shall be spread on a per-acre basis ("M" ÷ "A") based on the following:
    a. Commercial, retail, office, industrial, and all other parcel classifications not referenced herein' developed area, per acre basis.
    b. Single-family residential area, per acre basis.
    c. Multi-family residential area, per acre basis.
4. The single-family and multi-family residential area per acre assessment will be further spread on a per lot basis based on the number of lots on the final map, parcel map, or condominium map for each development.
5. If the initial assessment in any year would exceed $710 per acre, the amount in excess of $710 shall be assessed to the remaining undeveloped acres on a per acre basis, subject to the maximum developed acre amount.
6. The maximum developed acre assessment of $710 per year will be increased annually by the percentage increase in the San Francisco-Oakland-San Jose Area Consumer Price Index for "All Urban Consumers and Clerical Workers" (applies to all costs except water and electricity), plus any budgeted increase in the cost for water and electricity.
7. If the square footage cost of the improvements will be less than the amount set forth herein (after adjustment), the assessment shall be reduced proportionately to reflect the reduced cost of improvements in that year.

Rate Classifications

Single and Multi-family residential subdivisions within the District will be assigned a rate on a per lot basis. To determine the assessment per lot, the number of acres within the subdivision will be divided by the number of lots within the subdivision.

Commercial (including retail, office, and industrial uses, as well as apartment properties) are assessed based on the per acre figure of $903.85 multiplied by the number of acres per individual lot for Fiscal Year 2022-23.

Maximum Assessment Rate

It is recognized that the cost of maintaining the District improvements increases slightly every year because of inflation. As at the time the District was formed, the property owners approved a formula for increasing assessments for each future fiscal year to offset increases in costs due to inflation.

The maximum assessment amount for each development/property type shall be increased each fiscal year in an amount equal to the annual percentage increase of the local San Francisco-Oakland-San Jose Area Consumer Price Index ("Index") for "All Urban Wage Earners and Clerical Workers" which is applied to all costs except utilities (water and electricity), plus the actual percentage increase in utility costs (collectively, "Annual Escalation Factor").

In order to implement the District's Annual Escalation Factor annually, two rates were developed based on the cost estimate that was prepared at the time the property owners approved the annual escalator. The first rate (the "CPI Rate") was created to encompass the annual District cost increases except for utilities. The second rate (the "Utility Rate") was created to encompass the annual utility cost increases.

The Index is to be applied annually to the prior year's maximum CPI Rate for each development/property type to pay for all costs except utilities. The maximum Utility Rate was established to pay for all utility costs for each development/property type and is to be increased annually by the percentage change in the budgeted amount for utilities as shown in the annual District's fiscal year Engineer's Reports. The increase in utility costs shall be calculated by taking the upcoming fiscal year's budgeted amount for utilities and subtracting the District's previous highest yearly budgeted amount for utilities. This difference is used to calculate the annual increase in the Utility Rate for each development/property type. The combination of the maximum CPI Rate and maximum Utility Rate (collectively, "Maximum Assessment Rate") shall equal the Maximum Assessment Rate for the upcoming fiscal year. Please see Table 3 for details regarding the Maximum Assessment Rate for Fiscal Year 2022-23.

The timing of the annual percentage increase of the Index was changed beginning in 2018 and for each year thereafter for administrative purposes, to ensure the City is

allowed the time necessary to have all annual documents prepared and approved by the City Council by June of each year, and to meet both County submittal and statutory requirements. Each fiscal year starting in 2018, the City shall identify the annual percentage difference in the Index between the most recent calendar year and that of the prior calendar year; more specifically, the annual percentage change used to escalate the prior year's assessment rates for Fiscal Year 2022-23 was determined based on the difference using the annual amount for calendar years 2021 and 2020. Should the Bureau of Labor Statistics revise such Index or discontinue the preparation of such Index, the City shall use the revised index or comparable index as approved by the City Council for determining fluctuations in the cost of living. The following table shows the Maximum Assessment Rates allowable for Fiscal Year 2022-23.

TABLE 3: MAXIMUM ASSESSMENT RATE Landscape & Lighting District No. 1997-1	
CPI for 2020 Calendar Year[1]	292.601
CPI for 2021 Calendar Year[1]	304.602
% Change in CPI - Increase	4.10%
FY 2021/22 Maximum Rate per Acre - CPI Rate	$1,257.66
FY 2022/23 Maximum Rate per Acre - CPI Rate	$1,309.24
Prior Year Maximum Utility Budget[2]	$114,179
Utility Budget for FY 2022/23	$116,575
% Change in Utilities Rate - Increase[3]	2.098%
FY 2021/22 Maximum Rate per Acre - Utility Rate	$273.27
FY 2022/23 Maximum Rate per Acre - Utility Rate	$279.01
FY 2021/22 Maximum Assessment Rate per Acre	$1,530.93
FY 2022/23 Maximum Assessment Rate per Acre[4]	$1,588.25

[1] CPI is based off of the All Urban Wage Earners and Clerical Workers.
[2] The FY 2014/15 Budget Amount for Utilities was the previous highest amount budgeted for utility costs.
[3] Equals the % difference between the Prior Year Utility Budget and the Current Year Utility Budget. If the Utility Budget does not increase, no increase will be realized.
[4] Equals the FY 2022/23 Maximum CPI Rate + Maximum Utility Rate.

If the City Council determines that an inflation adjustment is not required for a given fiscal year, the City Council may authorize the ensuing fiscal year's assessment without applying the adjustment formula to the amount levied. If the cost estimate and

assessments for the District require an increase greater than the adjustment set forth in the formula, then the proposed increase would be subject to approval by the District property owners. Each fiscal year, the maximum assessment rate shall increase at the maximum amount allowable regardless of whether the increase is levied to the parcels within the District.

PART E

ASSESSMENT ROLL

The proposed assessment and the amount of the assessment apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office, are on file under separate cover with the City Clerk. Furthermore, the description of each lot or parcel is part of the records of the Assessor of the County of Alameda and those records are, by reference, made part of this report. The assessments shown will be submitted to the County Auditor/Controller and included on the property tax roll for each parcel shown in the assessment roll for Fiscal Year 2022-23.

Parcel identification, the lines and dimensions of each lot, parcel, and subdivision of land within the District, are inclusive of the parcels as shown on the Alameda County Assessor's Parcel Maps as they existed at the time of the passage of the Resolution of Intention, and shall include subsequent subdivisions, lot line adjustments or parcel changes therein. Reference is hereby made to the Alameda County Assessor's maps for a detailed description of the lines and dimensions of each lot and parcel of land within the District.

DUBLIN
CALIFORNIA

Street Lighting District No. 1999-1 Fiscal Year 2022-23 Preliminary Engineer's Report

May 17, 2022

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

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ENGINEER'S REPORT
CITY OF DUBLIN
STREET LIGHTING MAINTENANCE DISTRICT NO. 1999-1
FISCAL YEAR 2022-23

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Dublin City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, provisions of the Landscaping and Lighting Act of 1972 and Section 22500 et al of the California Streets and Highways Code. The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: April 29, 2022

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Dublin ("City") levies and collects special assessments on parcels within the City of Dublin Street Lighting Maintenance District No. 1999-1 ("District") to maintain the public street lighting improvements within the District.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

General Description of the District

The District was initially formed in 1999 to provide a dedicated source of funding for the ongoing maintenance of public street lighting improvements within the boundaries of the Dublin Ranch development (excluding the golf course). Tract 7067, which is the Clifton Park development off Mountain Rose Place in the western hills of the City was annexed to the District in 2000, and Dublin Ranch Areas A and G were annexed in 2001. The remaining portions of Dublin Ranch, including areas B, C, F and H were annexed to the District in December 2005. Fallon Village (Tract 7586) was annexed to the District in 2007, and Jordan Ranch (Tract 8024, 8073 & 8074) was annexed to the District in 2011. One reason for the formation of the District was that a special decorative lighting fixture was designed and installed throughout the area to create a community element as part of the development. A Diagram showing the exterior boundaries of the District is provided within this Report.

A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Compliance with the California Constitution

Assessments are levied annually within the District pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code ("1972 Act"). All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are in compliance with the provisions of the California Constitution Article XIIID ("Article XIIID"), which was enacted with the passage of Proposition 218 in November 1996.

The formation of this District was initiated by petition from the developer, and the City has determined it is compliant with the substantive and procedural requirements of Proposition 218 and the 1972 Act. At the time the District was formed, the property owners agreed to the inclusion of a formula for increasing assessments for each fiscal year to offset increases due to inflation as described in the assessment methodology.

Any future increase in the assessment rate in excess of the maximum allowable rate or substantial changes in the services provided would require the approval of the property owners subject to the assessment based upon a mailed ballot which would be sent to each property owner.

Summary of District

A summary of the assessments to be levied in Fiscal Year 2022-23 for each property type is shown in the table below.

TABLE 1: SUMMARY OF PROPOSED ASSESSMENTS
Street Lighting District No. 1999-1

Property Type	EDU Factor	Assessment Rate
Single Family Residential (SFR)	1.00 per Parcel	$38.03 per Parcel
Commercial	5.50 per Acre	$209.15 per Acre
Exempt, Cemeteries, Common Open Space	0.00 per Parcel	$0.00 per Parcel

SECTION II

ENGINEER'S REPORT PREPARED PURSUANT TO THE PROVISIONS OF LANDSCAPING AND LIGHTING ACT OF 1972 SECTION 22500 THROUGH 22679 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

CITY OF DUBLIN

STREET LIGHTING MAINTENANCE DISTRICT NO. 1999-1 FISCAL YEAR 2022-23

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 Division 15 of the Streets and Highways Code of the State of California, commencing with Section 22500), and in accordance with the Resolution of Intention, adopted by the City Council of the City of Dublin on May 17, 2022, I, Eduardo Espinoza, the duly appointed Engineer of Work, Assessment Engineer for the City of Dublin Street Lighting Maintenance District No. 1999-1 (the "District") submit the following Report, consisting of Section I (Introduction), and this Section II (Engineer's Report), which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Dublin and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2022-23, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Dublin.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Dublin.

The lines and dimension of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's land use classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements to be apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Dublin and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

The District provides for the continued installation, maintenance, and servicing of street lighting improvements within the public rights-of-way and within public easements within private streets which provide special benefit to parcels and properties within the District.

For the first several years after formation of the District, this District did not incur a significant maintenance cost; however, as the streetlights age, the number of repairs are increasing. In addition, a portion of the funds collected from the annual assessments of the District are being set aside for future capital improvement project costs in a separate improvement fund referred to as a Capital Improvement Fund (CIF). The CIF was established for proposed improvements and expenditures that are greater than can be conveniently raised from a single annual assessment. Anticipated projects include LED conversions and pole painting. These funds are not considered part of the regular maintenance of the improvements or a part of the Operating Reserve Fund.

In Fiscal Year 2012-13, 321 streetlights in the District were retrofitted with new light emitting diode (LED) fixtures. The total construction cost for these improvements was $283,800. As part of this retrofit, the district received a one-time rebate amount of $39,950 from Pacific Gas & Electric (PG&E).

As generally defined in the 1972 Act, maintenance and servicing of the street lighting improvements may include one or any combination of the following:

1) The installation or construction of public lighting facilities, including, but not limited to streetlights and traffic signals.
2) The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof; including but not limited to, grading, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, paving, or water, irrigation, drainage, or electrical facilities.
3) The maintenance or servicing, or both, of any of the foregoing including the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including, but not limited to:
    a) Repair, removal, or replacement of all or any part of any improvements;
    b) Grading, clearing, removal of debris, the installation, repair or construction of curbs, gutters, walls, sidewalks, paving, or water, irrigation, drainage, or electrical facilities;
    c) The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.
    d) Electric current or energy, gas, or other agent for the lighting or operation of any other improvements.
4) Incidental expenses associated with the improvements including, but not limited to:
    a) The cost of preparation of the report, including plans, specifications, estimates,

diagram, and assessment;

b) The costs of printing, advertising, and the publishing, posting, and mailing of notices;
c) Compensation payable to the County for collection of assessments;
d) Compensation of any engineer or attorney employed to render services;
e) Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements; and,
f) Costs associated with any elections held for the approval of a new or increased assessment.

Pursuant to the 1972 Act:

> "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including repair, removal, or replacement of all or any part of any improvement.
>
> "Service" or "servicing" means the furnishing of electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.

Drawings showing the specific locations of the improvements are on file in the City's Public Works Department and are made a part of this report by reference.

PART B

ESTIMATE OF COSTS

All public streetlights and other eligible improvements within the District are maintained and serviced on a regular basis. The proposed cost estimate for the District is shown on a following page herein. This includes an estimate of the costs of utilities, operations, services, administration, and maintenance associated with the improvements, including all labor, personnel, equipment, materials, and administrative expenses. The summary also shows the estimated fund balance, and the projected contribution/(transfer) based upon the estimated expenditures and assessment revenue. Projected cost estimates are also shown for the next two (2) fiscal years.

The following describes the general services and costs shown in the cost estimate.

District Costs

Operating Supplies – The cost of supplies for ongoing maintenance and servicing of the street lighting improvements including street light repair parts and the labor associated with performing the repair work. In addition, a portion of this cost is set aside as a contingency amount for both large scheduled and unscheduled, but necessary repairs.

Contract with Alameda County – The cost of street light maintenance provided from the County of Alameda based on the current fiscal year contract.

California Street Light Association – The cost of Street Light Association dues based on relative number of lights within the District.

Utilities Electricity – The cost of streetlight electrical energy use, including miscellaneous utility charges.

Miscellaneous Expenses – Costs that cannot easily be categorized into any of the other District Costs defined above.

Legal Notices – The cost of legal notices includes costs associated with preparation and publishing of any, and all required legal notices associated with the District.

District Administration – The costs of contracting with professionals to provide services specific to the annual levy administration, including preparation of the Engineer's Report, resolutions, and levy submittal to the County. These fees can also include any additional administrative, legal, or engineering services specific to the District, such as the cost to prepare and mail notices of the public meeting and hearing.

Public Works Administration – The cost of public works administration includes costs derived by the City's Public Works Department or other department in relation to the administration and management of the District.

County Collection Fee – The cost to the District for the County to collect assessments on the annual secured property tax bills. Alameda County charges 1.7% of the total levy amount.

Miscellaneous Costs and Collections/(Credits) Applied to Levy

Reserve Collection/(Transfer) – The 1972 Act pursuant to *Chapter 1, Article 4 Section 22569 (a)*, provides for a District Reserve Fund for operations. Negative amounts shown for this cost estimate item represent transfers from the Reserve Fund that reduces the Balance to Levy. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

Capital Improvement Fund Collection/(Transfer) – The 1972 Act pursuant to *Chapter 5, beginning with Section 22660,* provides for the District to establish by resolution an assessment installment plan for proposed improvements and expenditures that are greater than can be conveniently raised from a single annual assessment. Depending on the nature of the planned improvements, the collection of funds necessary to complete the project may be collected over a period up to thirty years, but typically not more than five years. The funds collected shall be accumulated in a separate improvement fund commonly referred to as a Capital Improvement Fund (CIF) and are not considered part of the regular maintenance of the improvements or the Reserve Fund.

Because the money accumulated in the Capital Improvement Fund is for a specific planned project (budgeted separately), the amount shown for this item in the annual cost estimate will typically be a positive number representing the amount being collected that year as part of the Balance to Levy. A negative number (Transfer) should only occur after the project has been completed and excess funds are being credited back to the District's regular accounts. The actual fund balances and expenditures for Capital Improvements are clearly identified under the Fund Balance Information section of the cost estimate.

Balance to Levy – This is the total amount to be collected for the current fiscal year through the annual assessments (for special benefits). The Balance to Levy represents the sum of Total District (Direct and Administration) Costs, Reserve Fund Contributions or Transfers, Contributions from Other Revenue Sources, and the Contribution Replenishment (if any). Only those costs related to the improvements identified as conferring special benefits to property are levied and collected on the tax roll.

The following page shows the cost estimates for Fiscal Year 2022-23 and 2023-24.

Table 2: City of Dublin
Street Lighting District No. 1999-1

	FY 2022-23 Cost Estimate	Projected FY 2023-24 Cost Estimate
DISTRICT REVENUES		
Estimated Assessment Revenues	$ 324,437	$ 330,926
Contributions from Other Revenue Sources	$ 12,500	$ 13,750
Total District Revenues[1]	**$ 336,937**	**$ 344,676**
DISTRICT COSTS		
Operating Supplies	$ 10,000	$ 10,000
Contract with Alameda County	$ 88,786	$ 93,225
California Street Light Association	$ 400	$ 400
Utilities - Electricity	$ 152,880	$ 160,524
Miscellaneous Expenses	$ -	$ -
Legal Notices	$ 575	$ 592
District Administration	$ 3,500	$ 3,605
Public Works Administration	$ -	$ -
County Collection Fee	$ 5,900	$ 6,077
Total District Costs	**$ 262,041**	**$ 274,423**
MISCELLANEOUS COSTS AND COLLECTIONS/(CREDITS) APPLIED TO LEVY		
Reserve Fund Collection/(Transfer)	$ -	$ 6,191
Capital Improvement Fund (CIF) Collection/(Transfer)	$ 74,896	$ 64,062
Total Miscellaneous Costs and Collections/(Credits) Applied to Levy	**$ 74,896**	**$ 70,253**
Balance to Levy	**$ 324,437**	**$ 330,926**
Variance Between Estimated Assessment Revenues and Balance to Levy	$ -	$ -
Total Assessment Revenue at Maximum Rate[2]	**$ 547,297**	**$ 558,243**
Variance above/(below) Maximum Assessment Revenue	**$ (222,860)**	**$ (227,317)**
FUND BALANCE INFORMATION		
Beginning Operating Reserve Fund Balance (est. 7/1/22 and 7/1/23)	$ 131,021	$ 131,021
Reserve Fund Adjustment	$ -	$ 6,191
Transfer From/(To) Capital Improvement Fund	$ -	$ -
Prior/Penalties/Public Damage	$ -	$ -
Interest	$ -	$ -
Ending Operating Reserve Fund Balance (est. 6/30/23 and 6/30/24)	**$ 131,021**	**$ 137,212**
Beginning CIF Balance (est. 7/1/22 and 7/1/23)	$ 334,170	$ 367,065
CIF Adjustment	$ 74,896	$ 64,062
LED Conversion Project	$ -	$ -
Transfer Out For CIP	$ (42,000)	$ (42,000)
Transfer From/(To) Reserve Fund	$ -	$ -
Prior/Penalties/Public Damage	$ -	$ -
Interest	$ -	$ -
Ending CIF Balance (est. 6/30/23 and 6/30/24)	**$ 367,065**	**$ 389,128**

[1]Total District Revenues includes the estimated assessment revenues for each fiscal year and contributions from other revenue sources such as interest earnings, etc.

[2]The Maximum Assessment Revenue for Fiscal Year (FY) 2023/24 was estimated to be equal to the FY 2022/23 Maximum Assessment Revenues and escalated by 2%.

Capital Improvement Projects

In addition to collecting funds annually for maintenance, funds are also allowed to be collected for capital improvement projects. Capital improvement projects generally include the repair and replacement of public improvements authorized to be maintained by the District. These funds are collected and often accumulated in a separate fund and are not considered to be a part of the regular maintenance of the improvements.

Following is a list of capital improvement projects the City plans to address utilizing District funds in the upcoming fiscal year and thereafter.

Light Pole Painting: The City has identified the need for regular painting of light poles within the District.

Citywide Energy Improvements: The City has identified the need to upgrade streetlights to energy-efficient light emitting diode (LED) technology. District funding will cover the cost of LED streetlight upgrades within the District.

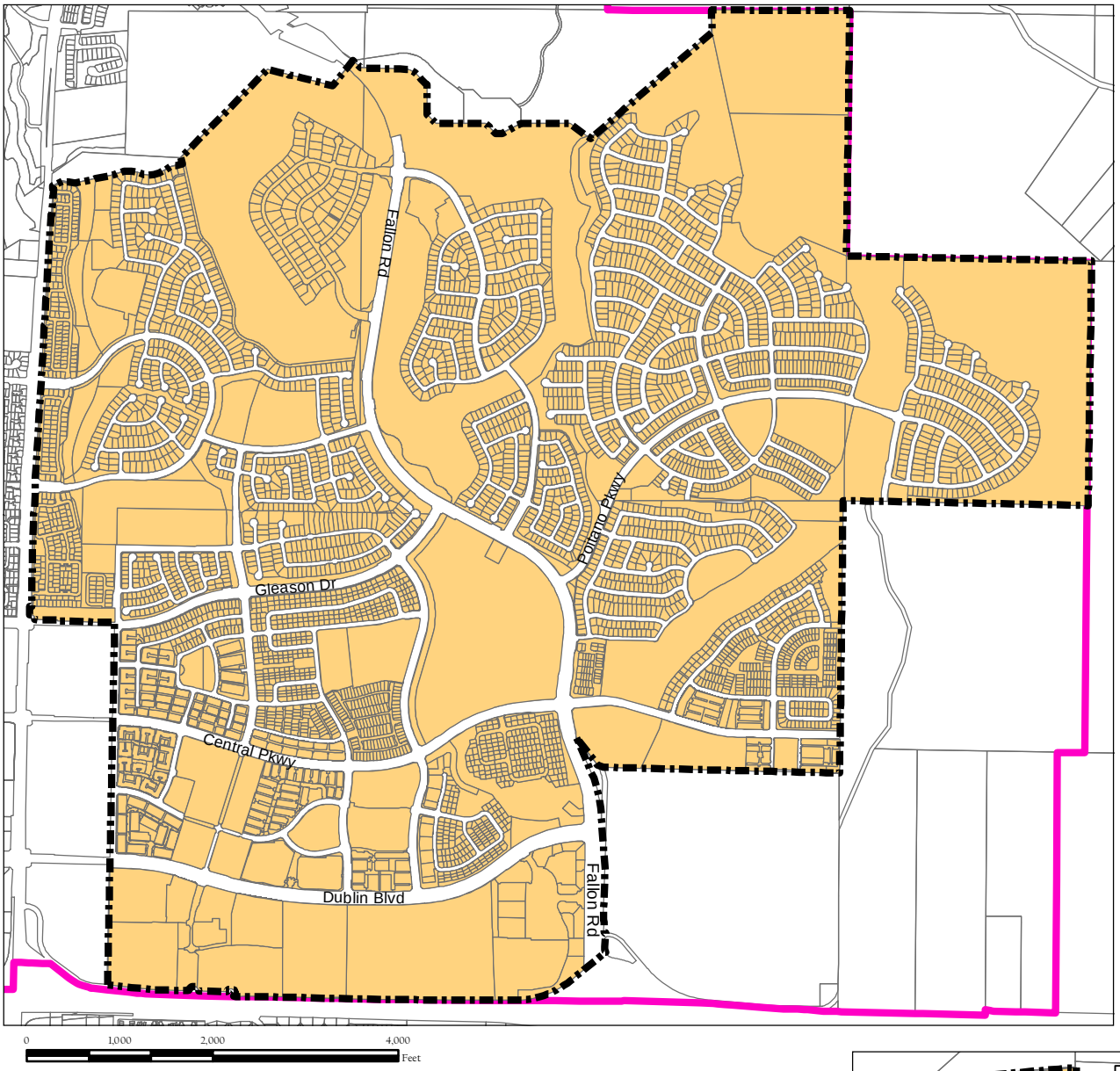
PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

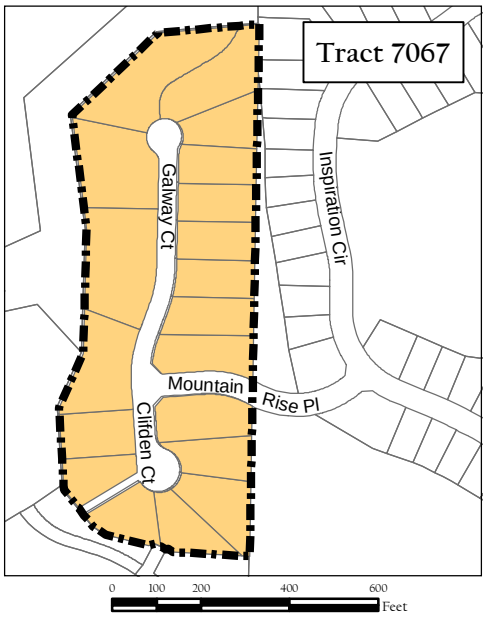
A reduced copy of the Assessment Diagram is shown on the following page.

City of Dublin
Street Lighting District No. 1999-1
Assessment Diagram



Legend

- Parcel Lines
- LLAD 1999-1 Boundary
- City Limit
- Parcels within LLAD 1999-1



Prepared by Francisco & Associates, Inc.

N:\Dublin\FY21-22\Diagrams\LLAD1999-1_Assessment Diagram (AH 03/25/2021)

PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of public lights, landscaping, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel. In addition, pursuant to Article XIIID Section 4:

> "*No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel."*

Benefit Analysis

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on special benefits received from the improvements as determined at the time the District was established.

General Benefits — In reviewing each of the District improvements, the proximity of those improvements to both properties within the District and those outside the District, as well as the reasons for installing and constructing such improvements, it is evident that the improvements are solely the result of developing properties within the District and the ongoing maintenance and operation of these improvements will directly affect the properties within the District. Although the improvements include public areas, easements, rights-of-way, and other amenities available or visible to the public at large, the construction and installation of these improvements were only necessary for the development of properties within the District and were not required, nor necessarily desired by any properties or developments outside the District boundary and any public access or use of the improvements by others is incidental. Therefore, it has been

determined that the improvements and the ongoing maintenance, servicing and operation of those improvements provide no measurable general benefit to properties outside the District or to the public at large, but clearly provide distinct and special benefits to properties within the District.

Special Benefits — The method of apportionment (method of assessment) established herein is based on the premise that each assessed parcel within the District receives special benefits from the improvements and the desirability and security of those properties is enhanced by the presence of public lighting in close proximity to those properties.

The special benefits of street lighting and other public lighting facilities are for the convenience, safety, and security of property, improvements, and goods. Specifically:

1) Enhanced deterrence of crime and to aid police protection.

2) Increased nighttime safety on roads, streets, and public areas.

3) Improved ability of pedestrians and motorists to see.

4) Improved ingress and egress to property.

5) Reduced vandalism and other criminal acts and damage to improvements or property.

6) Improved traffic circulation and reduced nighttime accidents and personal property loss.

The preceding special benefits contribute to the aesthetic value and desirability of each of the assessed parcels within the District and thereby provide a special enhancement of the properties. Furthermore, it has been determined that the lack of funding to properly service and maintain the District improvements would have a negative impact on the properties within the District.

All the preceding special benefits contribute to a specific enhancement and desirability of each of the assessed parcels within the District.

Non-Assessable Properties — Within the boundaries of the District, there are several types of properties that are considered to receive no special benefit from the District improvements and are therefore not assessed. These parcels include:

1) Publicly owned parcels that are reserved as public open space or are developed as City parks for active recreation and are maintained and serviced by the District;
2) Publicly owned wetland parcels;
3) Certain public utility parcels;
4) Privately owned open space parcels; and
5) Privately owned "sliver" parcels that have resulted from a lot line adjustment with

an adjacent larger parcel. The adjacent larger parcel, of which these "sliver" parcels are a part, are assessed at the residential rate.

Assessment Methodology

The special benefits received by each parcel within the District and each parcel's proportional annual assessment are calculated on the basis of a formula that utilizes Equivalent Dwelling Units (EDU). The EDU method of apportionment establishes a proportional benefit relationship between the various parcels within the District and the improvements maintained by the District. The typical single-family residential parcel is assigned 1.00 EDU since it represented more than 85% of the total parcels within the District.

EDU's are assigned to the other land uses based upon the property's development status, type of development (County of Alameda land use code) and property size as shown in the table below.

TABLE 3: ASSESSMENT METHODOLOGY
Street Lighting District No. 1999-1

Property Type	EDU Factor
Single Family Residential (SFR)	1.00 per Parcel
Commercial	5.50 per Acre
Exempt, Cemeteries, Common Open Space	0.00 per Parcel

Single-Family Residential (SFR) — (County land use 1x, 2x, 7x) This land use identifies properties that are developed for single-family residential use and are assigned a factor of 1.00 EDU per parcel. This is the base value that all other land use types are compared and weighted against (i.e., EDU). This land use classification may include, but is not limited to, lots or parcels identified as single-family residential homes, condominium, vacant residential land zoned for four units or less, planned development (tract or townhouse type), and modular/manufactured single-family residential units. Developed apartments are assigned a factor of 1.00 EDU per dwelling unit. Parcels with a vacant apartment land use are treated like commercial and assessed 5.50 EDU per acre.

Commercial — (County land use 3x, 8x, 9x) This land use identifies properties that are considered improved for commercial use and are assigned a factor of 5.50 EDU per gross acre. This land use classification may include, but is not limited to, lots or parcels identified as car washes, commercial garages, automotive dealerships, parking lots, parking garages, service stations, funeral homes, nursing or boarding homes, hospitals, hotels/motels, banks, medical-dental, single and multi-story office buildings, bowling alleys, theaters, vacant commercial land, department stores, discount stores, restaurants, shopping centers, supermarkets, commercial or industrial condominium prior to sale of one unit, and miscellaneous commercial. In addition, institutional property, such as schools and other types of public property are identified within this category.

Common Open Space — (County land use 0, 03-05, 65) This land use identifies properties that are exempt from assessment and are assigned 0.00 EDU. This land use classification may include, but is not limited to, lots or parcels identified as exempt public agencies, property leased or owned by public utilities, cemeteries, and planned development common areas.

The following formulas are used to calculate each property's assessment:

Total Balance to Levy / Total EDUs = Levy per EDU (Rate)

Parcel EDU x Levy per EDU = Parcel Levy Amount

Maximum Assessment Rate

It is recognized that the cost of maintaining the District improvements increases slightly every year because of inflation. At the time the District was formed, the property owners approved a formula for increasing assessments for each future fiscal year to offset increases in costs due to inflation.

The maximum assessment amount for each property type shall be increased each fiscal year in an amount equal to the annual percentage increase of the local San Francisco-Oakland-San Jose Area Consumer Price Index ("Index") for "All Urban Wage Earners and Clerical Workers" which is applied to all costs except utilities (water and electricity), plus the actual percentage increase in utility costs (collectively, "Annual Escalation Factor").

In order to implement the District's Annual Escalation Factor annually, two rates were developed based on the cost estimate that was prepared at the time the property owners approved the annual escalator. The first rate (the "CPI Rate") was created to encompass the annual District cost increases except for utilities. The second rate (the "Utility Rate") was created to encompass the annual utility cost increases.

The Index is to be applied annually to the prior year's maximum CPI Rate for each property type to pay for all costs except utilities. The maximum Utility Rate was established to pay for all utility costs for each property type and is to be increased annually by the percentage change in the budgeted amount for utilities as shown in the annual District's fiscal year Engineer's Reports. The increase in utility costs shall be calculated by taking the upcoming fiscal year's budgeted amount for utilities and subtracting the District's previous highest yearly budgeted amount for utilities. This difference is used to calculate the annual increase in the Utility Rate for each property type. The combination of the maximum CPI Rate and maximum Utility Rate (collectively, "Maximum Assessment Rate") shall equal the Maximum Assessment Rate for the upcoming fiscal year. Please see Table 3 for details regarding the Maximum Assessment Rate for Fiscal Year 2022-23.

The timing of the annual percentage increase of the Index was changed beginning in 2018 and for each year thereafter for administrative purposes, to ensure the City is

allowed the time necessary to have all annual documents prepared and approved by the City Council by June of each year, and to meet both County submittal and statutory requirements. Each fiscal year starting in 2018, the City shall identify the annual percentage difference in the Index between the most recent calendar year and that of the prior calendar year; more specifically, the annual percentage change used to escalate the prior year's assessment rates for Fiscal Year 2022-23 was determined based on the difference using the annual amount for calendar years 2021 and 2020. Should the Bureau of Labor Statistics revise such Index or discontinue the preparation of such Index, the City shall use the revised index or comparable index as approved by the City Council for determining fluctuations in the cost of living. The following table shows the Maximum Assessment Rates allowable for Fiscal Year 2022-23.

TABLE 4: MAXIMUM ASSESSMENT RATE Street Lighting District No. 1999-1	
CPI for 2020 Calendar Year[1]	292.601
CPI for 2021 Calendar Year[1]	304.602
% Change in CPI - Increase	4.10%
FY 2021/22 Maximum Rate per EDU - CPI Rate	$39.66
FY 2022/23 Maximum Rate per EDU - CPI Rate	$41.28
Prior Year Maximum Utility Budget[2]	$183,600
Utility Budget for FY 2022/23	$152,880
% Change in Utility Rate - Increase[3]	0.000%
FY 2021/22 Maximum Rate per EDU - Utility Rate	$22.85
FY 2022/23 Maximum Rate per EDU - Utility Rate	$22.85
FY 2021/22 Maximum Assessment Rate per EDU	$62.51
FY 2022/23 Maximum Assessment Rate per EDU[4]	$64.14

[1] CPI is based off of the All Urban Wage Earners and Clerical Workers.
[2] The FY 2021/22 Budget Amount for Utilities was the previous highest amount budgeted for utility costs.
[3] Equals the % difference between the FY 2021/22 and FY 2022/23 Maximum Utility Rate. If the Utility Budget does not increase, no increase will be realized.

If the City Council determines that an inflation adjustment is not required for a given fiscal year, the City Council may authorize the ensuing fiscal year's assessment without applying the adjustment formula to the amount levied. If the cost estimate and assessments for the District require an increase greater than the adjustment set forth in the formula, then the proposed increase would be subject to approval by the District property owners. Each fiscal year, the maximum assessment rate shall increase at the maximum amount allowable regardless of whether the increase is levied to the parcels within the District.

PART E

ASSESSMENT ROLL

The proposed assessment and the amount of the assessment apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office, are on file under separate cover with the City Clerk. Furthermore, the description of each lot or parcel is part of the records of the Assessor of the County of Alameda and those records are, by reference, made part of this report. The assessments shown will be submitted to the County Auditor/Controller and included on the property tax roll for each parcel shown in the assessment roll for Fiscal Year 2022-23.

Parcel identification, the lines and dimensions of each lot, parcel, and subdivision of land within the District, are inclusive of the parcels as shown on the Alameda County Assessor's Parcel Maps as they existed at the time of the passage of the Resolution of Intention, and shall include subsequent subdivisions, lot line adjustments or parcel changes therein. Reference is hereby made to the Alameda County Assessor's maps for a detailed description of the lines and dimensions of each lot and parcel of land within the District.

Agenda Item 4.4

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Second Amendment to the Agreement with Lanlogic, Inc.
Prepared by: Steve Windsor, Chief Information Security Officer

EXECUTIVE SUMMARY:

The City Council will consider approving a second amendment to the agreement with Lanlogic, Inc. for information technology consulting and maintenance services, to extend the term and increase total compensation.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving a Second Amendment to the Agreement with Lanlogic, Inc. for Ongoing Support of the City's Network and Special Project Work Related to Technological Upgrades.

FINANCIAL IMPACT:

Sufficient funding for the City's network and special project work related to technological upgrades is included in the proposed Fiscal Year 2022-23 Information Technology (IT) Fund budget, as well as in the proposed IT Infrastructure Project (CIP No. GI0717).

DESCRIPTION:

Lanlogic, Inc. provides hosted technology services, network infrastructure support, and systems and server maintenance to private and public clients.

Since Fiscal Year 2008-09, the City has utilized Lanlogic, Inc. for a variety of information technology needs. In April 2015 the City expanded its engagement with Lanlogic, Inc. to include network monitoring, cyber security assistance, network infrastructure design and architecture, and systems and server support.

The City's current contract expires June 30, 2022 and has a not-to-exceed amount of $510,000. Staff desires to extend the current agreement with Lanlogic, Inc. to June 30, 2023 and increase the not-to-exceed amount to $700,000. This will cover the costs of several new strategic IT initiatives,

including the technology rebuild related to the Cultural Arts Center, increased bandwidth at City facilities, audio/visual upgrades, and other IT projects and maintenance.

STRATEGIC PLAN INITIATIVE:

Strategy 4: Become a 24/7 City Hall to Enhance Resident and Business Engagement
Objective B: Provide more opportunities for residents to complete transactions with the City online, with appropriate security measures.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Approving a Second Amendment to the Agreement with Lanlogic, Inc. for Ongoing Support of the City's Network and Special Project Work Related to Technological Upgrades
2) Exhibit A to the Resolution - Second Amendment to the Agreement with Lanlogic, Inc.
3) Consulting Services Agreement Between the City of Dublin and Lanlogic, Inc.
4) First Amendment to the Consulting Services Agreement Between the City of Dublin and Lanlogic, Inc.

RESOLUTION NO. XX – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

APPROVING A SECOND AMENDMENT TO THE AGREEMENT WITH LANLOGIC, INC. FOR ONGOING SUPPORT OF THE CITY'S NETWORK AND SPECIAL PROJECT WORK RELATED TO TECHNOLOGICAL UPGRADES

WHEREAS, the City of Dublin uses Lanlogic, Inc. for ongoing support of the City's network monitoring, cyber security assistance, network infrastructure design and architecture, and systems and server support; and

WHEREAS, the City's current contract with Lanlogic, Inc expires June 30, 2022, and Staff desires to coninute to utilize Lanlogic, Inc. for ongoing services as well as new projects and strategic initiatives, including the technology rebuild at the future Cultural Arts Center, increased bandwidth at City facilities, and audio/visual upgrades; and

WHEREAS, continuing to engage Lanlogic, Inc. for these services for an additional year requires extending the current agreement term to June 30, 2023 and increasing the total not-to-exceed compensation from $510,000 to a new limit of $700,000.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin does hereby approve the amendment to the agreement with Lanlogic, Inc., attached hereto as **Exhibit A**.

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager to execute the agreement and make any non-substantial adjustments to carry out the intent of this resolution.

PASSED, APPROVED AND ADOPTED this 17th day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

SECOND AMENDMENT TO CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF DUBLIN AND LANLOGIC, INC.

WHEREAS, on **JUNE 19, 2018**, the City of Dublin (hereinafter referred to as "CITY") and Lanlogic, Inc. (hereinafter referred to as "CONSULTANT") entered into a Consulting Services Agreement for ongoing support of the City's network and special project work related to technological upgrades (hereinafter referred to as the "AGREEMENT"); and

WHEREAS, the existing AGREEMENT expires on June 30, 2022; and

WHEREAS, the CITY and CONSULTANT now wish to amend the AGREEMENT to extend the term to June 30, 2023 and increase the total not-to-exceed compensation from $510,000 to a new limit of $700,000.

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the AGREEMENT is amended as follows:

1) Section 1.1 shall be rescinded in its entirety and replaced with the following:
Term of Services. The term of this Agreement shall begin on the Effective Date and shall end on June 30, 2023, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. Notwithstanding the foregoing this Agreement may be extended for up to one year upon the written consent of the Consultant and the City Manager, provided that: a) sufficient funds have been appropriated for such purchase, b) the price charged by the Consultant for the provision of the services described in the Exhibit B does not increase. None of the foregoing shall affect the City's right to terminate the Agreement as provided for in Section 8.

2) Section 2. Shall be rescinded in its entirety and replaced with the following (Sections 2.1 through 2.8 remain the same):
COMPENSATION. City hereby agrees to pay Consultant a total not-to-exceed sum of$700,000, for services outlined in Exhibit A in accordance with a project specific scope and budget, (Consultant' s proposal), as approved by Task Order. In the event of a conflict between this Agreement and Consultant' s proposal, attached as Exhibit A, regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement. Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City, Consultant shall not bill City for duplicate services performed by more than one person. Consultant and City

acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant' s estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/ or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

3) Except to the extent inconsistent with this First Amendment, the Parties ratify and confirm all the terms and conditions of the AGREEMENT.

4) All requisite insurance policies to be maintained by the Consultant pursuant to the Agreement, as may have been amended from time to time, shall include coverage for the amended term, as described above.

5) The individuals executing this Amendment and the instruments referenced in it on behalf of Consultant each represent and warrant that they have the legal power, right and actual authority to bind Consultant to the terms and conditions of this Amendment.

SIGNATURES ON THE FOLLOWING PAGE

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be executed as of the date of the City Manager's signature below.

CITY OF DUBLIN

By: _____
Linda Smith, City Manager

LANLOGIC, INC.

By: DocuSigned by: Dan Ferguson 1F6A2FD5738E479... _____
Dan Ferguson, President & CEO

Dated: _____

ATTEST:

By: _____
Marsha Moore, City Clerk

APPROVED AS TO FORM:

By: _____
City Attorney

DocuSign Envelope ID: B430E21E-F573-471E-A2FB-56B2C81D97BB

CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF DUBLIN AND LANLOGIC, INC.

This Agreement is made and entered into between the City of Dublin ("City") and Lanlogic, Inc. ("Consultant") as of July 1, 2018 (the "Effective Date"). In consideration of their mutual covenants, the parties hereto agree as follows:

Section 1. **SERVICES**. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

1.1 **Term of Services.** The term of this Agreement shall begin on the date first noted above and shall end on June 30th, 2021, and Consultant shall complete the work described in Exhibit A**,** as assigned by Task Order, prior to that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 8.

1.2 **Standard of Performance.** Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Consultant is engaged in the geographical area in which Consultant practices its profession. Consultant shall prepare all work products required by this Agreement in conformance with standards of quality normally observed by a person practicing in Consultant's profession.

1.3 **Assignment of Personnel.** Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.

1.4 **Time.** Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section 1.1 above and to satisfy Consultant's obligations hereunder.

Section 2. **COMPENSATION.** City hereby agrees to pay Consultant a sum not to exceed $170,000 per fiscal year, for a total not to exceed sum of $510,000, for services outlined in Exhibit A in accordance with a project specific scope and budget, (Consultant's proposal), as approved by Task Order. In the event of a conflict between this Agreement and Consultant's proposal, attached as Exhibit A, regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement. Consultant shall

submit all invoices to City in the manner specified herein. Except as specifically authorized by City, Consultant shall not bill City for duplicate services performed by more than one person.

Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 **Invoices.** Consultant shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. No individual performing work under this Contract shall bill more than 2,000 hours in a fiscal year unless approved, in writing, by the City Manager or his/her designee. Invoices shall contain the following information:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
- The beginning and ending dates of the billing period;
- A copy of the applicable time entries or time sheets shall be submitted showing the following:
  - Daily logs of total hours worked by each individual performing work under this Contract
  - Hours must be logged in increments of tenths of an hour or quarter hours
  - If this Contract covers multiple projects, all hours must also be logged by project assignment
  - A brief description of the work, and each reimbursable expense
- A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
- The total number of hours of work performed under the Agreement by Consultant and each employee, agent, and subcontractor of Consultant performing services hereunder, as well as a separate notice when the total number of hours of work by Consultant and any individual employee, agent, or subcontractor of Consultant reaches or exceeds 800 hours, which shall include an estimate of the time necessary to complete the work described in Exhibit A;
- The Consultant's signature.

2.2 **Monthly Payment.** City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.

2.3 **Total Payment.** City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any

expense or cost whatsoever incurred by Consultant in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement, unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment.

2.4 **Hourly Fees.** Fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the fee schedule set forth on the compensation schedule attached as Exhibit B.

2.5 **Reimbursable Expenses.** Reimbursable expenses are specified below, and shall not exceed ($ ____). Expenses not listed below are not chargeable to City. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.

2.6 **Payment of Taxes.** Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.

2.7 **Payment upon Termination.** In the event that the City or Consultant terminates this Agreement pursuant to Section 8, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets in order to verify costs incurred to that date.

2.8 **Authorization to Perform Services.** The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

Section 3. **FACILITIES AND EQUIPMENT.** Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in this section, and only under the terms and conditions set forth herein.

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Consultant's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.

Section 4. **INSURANCE REQUIREMENTS.** Before beginning any work under this Agreement, Consultant, at its own cost and expense, shall procure "occurrence coverage"

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insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Consultant and its agents, representatives, employees and subcontractors. Consultant shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects to the City. Consultant shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid. Consultant shall not allow any subcontractor to commence work on any subcontract until Consultant has obtained all insurance required herein for the subcontractor(s) and provided evidence thereof to City. Verification of the required insurance shall be submitted and made part of this Agreement prior to execution.

It shall be a requirement under this Agreement that any available insurance proceeds broader than or in excess of the specified minimum insurance coverage requirements and/or limits shall be available to City as an additional insured. Furthermore, the requirements for coverage and limits shall be (1) the minimum coverage and limits specified in this Agreement; or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured; whichever is greater. The additional insured coverage under the Consultant's policy shall be "primary and non-contributory" and will not seek contribution from City's insurance or self-insurance and shall be at least as broad as CG 20 01 04 12. In the event Consultant fails to maintain coverage as required by this Agreement, City at its sole discretion may purchase the coverage required and the cost will be paid by Consultant. Failure to exercise this right shall not constitute a waiver of right to exercise later. Each insurance policy shall include an endorsement providing that it shall not be cancelled, changed, or allowed to lapse without at least thirty (30) days' prior written notice to City of such cancellation, change, or lapse.

4.1 **Workers' Compensation.** Consultant shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Consultant. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than ONE MILLION DOLLARS ($1,000,000.00) per accident. In the alternative, Consultant may rely on a self-insurance program to meet those requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the Labor Code shall be solely in the discretion of the Contract Administrator. The insurer, if insurance is provided, or the Consultant, if a program of self-insurance is provided, shall waive all rights of subrogation against the City and its officers, officials, employees, and volunteers for loss arising from work performed under this Agreement.

An endorsement shall state that coverage shall not be canceled except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. Consultant shall notify City within 14 days of notification from Consultant's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

4.2 **Commercial General and Automobile Liability Insurance.**

4.2.1 **General requirements.** Consultant, at its own cost and expense, shall maintain commercial general and automobile liability insurance for the term of this Agreement in an amount not less than ONE MILLION DOLLARS ($1,000,000.00) per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. If a Commercial General Liability Insurance or an Automobile Liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

4.2.2 **Minimum scope of coverage.** Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 Code 1 ("any auto").

4.2.3 **Additional requirements.** Each of the following shall be included in the insurance coverage or added as an endorsement to the policy:

a. City and its officers, employees, agents, and volunteers shall be covered as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of Consultant, including the insured's general supervision of Consultant; products and completed operations of Consultant; premises owned, occupied, or used by Consultant; and automobiles owned, leased, or used by the Consultant. The coverage shall contain no special limitations on the scope of protection afforded to City or its officers, employees, agents, or volunteers.

b. The insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.

c. An endorsement must state that coverage is primary insurance with respect to the City and its officers, employees, agents, and volunteers, and that no insurance or self-insurance maintained by the City shall be called upon to contribute to a loss under the coverage.

d. Any failure of CONSULTANT to comply with reporting provisions of the policy shall not affect coverage provided to CITY and its officers, employees, agents, and volunteers.

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e. An endorsement shall state that coverage shall not be canceled except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. Consultant shall notify City within 14 days of notification from Consultant's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

4.3 Professional Liability Insurance. Consultant, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than ONE MILLION DOLLARS ($1,000,000) covering the licensed professionals' errors and omissions.

4.3.1 Any deductible or self-insured retention shall not exceed $150,000 per claim.

4.3.2 An endorsement shall state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

4.3.3 The following provisions shall apply if the professional liability coverages are written on a claims-made form:

a. The retroactive date of the policy must be shown and must be before the date of the Agreement.

b. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.

c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant must provide extended reporting coverage for a minimum of five years after completion of the Agreement or the work. The City shall have the right to exercise, at the Consultant's sole cost and expense, any extended reporting provisions of the policy, if the Consultant cancels or does not renew the coverage.

d. A copy of the claim reporting requirements must be submitted to the City prior to the commencement of any work under this Agreement.

4.4 **All Policies Requirements.**

4.4.1 **Acceptability of insurers.** All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

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4.4.2 **Verification of coverage.** Prior to beginning any work under this Agreement, Consultant shall furnish City with certificates of insurance and with original endorsements effecting coverage required herein. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The City reserves the right to require complete, certified copies of all required insurance policies and endorsements. Failure to exercise this right shall not constitute a waiver of right to exercise later.

4.4.3 **Subcontractors.** Consultant agrees to include with all subcontractors in their subcontract the same requirements and provisions of this Agreement including the Indemnification and Insurance requirements to the extent they apply to the scope of the Subcontractor's work. Subcontractors hired by Consultant agree to be bound to Consultant and the City in the same manner and to the same extent as Consultant is bound to the City under the Contract Documents. Subcontractor further agrees to include these same provisions with any Sub-subcontractor. A copy of the Owner Contract Document Indemnity and Insurance provisions will be furnished to the Subcontractor upon request. The General Contractor shall require all subcontractors to provide a valid certificate of insurance and the required endorsements included in the agreement prior to commencement of any work and will provide proof of compliance to the City.

4.4.4 **Variation.** The City may approve a variation in the foregoing insurance requirements, upon a determination that the coverages, scope, limits, and forms of such insurance are either not commercially available, or that the City's interests are otherwise fully protected.

4.4.5 **Deductibles and Self-Insured Retentions.** All self-insured retentions (SIR) and/or deductibles must be disclosed to the City for approval and shall not reduce the limits of liability. Policies containing any self-insured retention provision and/or deductibles shall provide or be endorsed to provide that the SIR and/or deductibles may be satisfied by either the named insured or the City.

4.4.6 **Excess Insurance.** The limits of insurance required in this Agreement may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of City (if agreed to in a written contract or agreement) before City's own insurance or self-insurance shall be called upon to protect City as a named insured.

4.4.7 **Other Requirements.** It shall be a requirement under this agreement that any available insurance proceeds broader than or in excess of the specified minimum insurance coverage requirements and/or limits shall be (1) the minimum coverage and limits specified in this Agreement; or

(2) the broader coverage and maximum limits of coverage of any insurance policy.

4.4.8 **Notice of Reduction in Coverage.** In the event that any coverage required by this section is reduced, limited, or materially affected in any other manner, Consultant shall provide written notice to City at Consultant's earliest possible opportunity and in no case later than five days after Consultant is notified of the change in coverage.

4.5 **Remedies.** In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 5. **INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES.** To the maximum extent allowed by law, Consultant shall indemnify, keep and save harmless the City, and City Councilmembers, officers, agents and employees against any and all suits, claims or actions arising out of any injury to persons or property, including death, that may occur, or that may be alleged to have occurred, in the course of the performance of this Agreement by a negligent act or omission or wrongful misconduct of the Consultant or its employees, subcontractors or agents. Consultant further agrees to defend any and all such actions, suits or claims and pay all charges of attorneys and all other costs and expenses arising therefrom or incurred in connection therewith; and if any judgment be rendered against the City or any of the other individuals enumerated above in any such action, Consultant shall, at its expense, satisfy and discharge the same. Consultant's responsibility for such defense and indemnity obligations shall survive the termination or completion of this Agreement for the full period of time allowed by law. The defense and indemnification obligations of this Agreement are undertaken in addition to, and shall not in any way be limited by, the insurance obligations contained in this Agreement.

In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

Consultant/Subcontractor's responsibility for such defense and indemnity obligations shall survive the termination or completion of this Agreement for the full period of time allowed by law.

Section 6. STATUS OF CONSULTANT.

6.1 **Independent Contractor.** At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.

6.2 **Consultant No Agent.** Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

7.1 **Governing Law.** The laws of the State of California shall govern this Agreement.

7.2 **Compliance with Applicable Laws.** Consultant and any subcontractors shall comply with all laws applicable to the performance of the work hereunder.

7.3 **Other Governmental Regulations.** To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.

7.4 **Licenses and Permits.** Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. Consultant represents and warrants to City that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from City.

7.5 **Nondiscrimination and Equal Opportunity.** Consultant shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, marital status, sex, or sexual orientation, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement. Consultant shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Consultant thereby.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 8. TERMINATION AND MODIFICATION.

8.1 **Termination.** City may cancel this Agreement at any time and without cause upon written notification to Consultant.

Consultant may cancel this Agreement upon 30 days' written notice to City and shall include in such notice the reasons for cancellation.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

8.2 **Extension.** City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. Any such extension shall require a written amendment to this Agreement, as provided for herein. Consultant understands and agrees that, if City grants such an extension, City shall have no obligation to provide Consultant with compensation beyond the maximum amount provided for in this Agreement. Similarly, unless authorized by the Contract Administrator, City shall have no obligation to reimburse Consultant for any otherwise reimbursable expenses incurred during the extension period.

8.3 **Amendments.** The parties may amend this Agreement only by a writing signed by all the parties.

8.4 **Assignment and Subcontracting.** City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Consultant. Consultant may not assign this

Agreement or any interest therein without the prior written approval of the Contract Administrator. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the Contract Administrator.

8.5 **Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.

8.6 **Options upon Breach by Consultant.** If Consultant materially breaches any of the terms of this Agreement, City's remedies shall include, but not be limited to, the following:

8.6.1 Immediately terminate the Agreement;

8.6.2 Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;

8.6.3 Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or

8.6.4 Charge Consultant the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

Section 9. KEEPING AND STATUS OF RECORDS.

9.1 **Records Created as Part of Consultant's Performance.** All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both parties.

9.2 **Consultant's Books and Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a

minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement.

9.3 **Inspection and Audit of Records.** Any records or documents that Section 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds TEN THOUSAND DOLLARS ($10,000.00), the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of three (3) years after final payment under the Agreement.

Section 10. MISCELLANEOUS PROVISIONS.

10.1 **Attorneys' Fees.** If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

10.2 **Venue.** In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Alameda or in the United States District Court for the Northern District of California.

10.3 **Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

10.4 **No Implied Waiver of Breach**. The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

10.5 **Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.

10.6 **Use of Recycled Products.** Consultant shall prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.

10.7 **Conflict of Interest.** Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 *et seq.*

Consultant hereby warrants that it is not now, nor has it been in the previous twelve (12) months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous twelve months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant understands that, if this Agreement is made in violation of Government Code §1090 *et.seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of Government Code § 1090 and, if applicable, will be disqualified from holding public office in the State of California.

Principals and those performing work for City of Dublin may be required to submit a California Fair Political Practices Commission (FPPC) Form 700: Statement of Economic Interests documenting potential financial conflicts of interest. For additional information, proposers should refer to the FPPC website at http://www.fppc.ca.gov/Form700.html.

10.8 **Solicitation.** Consultant agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

10.9 **Contract Administration.** This Agreement shall be administered by the City Manager ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

10.10 **Notices.** Any written notice to Consultant shall be sent to:

Lanlogic, Inc.
Attn: Dan Ferguson
248 Rickenbacker Circle
Livermore, CA 94551

Any written notice to City shall be sent to:

City of Dublin
City Manager
100 Civic Plaza
Dublin, CA 94568

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10.11 **Integration.** This Agreement, including Exhibits A and B represents the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral.

CITY OF DUBLIN

_____

Christopher L. Foss, City Manager

Attest:

_____

Caroline Soto, City Clerk

Approved as to Form:

_____

John Bakker, City Attorney

CONSULTANT

Daniel L. Ferguson

Daniel L. Ferguson, President & CEO
Lanlogic, Inc.

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EXHIBIT A

SCOPE OF SERVICES

Project/Task Objectives and Requirements

- IT support of the City of Dublin network on task order basis as directed by the City.

Scope of Work and Deliverables

The Consultant shall provide services and staff, and otherwise do all things reasonably necessary for or incidental to the performance of work, as set forth below:

- Network engineering and support services performed onsite and remotely
- Microsoft server and VMware engineering and support services
- IT project management
- Interface with City vendors including network carriers, the County of Alameda, contractors and other services as needed
- Staff augmentation during vacations and extended leaves

The Consultant shall procure and deliver to Client the following:

- Documentation of any project
- Detailed time logs of all work performed
- Monthly billing of any services

The following are not included within this scope of service:

- Projects that have been authorized under a separate PO

EXHIBIT B

COMPENSATION SCHEDULE

Lanlogic, Inc. will guarantee the following hourly rates for the term of this agreement as follows:

Fiscal Years	2018-2019	2019-2020	2020-2012
T&M Hourly Network Engineer	$185.00	$190.00	$194.00
After Hours/Weekends	$275.00	$282.00	$289.00

The City shall pay the Consultant the amount noted above for the performance of all activities necessary for or incidental to the performance of work as set forth in this agreement. Consultant will provide invoices to the City on a monthly basis as requested by the City on an as needed basis.

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FIRST AMENDMENT TO CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF DUBLIN AND LANLOGIC, INC.

WHEREAS, on **JUNE 19, 2018**, the City of Dublin (hereinafter referred to as "CITY") and Lanlogic, Inc. (hereinafter referred to as "CONSULTANT") entered into a Consulting Services Agreement for ongoing support of the City's network and special project work related to technological upgrades (hereinafter referred to as the "AGREEMENT"); and

WHEREAS, the existing AGREEMENT expires on June 30, 2021; and

WHEREAS, the CITY and CONSULTANT now wish to amend the AGREEMENT to extend the term to June 30, 2022.

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the AGREEMENT is amended as follows:

1) Section 1.1 shall be rescinded in its entirety and replaced with the following:

   Term of Services. The term of this Agreement shall begin on the Effective Date and shall end on June 30, 2022, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. Notwithstanding the foregoing this Agreement may be extended for up to one year upon the written consent of the Consultant and the City Manager, provided that: a) sufficient funds have been appropriated for such purchase, b) the price charged by the Consultant for the provision of the services described in the Exhibit B does not increase. None of the foregoing shall affect the City's right to terminate the Agreement as provided for in Section 8.

2) Except to the extent inconsistent with this First Amendment, the Parties ratify and confirm all the terms and conditions of the AGREEMENT.

3) All requisite insurance policies to be maintained by the Consultant pursuant to the Agreement, as may have been amended from time to time, shall include coverage for the amended term, as described above.

4) The individuals executing this Amendment and the instruments referenced in it on behalf of Consultant each represent and warrant that they have the legal power, right and actual authority to bind Consultant to the terms and conditions of this Amendment.

SIGNATURES ON THE FOLLOWING PAGE

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be executed as of the date of the City Manager's signature below.

CITY OF DUBLIN

DocuSigned by:

By: Linda Smith
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Linda Smith, City Manager

Dated:

LANLOGIC, INC.

DocuSigned by:

By: Dan Ferguson
1F6A2FD5738E479...
Dan Ferguson, President & CEO

ATTEST:

DocuSigned by:

By: Marsha Moore
9DD70815D22F40A...
Marsha Moore, City Clerk

APPROVED AS TO FORM:

DocuSigned by:

By: Jordyn Bishop for
5ED7E38973DC484...
City Attorney

Agenda Item 4.5

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Amendments to Agreements for On-Call Civil Engineering and Surveying Services

Prepared by: Jordan Foss, Management Analyst II

EXECUTIVE SUMMARY:

The City Council will consider approving amendments to the Consulting Services Agreements with BKF Engineers and Nichols Consulting Engineers, Chtd. for on-call civil engineering and surveying services to assist the Public Works Department on an as-needed basis.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving Amendments to the Consulting Services Agreements with BKF Engineers and Nichols Consulting Engineers, Chtd. for On-Call Civil Engineering and Surveying Services.

FINANCIAL IMPACT:

All charges will be in accordance with assigned project and on-call work and will be covered by the adopted Capital Improvement Program budgets or through developer deposit accounts.

DESCRIPTION:

The Public Works Department utilizes consultants on Capital Improvement Program (CIP) projects, private development projects, and for on-call, as-needed services. Services provided assist Staff in specific areas of technical and professional expertise. Consultants are solicited through an open and competitive request for qualifications (RFQ) process.

Using this process, the City Council authorized entering into a Consulting Services Agreement (Agreement) with BKF Engineers on June 18, 2019 (Resolution No. 66-19), for a not-to-exceed compensation amount of $2,000,000 for civil engineering services related to transportation as well as work on multiple CIP project work. The term of this agreement expires on June 30, 2022.

Staff recommends amending the Agreement with BKF Engineers to extend the term of services through June 30, 2024 and increase the not-to-exceed compensation to $3,000,000 in order to continue and enhance the services provided.

In addition, on March 1, 2021, the City Manager approved and executed an agreement for similar services with Nichols Consulting Engineers, Chtd (NCE). The original provision of that contract was for a not-to-exceed compensation amount of $44,000 term through June 30, 2023. Staff has not yet assigned major project work to NCE, but now plans to utilize them for CIP and other project work. Accordingly, Staff proposes amending the current agreement with NCE to extend the term to June 30, 2024 and to increase the not-to-exceed compensation to $2,000,000.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Approving Amendments to the Consulting Services Agreements with BKF Engineers and Nichols Consulting Engineers, Chtd. for On-Call Civil Engineering and Surveying Services
2) Exhibit A to the Resolution - Amendments to Consulting Services Agreements
3) Original Consulting Services Agreements for On-Call Civil Engineering and Surveying Services

RESOLUTION NO. XX – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

APPROVING AMENDMENTS TO THE CONSULTING SERVICES AGREEMENTS WITH BKF ENGINEERS AND NICHOLS CONSULTING ENGINEERS, CHTD. FOR ON-CALL CIVIL ENGINEERING AND SURVEYING SERVICES

WHEREAS, in 2019, Staff prepared and initiated a Request for Qualifications (RFQ) for on-call civil engineering and surveying services; and

WHEREAS, during that time, Staff reviewed and selected the most qualified firms and entered into Consulting Services Agreements; and

WHEREAS, the City wishes to amend the Consulting Services Agreement with BKF Engineers and Nichols Consulting Engineers, Chtd. for on-call civil engineering and surveying services; and

WHEREAS, the City wishes to extend terms to June 30, 2024, and increase the not-to-exceed compensation to $3,000,000 for BKF Engineers and to $2,000,000 for Nichols Consulting Engineers, Chtd.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin does hereby approve the Amendments to the Consulting Services Agreements with BKF Engineers and Nichols Consulting Engineers, Chtd., attached hereto as **Exhibit A** to this Resolution; and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute the Amendments, and make any necessary, non-substantive changes to carry out the intent of this Resolution.

PASSED, APPROVED AND ADOPTED this 17th day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

AMENDMENT #1 TO CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF DUBLIN AND BKF ENGINEERS

WHEREAS, on **July 1, 2019**, the City of Dublin (hereinafter referred to as "CITY") and **BKF Engineers** (hereinafter referred to as " **CONSULTANT** ") entered into a Consulting Services Agreement for **On-Call Civil Engineering and Surveying** services (hereinafter referred to as the "AGREEMENT"); and

WHEREAS, the existing AGREEMENT will expire on June 30, 2022; and

WHEREAS, the CITY and CONSULTANT now wish to amend the Agreement to extend the term through June 30, 2024 by modifying section 1.1 of the Agreement, and to increase the not to exceed compensation amount to $3,000,000 by modifying Section 2 of the Agreement.

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the AGREEMENT is amended as follows:

1) Section 1.1 shall be rescinded in its entirety and replaced with the following:

Term of Services. The term of this Agreement shall begin on the Effective Date and shall end on June 30, 2024, the date of completion specified in Exhibit A, and Consultant shall complete the work described in Exhibit A on or before that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as referenced in Section 8. Notwithstanding the foregoing this Agreement may be extended on a month to month basis for up to 6 months upon the written consent of the Consultant and the City Manager, provided that: a) sufficient funds have been appropriated for such purchase, b) the price charged by the Consultant for the provision of the serves described in Exhibit A does not increase. None of the foregoing shall affect the City's right to terminate the Agreement as provided for in Section 8.

2) Section 2 COMPENSATION, the first paragraph shall be rescinded in its entirety and replaced with the following:

Section 2. COMPENSATION. City hereby agrees to pay Consultant a sum not to exceed $3,000,000, notwithstanding any contrary indications that may be contained in the Consultant's proposal, for services to be performed and reimbursable costs incurred under his Agreement. In the event of a conflict between this Agreement and the Consultant's proposal, regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City, Consultant shall not bill City for duplicate services performed by more than one person.

3) Except to the extent inconsistent with this First Amendment, the Parties ratify and confirm all of the terms and conditions of the AGREEMENT.

4) All requisite insurance policies to be maintained by the Consultant pursuant to the Agreement, as may have been amended from time to time, shall include coverage for the amended term, as described above.

5) The individuals executing this Amendment and the instruments referenced in it on behalf of Consultant each represent and warrant that they have the legal power, right and actual authority to bind Consultant to the terms and conditions of this Amendment.

SIGNATURES ON THE FOLLOWING PAGE

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be executed as of the date of the City Manager's signature below.

CITY OF DUBLIN

By: _____
Linda Smith, City Manager

Dated: _____

BKF ENGINEERS

DocuSigned by:
By: Gordon C. Sweet
6CAFC06DA4844A5...
Gordon C. Sweet, Vice President

ATTEST:

By: _____
Marsha Moore, City Clerk

APPROVED AS TO FORM:

By: _____
City Attorney

AMENDMENT #1 TO CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF DUBLIN AND NICHOLS CONSULTING ENGINEERS, CHTD. FOR ON-CALL CIVIL ENGINEERING AND SURVEYING SERVICES

WHEREAS, on **March 1, 2021**, the City of Dublin (hereinafter referred to as "CITY") and **Nichols Consulting Engineers, Chtd.** (hereinafter referred to as " **CONSULTANT** ") entered into a **Consulting** Services Agreement for **On-Call Civil Engineering and Surveying** services (hereinafter referred to as the "AGREEMENT"); and

WHEREAS, the existing AGREEMENT will expire on June 30, 2023,

WHEREAS, Resolution 66-19 approved Nichols Consulting Engineers, Chtd. as a qualified vendor; and

WHEREAS, the City entered into an agreement with a term through June 30, 2023 for a not to exceed compensation amount of $44,000; and

WHEREAS, the CITY and CONSULTANT now wish to amend the Agreement to extend the term through June 30, 2024 by modifying Section 1.1 of the Agreement, and to increase the not to exceed compensation amount to $2,000,000 by modifying Section 2 of the Agreement; and

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the AGREEMENT is amended as follows:

1) Section 1.1 shall be rescinded in its entirety and replaced with the following:

Term of Services. The term of this Agreement shall begin on the Effective Date and shall end on June 30, 2024, the date of completion specified in Exhibit A, and Consultant shall complete the work described in Exhibit A on or before that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as referenced in Section 8. Notwithstanding the foregoing this Agreement may be extended on a month to month basis for up to 6 months upon the written consent of the Consultant and the City Manager, provided that: a) sufficient funds have been appropriated for such purchase, b) the price charged by the Consultant for the provision of the serves described in Exhibit A does not increase. None of the foregoing shall affect the City's right to terminate the Agreement as provided for in Section 8.

2) Section 2 COMPENSATION, the first paragraph shall be rescinded in its entirety and replaced with the following:

Section 2. COMPENSATION. City hereby agrees to pay Consultant a sum not to exceed $2,000,000, notwithstanding any contrary indications that may be contained in

the Consultant's proposal, for services to be performed and reimbursable costs incurred under his Agreement. In the event of a conflict between this Agreement and the Consultant's proposal, regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City, Consultant shall not bill City for duplicate services performed by more than one person.

3) Except to the extent inconsistent with this First Amendment, the Parties ratify and confirm all of the terms and conditions of the AGREEMENT.

4) All requisite insurance policies to be maintained by the Consultant pursuant to the Agreement, as may have been amended from time to time, shall include coverage for the amended term, as described above.

5) The individuals executing this Amendment and the instruments referenced in it on behalf of Consultant each represent and warrant that they have the legal power, right and actual authority to bind Consultant to the terms and conditions of this Amendment.

SIGNATURES ON THE FOLLOWING PAGE

IN WITNESS WHEREOF, the parties hereto have caused this First Amendment to be executed as of the date of the City Manager's signature below.

CITY OF DUBLIN

By: _____
Linda Smith, City Manager

Dated: _____

ATTEST:

By: _____
Marsha Moore, City Clerk

APPROVED AS TO FORM:

By: _____
City Attorney

NICHOLS CONSULTING ENGINEERS, CHTD.

DocuSigned by:
By: Ryan Shafer
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Ryan Shafer, CE, Principal

CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF DUBLIN AND BKF ENGINEERS FOR ON-CALL CIVIL ENGINEERING AND SURVEYING SERVICES

THIS AGREEMENT for consulting services is made by and between the City of Dublin ("City") and BKF Engineers ("Consultant") (together sometimes referred to as the "Parties") as of July 1, 2019 (the "Effective Date").

Section 1. **SERVICES.** Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

1.1 **Term of Services.** The term of this Agreement shall begin on the Effective Date and shall end on June 30, 2022, the date of completion specified in Exhibit A, and Consultant shall complete the work described in Exhibit A on or before that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as referenced in Section 8. Notwithstanding the foregoing this Agreement may be extended on a month to month basis for up to 6 months upon the written consent of the Consultant and the City Manager, provided that: a) sufficient funds have been appropriated for such purchase, b) the price charged by the Consultant for the provision of the serves described in Exhibit A does not increase. None of the foregoing shall affect the City's right to terminate the Agreement as provided for in Section 8.

1.2 **Task Order.** Prior to execution of a Task Order, the City shall request a Task Order Scope Proposal and Project Budget from the Consultant. Consultant shall provide the City with a Task Order Scope Proposal and Project Budget, and if satisfactory, the City and Consultant shall execute a Task Order. Upon an executed Task Order, Consultant shall perform the services listed in the Task Order and in a manner consistent with this Agreement.

1.3 **Standard of Performance.** Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Consultant is engaged.

1.4 **Assignment of Personnel.** Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.

1.5 **Time.** Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Subsection 1.2 above and to satisfy Consultant's obligations hereunder.

1.6 **Public Works Requirements.** Because the services described in Exhibit A include "work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work," the services constitute a public works within the definition of Section 1720(a)(1) of the California Labor Code. As a result, Consultant is required to comply with the provisions of the California Labor Code applicable to public works, to the extent set forth in Exhibit D.

1.7 **Public Works Contractor Registration**. Consultant agrees, in accordance with Section 1771.1 of the California Labor Code, that Consultant or any subconsultant shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in Chapter 1 of Part 7 of Division 2 of the California Labor Code, unless currently registered and qualified to perform public work pursuant to California Labor Code section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded. No contractor or subcontractor may be awarded a contract for public work on a public works project unless registered with the Department of Industrial Relations pursuant to California Labor Code section 1725.5. Consultant agrees, in accordance with Section 1771.4 of the California Labor Code, that if the work under this Agreement qualifies as public work, it is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

Section 2. **COMPENSATION.** City hereby agrees to pay Consultant a sum not to exceed $2,000,000, notwithstanding any contrary indications that may be contained in Consultant's proposal, for services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement and Consultant's proposal, attached as Exhibit A, regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement. Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City in writing, Consultant shall not bill City for duplicate services performed by more than one person.

Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the Parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 **Invoices.** Consultant shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. No individual performing work under this Agreement shall bill more than 2,000 hours in a fiscal year unless approved, in writing, by the City Manager or his/her designee. Invoices shall contain the following information:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
- The beginning and ending dates of the billing period;
- A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
- A copy of the applicable time entries or time sheets shall be submitted showing the following:
    - Daily logs of total hours worked by each individual performing work under this Agreement
    - Hours must be logged in increments of tenths of an hour or quarter hour
    - If this Agreement covers multiple projects, all hours must also be logged by project assignment
    - A brief description of the work, and each reimbursable expense
- The total number of hours of work performed under the Agreement by Consultant and each employee, agent, and subcontractor of Consultant performing services hereunder;
- The Consultant's signature;
- Consultant shall give separate notice to the City when the total number of hours worked by Consultant and any individual employee, agent, or subcontractor of Consultant reaches or exceeds 800 hours within a 12-month period under this Agreement and any other agreement between Consultant and City. Such notice shall include an estimate of the time necessary to complete work described in Exhibit A and the estimate of time necessary to complete work under any other agreement between Consultant and City, if applicable.

2.2 **Monthly Payment.** City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.

2.3 **Final Payment.** City shall pay the last 10% of the total sum due pursuant to this Agreement within 60 days after completion of the services and submittal to City of a final invoice, if all services required have been satisfactorily performed.

2.4 **Total Payment.** City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever incurred by Consultant in rendering services pursuant to this Agreement, unless the Agreement is modified prior to the services rendered, pursuant to Section 8.3. City shall make no payment for any extra, further, or additional service pursuant to this Agreement unless the Agreement is modified prior to the services rendered, pursuant to Section 8.3.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement, unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment, pursuant to Section 8.3.

2.5 **Hourly Fees.** Fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the compensation schedule attached hereto as Exhibit B.

2.6 **Reimbursable Expenses.** Reimbursable expenses are specified in Exhibit B. Expenses not listed in Exhibit B are not chargeable to City. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.

2.7 **Payment of Taxes.** Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.

2.8 **Payment upon Termination.** In the event that the City or Consultant terminates this Agreement pursuant to Section 8, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets to verify costs incurred to that date.

2.9 **Authorization to Perform Services.** The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

Section 3. FACILITIES AND EQUIPMENT. Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in this section, and only under the terms and conditions set forth herein.

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Consultant's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.

Section 4. **INSURANCE REQUIREMENTS.** Before fully executing this Agreement, Consultant, at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Consultant and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, Consultant shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects, and that such insurance is in effect prior to beginning work. Consultant shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid or proposal. Consultant shall not allow any subcontractor to commence work on any subcontract until Consultant has obtained all insurance required herein for the subcontractor(s) and provided evidence to City that such insurance is in effect. VERIFICATION OF THE REQUIRED INSURANCE SHALL BE SUBMITTED AND MADE PART OF THIS AGREEMENT PRIOR TO EXECUTION. Consultant shall maintain all required insurance listed herein for the duration of this Agreement.

4.1 **Workers' Compensation.**

4.1.1 **General Requirements.** Consultant shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Consultant. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than $1,000,000 per accident. In the alternative, Consultant may rely on a self-insurance program to meet these requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the California Labor Code shall be solely in the discretion of the Contract Administrator.

The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the entity for all work performed by the Consultant, its employees, agents, and subcontractors.

4.1.2 **Submittal Requirements.** To comply with Subsection 4.1, Consultant shall submit the following:

a. Certificate of Liability Insurance in the amounts specified in the section; and

b. Waiver of Subrogation Endorsement as required by the section.

4.2 **Commercial General and Automobile Liability Insurance.**

4.2.1 **General Requirements.** Consultant, at its own cost and expense, shall maintain commercial general liability insurance for the term of this Agreement in an amount not less than $1,000,000 and automobile liability insurance for the term of this Agreement in an amount not less than $1,000,000 per occurrence, combined

single limit coverage for risks associated with the work contemplated by this Agreement. If a Commercial General Liability Insurance or an Automobile Liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

4.2.2 **Minimum Scope of Coverage.** Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001, Code 1 (any auto). No endorsement shall be attached limiting the coverage.

4.2.3 **Additional Requirements.** Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:

a. The Insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.

b. City, its officers, officials, employees, and volunteers are to be covered as additional insureds as respects: liability arising out of work or operations performed by or on behalf of the Consultant; or automobiles owned, leased, hired, or borrowed by the Consultant.

c. Consultant hereby agrees to waive subrogation which any insurer or contractor may require from vendor by virtue of the payment of any loss. Consultant agrees to obtain any endorsements that may be necessary to effect this waiver of subrogation.

d. For any claims related to this Agreement or the work hereunder, the Consultant's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

4.2.4 **Submittal Requirements.** To comply with Subsection 4.2, Consultant shall submit the following:

a. Certificate of Liability Insurance in the amounts specified in the section;

b. Additional Insured Endorsement as required by the section;

c. Waiver of Subrogation Endorsement as required by the section; and

d. Primary Insurance Endorsement as required by the section.

4.3 Professional Liability Insurance.

4.3.1 General Requirements. Consultant, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than $2,000,000 covering the licensed professionals' errors and omissions. Any deductible or self-insured retention shall not exceed $150,000 per claim.

4.3.2 Claims-Made Limitations. The following provisions shall apply if the professional liability coverage is written on a claims-made form:

a. The retroactive date of the policy must be shown and must be before the date of the Agreement.

b. Insurance must be maintained and evidence of insurance must be provided for at least 5 years after completion of the Agreement or the work, so long as commercially available at reasonable rates.

c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant shall purchase an extended period coverage for a minimum of 5 years after completion of work under this Agreement.

d. A copy of the claim reporting requirements must be submitted to the City for review prior to the commencement of any work under this Agreement.

4.3.3 Additional Requirements. A certified endorsement to include contractual liability shall be included in the policy.

4.3.4 Submittal Requirements. To comply with Subsection 4.3, Consultant shall submit the Certificate of Liability Insurance in the amounts specified in the section.

4.4 All Policies Requirements.

4.4.1 Acceptability of Insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

4.4.2 Verification of Coverage. Prior to beginning any work under this Agreement, Consultant shall furnish City with complete copies of all Certificates of Liability Insurance delivered to Consultant by the insurer, including complete copies of all

endorsements attached to the policies. All copies of Certificates of Liability Insurance and certified endorsements shall show the signature of a person authorized by that insurer to bind coverage on its behalf. If the City does not receive the required insurance documents prior to the Consultant beginning work, it shall not waive the Consultant's obligation to provide them. The City reserves the right to require complete copies of all required insurance policies at any time.

4.4.3 **Deductibles and Self-Insured Retentions.** Consultant shall disclose to and obtain the written approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, employees, and volunteers; or the Consultant shall provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration and defense expenses.

4.4.4 **Wasting Policies.** No policy required by this Section 4 shall include a "wasting" policy limit (i.e. limit that is eroded by the cost of defense).

4.4.5 **Endorsement Requirements.** Each insurance policy required by Section 4 shall be endorsed to state that coverage shall not be canceled by either party, except after 30 days' prior written notice has been provided to the City.

4.4.6 **Subcontractors.** Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and certified endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

4.5 **Remedies.** In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 5. **INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES.** Refer to the attached Exhibit C, which is incorporated herein and made a part of this Agreement.

Section 6. STATUS OF CONSULTANT.

6.1 **Independent Contractor.** At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subsection 1.3; however, otherwise City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.

6.2 **Consultant Not an Agent.** Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

7.1 **Governing Law.** The laws of the State of California shall govern this Agreement.

7.2 **Compliance with Applicable Laws.** Consultant and any subcontractors shall comply with all laws and regulations applicable to the performance of the work hereunder, including but not limited to, the California Building Code, the Americans with Disabilities Act, and any copyright, patent or trademark law. Consultant's failure to comply with any law(s) or regulation(s) applicable to the performance of the work hereunder shall constitute a breach of contract.

7.3 **Other Governmental Regulations.** To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.

7.4 **Licenses and Permits.** Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. Consultant represents and warrants to City that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from City.

7.5 **Nondiscrimination and Equal Opportunity.** Consultant shall not discriminate, on the basis of a person's race, sex, gender, religion (including religious dress and grooming practices), national origin, ancestry, physical or mental disability, medical condition (including cancer and genetic characteristics), marital status, age, sexual orientation, color, creed, pregnancy, genetic information, gender identity or expression, political affiliation or belief, military/veteran status, or any other classification protected by applicable local, state, or federal laws (each a "Protected Characteristic"), against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 8. TERMINATION AND MODIFICATION.

8.1 **Termination.** City may cancel this Agreement at any time and without cause upon written notification to Consultant.

Consultant may cancel this Agreement upon 30 days' written notice to City and shall include in such notice the reasons for cancellation.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

8.2 **Extension.** City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. Any such extension shall require a written amendment to this Agreement, as provided for herein. Consultant understands and agrees that, if City grants such an extension, City shall have no obligation to provide Consultant with compensation beyond the maximum amount provided for in this Agreement. Similarly, unless authorized by the Contract Administrator, City shall have no obligation to reimburse Consultant for any otherwise reimbursable expenses incurred during the extension period.

8.3 **Amendments.** The Parties may amend this Agreement only by a writing signed by all the Parties.

8.4 **Assignment and Subcontracting.** City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Consultant. Consultant may not assign this Agreement or any interest therein without the prior written

approval of the Contract Administrator. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the Contract Administrator.

8.5 **Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.

8.6 **Options upon Breach by Consultant.** If Consultant materially breaches any of the terms of this Agreement, City's remedies shall include, but are not limited to, the following:

8.6.1 Immediately terminate the Agreement;

8.6.2 Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;

8.6.3 Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or

8.6.4 Charge Consultant the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

Section 9. KEEPING AND STATUS OF RECORDS.

9.1 **Records Created as Part of Consultant's Performance.** All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both Parties.

9.2 **Consultant's Books and Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of 3 years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement.

9.3 **Inspection and Audit of Records.** Any records or documents that Subsection 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds $10,000.00, the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of 3 years after final payment under the Agreement.

Section 10. MISCELLANEOUS PROVISIONS.

10.1 **Attorneys' Fees.** If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

10.2 **Venue.** In the event that either party brings any action against the other under this Agreement, the Parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Alameda or in the United States District Court for the Northern District of California.

10.3 **Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

10.4 **No Implied Waiver of Breach.** The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

10.5 **Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the Parties.

10.6 **Use of Recycled Products.** Consultant shall prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.

10.7 **Conflict of Interest.** Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Section 1090 *et seq.*

Consultant hereby warrants that it is not now, nor has it been in the previous 12 months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous 12 months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant understands that, if this Agreement is made in violation of California Government Code Section 1090 *et seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of California Government Code Section 1090 *et seq.*, and, if applicable, will be disqualified from holding public office in the State of California.

At City's sole discretion, Consultant may be required to file with the City a Form 700 to identify and document Consultant's economic interests, as defined and regulated by the California Fair Political Practices Commission. If Consultant is required to file a Form 700, Consultant is hereby advised to contact the Dublin City Clerk for the Form 700 and directions on how to prepare it.

10.8 **Solicitation.** Consultant agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

10.9 **Contract Administration.** This Agreement shall be administered by the City Manager ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

10.10 **Notices.** Any written notice to Consultant shall be sent to:

Gordon C. Sweet, Vice President
4670 Willow Road, Suite 250
Pleasanton, CA 94588

Any written notice to City shall be sent to:

City of Dublin
City Engineer
Public Works Department
100 Civic Plaza
Dublin, CA 94568

10.11 **Integration.** This Agreement, including the scope of work attached hereto and incorporated herein as Exhibits A, B, C, D and E represents the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral.

Exhibit A	Scope of Services
Exhibit B	Compensation Schedule & Reimbursable Expenses
Exhibit C	Indemnification
Exhibit D	California Labor Code Section 1720 Information
Exhibit E	Conflict of Interest

10.12 **Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

10.13 **Certification per Iran Contracting Act of 2010.** In the event that this contract is for one million dollars ($1,000,000.00) or more, by Consultant's signature below Consultant certifies that Consultant, and any parent entities, subsidiaries, successors or subunits of Consultant are not identified on a list created pursuant to subdivision (b) of Section 2203 of the California Public Contract Code as a person engaging in investment activities in Iran as described in subdivision (a) of Section 2202.5, or as a person described in subdivision (b) of Section 2202.5 of the California Public Contract Code, as applicable.

SIGNATURES ON FOLLOWING PAGE

The Parties have executed this Agreement as of the Effective Date. The persons whose signatures appear below certify that they are authorized to sign on behalf of the respective Party.

CITY OF DUBLIN

Christopher L. Foss, City Manager

Attest:

Caroline Soto, City Clerk

Approved as to Form:

City Attorney

BKF ENGINEERS

Gordon C. Sweet, Vice President

1000002096

Consultant's DIR Registration Number
(if applicable)

3070368.1

EXHIBIT A

SCOPE OF SERVICES

Consulting Services shall include professional design and surveying, as well as staff augmentation.

Design Services

Shall include, but not limited to:

- Prepare all necessary project environmental documents or manage environmental sub-consultants work and implement the environmental mitigation measures in the design of projects.
- Perform or manage sub-consultants in the preparation of geotechnical services required on projects, including determination of soil "R" values, pavement structural section, and other required soil characteristics for design of structures.
- Prepare preliminary design of projects and alternative design studies, as required.
- Perform right-of-way engineering including right-of-way base map, exhibits, plat maps and legal descriptions.
- As necessary, manage sub-consultants' work in preparing appraisal reports and right-of-way acquisition.
- Perform project design at the 35%, 65%, 95% and 100% levels including specifications, special provisions, technical specifications, and cost estimates, as required by the City.
- Prepare Storm Water Quality and Erosion Control plans in compliance with the latest requirements of the California Regional Water Control Board, San Francisco Bay Area region, including stormwater control or management plans, exhibits, and completion of necessary checklists in accordance with the Municipal Regional Permit.
- Prepare final engineering cost estimates and contract bid documents based on the latest bid item unit costs, Caltrans 2015 Specifications and Standard Plans, and federal requirements on federally-funded projects.
- Provide design support services during construction and prepare final record drawings based on as-built drawings provided by the City.

Surveying Services

Shall include, but not limited to:

- Perform topographic surveys.
- Perform utility research and coordination with utility companies.
- Perform base mapping.
- Perform Construction Staking.
- Complete Record of Survey.

- Prepare plat maps, topographic surveys, right-of-way determination, right-of-way takes/vacations, legal descriptions.
- Provide Real Property assistance, such as obtaining preliminary title reports, appraisals, and negotiations with property owners.
- Obtain temporary construction easements.
- Prepare grant deeds, grants of easement, right of entry permits/agreements and temporary construction easements.
- Perform boundary surveys.

Staff Augmentation Services

Shall include, but not limited to:

- Support of small to medium-sized capital projects including the preparation of staff reports, engineering studies, project planning and coordination with other agencies and utilities.
- Assist the City in acquiring the necessary approvals from Caltrans Local Assistance Division on federally-funded projects including preparation of forms and documents to acquire project E-76 approval to construct, and/or approvals from other funding agencies including the Alameda County Transportation Commission and Metropolitan Transportation Commission.
- Assist the City in managing consultant work including traffic signing and striping, traffic handling and stage construction, landscaping and irrigation, utility undergrounding, and roadway lighting.
- Assist the City in managing the construction of small to medium-sized projects including advertisement of projects, response to request for information, review of bids, award of contract, project accounting, and closeout.
- Prepare baseline project design schedule using critical path method and update schedule as necessary.
- Prepare applications for and assist the City to obtain the necessary permits and approvals from appropriate agencies.

Consultant's staff may be asked to make presentations and/or attend City Council meetings, provide community outreach, and serve as a subject matter expert, on behalf of the City.

EXHIBIT B

COMPENSATION SCHEDULE & REIMBURSABLE EXPENSES

STAFF POSITION	FY 2019-2020 APPROVED RATES*
ENGINEERING	
PRINCIPAL	$246
SENIOR ASSOCIATE	$220
ASSOCIATE	$214
PROJECT MANAGER	$210**
ENGINEER IV	$189
ENGINEER III	$174
ENGINEER II	$154
ENGINEER I	$134
ENGINEERING ASSISTANT	$ 82
JUNIOR ENGINEER	$ 70
SURVEYING	
SENIOR ASSOCIATE	$220
ASSOCIATE	$214
PROJECT MANAGER	$210**
SURVEYOR IV	$189
SURVEYOR III	$174
SURVEYOR II	$154
SURVEYOR I	$134
SURVEY PARTY CHIEF	$175
SURVEY CHAINMAN	$113
APPRENTICE IV	$109
APPRENTICE III	$103
APPRENTICE II	$ 93
APPRENTICE I	$ 70
INSTRUMENTMAN	$150
SURVEYING ASSISTANT	$ 82
JUNIOR SURVEYOR	$ 70
UTILITY LOCATING SUPERINTENDENT	$176
UTILITY LOCATOR III	$155
UTILITY LOCATOR II	$129
UTILITY LOCATOR I	$ 91
BIM SPECIALIST III	$174
BIM SPECIALIST II	$154
BIM SPECIALIST I	$134
DESIGN AND DRAFTING	
Technician IV	$161
Technician III	$148
Technician II	$136
Technician I	$128
Drafter IV	$132
Drafter III	$118
Drafter II	$110
Drafter I	$100
SERVICES	
PROJECT ASSISTANT	$ 82
CLERICAL/ADMINISTRATIVE ASSISTANT	$ 70
UTILITY POTHOLING	COST PLUS 10%

*Rates are eligible for increase each Fiscal Year.

**Up to this rate, depending on level of Consultant's Staff

- Rate increases must be submitted by June 1st of each year, by Contractor, in order to be effective July 1st. Rate increase requests will not be accepted past August of each year. Rate increases may not exceed 3%, and shall be based on the April, 12 month change, of the Annual San Francisco Bay Area Consumer Price Index (CPI).
- Please note, reimbursable expenses are built into rates, identified above.
- Invoices shall be submitted electronically to: pwinvoices@dublin.ca.gov no more than once monthly and as work is completed. Please be sure to list the Development Code for each project or the CIP project number, for all charges on each invoice.
- Reporting requirements include a cumulative total of each staff members hours be listed on each invoice.
- Pertaining to section 2.1, please make certain when submitting a letter to inform of an employee exceeding 800 hours, to project the total number of hours anticipated for the fiscal year, as well as the total dollar amount projected.
- Additional positions and corresponding rates may be approved, in writing, by the City Engineer, or their designee.
- With each proposed Scope of Work and Budget submitted for each Task Order, please submit a list of all sub-consultants, including DIR numbers, to be used on a project. Please be sure to update a Project Manager if this should change over the course of a project.
- Overtime work to be charged at 1.5 times rate; Sunday work to be charged at 2 times the rate.
- Subconsultants and equipment rentals, not listed above, charged at 10% above cost.

EXHIBIT C

INDEMNIFICATION

A. Consultant shall, to the extent permitted by law, including without limitation California Civil Code 2782 and 2782.8, indemnify, hold harmless and assume the defense of, in any actions at law or in equity, the City, its employees, agents, volunteers, and elective and appointive boards, from all claims, losses, and damages, including property damage, personal injury, death, and liability arising out of, pertaining to or related to the negligence, recklessness or willful misconduct of Consultant or any person directly employed by, or acting as agent for, Consultant, during and after completion of Consultant's work under this Agreement.

B. With respect to those claims arising from a professional error or omission, Consultant shall defend, indemnify and hold harmless the City (including its elected officials, officers, employees, and volunteers) from all claims, losses, and damages arising from the professionally negligent acts, errors or omissions of Consultant, however, the cost to defend charged to Consultant shall not exceed Consultant's proportionate percentage fault.

C. Consultant's obligation under this section does not extend to that portion of a claim caused in whole or in part by the sole negligence or willful misconduct of the City.

D. Consultant shall also indemnify, defend and hold harmless the City from all suits or claims for infringement of any patent rights, copyrights, trade secrets, trade names, trademarks, service marks, or any other proprietary rights of any person or persons because of the City or any of its officers, employees, volunteers, or agents use of articles, products things, or services supplied in the performance of Consultant's services under this Agreement, however, the cost to defend charged to Consultant shall not exceed Consultant's proportionate percentage fault.

EXHIBIT D

PROVISIONS REQUIRED FOR PUBLIC WORKS CONTRACTS PURSUANT TO CALIFORNIA LABOR CODE SECTION 1720 *ET SEQ.*

HOURS OF WORK:

A. In accordance with California Labor Code Section 1810, 8 hours of labor in performance of the services described in Exhibit A shall constitute a legal day's work under this contract.

B. In accordance with California Labor Code Section 1811, the time of service of any worker employed in performance of the services described in Exhibit A is limited to 8 hours during any one calendar day, and 40 hours during any one calendar week, except in accordance with California Labor Code Section 1815, which provides that work in excess of 8 hours during any one calendar day and 40 hours during any one calendar week is permitted upon compensation for all hours worked in excess of 8 hours during any one calendar day and 40 hours during any one calendar week at not less than one-and-one-half times the basic rate of pay.

C. The Consultant and its subcontractors shall forfeit as a penalty to the City $25 for each worker employed in the performance of the services described in Exhibit A for each calendar day during which the worker is required or permitted to work more than 8 hours in any one calendar day, or more than 40 hours in any one calendar week, in violation of the provisions of California Labor Code Section 1810 and following.

WAGES:

A. In accordance with California Labor Code Section 1773.2, the City has determined the general prevailing wages in the locality in which the services described in Exhibit A are to be performed for each craft or type of work needed to be as published by the State of California Department of Industrial Relations, Division of Labor Statistics and Research, a copy of which is on file in the City Public Works Office and shall be made available on request. The Consultant and subcontractors engaged in the performance of the services described in Exhibit A shall pay no less than these rates to all persons engaged in performance of the services described in Exhibit A.

B. In accordance with California Labor Code Section 1775, the Consultant and any subcontractors engaged in performance of the services described in Exhibit A shall comply with California Labor Code Section 1775, which establishes a penalty for each worker engaged in the performance of the services described in Exhibit A that the Consultant or any subcontractor pays less than the specified prevailing wage. The amount of such penalty shall be determined by the Labor Commissioner and shall be based on consideration of the mistake, inadvertence, or neglect of the Consultant or subcontractor in failing to pay the correct rate of prevailing wages, or the previous record of the Consultant or subcontractor in meeting applicable prevailing wage obligations, or the willful failure by the Consultant or subcontractor to pay the correct rates of prevailing wages. A mistake, inadvertence, or neglect in failing to pay the correct rate of

prevailing wages is not excusable if the Consultant or subcontractor had knowledge of their obligations under the California Labor Code. The Consultant or subcontractor shall pay the difference between the prevailing wage rates and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the prevailing wage rate. If a subcontractor worker engaged in performance of the services described in Exhibit A is not paid the general prevailing per diem wages by the subcontractor, the Consultant is not liable for any penalties therefore unless the Consultant had knowledge of that failure or unless the Consultant fails to comply with all of the following requirements:

1. The contract executed between the Consultant and the subcontractor for the performance of part of the services described in Exhibit A shall include a copy of the provisions of California Labor Code Sections 1771, 1775, 1776, 1777.5, 1813, and 1815.

2. The Consultant shall monitor payment of the specified general prevailing rate of per diem wages by the subcontractor by periodic review of the subcontractor's certified payroll records.

3. Upon becoming aware of a subcontractor's failure to pay the specified prevailing rate of wages, the Consultant shall diligently take corrective action to halt or rectify the failure, including, but not limited to, retaining sufficient funds due the subcontractor for performance of the services described in Exhibit A.

4. Prior to making final payment to the subcontractor, the Consultant shall obtain an affidavit signed under penalty of perjury from the subcontractor that the subcontractor has paid the specified general prevailing rate of per diem wages for employees engaged in the performance of the services described in Exhibit A and any amounts due pursuant to California Labor Code Section 1813.

C. In accordance with California Labor Code Section 1776, the Consultant and each subcontractor engaged in performance of the services described in Exhibit A shall keep accurate payroll records showing the name, address, social security number, work, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed in performance of the services described in Exhibit A. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following:

1. The information contained in the payroll record is true and correct.

2. The employer has complied with the requirements of California Labor Code Sections 1771, 1811, and 1815 for any work performed by the employer's employees on the public works project.

The payroll records required pursuant to California Labor Code Section 1776 shall be certified and shall be submitted directly to the Labor Commission, and available for inspection by the Owner and its authorized representatives, the Division of Labor Standards Enforcement, the

Division of Apprenticeship Standards of the Department of Industrial Relations and shall otherwise be available for inspection in accordance with California Labor Code Section 1776.

D. In accordance with California Labor Code Section 1777.5, the Consultant, on behalf of the Consultant and any subcontractors engaged in performance of the services described in Exhibit A, shall be responsible for ensuring compliance with California Labor Code Section 1777.5 governing employment and payment of apprentices on public works contracts.

E. In case it becomes necessary for the Consultant or any subcontractor engaged in performance of the services described in Exhibit A to employ for the services described in Exhibit A any person in a trade or occupation (except executive, supervisory, administrative, clerical, or other non-manual workers as such) for which no minimum wage rate has been determined by the Director of the Department of Industrial Relations, the Consultant or subcontractor shall pay the minimum rate of wages specified therein for the classification which most nearly corresponds to services described in Exhibit A to be performed by that person. The minimum rate thus furnished shall be applicable as a minimum for such trade or occupation from the time of the initial employment of the person affected and during the continuance of such employment.

3070368.1

EXHIBIT E

CONFLICT OF INTEREST

Consultant confirms the ability to meet the City of Dublin's Conflict of Interest requirements as specified in the City's RFP.

Consultant is not aware of any recent, current or anticipated contractual obligations which will pose a potential conflict of interest with the work on this project. Consultant agrees that, for the term of this agreement, no member, officer or employee of the City of Dublin, or a public body within Alameda County or member of delegate to the Congress of the United States, during his/her tenure of for one year thereafter, shall have any direct interest in the contacts or any direct or material benefit arising therefrom.

CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF DUBLIN AND NICHOLS CONSULTING ENGINEERS, CHTD. FOR ON-CALL CIVIL ENGINEERING AND SURVEY SERVICES

THIS AGREEMENT for consulting services is made by and between the City of Dublin ("City") and Nichols Consulting Engineers, Chtd. ("Consultant") (together sometimes referred to as the "Parties") as of March 1, 2021 (the "Effective Date").

Section 1. SERVICES. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

1.1 Term of Services. The term of this Agreement shall begin on the Effective Date and shall end on June 30, 2023, the date of completion specified in Exhibit A, and Consultant shall complete the work described in Exhibit A on or before that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as referenced in Section 8. Notwithstanding the foregoing this Agreement may be extended on a month to month basis for up to 6 months upon the written consent of the Consultant and the City Manager, provided that: a) sufficient funds have been appropriated for such purchase, b) the price charged by the Consultant for the provision of the serves described in Exhibit A does not increase. None of the foregoing shall affect the City's right to terminate the Agreement as provided for in Section 8.

1.2 Standard of Performance. Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Consultant is engaged.

1.3 Assignment of Personnel. Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.

1.4 Time. Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Subsection 1.2 above and to satisfy Consultant's obligations hereunder.

1.5 Public Works Requirements. Because the services described in Exhibit A include "work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work," the services constitute a public works within the definition of Section 1720(a)(1) of the California Labor Code. As a result,

Consultant is required to comply with the provisions of the California Labor Code applicable to public works, to the extent set forth in Exhibit D.

1.6 **Public Works Contractor Registration**. Consultant agrees, in accordance with Section 1771.1 of the California Labor Code, that Consultant or any subconsultant shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in Chapter 1 of Part 7 of Division 2 of the California Labor Code, unless currently registered and qualified to perform public work pursuant to California Labor Code section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded. No contractor or subcontractor may be awarded a contract for public work on a public works project unless registered with the Department of Industrial Relations pursuant to California Labor Code section 1725.5. Consultant agrees, in accordance with Section 1771.4 of the California Labor Code, that if the work under this Agreement qualifies as public work, it is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

Section 2. **COMPENSATION.** City hereby agrees to pay Consultant a sum not to exceed Forty-Four Thousand Dollars ($44,000), notwithstanding any contrary indications that may be contained in Consultant's proposal, for services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement and Consultant's proposal, attached as Exhibit A, regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement. Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City in writing, Consultant shall not bill City for duplicate services performed by more than one person.

Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the Parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 **Invoices.** Consultant shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. No individual performing work under this Agreement shall bill more than 2,000 hours in a fiscal year unless approved, in writing, by the City Manager or his/her designee. Invoices shall contain the following information:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;

- The beginning and ending dates of the billing period;

- A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;

- A copy of the applicable time entries or time sheets shall be submitted showing the following:
    - Daily logs of total hours worked by each individual performing work under this Agreement
    - Hours must be logged in increments of tenths of an hour or quarter hour
    - If this Agreement covers multiple projects, all hours must also be logged by project assignment
    - A brief description of the work, and each reimbursable expense

- The total number of hours of work performed under the Agreement by Consultant and each employee, agent, and subcontractor of Consultant performing services hereunder;

- The Consultant's signature;

- Consultant shall give separate notice to the City when the total number of hours worked by Consultant and any individual employee, agent, or subcontractor of Consultant reaches or exceeds 800 hours within a 12-month period under this Agreement and any other agreement between Consultant and City. Such notice shall include an estimate of the time necessary to complete work described in Exhibit A and the estimate of time necessary to complete work under any other agreement between Consultant and City, if applicable.

2.2 **Monthly Payment.** City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.

2.3 **Final Payment.** City shall pay the last 10% of the total sum due pursuant to this Agreement within 60 days after completion of the services and submittal to City of a final invoice, if all services required have been satisfactorily performed.

2.4 **Total Payment.** City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever incurred by Consultant in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement,

unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment.

2.5 **Hourly Fees.** Fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the compensation schedule attached hereto as Exhibit B.

2.6 **Reimbursable Expenses.** Reimbursable expenses are specified in Exhibit B. Expenses not listed in Exhibit B are not chargeable to City. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.

2.7 **Payment of Taxes.** Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.

2.8 **Payment upon Termination.** In the event that the City or Consultant terminates this Agreement pursuant to Section 8, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets to verify costs incurred to that date.

2.9 **Authorization to Perform Services.** The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

Section 3. **FACILITIES AND EQUIPMENT.** Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in this section, and only under the terms and conditions set forth herein.

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Consultant's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.

Section 4. **INSURANCE REQUIREMENTS.** Before fully executing this Agreement, Consultant, at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Consultant and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, Consultant shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects, and that such insurance is in effect prior to beginning work. Consultant shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid or proposal. Consultant shall not allow any subcontractor to commence work on any subcontract until Consultant has obtained all

insurance required herein for the subcontractor(s) and provided evidence to City that such insurance is in effect. VERIFICATION OF THE REQUIRED INSURANCE SHALL BE SUBMITTED AND MADE PART OF THIS AGREEMENT PRIOR TO EXECUTION. Consultant shall maintain all required insurance listed herein for the duration of this Agreement.

4.1 Workers' Compensation.

4.1.1 General Requirements. Consultant shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Consultant. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than $1,000,000 per accident. In the alternative, Consultant may rely on a self-insurance program to meet these requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the California Labor Code shall be solely in the discretion of the Contract Administrator.

The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the entity for all work performed by the Consultant, its employees, agents, and subcontractors.

4.1.2 Submittal Requirements. To comply with Subsection 4.1, Consultant shall submit the following:

a. Certificate of Liability Insurance in the amounts specified in the section; and

b. Waiver of Subrogation Endorsement as required by the section.

4.2 Commercial General and Automobile Liability Insurance.

4.2.1 General Requirements. Consultant, at its own cost and expense, shall maintain commercial general liability insurance for the term of this Agreement in an amount not less than $1,000,000 and automobile liability insurance for the term of this Agreement in an amount not less than $1,000,000 per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. If a Commercial General Liability Insurance or an Automobile Liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

4.2.2 **Minimum Scope of Coverage.** Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001, Code 1 (any auto). No endorsement shall be attached limiting the coverage.

4.2.3 **Additional Requirements.** Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:

a. The Insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.

b. City, its officers, officials, employees, and volunteers are to be covered as additional insureds as respects: liability arising out of work or operations performed by or on behalf of the Consultant; or automobiles owned, leased, hired, or borrowed by the Consultant.

c. Consultant hereby agrees to waive subrogation which any insurer or contractor may require from vendor by virtue of the payment of any loss. Consultant agrees to obtain any endorsements that may be necessary to effect this waiver of subrogation.

d. For any claims related to this Agreement or the work hereunder, the Consultant's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

4.2.4 **Submittal Requirements.** To comply with Subsection 4.2, Consultant shall submit the following:

a. Certificate of Liability Insurance in the amounts specified in the section;

b. Additional Insured Endorsement as required by the section;

c. Waiver of Subrogation Endorsement as required by the section; and

d. Primary Insurance Endorsement as required by the section.

4.3 **Professional Liability Insurance.**

4.3.1 **General Requirements.** Consultant, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount

not less than $2,000,000 covering the licensed professionals' errors and omissions. Any deductible or self-insured retention shall not exceed $150,000 per claim.

4.3.2 **Claims-Made Limitations.** The following provisions shall apply if the professional liability coverage is written on a claims-made form:

a. The retroactive date of the policy must be shown and must be before the date of the Agreement.

b. Insurance must be maintained and evidence of insurance must be provided for at least 5 years after completion of the Agreement or the work, so long as commercially available at reasonable rates.

c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant shall purchase an extended period coverage for a minimum of 5 years after completion of work under this Agreement.

d. A copy of the claim reporting requirements must be submitted to the City for review prior to the commencement of any work under this Agreement.

4.3.3 **Additional Requirements.** A certified endorsement to include contractual liability shall be included in the policy.

4.3.4 **Submittal Requirements.** To comply with Subsection 4.3, Consultant shall submit the Certificate of Liability Insurance in the amounts specified in the section.

4.4 **All Policies Requirements.**

4.4.1 **Acceptability of Insurers.** All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

4.4.2 **Verification of Coverage.** Prior to beginning any work under this Agreement, Consultant shall furnish City with complete copies of all Certificates of Liability Insurance delivered to Consultant by the insurer, including complete copies of all endorsements attached to the policies. All copies of Certificates of Liability Insurance and certified endorsements shall show the signature of a person authorized by that insurer to bind coverage on its behalf. If the City does not receive the required insurance documents prior to the Consultant beginning work, it shall not waive the Consultant's obligation to provide them. The City reserves the right to require complete copies of all required insurance policies at any time.

4.4.3 **Deductibles and Self-Insured Retentions.** Consultant shall disclose to and obtain the written approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this

Agreement. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, employees, and volunteers; or the Consultant shall provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration and defense expenses.

4.4.4 **Wasting Policies.** No policy required by this Section 4 shall include a "wasting" policy limit (i.e. limit that is eroded by the cost of defense).

4.4.5 **Endorsement Requirements.** Each insurance policy required by Section 4 shall be endorsed to state that coverage shall not be canceled by either party, except after 30 days' prior written notice has been provided to the City.

4.4.6 **Subcontractors.** Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and certified endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

4.5 **Remedies.** In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 5. INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES. Refer to the attached Exhibit C, which is incorporated herein and made a part of this Agreement.

Section 6. STATUS OF CONSULTANT.

6.1 **Independent Contractor.** At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. This Agreement shall not be construed as an agreement for employment. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subsection 1.3; however, otherwise City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement. Contractor further acknowledges that Contractor performs Services outside the usual course of the City's business; and is

customarily engaged in an independently established trade, occupation, or business of the same nature as the Contractor performs for the City, and has the option to perform such work for other entities. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.

6.2 **Consultant Not an Agent.** Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

7.1 **Governing Law.** The laws of the State of California shall govern this Agreement.

7.2 **Compliance with Applicable Laws.** Consultant and any subcontractors shall comply with all laws and regulations applicable to the performance of the work hereunder, including but not limited to, the California Building Code, the Americans with Disabilities Act, and any copyright, patent or trademark law. Consultant's failure to comply with any law(s) or regulation(s) applicable to the performance of the work hereunder shall constitute a breach of contract.

7.3 **Other Governmental Regulations.** To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.

7.4 **Licenses and Permits.** Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. Consultant represents and warrants to City that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from City.

7.5 **Nondiscrimination and Equal Opportunity.** Consultant shall not discriminate, on the basis of a person's race, sex, gender, religion (including religious dress and grooming practices), national origin, ancestry, physical or mental disability, medical condition (including cancer and genetic characteristics), marital status, age, sexual orientation, color,

creed, pregnancy, genetic information, gender identity or expression, political affiliation or belief, military/veteran status, or any other classification protected by applicable local, state, or federal laws (each a "Protected Characteristic"), against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 8. TERMINATION AND MODIFICATION.

8.1 **Termination.** City may cancel this Agreement at any time and without cause upon written notification to Consultant.

Consultant may cancel this Agreement upon 30 days' written notice to City and shall include in such notice the reasons for cancellation.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

8.2 **Extension.** City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. Any such extension shall require a written amendment to this Agreement, as provided for herein. Consultant understands and agrees that, if City grants such an extension, City shall have no obligation to provide Consultant with compensation beyond the maximum amount provided for in this Agreement. Similarly, unless authorized by the Contract Administrator, City shall have no obligation to reimburse Consultant for any otherwise reimbursable expenses incurred during the extension period.

8.3 **Amendments.** The Parties may amend this Agreement only by a writing signed by all the Parties.

8.4 **Assignment and Subcontracting.** City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Consultant. Consultant may not assign this Agreement or any interest therein without the prior written approval of the Contract Administrator. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the Contract Administrator.

8.5 **Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.

8.6 **Options upon Breach by Consultant.** If Consultant materially breaches any of the terms of this Agreement, City's remedies shall include, but are not limited to, the following:

8.6.1 Immediately terminate the Agreement;

8.6.2 Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;

8.6.3 Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or

8.6.4 Charge Consultant the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

Section 9. KEEPING AND STATUS OF RECORDS.

9.1 **Records Created as Part of Consultant's Performance.** All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both Parties.

9.2 **Consultant's Books and Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of 3 years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement.

9.3 **Inspection and Audit of Records.** Any records or documents that Subsection 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds $10,000.00, the Agreement shall be subject to

the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of 3 years after final payment under the Agreement.

Section 10. MISCELLANEOUS PROVISIONS.

10.1 Attorneys' Fees. If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

10.2 Venue. In the event that either party brings any action against the other under this Agreement, the Parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Alameda or in the United States District Court for the Northern District of California.

10.3 Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

10.4 No Implied Waiver of Breach. The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

10.5 Successors and Assigns. The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the Parties.

10.6 Use of Recycled Products. Consultant shall prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.

10.7 Conflict of Interest. Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Section 1090 *et seq.*

Consultant hereby warrants that it is not now, nor has it been in the previous 12 months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous 12 months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant

understands that, if this Agreement is made in violation of California Government Code Section 1090 *et seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of California Government Code Section 1090 *et seq.,* and, if applicable, will be disqualified from holding public office in the State of California.

At City's sole discretion, Consultant may be required to file with the City a Form 700 to identify and document Consultant's economic interests, as defined and regulated by the California Fair Political Practices Commission. If Consultant is required to file a Form 700, Consultant is hereby advised to contact the Dublin City Clerk for the Form 700 and directions on how to prepare it.

10.8 **Solicitation.** Consultant agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

10.9 **Contract Administration.** This Agreement shall be administered by the City Manager ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

10.10 **Notices.** Any written notice to Consultant shall be sent to:

Nichols Consulting Engineers, Chtd.
Attn: Ryan Shafer
5253 College Avenue #B
Oakland, CA 94618

Any written notice to City shall be sent to:

City of Dublin
Attn: Andy Russell
100 Civic Plaza
Dublin, CA 94568

10.11 **Integration.** This Agreement, including the scope of work attached hereto and incorporated herein as Exhibits A, B, C, D and E represents the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral.

Exhibit A	Scope of Services
Exhibit B	Compensation Schedule & Reimbursable Expenses
Exhibit C	Indemnification
Exhibit D	California Labor Code Section 1720 Information
Exhibit E	Conflict of Interest

10.12 **Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

10.13 **Certification per Iran Contracting Act of 2010.** In the event that this contract is for one million dollars ($1,000,000.00) or more, by Consultant's signature below Consultant certifies that Consultant, and any parent entities, subsidiaries, successors or subunits of Consultant are not identified on a list created pursuant to subdivision (b) of Section 2203 of the California Public Contract Code as a person engaging in investment activities in Iran as described in subdivision (a) of Section 2202.5, or as a person described in subdivision (b) of Section 2202.5 of the California Public Contract Code, as applicable.

SIGNATURES ON FOLLOWING PAGE

The Parties have executed this Agreement as of the Effective Date. The persons whose signatures appear below certify that they are authorized to sign on behalf of the respective Party.

CITY OF DUBLIN

DocuSigned by:
Linda Smith
E33838CFFC044E0...
Linda Smith, City Manager

Attest:

DocuSigned by:
Marsha Moore
9BB70815D22F40A...
Marsha Moore, City Clerk

Approved as to Form:

DocuSigned by:
Jordyn Bishop for
5ED7F38973DC484...
City Attorney

NICHOLS CONSULTING ENGINEERS, CHTD.

DocuSigned by:
Ryan Shafer
F38F4B838183B47D...
Ryan Shafer, Principal

Consultant's DIR Registration Number
(if applicable)

3070368.1

EXHIBIT A

SCOPE OF SERVICES

Consulting Services shall include professional design and surveying, as well as staff augmentation.

Design Services

Shall include, but not limited to:

- Prepare all necessary project environmental documents or manage environmental sub-consultants work and implement the environmental mitigation measures in the design of projects.
- Perform or manage sub-consultants in the preparation of geotechnical services required on projects, including determination of soil "R" values, pavement structural section, and other required soil characteristics for design of structures.
- Prepare preliminary design of projects and alternative design studies, as required.
- Perform right-of-way engineering including right-of-way base map, exhibits, plat maps and legal descriptions.
- As necessary, manage sub-consultants' work in preparing appraisal reports and right-of-way acquisition.
- Perform project design at the 35%, 65%, 95% and 100% levels including specifications, special provisions, technical specifications, and cost estimates, as required by the City.
- Prepare Storm Water Quality and Erosion Control plans in compliance with the latest requirements of the California Regional Water Control Board, San Francisco Bay Area region, including stormwater control or management plans, exhibits, and completion of necessary checklists in accordance with the Municipal Regional Permit.
- Prepare final engineering cost estimates and contract bid documents based on the latest bid item unit costs, Caltrans 2015 Specifications and Standard Plans, and federal requirements on federally-funded projects.
- Provide design support services during construction and prepare final record drawings based on as-built drawings provided by the City.

Surveying Services

Shall include, but not limited to:

- Perform topographic surveys.
- Perform utility research and coordination with utility companies.
- Perform base mapping.
- Perform Construction Staking.
- Complete Record of Survey.

- Prepare plat maps, topographic surveys, right-of-way determination, right-of-way takes/vacations, legal descriptions.
- Provide Real Property assistance, such as obtaining preliminary title reports, appraisals, and negotiations with property owners.
- Obtain temporary construction easements.
- Prepare grant deeds, grants of easement, right of entry permits/agreements and temporary construction easements.
- Perform boundary surveys.

Staff Augmentation Services

Shall include, but not limited to:

- Support of small to medium-sized capital projects including the preparation of staff reports, engineering studies, project planning and coordination with other agencies and utilities.
- Assist the City in acquiring the necessary approvals from Caltrans Local Assistance Division on federally-funded projects including preparation of forms and documents to acquire project E-76 approval to construct, and/or approvals from other funding agencies including the Alameda County Transportation Commission and Metropolitan Transportation Commission.
- Assist the City in managing consultant work including traffic signing and striping, traffic handling and stage construction, landscaping and irrigation, utility undergrounding, and roadway lighting.
- Assist the City in managing the construction of small to medium-sized projects including advertisement of projects, response to request for information, review of bids, award of contract, project accounting, and closeout.
- Prepare baseline project design schedule using critical path method and update schedule as necessary.
- Prepare applications for and assist the City to obtain the necessary permits and approvals from appropriate agencies.

Consultant's staff may be asked to make presentations and/or attend City Council meetings, provide community outreach, and serve as a subject matter expert, on behalf of the City.

EXHIBIT B

COMPENSATION SCHEDULE & REIMBURSABLE EXPENSES

RATE TABLE:

STAFF POSITION	FY 2020-2021 APPROVED RATES**
PRINCIPAL	$270.00
ASSOCIATE	$215.00
SENIOR	$185.00
PROJECT	$165.00
STAFF	$145.00
SENIOR CONSTRUCTION MANAGER	$145.00
SENIOR DESIGNER	$155.00
SENIOR TECHNICIAN	$135.00
CONSTRUCTION INSPECTOR	$130.00
CAD TECHNICIAN	$120.00
SENIOR FIELD SCIENTIST	$125.00
FIELD SCIENTIST	$100.00
PROJECT ADMINISTRATOR	$110.00
FIELD/ENGINEERING TECHNICIAN	$100.00
CLERICAL	$ 90.00

- Rate increases must be submitted by June 1st of each year, by Consultant, in order to be effective July 1st. Rate increase requests will not be accepted past August of each year. Rate increases may not exceed 3%, and shall be based on the April, 12-month change, of the Annual San Francisco Bay Area Consumer Price Index (CPI).
- Please note, reimbursable expenses are built into rates, identified above.
- Invoices shall be submitted electronically to: pwinvoices@dublin.ca.gov no more than once monthly and as work is completed. Please be sure to list the Development Code for each project or the CIP project number, for all charges on each invoice.
- Reporting requirements include a cumulative total of each staff members hours be listed on each invoice.
- Pertaining to section 2.1, please make certain when submitting a letter to inform of an employee exceeding 800 hours, to project the total number of hours anticipated for the fiscal year, as well as the total dollar amount projected.
- Additional positions and corresponding rates may be approved, in writing, by the City Engineer, or their designee.
- With each proposed Scope of Work and Budget submitted for each Task Order, please submit a list of all sub-consultants, including DIR numbers, to be used on a project. Please be sure to update a Project Manager if this should change over the course of a project.
- Overtime work to be charged at 1.5 times rate; Sunday work to be charged at 2 times the rate.
- Subconsultants and equipment rentals, not listed above, charged at 10% above cost.

EXHIBIT C

INDEMNIFICATION

A. Consultant shall, to the extent permitted by law, including without limitation California Civil Code 2782 and 2782.8, indemnify, hold harmless and assume the defense of, in any actions at law or in equity, the City, its employees, agents, volunteers, and elective and appointive boards, from all claims, losses, and damages, including property damage, personal injury, death, and liability of every kind, nature and description, arising out of, pertaining to or related to the negligence, recklessness or willful misconduct of Consultant or any person directly or indirectly employed by, or acting as agent for, Consultant, during and after completion of Consultant's work under this Agreement.

B. With respect to those claims arising from a professional error or omission, Consultant shall defend, indemnify and hold harmless the City (including its elected officials, officers, employees, and volunteers) from all claims, losses, and damages to the extent caused by the professionally negligent acts, errors or omissions of Consultant, however, the cost to defend charged to Consultant shall not exceed Consultant's proportionate percentage fault.

C. Consultant's obligation under this section does not extend to that portion of a claim caused in whole or in part by the active negligence or willful misconduct of the City.

D. Consultant shall also indemnify, defend and hold harmless the City from all suits or claims for infringement of any patent rights, copyrights, trade secrets, trade names, trademarks, service marks, or any other proprietary rights of any person or persons because of the City or any of its officers, employees, volunteers, or agents use of articles, products things, or services supplied in the performance of Consultant's services under this Agreement, however, the cost to defend charged to Consultant shall not exceed Consultant's proportionate percentage fault.

EXHIBIT D

PROVISIONS REQUIRED FOR PUBLIC WORKS CONTRACTS PURSUANT TO CALIFORNIA LABOR CODE SECTION 1720 *ET SEQ.*

HOURS OF WORK:

A. In accordance with California Labor Code Section 1810, 8 hours of labor in performance of the services described in Exhibit A shall constitute a legal day's work under this contract.

B. In accordance with California Labor Code Section 1811, the time of service of any worker employed in performance of the services described in Exhibit A is limited to 8 hours during any one calendar day, and 40 hours during any one calendar week, except in accordance with California Labor Code Section 1815, which provides that work in excess of 8 hours during any one calendar day and 40 hours during any one calendar week is permitted upon compensation for all hours worked in excess of 8 hours during any one calendar day and 40 hours during any one calendar week at not less than one-and-one-half times the basic rate of pay.

C. The Consultant and its subcontractors shall forfeit as a penalty to the City $25 for each worker employed in the performance of the services described in Exhibit A for each calendar day during which the worker is required or permitted to work more than 8 hours in any one calendar day, or more than 40 hours in any one calendar week, in violation of the provisions of California Labor Code Section 1810 and following.

WAGES:

A. In accordance with California Labor Code Section 1773.2, the City has determined the general prevailing wages in the locality in which the services described in Exhibit A are to be performed for each craft or type of work needed to be as published by the State of California Department of Industrial Relations, Division of Labor Statistics and Research, a copy of which is on file in the City Public Works Office and shall be made available on request. The Consultant and subcontractors engaged in the performance of the services described in Exhibit A shall pay no less than these rates to all persons engaged in performance of the services described in Exhibit A.

B. In accordance with California Labor Code Section 1775, the Consultant and any subcontractors engaged in performance of the services described in Exhibit A shall comply with California Labor Code Section 1775, which establishes a penalty for each worker engaged in the performance of the services described in Exhibit A that the Consultant or any subcontractor pays less than the specified prevailing wage. The amount of such penalty shall be determined by the Labor Commissioner and shall be based on consideration of the mistake, inadvertence, or neglect of the Consultant or subcontractor in failing to pay the correct rate of prevailing wages, or the previous record of the Consultant or subcontractor in meeting applicable prevailing wage obligations, or the willful failure by the Consultant or subcontractor to pay the correct rates of prevailing wages. A mistake, inadvertence, or neglect in failing to pay the correct rate of

prevailing wages is not excusable if the Consultant or subcontractor had knowledge of their obligations under the California Labor Code. The Consultant or subcontractor shall pay the difference between the prevailing wage rates and the amount paid to each worker for each calendar day or portion thereof for which each worker was paid less than the prevailing wage rate. If a subcontractor worker engaged in performance of the services described in Exhibit A is not paid the general prevailing per diem wages by the subcontractor, the Consultant is not liable for any penalties therefore unless the Consultant had knowledge of that failure or unless the Consultant fails to comply with all of the following requirements:

1. The contract executed between the Consultant and the subcontractor for the performance of part of the services described in Exhibit A shall include a copy of the provisions of California Labor Code Sections 1771, 1775, 1776, 1777.5, 1813, and 1815.

2. The Consultant shall monitor payment of the specified general prevailing rate of per diem wages by the subcontractor by periodic review of the subcontractor's certified payroll records.

3. Upon becoming aware of a subcontractor's failure to pay the specified prevailing rate of wages, the Consultant shall diligently take corrective action to halt or rectify the failure, including, but not limited to, retaining sufficient funds due the subcontractor for performance of the services described in Exhibit A.

4. Prior to making final payment to the subcontractor, the Consultant shall obtain an affidavit signed under penalty of perjury from the subcontractor that the subcontractor has paid the specified general prevailing rate of per diem wages for employees engaged in the performance of the services described in Exhibit A and any amounts due pursuant to California Labor Code Section 1813.

C. In accordance with California Labor Code Section 1776, the Consultant and each subcontractor engaged in performance of the services described in Exhibit A shall keep accurate payroll records showing the name, address, social security number, work, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed in performance of the services described in Exhibit A. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following:

1. The information contained in the payroll record is true and correct.

2. The employer has complied with the requirements of California Labor Code Sections 1771, 1811, and 1815 for any work performed by the employer's employees on the public works project.

The payroll records required pursuant to California Labor Code Section 1776 shall be certified and shall be submitted directly to the Labor Commission, and available for inspection by the Owner and its authorized representatives, the Division of Labor Standards Enforcement, the

Division of Apprenticeship Standards of the Department of Industrial Relations and shall otherwise be available for inspection in accordance with California Labor Code Section 1776.

D. In accordance with California Labor Code Section 1777.5, the Consultant, on behalf of the Consultant and any subcontractors engaged in performance of the services described in Exhibit A, shall be responsible for ensuring compliance with California Labor Code Section 1777.5 governing employment and payment of apprentices on public works contracts.

E. In case it becomes necessary for the Consultant or any subcontractor engaged in performance of the services described in Exhibit A to employ for the services described in Exhibit A any person in a trade or occupation (except executive, supervisory, administrative, clerical, or other non-manual workers as such) for which no minimum wage rate has been determined by the Director of the Department of Industrial Relations, the Consultant or subcontractor shall pay the minimum rate of wages specified therein for the classification which most nearly corresponds to services described in Exhibit A to be performed by that person. The minimum rate thus furnished shall be applicable as a minimum for such trade or occupation from the time of the initial employment of the person affected and during the continuance of such employment.

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EXHIBIT E

CONFLICT OF INTEREST

Consultant confirms the ability to meet the City of Dublin's Conflict of Interest requirements as specified in the City's RFP.

Consultant is not aware of any recent, current or anticipated contractual obligations which will pose a potential conflict of interest with the work on this project. Consultant agrees that, for the term of this agreement, no member, officer or employee of the City of Dublin, or a public body within Alameda County or member of delegate to the Congress of the United States, during his/her tenure of for one year thereafter, shall have any direct interest in the contacts or any direct or material benefit arising therefrom.

Agenda Item 4.6

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Agreement with Willdan Energy Solutions, Inc. for Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Code Assistance
Prepared by: Shannan Young, Environmental & Sustainability Manager

EXECUTIVE SUMMARY:

The City Council will consider approval of an agreement with Willdan Energy Solutions, Inc. for assistance with developing and implementing municipal and/or building codes related to building electrification, electric vehicle chargers, and low carbon concrete in support of Climate Action Plan 2030 and Beyond (CAP 2030). Willdan Energy Solutions, Inc. would also assist with other programs and projects related to CAP 2030 implementation.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving the Consulting Services Agreement Between the City of Dublin and Willdan Energy Solutions, Inc. for Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Code Assistance.

FINANCIAL IMPACT:

The consulting services agreement under consideration is not to exceed $420,000 for a term of three years. There is sufficient appropriation in Fiscal Year 2021-22 to cover the current year cost. Future year costs will be incorporated in each respective fiscal year budget requests. The entire contract cost is proposed to be funded by the General Fund, using the Assigned Reserve for Climate Action Plan implementation.

DESCRIPTION:

On September 15, 2020, the City Council approved Resolution 100-20 (Attachment 3) Adopting the City of Dublin Climate Action Plan 2030 and Beyond (CAP 2030). CAP 2030 includes 22 measures intended to reduce greenhouse gas (GHG) emissions by 40% below 1990 levels by 2030 and to put the City on the path to reach carbon neutrality by 2045. The Measures in CAP 2030 that

are included in the scope of work under this consulting services agreement include:

- Measure CF-1: Opt-Up to 100% Renewable and Carbon Free Electricity
- Measure EE-1: Achieve All Electric New Construction
- Measure EE-4: Develop an Existing Building Electrification Plan
- Measure SM-1: Adopt an Electric Vehicle Charging Station Ordinance
- Measure SM-2: Develop an Electric Vehicle Infrastructure Plan
- Measure MM-2: Reduce the Embodied GHG Emissions Associated with Building Materials
- Measure ML-4: Total Cost of Ownership and Life-Cycle Analysis of GHG Impacts in Municipal Request for Proposals
- Conduct a Comprehensive GHG Emissions Analysis

The Public Works Department utilizes consultants on environmental and sustainability programs and projects and for on-call, as-needed services. Consultants are solicited through an open and competitive Request for Proposals (RFP) process to identify consulting firms with the necessary background and experience to provide services at competitive costs. The RFP (Attachment 4) was sent to firms that have expressed interest in receiving RFPs and was posted on the City's website. Willdan Energy Solutions, Inc. is one of two firms that responded to the RFP issued by the City and is the only firm that provided a proposal that addresses the complete scope of work. The RFP allowed for potential consultants to provide proposals on a subset of the project areas for which Staff is seeking assistance. The comprehensive proposal provided by Willdan Energy Solutions, Inc. was selected due to the firm's experience with engagements of similar scope and complexity and to simplify project management by having one point of contact for the entire suite of projects in the scope of work. Table 1 below provides an overview of the proposals received by the City in response to the RFP.

Table 1. Proposals received in response to the RFP issued for Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Code Assistance

Firm	Response Areas	Proposed Hourly Staff Rates
Willdan Energy Solutions, Inc.	All (Measure CF-1, Measure EE-1, Measure EE-4, Measure SM-1, Measure SM-2, Measure MM-2, Measure ML-4, GHG analysis)	$84-$510
ID360	Four (Measure CF-1, Measure EE-1, Measure SM-1, Measure MM-2)	$116-$263

STRATEGIC PLAN INITIATIVE:

Strategic Plan 2022-2024
Strategy 3: Infrastructure Maintenance and Reinvestment
Objective E: Continue to implement measures identified in the Climate Action Plan.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Approving the Consulting Services Agreement Between the City of Dublin and Willdan Energy Solutions, Inc. for Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Code Assistance
2) Exhibit A to the Resolution – Consulting Services Agreement Between the City of Dublin and Willdan Energy Solutions, Inc.
3) Resolution 100-20 Adopting the City of Dublin Climate Action Plan 2030 and Beyond
4) Request for Proposals for Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Code Assistance

RESOLUTION NO. XX – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

APPROVING THE CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF DUBLIN AND WILLDAN ENERGY SOLUTIONS, INC. FOR BUILDING ELECTRIFICATION, ELECTRIC VEHICLE CHARGER, AND LOW CARBON CONCRETE CODE ASSISTANCE

WHEREAS, the City of Dublin has been a leader in the fight against climate change, having adopted its first Climate Action Plan in 2010 with an update in 2013, with the goal to reduce greenhouse gas (GHG) emissions to 1990 levels by 2020; and

WHEREAS, on September 15, 2020 the City Council adopted the City of Dublin Climate Action Plan 2030 and Beyond (CAP 2030) which includes goals to reduce GHG emissions by 40% below 1990 levels by 2030 and to put the City on a path to reach carbon neutrality by 2045; and

WHEREAS, CAP 2030 includes 22 measures under five strategy areas including renewable and carbon-free electricity, building efficiency and electrification, sustainable mobility and land use, materials and waste management, and municipal leadership; and

WHERAS, in order to achieve the goals in CAP 2030 the City must implement all 22 measures included CAP 2030; and

WHEREAS, on March 7, 2022, the City issued a Request for Proposals for Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Code Assistance; and

WHEREAS, Staff reviewed and evaluated the proposals in accordance with the RFP rating criteria and determined that Willdan Energy Solutions, Inc. best met the City desired scope of services based on quality, completeness of submission, and the firm's experience with engagements of similar scope and complexity; and

WHEREAS, the City desires to enter into a consulting services agreement with Willdan Energy Solutions, Inc. for a not-to-exceed amount of $420,000 over a three-year term for Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Code Assistance.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin does herby approve the agreement with Willdan Energy Solutions, Inc. attached hereto as **Exhibit A.**

BE IT FURTHER RESOLVED that the City Manager is authorized to execute the agreement and make any necessary, non-substantive changes to carry out the intent of this Resolution.

{Signatures on the following page}

PASSED, APPROVED AND ADOPTED this 17th day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF DUBLIN AND WILLDAN ENERGY SOLUTIONS, INC. FOR BUILDING ELECTRIFICATION, ELECTRIC VEHICLE CHARGER, AND LOW CARBON CONCRETE CODE ASSISTANCE

THIS AGREEMENT for consulting services is made by and between the City of Dublin ("City") and Willdan Energy Solutions, Inc. ("Consultant") (together sometimes referred to as the "Parties") as of May 18, 2022 (the "Effective Date").

Section 1. SERVICES. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

1.1 Term of Services. The term of this Agreement shall begin on the Effective Date and shall end on June 30, 2025 the date of completion specified in Exhibit A, and Consultant shall complete the work described in Exhibit A on or before that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as referenced in Section 8. Notwithstanding the foregoing this Agreement may be extended on a month to month basis for up to 6 months upon the written consent of the Consultant and the City Manager, provided that: a) sufficient funds have been appropriated for such purchase, b) the price charged by the Consultant for the provision of the serves described in Exhibit A does not increase. None of the foregoing shall affect the City's right to terminate the Agreement as provided for in Section 8.

1.2 Standard of Performance. Consultant shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Consultant is engaged.

1.3 Assignment of Personnel. Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.

1.4 Time. Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Subsection 1.2 above and to satisfy Consultant's obligations hereunder.

Section 2. **COMPENSATION.** City hereby agrees to pay Consultant a sum not to exceed $420,000 notwithstanding any contrary indications that may be contained in Consultant's proposal, for services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement and Consultant's proposal, attached as Exhibit A, regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement. Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City in writing, Consultant shall not bill City for duplicate services performed by more than one person.

Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the Parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 **Invoices.** Consultant shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. No individual performing work under this Agreement shall bill more than 2,000 hours in a fiscal year unless approved, in writing, by the City Manager or his/her designee. Invoices shall contain the following information:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
- The beginning and ending dates of the billing period;
- A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
- A copy of the applicable time entries or time sheets shall be submitted showing the following:
    - Daily logs of total hours worked by each individual performing work under this Agreement
    - Hours must be logged in increments of tenths of an hour or quarter hour
    - If this Agreement covers multiple projects, all hours must also be logged by project assignment
    - A brief description of the work, and each reimbursable expense
- The total number of hours of work performed under the Agreement by Consultant and each employee, agent, and subcontractor of Consultant performing services hereunder;

- The Consultant's signature;

- Consultant shall give separate notice to the City when the total number of hours worked by Consultant and any individual employee, agent, or subcontractor of Consultant reaches or exceeds 800 hours within a 12-month period under this Agreement and any other agreement between Consultant and City. Such notice shall include an estimate of the time necessary to complete work described in Exhibit A and the estimate of time necessary to complete work under any other agreement between Consultant and City, if applicable.

2.2 **Monthly Payment.** City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.

2.3 **Final Payment.** City shall pay the last 10% of the total sum due pursuant to this Agreement within 60 days after completion of the services and submittal to City of a final invoice, if all services required have been satisfactorily performed.

2.4 **Total Payment.** City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever incurred by Consultant in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement, unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment.

2.5 **Hourly Fees.** Fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the compensation schedule attached hereto as Exhibit B.

2.6 **Reimbursable Expenses.** Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.

2.7 **Payment of Taxes.** Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.

2.8 **Payment upon Termination.** In the event that the City or Consultant terminates this Agreement pursuant to Section 8, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets to verify costs incurred to that date.

2.9 **Authorization to Perform Services.** The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

Section 3. **FACILITIES AND EQUIPMENT.** Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in this section, and only under the terms and conditions set forth herein.

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Consultant's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.

Section 4. **INSURANCE REQUIREMENTS.** Before fully executing this Agreement, Consultant, at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Consultant and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, Consultant shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects, and that such insurance is in effect prior to beginning work. Consultant shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid or proposal. Consultant shall not allow any subcontractor to commence work on any subcontract until Consultant has obtained all insurance required herein for the subcontractor(s) and provided evidence to City that such insurance is in effect. VERIFICATION OF THE REQUIRED INSURANCE SHALL BE SUBMITTED AND MADE PART OF THIS AGREEMENT PRIOR TO EXECUTION. Consultant shall maintain all required insurance listed herein for the duration of this Agreement.

4.1 **Workers' Compensation.**

4.1.1 **General Requirements.** Consultant shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Consultant. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than $1,000,000 per accident. In the alternative, Consultant may rely on a self-insurance program to meet these requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the California Labor Code shall be solely in the discretion of the Contract Administrator.

The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the entity for all work performed by the Consultant, its employees, agents, and subcontractors.

4.1.2 **Submittal Requirements.** To comply with Subsection 4.1, Consultant shall submit the following:

a. Certificate of Liability Insurance in the amounts specified in the section; and

b. Waiver of Subrogation Endorsement as required by the section.

4.2 **Commercial General and Automobile Liability Insurance.**

4.2.1 **General Requirements.** Consultant, at its own cost and expense, shall maintain commercial general liability insurance for the term of this Agreement in an amount not less than $1,000,000 and automobile liability insurance for the term of this Agreement in an amount not less than $1,000,000 per occurrence, combined single limit coverage for risks associated with the work contemplated by this Agreement. If a Commercial General Liability Insurance or an Automobile Liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including without limitation, blanket contractual liability and the use of owned and non-owned automobiles.

4.2.2 **Minimum Scope of Coverage.** Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001, Code 1 (any auto). No endorsement shall be attached limiting the coverage.

4.2.3 **Additional Requirements.** Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:

a. The Insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.

b. City, its officers, officials, employees, and volunteers are to be covered as additional insureds as respects: liability arising out of work or operations performed by or on behalf of the Consultant; or automobiles owned, leased, hired, or borrowed by the Consultant.

c. Consultant hereby agrees to waive subrogation which any insurer or contractor may require from vendor by virtue of the payment of any loss. Consultant agrees to obtain any endorsements that may be necessary to effect this waiver of subrogation.

d. For any claims related to this Agreement or the work hereunder, the Consultant's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

4.2.4 **Submittal Requirements.** To comply with Subsection 4.2, Consultant shall submit the following:

a. Certificate of Liability Insurance in the amounts specified in the section;

b. Additional Insured Endorsement as required by the section;

c. Waiver of Subrogation Endorsement as required by the section; and

d. Primary Insurance Endorsement as required by the section.

4.3 **Professional Liability Insurance.**

4.3.1 **General Requirements.** Consultant, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than $2,000,000 covering the licensed professionals' errors and omissions. Any deductible or self-insured retention shall not exceed $150,000 per claim.

4.3.2 **Claims-Made Limitations.** The following provisions shall apply if the professional liability coverage is written on a claims-made form:

a. The retroactive date of the policy must be shown and must be before the date of the Agreement.

b. Insurance must be maintained and evidence of insurance must be provided for at least 3 years after completion of the Agreement or the work, so long as commercially available at reasonable rates.

c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant shall purchase an extended period coverage for a minimum of 3 years after completion of work under this Agreement.

d. A copy of the claim reporting requirements must be submitted to the City for review prior to the commencement of any work under this Agreement.

4.3.3 **Submittal Requirements.** To comply with Subsection 4.3, Consultant shall submit the Certificate of Liability Insurance in the amounts specified in the section.

4.4 **All Policies Requirements.**

4.4.1 **Acceptability of Insurers.** All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

4.4.2 **Verification of Coverage.** Prior to beginning any work under this Agreement, Consultant shall furnish City with complete copies of all Certificates of Liability Insurance delivered to Consultant by the insurer, including complete copies of all endorsements attached to the policies. All copies of Certificates of Liability Insurance and certified endorsements shall show the signature of a person authorized by that insurer to bind coverage on its behalf. If the City does not receive the required insurance documents prior to the Consultant beginning work, it shall not waive the Consultant's obligation to provide them. The City reserves the right to require complete copies of all required insurance policies at any time.

4.4.3 **Deductibles and Self-Insured Retentions.** Consultant shall disclose to and obtain the written approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, employees, and volunteers; or the Consultant shall provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration and defense expenses.

4.4.4 **Wasting Policies.** No policy required by this Section 4 shall include a "wasting" policy limit (i.e. limit that is eroded by the cost of defense).

4.4.5 **Endorsement Requirements.** Each insurance policy required by Section 4 shall be endorsed to state that coverage shall not be canceled by either party, except after 30 days' prior written notice has been provided to the City.

4.4.6 **Subcontractors.** Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and certified endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

4.5 **Remedies.** In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 5. **INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES.** Refer to the attached Exhibit C, which is incorporated herein and made a part of this Agreement.

Section 6. **STATUS OF CONSULTANT.**

6.1 **Independent Contractor.** At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. This Agreement shall not be construed as an agreement for employment. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subsection 1.3; however, otherwise City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement. Consultant further acknowledges that Consultant performs Services outside the usual course of the City's business; and is customarily engaged in an independently established trade, occupation, or business of the same nature as the Consultant performs for the City and has the option to perform such work for other entities. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to

enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.

6.2 **Consultant Not an Agent.** Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

7.1 **Governing Law.** The laws of the State of California shall govern this Agreement.

7.2 **Compliance with Applicable Laws.** Consultant and any subcontractors shall comply with all laws and regulations applicable to the performance of the work hereunder, including but not limited to, the California Building Code, the Americans with Disabilities Act, and any copyright, patent or trademark law. Consultant's failure to comply with any law(s) or regulation(s) applicable to the performance of the work hereunder shall constitute a breach of contract.

7.3 **Other Governmental Regulations.** To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.

7.4 **Licenses and Permits.** Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. Consultant represents and warrants to City that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from City.

7.5 **Nondiscrimination and Equal Opportunity.** Consultant shall not discriminate, on the basis of a person's race, sex, gender, religion (including religious dress and grooming practices), national origin, ancestry, physical or mental disability, medical condition (including cancer and genetic characteristics), marital status, age, sexual orientation, color, creed, pregnancy, genetic information, gender identity or expression, political affiliation or belief, military/veteran status, or any other classification protected by applicable local, state, or federal laws (each a "Protected Characteristic"), against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 8. TERMINATION AND MODIFICATION.

8.1 **Termination.** City may cancel this Agreement at any time and without cause upon written notification to Consultant.

Consultant may cancel this Agreement upon 30 days' written notice to City and shall include in such notice the reasons for cancellation.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

8.2 **Extension.** City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. Any such extension shall require a written amendment to this Agreement, as provided for herein. Consultant understands and agrees that, if City grants such an extension, City shall have no obligation to provide Consultant with compensation beyond the maximum amount provided for in this Agreement. Similarly, unless authorized by the Contract Administrator, City shall have no obligation to reimburse Consultant for any otherwise reimbursable expenses incurred during the extension period.

8.3 **Amendments.** The Parties may amend this Agreement only by a writing signed by all the Parties.

8.4 **Assignment and Subcontracting.** City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Consultant. Consultant may not assign this Agreement or any interest therein without the prior written approval of the Contract Administrator. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the Contract Administrator.

8.5 **Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.

8.6 **Options upon Breach by Consultant.** If Consultant materially breaches any of the terms of this Agreement, City's remedies shall include, but are not limited to, the following:

8.6.1 Immediately terminate the Agreement;

8.6.2 Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;

8.6.3 Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or

8.6.4 Charge Consultant the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

Section 9. KEEPING AND STATUS OF RECORDS.

9.1 **Records Created as Part of Consultant's Performance.** All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both Parties.

9.2 **Consultant's Books and Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of 3 years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement.

9.3 **Inspection and Audit of Records.** Any records or documents that Subsection 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds $10,000.00, the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of 3 years after final payment under the Agreement.

Section 10. MISCELLANEOUS PROVISIONS.

10.1 **Attorneys' Fees.** If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

10.2 **Venue.** In the event that either party brings any action against the other under this Agreement, the Parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Alameda or in the United States District Court for the Northern District of California.

10.3 **Severability.** If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

10.4 **No Implied Waiver of Breach.** The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

10.5 **Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the Parties.

10.6 **Use of Recycled Products.** Consultant shall prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.

10.7 **Conflict of Interest.** Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Section 1090 *et seq.*

Consultant hereby warrants that it is not now, nor has it been in the previous 12 months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous 12 months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant

understands that, if this Agreement is made in violation of California Government Code Section 1090 *et seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of California Government Code Section 1090 *et seq.,* and, if applicable, will be disqualified from holding public office in the State of California.

At City's sole discretion, Consultant may be required to file with the City a Form 700 to identify and document Consultant's economic interests, as defined and regulated by the California Fair Political Practices Commission. If Consultant is required to file a Form 700, Consultant is hereby advised to contact the Dublin City Clerk for the Form 700 and directions on how to prepare it.

10.8 **Solicitation.** Consultant agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

10.9 **Contract Administration.** This Agreement shall be administered by the City Manager ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

10.10 **Notices.** Any written notice to Consultant shall be sent to:

Willdan Energy Solutions, Inc.
Attn: Micah Chen, General Counsel
2401 East Katella Avenue, Suite 300
Anaheim, CA 92806-5909

Any written notice to City shall be sent to:

City of Dublin
Attn: Shannan Young, Environmental & Sustainability Manager
100 Civic Plaza
Dublin, CA 94568

10.11 **Integration.** This Agreement, including the scope of work attached hereto and incorporated herein as Exhibits A, B, and C represents the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral.

Exhibit A	Scope of Services
Exhibit B	Compensation Schedule & Reimbursable Expenses
Exhibit C	Indemnification

10.12 **Counterparts and Electronic Signatures.** This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement. Counterparts delivered and/or signatures executed by City-approved electronic or digital means shall have the same force and effect as the use of a manual signature. Both Parties desire this Agreement to be electronically signed in accordance with applicable federal and California law. Either Party may revoke its agreement to use electronic signatures at any time by giving notice to the other Party.

10.13 **Certification per Iran Contracting Act of 2010.** In the event that this contract is for one million dollars ($1,000,000.00) or more, by Consultant's signature below Consultant certifies that Consultant, and any parent entities, subsidiaries, successors or subunits of Consultant are not identified on a list created pursuant to subdivision (b) of Section 2203 of the California Public Contract Code as a person engaging in investment activities in Iran as described in subdivision (a) of Section 2202.5, or as a person described in subdivision (b) of Section 2202.5 of the California Public Contract Code, as applicable.

SIGNATURES ON FOLLOWING PAGE

The Parties have executed this Agreement as of the Effective Date. The persons whose signatures appear below certify that they are authorized to sign on behalf of the respective Party.

CITY OF DUBLIN	WILLDAN ENERGY SOLUTIONS, INC.
	DocuSigned by: Anthony Sclafani 0956033B77B94F2...
Linda Smith, City Manager	Tony Sclafani, Vice President of Engineering

Attest:

Marsha Moore, City Clerk

Approved as to Form:

City Attorney

3070368.1

EXHIBIT A

SCOPE OF SERVICES

DUBLIN
CALIFORNIA

Proposal

Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Building Code Assistance

April 4, 2022

WILLDAN

March 30, 2022

Mr. Jordan Foss
Management Analyst II
100 Civic Plaza
Dublin, CA 94568

Re: Request for Proposals (RFP) for Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Building Code Assistance

Dear Mr. Foss:

Willdan Energy Solutions (Willdan) is pleased to submit the enclosed proposal in response to the above referenced RFP from the City of Dublin (City). Willdan, along with our subconsultants **Rincon Consultants, Inc. (Rincon)** and **AIM Consulting, Inc. (AIM),** are overwhelmingly qualified to cost-effectively provide all of the services specified in the RFP as a result of our extensive history supporting building and transportation electrification and greenhouse gas (GHG) reduction efforts at the City and throughout California. We offer a unique combination of capabilities, directly relevant experience, and innovative approaches, including:

- **Direct experience with design and implementation of the City's Climate Action Plan (CAP)**. Our approach will be informed by Rincon's past work developing the City's CAP, as well as Willdan's current work implementing energy projects in support of the CAP's goals.
- **Building Electrification**. We are an industry leader in addressing the challenges of the electrification of both new and existing facilities and have developed analyses of electrification economics and load impacts for cities and California utilities, as well as directly supporting facility electrification efforts in the Bay Area through our Local Government/K-12 (GK12) Energy Efficiency Program in PG&E territory and the County of San Mateo's Regionally Integrated Climate Action Planning Suite (RICAPS).
- **Transportation Electrification**. Our Team's experience includes developing regional electric vehicle (EV) implementation plans for public agencies and forecasting EV load impacts for Bay Area utilities.
- **GHG Emissions Analysis**. Rincon developed the original GHG emissions analysis for the City's CAP and will build on this critical experience with the support of Willdan's energy engineering expertise.
- **Deep experience with municipal codes and ordinances**. Willdan and Rincon are both deeply experienced with municipal building code development, review and compliance, and have developed reach codes and building electrification codes for other cities in the region, including Livermore.
- **Local Outreach**. Certified Disadvantaged Business Enterprise (DBE) AIM has over 17 years' experience providing community engagement for municipal plans and projects in the Bay Area.

All the members of the Willdan Team have an extensive history of successfully working together, and our proposed approach is grounded in real-world lessons learned from our previous work experience. This will enable us to leverage resources across tasks to reduce overall costs and deliver more efficient services. Our Team sincerely appreciates this opportunity to continue to be of service to the City of Dublin.

Tony Sclafani
Vice President of Engineering
WILLDAN ENERGY SOLUTIONS
Ph: 619-902-0510
E-mail: tsclafani@willdan.com

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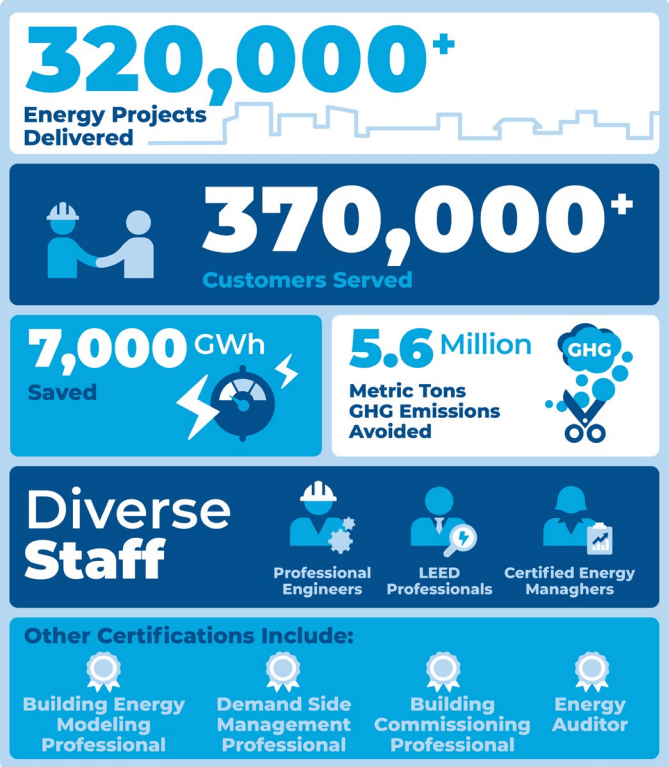
Qualifications

Willdan



Willdan is a leading nationwide provider of professional consulting and technical services, with a core focus on assisting municipalities with reaching their high-performance goals, particularly in California. Since the company's founding in 1964, Willdan's municipal support services have grown to encompass facility and transportation electrification programs, CAP implementation, GHG emissions and grid capacity analyses, building ordinance and code development, and stakeholder engagement. We have provided energy efficiency, sustainability, and facility-improvement plans and services to public agencies and has **served more than 370,000 customers with 320,000 projects that have prevented 5.6M metric tons of GHG emissions, saved 7,000 GWh and reduced demand on the grid.**

Headquartered in Anaheim, **with local offices in San Francisco,** our team of over 400 licensed professional engineers, planners and project managers have identified, developed and analyzed **14,000+ projects for nearly 800 cities and counties nationwide, including currently delivering $21M in energy projects in support of the City of Dublin's CAP goals.** A summary of Willdan's relevant experience includes:

- **Serving 424 of the 482 incorporated cities in California over the last 50 years.** We staff and administer building departments, serving as Building Officials and plan-reviewers, and writing and administering related codes, ordinances, and policy. Our Building and Safety, Planning, Energy, and Engineering divisions fully understand the responsibilities of local agencies, and the processes that must be followed in service to the public.
- **An analysis on electrification economics and load impacts on behalf of the City of Denver.** As part of that analysis, Willdan identified the consumer economics of electrification across multiple different types of measures for both residential and commercial customers in Denver.
- **Development of a Cost and Emissions Impacts of Residential Building Electrification in California Study for three of California's largest electric utilities** – Southern California Edison (SCE), Sacramento Municipal Utility District (SMUD), and the Los Angeles Department of Water and Power (LADWP) – to explore the consumer costs and emissions reduction potential associated with the electrification of California homes.
- **Development of an EV Implementation Plan for the Southern California Association of Governments (SCAG)** that includes conducting local outreach to stakeholders, siting EV charging stations (EVCS), identifying local barriers to EV adoption and opportunities to overcome them, connecting SCAG members to funding resources, and analyzing local permitting requirements.

- **Development of Electric Vehicle and Charging Infrastructure Analysis for a confidential Northern California utility client.** Forecast scenarios ranged from 2.8 million battery electric vehicles (BEV) and 215k plug-in hybrid electric vehicles (PHEV) to 7.4 million BEV and 1.8 million PHEV. Project also included the prediction of fleet-based electrification forecasts. Future revisions of the tool that emerged from this project will include the ability to analyze even more scenarios, as well updating the propensity of adoption of EV fleets, individual adoption, and charger locations from new data.

To ensure the City's needs are fully met, Willdan has teamed with frequent partners **Rincon** and **AIM.** All three firms have a long history of working together to support municipal clients in California. Willdan is currently working with Rincon to support the County of San Mateo's RICAPS, with a particular focus on facility and transportation electrification strategies, including the delivery of innovative electric heat pump hot water heating measures as part of Willdan's third-party GK12 Energy Efficiency program in PG&E territory. We have partnered with AIM for nearly 15 years on a variety of project types ranging from smaller community-based planning studies to major projects with complex stakeholder coordination needs and valuations exceeding $80 million. AIM works closely with our team designing required outreach, project or program websites, follow up communications, and programmatic environmental implementation, as required for delivery of planning measures.

Rincon Consultants, Inc.

Rincon is a multi-disciplinary environmental science, planning, and engineering consulting firm that provides professional services to both government and industry. Their skilled professionals have many years of experience in climate action and adaptation planning; GHG emissions inventorying and analysis, life cycle assessment, building electrification strategies and reach codes, California Environmental Quality Act (CEQA) compliance and streamlining, energy conservation, green building, and public engagement related to these services. Rincon has extensive experience in climate action planning as well as implementation and monitoring. They have assisted numerous counties and cities throughout the state with climate action, adaptation, and implementation projects and have built cutting-edge tools to help jurisdictions track their CAP progress over time (CAPDash). **Rincon has a wealth of experience in the Tri-Valley including developing CAPs for the cities of Dublin, Livermore, San Ramon, and Pleasanton**. Rincon also brings significant experience in both new and existing building electrification including the completion of the **Berkeley Existing Building Electrification Strategy and the development of new building electrification ordinances for the cities of Pleasanton, Livermore, and Sacramento**. Rincon also has demonstrated success with the Team, working with Willdan on the San Mateo RICAPS and recently completing CAPs for the Cities of Sacramento and Chico with the support of AIM, one of their preferred engagement partners.

AIM Consulting, Inc.

AIM was established in 2005 and provides public participation and strategic communication services for infrastructure and land use projects in rural, suburban, and urban communities throughout Northern California. Their team of facilitation and communication professionals develops and implements public participation programs that bring diverse stakeholders together and creates a space for constructive dialogue that respects all individuals and leverages the positive work of the engaged community.

For many of their projects the team successfully facilitates community engagement processes from early planning through design and construction. They specialize in large projects with complex regulatory and design considerations. They help affected community members understand these complex processes to ensure

meaningful engagement and successful outcomes for all parties. Their communication strategies include both earned and paid media, online and social media, presentations, and grassroots awareness campaigns. They establish strong partnerships with public agencies, private businesses, community-based organizations, and advocacy groups. They research and adopt, when appropriate, industry best practices of public participation and communication technologies and have instilled a consistent quality assurance process.

AIM Consulting is an S-Corporation that is certified as a Small Business Enterprise by the State of California, Department of General Services (Supplier No. 44639) and as a Disadvantaged Business Enterprise by the State of California, Department of Transportation (UCP Firm No. 35954).

References

Client	Scope of Work	Contact Info
Southern California Association of Governments (SCAG) **Key Personnel:** Taylor Briglio Jeff Lau **Contract Start/End Dates:** November 2020 – October 2022 (anticipated)	**Electric Vehicle Charging Station Study** ▪ Developed EV Infrastructure Plans for 18 cities in the SCAG region, including Los Angeles, Anaheim, and Long Beach ▪ Created a GIS suitability analysis tool to target sites for EVCS ▪ Conducted 200 site evaluations, 100 of which included a conceptual layout and estimated installation costs for EVCS ▪ Held 22 listening sessions with participating cities to understand barriers to streamline EV permitting ▪ Participated in 15 community events throughout the region to increase awareness and benefits of EV ownership and get feedback on where the community would like EVCS installed ▪ Developed 18 policy memos, one for each city, to help them comply with AB1236 and overcome EV barriers ▪ Created education guides for Cities, property owners, and the general population summarizing benefits of transitioning to electric vehicles and installing charging stations	Alison Linder, PhD Senior Regional Planner (213) 236-1934 linder@scag.ca.gov 900 Wilshire Blvd., Ste. 1700, Los Angeles, CA 90017

Client	Scope of Work	Contact Info
County of Santa Cruz **Key Personnel:** Katie DeMaio **Contract Start/End Dates:** 2021 - present	**Soquel Drive Buffered Bike Lane and Congestion Mitigation Project** ▪ AIM is providing public outreach and communication consultant services for the County's project to enhance safety for bicyclists and pedestrians and improve travel time on Soquel Avenue/Drive. ▪ AIM has been engaging the community by developing a project website, informational materials and flyers, and by organizing two community specific public workshops to learn more about the project and upcoming construction schedules. Two meetings took place this past January with over 110 community members in attendance.	Tim Nguyen, Assistant Civil Engineer (831) 454-2371 Tim.Nguyen@santacruzcounty.us

Client	Scope of Work	Contact Info
City of Livermore **Key Personnel:** Ryan Gardner **Contract Start/End Dates:** January 2020-Present	**Climate Action Plan Update, Climate Vulnerability Assessment, and Initial Study-Negative Declaration** ▪ Climate Action Plan Update that includes an inventory update, forecast of future emissions to 2045, and a vulnerability assessment ▪ Identify a suite of GHG reduction and adaptation strategies that fit the City's unique blend of technological advancement (Lawrence Livermore and Sandia National Laboratories) and agricultural roots ▪ Developing New Construction Electrification Ordinance which includes a cost effectiveness study and outreach ▪ Implementing CAPDash, a cloud-based monitoring tool for the City to tack their implementation progress over time as well as complete GHG inventories quickly and easily	Tricia Pontau, Planner 925-960-4400 pepontau@cityofliv ermore.net 1052 S. Livermore Avenue Livermore, California 94550

Staffing

Willdan has assembled a team of highly qualified experts, engineers, project managers, and outreach personnel that will be fully committed and available to deliver all of the proposed tasks in a timely, cost-effective manner. The Personnel Table below provides details on the roles, experience, and availability of each of the Team's designated Key Personnel. These Key Personnel will also be supported where necessary by the deep bench of resources of each firm. Full resumes for all assigned Key personnel are provided in Appendix A.

Personnel Table

Firm	Proposed Key Team Member Name and Title	Proposed Role	Relevant Expertise	Availability
	Jonathan Mitchell, PE Principal-in-Charge/Project Manager *MS, Civil Engineering Currently Enrolled, University of the Pacific Stockton, CA*	Team Lead and Primary Point of Contact	▪ **24 years' experience** leading complex engineering projects and programs in the public sector including municipal building code development and compliance, transportation engineering, and climate action planning. ▪ Past projects include code assessment services for the California State University (CSU) system, supporting transportation electrification projects for the Cities of Elk Grove, Folsom, and Roseville, and supporting CAP development for multiple California cities and counties.	75%

Firm	Proposed Key Team Member Name and Title	Proposed Role	Relevant Expertise	Availability
	Brian Moss Municipal Code Development Specialist *BS, Environmental Studies, California State University, Hayward, CA*	Task Lead for Measure MM-2 and Measure ML-4	▪ **21 years' experience** as a project manager and code development specialist for public agencies, including drafting state and local ordinances. ▪ Past projects include developing the City of Davis' municipal code addressing the Short-Lived Climate Pollution Reduction Act and serving for over 20 years as the Director of Environmental Health for a local jurisdiction.	65%
	Michael Sontag Senior Managing Consultant *MS, Civil and Environmental Engineering (Atmosphere and Energy), Stanford University, CA*	Task Lead for Measure EE-4	▪ **10+ years' experience** developing energy projects and tools in support of building electrification programs and goals. Leads the calculation of grid-based emissions to determine benefits resulting from the widespread electrification of building loads over time. ▪ Past projects include leading the development of a Strategic Energy Plan for the East Bay Regional Park District and developing an SCE-funded GHG reduction pilot program for the UC and California State University systems, among others.	75%
	Snuller Price Building Electrification Specialist *MS, Engineering Economic Systems, Stanford University, CA*	Building Electrification Code Development Support	▪ **25+ years' experience** helping state and federal government agencies, utilities, and technology companies recognize and support a clean energy transition. ▪ Past clients include the CPUC, CEC, US EPA, SCE, NYSERDA, Consolidated Edison Company of New York, National Grid, and many others.	50%

Firm	Proposed Key Team Member Name and Title	Proposed Role	Relevant Expertise	Availability
	Patrick Burgess Senior Engineer *MS, Electrical Engineering* *Illinois Institute of Technology, Chicago, IL*	Building Electrification Engineering Support	▪ **5+ years' experience** in the development and deployment of electrification strategies, demand response programs and projects, and distributed energy resources including PV, BES systems, and fully integrated microgrids. ▪ Past and current projects include supporting the development and implementation of electrification projects in PG&E service territory as part of Willdan's third-party Local Government and K-12 Schools Energy Efficiency Program, including innovative heat pump hot water heater solutions, as well as developing and implementing GHG reduction and decarbonization plans for the University of Hawaii at Manoa, Culver City, and others.	50%
	Taylor Briglio Transportation Electrification Project Manager *MS, Environmental Science and Management, University of California Santa Barbara*	Task Lead for Measure SM-1 and Measure SM-2	▪ **5 years' experience** developing clean energy programs, sustainability plans, and other GHG reduction strategies for public sector clients. Project lead for EV infrastructure and transportation electrification efforts throughout California. ▪ Current and past projects include the SCAG EV Implementation, TCAG EV Implementation, Culver City Fleet Electrification, and the City of Roseville ZEB Business Plans, among others.	75%
	Jeffrey Lau, PE, TE Senior Design Engineer *BS, Civil Engineering, California Polytechnic State University, Pomona*	Transportation Electrification Engineering Support	▪ **15 years' experience** providing transportation design for Willdan's traffic engineering group. His skill set includes engineering design, field investigations, traffic design, project management and ADA compliance. ▪ Past projects include developing EV charging station and parking lot designs for the Cities of Ridgecrest, Inglewood, Roseville, Santa Monica and Rialto.	50%

Firm	Proposed Key Team Member Name and Title	Proposed Role	Relevant Expertise	Availability
rincon	**Ryan Gardner, LEED AP, ENV SP** Climate Action Program Manager *MESM, Energy and Climate, Bren School of Environmental Science and Management, University of California, Santa Barbara*	Task Lead for Measure EE-1 and GHG Emissions Analysis	▪ **9 years' experience** developing new and existing building electrification strategies, CAPs, and GHG emissions analyses. ▪ Past projects include leading the development of CAPs for the Cities of Dublin, Livermore, Chico and Sacramento, as well as existing building electrification strategies for the Cities of Berkeley and Sacramento, and serving as Project Manager for the County of San Mateo RICAPS.	75%
aim consulting	**Katie DeMaio** Project Manager *Bachelor of Arts, James Madison University Harrisonburg, VA*	Outreach Lead and Task Lead for Measure CF-1	▪ **10 years' experience** managing community engagement and awareness services, including the development and coordination of outreach materials and events, online strategies, and social media content. ▪ Past projects include supporting public outreach activities for the County of Santa Cruz and the Cities of Modesto and Rocklin.	75%

Approach

Overall Project Management

The Willdan Team will be led by **Principal-in-Charge and Project Manager Jonathan Mitchell**. Mr. Mitchell will serve as the primary point of contact for the City and will maintain oversight of the Willdan Team's individual task leads, coordinating staff assignments, handling communications and reviewing all deliverables. The Willdan Team will draw on our unique experience and prior relevant work, enabling the City to capitalize on the best available information and resources including recently developed municipal codes, EV infrastructure load studies, and municipal electrification and GHG emissions analyses. We will also leverage staff across multiple tasks, ensuring that our cost-effectiveness to the City is maximized.

Comprehensive GHG Emissions Analysis

Previously, Rincon completed significant revisions and consistency updates to the City's GHG inventories for 2010 and 2015 in addition to generating a GHG forecast as part of the City's CAP. The Willdan Team will build off those historic inventories and incorporate updated emission factors and models including the most recent versions of OFFROAD and EMFAC. Using this experience, the Willdan Team will complete the following scope or work as part of the project. This task will be led by **Climate Action Planning Specialist Ryan Gardner.**

Within two weeks of receiving authorization to proceed, Mr. Gardner will organize an in-person project kick-off meeting with the primary project team members. This meeting will serve as a forum to review and confirm the project objectives, scope of services, schedule, and invoice and project reporting needs. Willdan Team members and City Staff will identify key existing documents, data, calculations, and platforms essential to the development of the GHG inventory. Once the key background information, documents, and data are identified, the Willdan Team will provide the City with a data collection guidance memorandum. At this time, the Willdan Team and the City will also establish the current data year for which the inventory would be prepared for, which is assumed to be 2021, depending on available data. Mr. Gardner will prepare a meeting agenda and minutes summarizing the results of the meeting.

Data Collection

In our experience, the data collection process can take the greatest amount of time because data comes from multiple sources such as the various utility providers and City departments. Therefore, to streamline the data collection process and reduce any delays, the Willdan Team will rely on Rincon's already established custom tools, including detailed data request documents, and tracking mechanisms. The City's specific data request will be developed and refined after the kick-off meeting once the Willdan Team has confirmed the preferred approach and necessary data required. The data request will include a summary of the data set that is needed and specific points of contact to retrieve the data. It is anticipated that the primary community inventory data sources would include PG&E and East Bay Community Energy (EBCE) for electricity and natural gas usage and water consumption data from the Dublin San Ramon Services District. Waste data would be retrieved by the Willdan Team from CalRecycle. Additionally, the online data portal for the Metropolitan Transportation Commission (MTC) will be used for on-road transportation-related community vehicle miles traveled (VMT). CARB models including OFFROAD and EMFAC will also be utilized in accordance with historic Dublin inventories and statewide best practices.

Data Evaluation Memorandum

Upon the completion of the data collection process, the Willdan Team will prepare a Data Evaluation Memorandum that will provide an overview of the data that was provided by the City and reviewed by the Willdan Team, including an explanation of the sources where the data was acquired and what it includes. As part of our analysis, we will review the data for completeness and accuracy through an internally vetted quality assurance/quality control (QA/QC) process and present it in a concise manner to provide transparency and a replicable pathway for future emissions reporting. This is a critical step that provides confidence in the data and methodology used to track the City's progress in implementing the CAP and defensibility with the CAP's CEQA streamlining provisions.

Emission Calculations and Inventory Memorandum

Consistent with the U.S. Community Protocol, the community-wide GHG emissions inventory will account for GHG emissions resulting from residential and non-residential energy usage; VMT; off-road equipment; water usage; community-generated wastewater; and community-generated solid waste. The Willdan Team will summarize the methodologies, emission factors, and relevant sources for the GHG inventory in a technical memorandum. The Willdan Team will also provide an Excel workbook with all relevant calculations. As an optional task the Willdan Team can create a CAPDash tool for the City which would include all current and historical GHG inventories as well as every CAP measure and current progress.

CAPDash- GHG Inventory and Reporting Tool

The Willdan Team proposes to further enhance the City's capability in monitoring GHG emissions over time and minimize City staff resources needed for monitoring and reporting using Rincon's CAPDash software. CAPDash is a user-friendly cloud-based Monitoring and Reporting Tool. Leveraging extensive climate action plan development and implementation experience, Rincon has created a proprietary GHG Inventory and CAP implementation tool. This innovative tool allows jurisdictions to update GHG emission inventories and track implementation of GHG reduction strategies in real time through an easy-to-use dashboard interface. Customized data visualizations can be created and shared immediately, providing staff and stakeholders instant updates to the implementation status of GHG reduction measures**. CAPDash enables jurisdictions to manage their own data, meaning they will not have to incur extra costs and rely on a consultant or experts to update their GHG inventories and track the success of their CAP implementation programs.** As modern trends in data sharing continue to push for increased transparency, CAPDash provides a platform for jurisdictions to ensure their staff and the public have access to the most up-to-date status of their sustainability initiatives.

The Willdan Team will provide the CAPDash software and will work with the City to customize the tool for City's needs and the specific data inputs. The tool can track regular GHG emissions levels and evaluate how GHG emissions change over time by looking at aggregate activity data, as available (e.g., electricity usage, vehicle miles traveled, etc.) that result in GHG emissions. CAPDash also provides a place to track individual measure progress as well as the estimated GHG reduction associated with each measure. Additionally, the tool will feature a dashboard with graphs and other visualizations which will automatically be linked to an annual report template which can be easily updated by the City. The Willdan Team will hold one staff training on how to use the monitoring tool to ensure ease of use and effective monitoring of progress over time.

The defensibility of CEQA streamlining using Qualified GHG reduction plans is predicated by the jurisdictions ability to prove that they are implementing the CAP (CEQA Guidelines 15183.5).

Measure ML-4: Total Cost of Ownership and Life-Cycle Analysis of GHG Impacts in Municipal Requests for Proposals

This task will be led by **Municipal Code Development Specialist Brian Moss.** Life-cycle costing (LCC) is essential to ensure that sustainable public procurement (SPP) practices account for more than the upfront purchase price of a good or service, as the purchase price alone does not reflect the financial and non-financial gains that are offered by environmentally and socially preferable assets that accrue during the operations and use phases of the asset life cycle. The Willdan Team's deliverables for this task will include guiding documents and template RFP LCC language for the City to incorporate into future capital project RFPs. These deliverables will address purchasing costs and all associated costs such as delivery, installation, commissioning and insurance; operating costs, including utility costs such as energy and water use and maintenance costs; end-of-life costs such as removal, recycling or refurbishment and decommissioning; and longevity and warranty time frames of the asset. Furthermore, the guidance documents and template language will outline how proposers should report GHG emissions associated with the project. Based on discussion and feedback from City Staff, we will

help the City determine which GHG emissions proposers should include (i.e., Scope 1, Scope 2, and/or Scope 3 emissions). In order to ensure that respondents adhere to a uniform set of requirements, the Willdan Team will also provide guidance and commonly accepted calculation methodologies for LCC and GHG calculations for the City to include in RFPs.

The Willdan Team will develop draft RFP language and templates and conduct pilot projects to refine the GHG impact language. Furthermore, Willdan will educate staff on the final documents and provide guidance on how to evaluate success, including the reduction of GHG emissions.

By applying LCC and GHG criteria, public purchasers take into account the costs and impacts of resource use, maintenance and disposal which are not reflected in the purchase price. Often this will lead to 'win-win' situations whereby a project that as a lower lifetime cost of ownership also has lower greenhouse gas emissions. Examples of where these synergies may arise include: savings on use of energy, water and fuel; savings on maintenance and replacement; savings on disposal costs. Incorporating Total Cost of Ownership and Life-Cycle Analyses of GHG Impacts into a city adopted RFP template(s), will provide the city with the opportunity to demonstrate that the best value for money across the asset life cycle can only be assured by purchasing green and socially preferable alternatives.

Measure CF-1: Opt-Up to 100% Renewable and Carbon-Free Electricity

This task will be led by **Outreach Lead Katie Demaio.** The Willdan Team anticipates City Council will adopt a Resolution by April 2022 to request that the EBCE Board consider defaulting non-residential accounts to Renewable 100 electricity. Assistance with outreach to non-residential accounts is desired.

AIM will complete the following tasks:

1. In coordination with City Staff and EBCE, develop outreach materials for non-residential accounts (communication collateral)
2. Coordinate with City staff, the Chamber of Commerce, EBCE and others to hold informational stakeholder meetings (community meeting)
3. Assist with direct, one-to-one outreach to individual non-residential account holders (outreach and notifications)

Measure EE-1: Achieve All-Electric New Building Construction

This task will be led by **Climate Action Planning Specialist Ryan Gardner.** Mr. Gardner will organize a project kick-off meeting with the primary project team members and City Staff which should include the City Attorney, Building Official, Planning Director and Sustainability Manager. This meeting will serve as a forum to review and confirm the project objectives, scope of services, schedule, and invoice and project reporting needs. The Willdan Team will discuss the current ideas for the ordinance including electric only and electric preferred options as well as potential exemptions with City Staff. Mr. Gardner will prepare a meeting agenda and minutes summarizing the results of the meeting and a schedule highlighting deliverables and key milestones.

Ordinance Options Memo

Based on the information provided in the kick-off, the Willdan Team will provide the City with a memo listing the options for building electrification ordinances. The memo will include the pros and cons of each ordinance type (reach code vs. Municipal ordinance) as well as examples of other cities like Oakland, San Francisco, San Jose, and projects moving forward concurrently in Livermore and Pleasanton. The purpose of this memo will

be to help align city staff and the consultant team on the type or ordinances to be proposed to City Council. The Willdan Team will include GHG reduction impacts of each ordinance option as well as potential political issues based on our experience in other cities. This task will also include a meeting with the project team to discuss the results and decide on ordinance type to move forward.

Draft Ordinance

The Willdan Team will provide a draft electrification ordinance for Dublin based on direction from the City and the Ordinance Options memo, as well as our experience supporting the other electrification ordinances and our work with Berkeley on their existing building electrification plan. The ordinance will specify which building types are affected as well as any exemptions or infeasibility waivers. In addition, depending on ordinance type selected, the Willdan Team will develop the relevant climactic, geologic, and/or topographic conditions that make an amendment to Title 24 reasonable and necessary. The Willdan Team assumes one draft ordinance and two rounds of review and edits from City staff/stakeholders.

Supporting Documentation and State Agency Review

In addition to the ordinance itself the Willdan Team will also provide a cost effectiveness memo, a frequently asked questions memo, a memo discussing the role of the ordinance in meeting the City's CAP 2030 goals, and a presentation for use with Planning Commission, City Council, and other meetings. The Willdan Team will also develop all the required documentation for filing with the California Energy Commission and Building Standards Commission including letters, an update to the cost effectiveness memo already completed for Dublin by Rincon during CAP development, notice of exemption, and a template letter from chief building official. These items may not be required if the City decides to adopt a municipal code ordinance rather than a reach code. The Willdan Team will also provide supporting information and guidance on staff reports but assume staff will lead the development of these documents.

Most ordinances also include an infeasibility waiver that allows some project types to be excluded from the impacts of the ordinance. The Willdan Team will develop a guidance document for City staff to help identify which projects should be provided with a waiver as well as what documents should be provided by the applicant. This guidance document will clarify the review process and allow for easy implementation by City Staff.

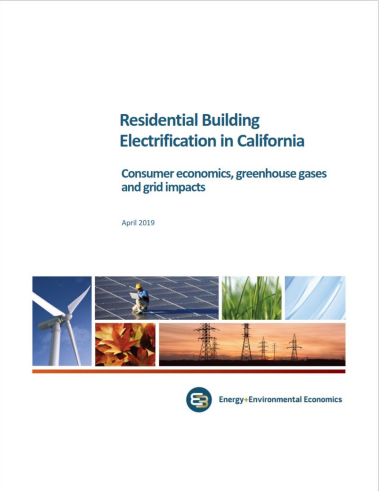
Outreach and Engagement

Outreach and engagement around the requirements of the proposed ordinance and the reasons behind it (cost, GHG reductions, health, etc.) will be key in getting the ordinance adopted. The Willdan Team's outreach and stakeholder focus group meetings will be led by AIM, and the Willdan Team anticipates delivering presentations on the ordinance at City Council and Planning Commission Meetings.

Measure EE-4: Develop an Existing Building Electrification Plan

This task will be led by **Building Electrification Specialist Mike Sontag, PE.** The Willdan Team has a broad range of experience in retrofit building electrification that ranges from the recently completed Existing Building Electrification Strategy for the City of Berkeley to policy-setting through our work with California energy agencies (CPUC, CEC, ARB), technical analysis of costs, benefits, and air pollution benefits of electrification in California through studies such as the study "Cost and Emissions Impacts of Residential Building Electrification in California". The latter was recently completed for the largest all-electric utilities in California, and building

energy performance with all-electric systems including space and water heating for a broad range of building types.

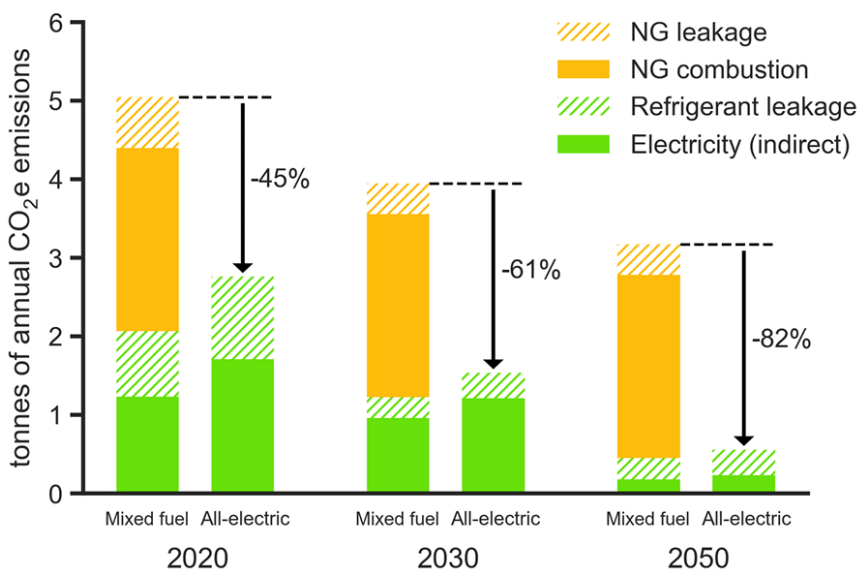


Our approach will be to define phases in the plan over time and then work with the City and regional stakeholders to identify actions that can be launched in each. Within the first phase we will identify what is already being done and what can be added immediately to encourage electrification in existing buildings. We recognize that there are already incentives and some marketing and outreach material available through EBCE available to owners of buildings in Dublin. The second phase will identify emerging opportunities that can be added to the existing portfolio to deepen the efforts within existing buildings in alignment with the Dublin CAP. In this second phase, we anticipate exploring new opportunities in the following areas:

Funding and financing. Electrification of existing buildings requires significant investments in buildings and in the electricity distribution grid. There already exists a range of sources of this funding including public programs such as those administered by EBCE and PG&E, and building owners themselves, but the current funding is largely inadequate relative to electrification goals necessary to meet deep reductions in the Dublin CAP or for California to meet its 40% by 2030 goal overall. Recognizing this gap, Southern California Edison (with support from Willdan) recently requested from the CPUC approximately $700 million to make approximately 10% of its residential building stock electrification ready. We see this application as a potential model for increasing funding and financing if approved that could result in support of projects in the City. The Willdan team is actively tracking and working on these efforts and will have insight into emerging opportunities.

Marketing and awareness. Another component of the plan must include raising awareness of the opportunity for greenhouse gas emissions through electrification. Even today, electrifying a home can reduce the greenhouse gas emission footprint by 50% without any change in comfort, more if a customer elects the higher renewable content electricity through EBCE, and even more in the future as the grid is decarbonized. Many people want to know what they can do to reduce emissions, and in addition to electrifying their cars, electrification of their homes and buildings will have a significant impact.

Figure 3-1: Annual GHG emissions from a 1990s vintage single family home for Sacramento



Regional coordination. Building electrification programs and plans are under development and emerging across the greater Bay Area and northern California, and we expect that the plan for the City would be aligned and also serve as an example for other cities and larger regional entities such as EBCE, PG&E, and BAAQMD.

This project will increase coordination and bring in the awareness of what others are doing. **This coordination improves best practice, and also makes participation in building electrification programs much less difficult for developers and building owners and others working across the area.**

Municipal Leadership. Finally, we will explore electrification retrofits of the existing Dublin municipal buildings and schools. Leading with the City's own buildings provides an example of what is possible, raises awareness in the community, provides local jobs and grows experience in this type of retrofit. These projects are also costly and complex, so the municipal leadership will necessarily take time to plan and raising the necessary funding will require prioritization within city government.

Measure SM-1: Adopt an Electric Vehicle Charging Station Ordinance

This measure will be led by **Transportation Electrification Project Manager Taylor Briglio**. Current California Building Code (CBC) requires new multifamily and commercial properties to include minimum mandatory EV-ready parking spaces with supporting infrastructure including dedicated branch circuits and raceways. Dublin has adopted CBC's Tier 2 voluntary requirements which increases the number of parking spaces that must be EV-ready; however, neither CBC nor Dublin requires that new construction projects install EVCS. Current proposals for the 2022 CBC cycle include installing EVCS in 5% of parking spaces and up to 20% EV ready spaces in new non-residential properties. The City's CAP plan suggests the City draft an updated ordinance that requires all new commercial and multifamily buildings to include 25% of parking spaces as EV Ready, with 3% parking required to have installed operable Level 2 EV charging stations or a comparable level of service provided by DC Fast Charging or other technology as appropriate. The Willdan Team will evaluate previous CAP recommendations, proposed CBC requirements, and other regional reach codes with California's current EV targets to develop an ordinance for the City of Dublin that will support its climate goals.

Based on a review of resources available from EBCE and BayAreaReachCodes.org, a new ordinance may require new multifamily buildings to include some level of EV-ready spaces in up to 100% of parking stalls. Other new commercial properties may require up to 50% of parking spaces to include some form of EV infrastructure. Rincon has already supported neighboring cities such as Livermore with the development of their EV reach codes and will leverage this work to the benefit of the City and ensure that the ordinance is consistent with others in the region. Ordinances may allow for a fewer number of DC Fast Chargers (DCFCs) to satisfy EV ready requirements. Based on input and discussion from Dublin city staff and stakeholders, Willdan will draft an EVCS Ordinance Options Memo for City review.

Ordinance Options Memo

The Willdan Team will provide the City with a memo listing the options for EVCS. The memo will include the pros and cons of each ordinance type (reach code vs. Municipal ordinance) as well as examples of other cities. The purpose of this memo will be to help align city staff and the consultant team on the type or ordinances to be proposed to City Council. The Willdan Team will include GHG reduction impacts of each ordinance option as well as potential political issues based on our experience in other cities. This task will also include a meeting with the project team to discuss the results and decide on ordinance type to move forward.

Draft Ordinance

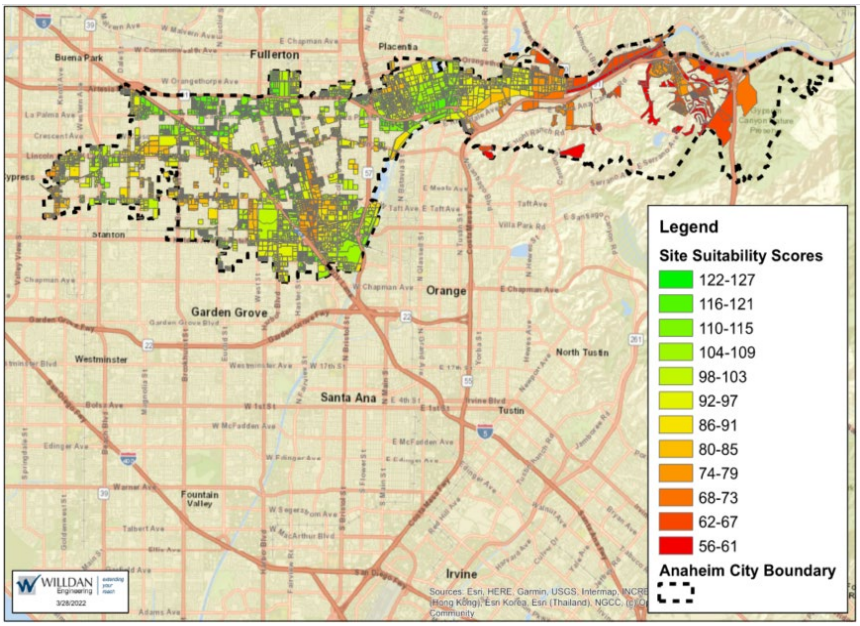
Willdan will complete up to two revisions to the ordinance before it is adopted by City Council and will prepare staff reports as necessary. After submittal of the initial draft, all proposed changes will be drafted in Track Change format and shared with assigned City Staff. The Willdan Team and City staff will gain concurrence on changes prior to legal review. The Willdan Team can provide the first round of legal review even though the

proposed document will be reviewed by the City Attorney's Office. Applicable technical and cost effectiveness studies and feedback from the stakeholder outreach used to develop the draft, revised, and final language of the ordinance. Willdan will work with Rincon to update estimated GHG reductions, if needed, of the final adopted ordinance. The Willdan Team will also assist City staff in presenting the final to City Council for adoption.

As part of Willdan's work with Southern California Association of Governments (SCAG), Willdan has reviewed and provided recommendations to EVCS policies for 18 cities throughout Southern California including Los Angeles, Anaheim, and Long Beach and provided recommendations on how to streamline their EV permitting requirements to comply with AB 1236 ad AB 700 and stretch goals to go above and beyond CBC EVCS requirements. Willdan will bring the knowledge and best practices and lessons learned of working with these cities, all with varying levels of EVCS infrastructure, to the City of Dublin to bring the right recommendations given Dublin's currently available EVCS infrastructure and aggressive GHG reduction goals.

Measure SM-2: Develop an Electric Vehicle Infrastructure Plan

This measure will be led by **Transportation Electrification Project Manager Taylor Briglio.** California has ambitious goals to have up to 8 million ZEVs on the road by 2030 and it is expected that at least 1.2 million accessible EVCS are needed to support them. The Willdan Team will scale down statewide targets of Level 2 and DCFCs to the City level using factors such as population and vehicle ownership rates to help Dublin develop targets for EVCS deployment. The key goals of the infrastructure plan will be to help determine how many and what type of EVCS are needed within the City to be in line with the state's greater transportation electrification targets. Once these targets are known, Willdan will develop an implementation schedule on how many chargers per year need to be installed to meet 2030 goals. The Willdan Team will develop budgetary estimates on forecasting implementation costs each year through 2030. Since not all EVCS may be publicly owned or on publicly owned sites, costs will be reflective of the greater investment the community will need to make in EVCS. Rincon will review the GHG benefits of the EVCS implementation plan.



SCAG EVCS Site Suitability Map for City of Anaheim

Once City-wide targets are established, Willdan will then help Dublin site potential EVCS within the City. Willdan will focus on evaluating characteristics that pertain to locating EVCS that will support the greatest levels of EV adoption to meet ambitious EV adoption goals while including a priority for disadvantaged groups in line with Dublin's equity goals. Willdan will use a variety of potential metrics to identify the best locations for EVCs such as proximity to high-density residential areas, high-density employment sites, job training/education facilities, and commercial areas. The study will incorporate the locations of existing EV infrastructure as well as land use in these

regions to determine optimal placement of new charging stations at appropriate distances from existing infrastructure. To include equity considerations, the siting analysis may include demographic characteristics such as disadvantaged community (DACs) tracts, median household income, and vehicle ownership. Willdan is currently working with SCAG to identify charging stations to serve hard-to-reach customers including those living in multifamily housing and DACs among 18 cities in the region using this same approach. Willdan has also sited 200 DCFCs for PG&E where we worked collaboratively with other stakeholders to develop a prioritized list of 200 DC fast charging stations throughout PG&E territory, based on where DC fast chargers would spur the greatest EV adoption, minimize installation costs, and maximize the availability of EVCS in DACs.

The Willdan Team will provide guidance on different ownership models for EVCS deployment as different locations and use cases may be better served through different ownership models. Chargers that expect to have a high utilization may be more suited for 3rd party ownership models to reduce risk to the site owner. Sites that want to offer low or no cost charging as a perk to visitors or for equity considerations may be better suited for a traditional site owned model. Large fleet conversions may benefit from as-a-service models to amortize infrastructure costs over the lifetime of the equipment. The Willdan Team will include guidance on how incentives including low carbon fuel standard credits impact the ownership model decisions. Deploying EVCS throughout a City is a cost-intensive capital improvement process, and leveraging a variety of federal, state, and local funding sources is key for implementation. The Willdan Team will outline various funding sources available for EV charging stations, infrastructure, and vehicles the City or other privately owned sites can apply for to reduce the overall project cost. We will draw on our wealth of experience successfully navigating a variety of local, state, and federal funding sources including CARB, CalTrans, PG&E, the Metropolitan Transportation Commission, and the wide range of funding recently included in the Federal Infrastructure and Jobs Act.

Willdan has already completed EV load studies for PG&E, identifying where the greatest charging loads are expected to occur and what grid upgrades may be required. Willdan will work with PG&E to review results for infrastructure upgrades required that are applicable to the City.

The Willdan Team will work with Dublin to develop full design, plans and specifications for up to three locations as part of this infrastructure plan. Willdan intends for these sites to be at City-owned locations so that the City has control over the implementation and may take the designs out to bid for construction. It is assumed that Willdan will complete design drawings for sites that only include Level 2 charging stations. If Dublin would like to include DCFC in the design, Willdan can complete design drawings for up to 2 sites. The design documents will be prepared at 50%, 90%, and 100% intervals and adhere to Dublin's design standards. Willdan will help the City apply for eligible rebates or incentives for the sites we complete design drawings for. Additional design drawings and rebate support can be included at additional cost. Competitive grant applications are not included in the proposed scope but can be added in at additional cost.

Measure MM-2 Reduce the Embodied GHG Emissions Associated with Building Materials

This measure will be led by **Municipal Code Development Specialist Brian Moss.** Willdan will bring the knowledge and best practices and lessons learned associated with the reduction of embodied GHG emissions associated with building materials as well as its extensive ordinance and code writing experience to the City.

Embodied carbon consists of all the GHG emissions associated with building construction, including those that arise from extracting, transporting, manufacturing, and installing building materials on site, as well as the operational and end-of-life emissions associated with those materials. "Cradle to gate" (i.e., a partial product

life cycle from resource extraction to the factory gate, before it is transported to the consumer) embodied carbon refers to the emissions associated with only the production of building materials, from raw material extraction to the manufacturing of finished products; it can be thought of as supply-chain carbon, and it accounts for the vast majority of a building's total embodied carbon.

A great deal of research has been conducted to investigate various strategies to reduce the embodied carbon of buildings. These strategies can be generally divided into five categories: (1) use of low-carbon materials; (2) material minimization and material reduction strategies; (3) material reuse and recycling strategies; (4) local sourcing and transport minimization; and (5) construction optimization strategies.

Among the various construction materials, a great deal of attention is being paid to cement and concrete, where considerable effort needs to be made to (1) reduce the embodied carbon of cement and concrete through a partial use of waste/byproduct cementitious materials and (2) find alternative low-carbon materials for cement and concrete. An example of alternative materials includes the use of hydraulic cements and geopolymer concrete as replacements for Portland cement. The production of geopolymer concrete alone has been reported to result in up to 80% fewer carbon emissions than Portland cement concrete.

Just as StopWaste and the County of Alameda contributed to the Marin County Low Carbon Concrete Code, it will be critical for the City to coordinate with StopWaste as recommended by the City as well as Alameda County, BAAQMD and others for input into the City's new ordinance and program.

The Willdan Team will consider all strategies and coordinate with stakeholders to identify the best procedures for the reduction of Embodied GHG Emissions Associated with Building Materials in the new ordinance. The Willdan Team will also determine GHG reductions in the document.

Ordinance Options Memo

The Willdan Team will provide the City with a memo listing the options for embodied carbon reduction ordinance. The memo will include the pros and cons of each ordinance type (reach code vs. Municipal ordinance) as well as examples of other cities. The purpose of this memo will be to help align city staff and the consultant team on the type or ordinances to be proposed to City Council. The Willdan Team will include GHG reduction impacts of each ordinance option as well as potential political issues based on our experience in other cities. This task will also include a meeting with the project team to discuss the results and decide on ordinance type to move forward.

Draft Ordinance

Willdan will complete up to two revisions to the ordinance before it is adopted by City Council and prepare staff reports as necessary. Applicable technical and cost effectiveness studies and feedback from the stakeholder outreach used to develop the draft, revised, and final language of the ordinance. Willdan will work with Rincon to update estimated GHG reductions, if needed, of the final adopted ordinance. The Willdan Team will assist City staff in presenting the final to City Council for adoption.

Outreach Strategy for All Tasks

Willdan subconsultant AIM, led by **Outreach Lead Katie Demaio**, will provide an integrated approach to the outreach, stakeholder engagement, social media and communications activities as appropriate for each of the tasks as requested in the RFP. AIM's ability to leverage resources across multiple tasks will ensure that redundant activities and the associated costs to the City are minimized. AIM will be assisted as necessary by

the other Willdan Team members and will work collaboratively with the team's engineering and technical resources.

Stakeholder Database/Outreach and Notifications

AIM will develop and maintain a stakeholder database throughout the project's duration. This database will include stakeholder name, contact information as well as the preferred method of contact and potential key concerns and/or areas of project interest.

Key Stakeholder Virtual Focus Group Meetings/Public Meetings (2)

AIM will coordinate and facilitate up to two Virtual Key Stakeholder Focus Group meetings. Their team of professional facilitators will work with the rest of the Willdan Team and City of Dublin staff to develop meeting agendas and presentation content that are on point and easy to understand, then facilitate discussions in a way that engages all parties and generates thoughtful discussion that leads to agreements and direction that moves the project forward.

The Key Stakeholder Focus Group membership is recommended to include, but is not limited to, City Staff, Chamber of Commerce, EBCE, business and industry groups, community-based organizations, environmental advocates, and local residents as identified by the City of Dublin and the project team. The meetings will be facilitated to discuss project goals, constraints and opportunities, evaluation criteria, and other important project elements. The purpose of the key stakeholder focus group meetings will be to assess project elements with a diverse group of perspectives early in the process to ensure that all diverse aspects are considered, and the draft concepts meet current and future community needs. The purpose of a public meeting would be to bring the community up to date with the project and goals.

Communication Collateral

Brochures, Fact Sheets, Fliers, and/or door hangings can be issued to educate the stakeholders about the project and educate and get feedback on the proposed plans or ordinance/code for each task. AIM will develop all materials utilizing a template consistent with the project brand, which can be easily updated, printed and/or distributed through electronic means, and placed on the project webpage.

Social Media Plan

AIM will work with the City to post project specific alerts and information to existing social media channels (City Twitter and Facebook pages). Social media will be utilized to communicate timely information to stakeholders about the proposed plans or ordnance and code for each task, and AIM will partner with key stakeholders to send information through social media channels. A social media plan will be put in place for each task.

Project Schedule

A project schedule for the delivery of the proposed scope of work is provided below. Tasks will be performed concurrently whenever possible in order to ensure timely and cost-effective completion of deliverables.

CAP Measure Implementation Schedule

Task	CAP Measure	Scope Description	2022			2023				2024	
			Qtr. 2	Qtr. 3	Qtr. 4	Qtr. 1	Qtr. 2	Qtr. 3	Qtr. 4	Qtr. 1	Qtr. 2
1	MM-2	Reduce GHG Emissions Associated with Building Materials									
2	SM-1	Develop & Adopt Electric Vehicle Charging Station Ordinance									
3	EE-1	Achieve All-Electric New Construction Ordinance and potential Reach Code									
4	SM-2	Develop an EV Infrastructure Plan									
5	CF-1	100% Renewable and Carbon-Free Electricity for EBCE Non Residential									
6	EE-4	Develop an Electrification Plan for Existing Buildings									
7	ML-4	Total Cost of Ownership and Life-Cycle Analysis of GHG Impacts in Municipal RFPs									
8	N/A	Comprehensive GHG Emissions Analysis									
9	N/A	Miscellaneous (CAP Implementation)									

Consulting Agreement

Willdan hereby confirms our ability to meet the City's Standard Consulting Agreement and insurance requirements.

EXHIBIT B

COMPENSATION SCHEDULE & REIMBURSABLE EXPENSES

Proposed Project Budget	
Task	**Not-to-Exceed (NTE) Fee**
Conduct Comprehensive GHG Emissions Analysis	$ 35,000.00
Measure ML-4: Total Cost of Ownership and Life-Cycle Analysis of GHG Impacts in Municipal Requests for Proposals	$ 25,000.00
Measure CF-1: Opt-Up to 100% Renewable and Carbon-Free Electricity	$ 10,000.00
Measure EE-1: Achieve All Electric New Construction	$ 38,000.00
Measure EE-4: Develop an Existing Building Electrification Plan	$ 79,000.00
Measure SM-1: Adopt an Electric Vehicle Charging Station Ordinance	$ 31,000.00
Measure SM-2: Develop an EV Infrastructure Plan	$ 140,000.00
Measure MM-2: Reduce the Embodied GHG Emissions Associated with Building Materials	$ 37,000.00
As-needed CAP Implementation	$20,000
Total Labor	**$ 415,000.00**
Direct Costs	**$ 5,000.00**
Total Cost	**$ 420,000.00**

Compensation Rate Schedule				
Labor Classification	**Hourly Rate**		**Labor Classification**	**Hourly Rate**
Willdan			Rincon	
Senior Partner	$510.00		Principal I	$308.00
Senior Director	$410.00		Senior Professional II	$269.50
Senior Consultant	$295.00		Professional IV	$191.40
Consultant	$245.00		Professional I	$140.80
Associate	$215.00		Clerical/Administrative Assistant I	$104.50
Director	$219.00		AIM	
Deputy Director	$214.00		Outreach Manager I	$135.30
Senior Engineer	$180.00		Graphics Designer	$199.16
Senior Project Manager	$180.00		Coordinator II	$103.46
Project Manager	$154.00		Coordinator I	$84.35
Assistant Engineer IV	$157.00			
Assistant Engineer III	$152.00			
Assistant Engineer II	$144.00			
Assistant Engineer I	$127.00			

EXHIBIT C

INDEMNIFICATION

Consultant shall indemnify, defend with counsel acceptable to City, and hold harmless City and its officers, elected officials, employees, agents and volunteers from and against any and all liability, loss, damage, claims, expenses, and costs (including without limitation, attorney's fees and costs and fees of litigation) (collectively, "Liability") of every nature arising out of or in connection with Consultant's performance of the services called for or its failure to comply with any of its obligations contained in this Agreement, except such Liability caused by the sole negligence or willful misconduct of City.

Notwithstanding the forgoing, to the extent this Agreement is a "construction contract" as defined by California Civil Code Section 2782, as may be amended from time to time, such duties of Consultant to indemnify shall not apply when to do so would be prohibited by California Civil Code Section 2782.

The Consultant's obligation to defend and indemnify shall not be excused because of the Consultant's inability to evaluate Liability or because the Consultant evaluates Liability and determines that the Consultant is not liable to the claimant. The Consultant must respond within 30 days to the tender of any claim for defense and indemnity by the City. If the Consultant fails to accept or reject a tender of defense and indemnity within 30 days, in addition to any other remedy authorized by law, so much of the money due the Consultant under and by virtue of this Agreement as shall reasonably be considered necessary by the City, may be retained by the City until disposition has been made of the claim or suit for damages, or until the Consultant accepts or rejects the tender of defense, whichever occurs first.

RESOLUTION NO. 100 - 20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

* * * * * * * * *

ADOPTING THE CITY OF DUBLIN CLIMATE ACTION PLAN 2030 AND BEYOND

WHEREAS, on November 16, 2010 the City Council adopted Resolution 167-10 approving the City of Dublin Climate Action Plan establishing greenhouse gas (GHG) reduction goals for 2020; and

WHEREAS, under the California Environmental Quality Act (CEQA) a city may prepare a qualified GHG Reduction Strategy or Climate Action Plan to evaluate a community's cumulative impact due to GHG emissions from future planned development; and

WHEREAS, if a project is consistent with an adopted, qualified GHG Reduction Strategy or Climate Action Plan, the Strategy/Plan can be used as a basis for determining that the project would have a less than significant impact on a community's cumulative GHG emissions under CEQA; and

WHEREAS, on October 15, 2013 the City Council adopted Resolution 177-13 approving the City of Dublin Climate Action Plan Update to use as a basis for determining that a future project that was consistent with the adopted Climate Action Plan Update would have a less than significant impact on Dublin's cumulative GHG emissions under CEQA through 2020; and

WHEREAS, the City of Dublin is on track to meet the 2020 GHG reduction goals established by the Plans; and

WHEREAS, in 2016, the California Legislature adopted Senate Bill (SB) 32 to extend the State's commitment to GHG emissions reductions by tightening the target to 40% below 1990 levels by 2030; and

WHEREAS, in 2018, Governor Brown adopted Executive Order (EO) B-55-18 setting a Statewide goal of reaching carbon neutrality by no later than 2045; and

WHEREAS, on December 17, 2019, the City Council provided consensus to align the City's future Climate Action Plan with both SB 32 and EO B-55-18 goals and consensus to proceed with the draft strategies and measures to achieve those goals; and

WHEREAS, the Climate Action Plan 2030 and Beyond establishes the following targets:

1. Reduce GHG emissions to 40% below 1990 levels by 2030
2. Reach carbon neutrality by 2045; and

WHEREAS, the Climate Action Plan 2030 and Beyond contains 22 measures grouped into the five strategies listed below to reduce GHG emissions by roughly 73,000 metric tons carbon dioxide equivalent by 2030:

1. 100% Renewable and Carbon-Free Electricity
2. Building Efficiency and Electrification
3. Sustainable Mobility and Land Use

4. Material and Waste Management
5. Municipal Leadership; and

WHEREAS, the implementation of the Climate Action Plan 2030 and Beyond will result in co-benefits in the following areas: economic growth, reduced traffic congestion, improved public health, healthier ecosystems, robust landscapes, carbon sequestration, enhanced resilience, equity and inclusion, community leadership and partnerships, and cutting-edge technologies; and

WHEREAS, the City Council held a properly noticed public hearing on the Climate Action Plan 2030 and Beyond and related Negative Declaration on September 15, 2020; and

WHEREAS, the City Council did review and consider the Negative Declaration and the Climate Action Plan 2030 and Beyond and all said reports, recommendations, and testimony herein and set forth prior to making its decision on the Climate Action Plan 2030 and Beyond.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin does hereby approve and adopt the Climate Action Plan 2030 and Beyond attached hereto as **Exhibit A** to the Resolution and authorizes Staff to make any non-substantive grammatical or editing changes in the final document.

PASSED, APPROVED AND ADOPTED this 15th day of September 2020, by the following vote:

AYES: Councilmembers Goel, Hernandez, Josey, Kumagai and Mayor Haubert

NOES:

ABSENT:

ABSTAIN:

DocuSigned by:
4B4A9732E4974C5...
Mayor

ATTEST:

DocuSigned by:
9BB70815D22F40A...
City Clerk

REQUEST FOR PROPOSALS

Building Electrification, Electric Vehicle Charger, and Low Carbon Concrete Building Code Assistance

City of Dublin

Proposals must be received by: March 30, 2022

Jordan Foss, Management Analyst II
100 Civic Plaza
City of Dublin, CA 94568

Proposals will be evaluated on the following: a) responsiveness to the Request for Proposal questions, b) experience of the firm, c) experience and qualifications of the assigned individuals and d) Satisfaction of previous clients.

Request for Proposal
For
Technical Services

Overview

The City of Dublin (City) is inviting proposals for specialized technical services to assist staff in developing policies, adopting municipal ordinances, and/or adopting Reach Codes in support of measures included in the City's Climate Action Plan 2030 and Beyond (CAP 2030). Staff intends to develop policies, ordinances and related plans associated with the following Measures in CAP 2030:

- Measure CF-1: Opt-Up to 100% Renewable and Carbon-Free Electricity
- Measure EE-1: Achieve All-Electric New Building Construction
- Measure EE-4: Develop an Existing Building Electrification Plan
- Measure SM-1: Adopt an Electric Vehicle Charging Station Ordinance
- Measure SM-2: Develop an Electric Vehicle Infrastructure Plan
- Measure MM-2 Reduce the Embodied GHG Emissions Associated with Building Materials

More information on these measures and CAP 2030 can be found on the City's website at:
https://dublin.ca.gov/20/Environmental-Programs

Project Description:

Consultant support to assist Staff in implementing the CAP 2030 Measures listed above is sought. The priority scopes of work include Measure CF-1, Measure EE-1, Measure SM-1, and Measure MM-2. Staff anticipates that City Council will adopt a Resolution in April to request the East Bay Community Energy (EBCE) Board to default non-residential accounts to EBCE's Renewable 100 electricity. If approved, the transition would occur in October 2022. Assistance with outreach to non-residential accountholders regarding the transition is desired. Work related to Measures EE-1, SM-1, and MM-2 will be coordinated with the City's Building and Safety Division as part of the 2022 Building Code update.

City staff has attempted to identify all anticipated work efforts for which consultant support will be needed, as generally described below and more thoroughly described in **Attachment A.** Consultants are encouraged to identify any tasks or alternative approaches to providing support services that are believed to be superior to those provided in Attachment A. Innovative, integrative, and cost-effective approaches to providing support are welcomed. General tasks include:

- Assistance with developing and drafting policies, ordinances, building codes, and/or plans, as relevant. Consultant team will participate in coordination efforts with City staff, East Bay Community Energy, and other stakeholders, as appropriate.
- Validate and apply technical and cost effectiveness studies, as applicable.
- Develop outreach materials and support the outreach and engagement process, including participating in virtual and in-person public meetings and developing social media plans.
- Support City staff on ordinance and plan adoption processes, including at City Council meetings.
- Develop and submit paperwork for California Energy Commission consideration, as applicable.
- Review and conduct follow-up greenhouse gas emissions reductions analyses.

The anticipated scope of work for which consultant support is requested is detailed in **Attachment A**.

Considerations:

Proposals shall include a detailed scope of services to provide technical support to assist the City with the requested scope of work. The proposed scope of services should detail the understanding of the requested tasks, the approach to fulfilling the tasks, roles of any subcontractors that will assist in fulfilling the scope of services, recommendations on alternative tasks/approaches not identified in this RFP that are deemed necessary or appropriate for inclusion, anticipated deliverables, and a summary of specialized experience or expertise directly relevant to the proposed tasks.

Please bid these project categories separately. The City reserves the right to engage different firms for each project or project category to secure the desired set of services addressing the overall project needs.

Process and General Conditions

1. Proposers shall submit one electronic PDF copy of the proposal to:

   Jordan Foss
   Management Analyst II
   100 Civic Plaza
   Dublin, CA 94568
   Jordan.Foss@dublin.ca.gov

2. Deadline for submitting the proposal is **March 30, 2022**, at 5:00 p.m.

3. The City will not pay for any costs incurred in preparation and submission of the proposals or in anticipation of a contract. The format of submittals is at the discretion of the Proposer. Each proposal shall be limited to a maximum of 20 pages using minimum 12-point font size. Page limit excludes the cover letter, a table of contents and resumes for Consultant's team.

Schedule for RFP Process

March 7, 2022	Request for Proposals posted to City website.
March 11, 2022	Deadline to submit questions to City of Dublin. Submit questions to Jordan.Foss@dublin.ca.gov.
March 16, 2022	Addendum posted, if required.
March 30, 2022	Proposals are due no later than 5:00 PM via email to Jordan.Foss@dublin.ca.gov. Late submittals will not be accepted.
Week of April 4, 2022	Interview firms (optional)
May 3, 2022	Consulting Services Agreement scheduled for approval by the Dublin City Council.

(Tentative dates, subject to change)

RFP Submittal Requirements

Please prepare and organize your Proposal based on the requirements provided below. Any other information you would like to include should be placed in a separated section at the back of your Statement of Qualification. Please note however that the RFQ submittal is limited to **20 pages maximum** single-sided in 12-point font. Page limit excludes a cover letter, table of contents and resumes for Consultant's team.

Include the following in the Proposal:

1. Enclose a cover letter not to exceed one page, describing the firm's interest and commitment to perform work necessary to provide consulting services. The person authorized by the firm to negotiate a contract with the City of Dublin shall sign the cover letter. Please include this cover letter within document and not as a separate page.

2. State the qualifications and experience of the firm/individual(s). Please emphasize the specific qualifications and experience with engagements of similar scope and complexity.

3. Provide at least three references (names and current phone numbers) from recent work (previous five years) similar to the services outlined in this request for qualification. Please include a brief description of the work performed and the role your firm performed.

4. List key staff members, including identification of the Principal-in-Charge and Project Manager/primary point-of-contact. Include each team member's availability, including all existing committed hours, and the ability of being able to complete the project in time and budget.

5. Provide an approach to completing this project, showing the flow of various tasks of the work and demonstrating the clear understanding of the requested work.

6. Provide a project schedule.

7. Present proposed project budget, to include a compensation rate schedule for services.

8. Provide confirmation of your firm's ability to meet the City's Standard Consulting Agreement and insurance requirements. Exceptions to the Agreement and insurance requirements shall be specifically noted in the Proposal.

Standard Consulting Agreement:

It is anticipated that the services covered by the Agreement resulting from this solicitation will be performed on a time and materials fee basis for a specified scope of work. The term of the agreement is anticipated to begin May 4, 2022.

A sample of the City's Standard Consulting Agreement (Agreement), including insurance requirements, is provided as **Attachment B**.

If the interested firm desires to take exception to the Agreement and/or insurance requirements, the interested firm shall clearly identify proposed changes to the Agreement and furnish the reason for these changes, which shall be included in the qualification. Exceptions will be taken into consideration in evaluating Proposals. Otherwise, the interested firm is to state in the proposal that the Agreement and insurance requirements are acceptable.

Consideration for exceptions will not be considered if not included in the submitted proposal.

Conflict of Interest

Proposer agrees that, for the term of this contract, no member, officer or employee of the City of Dublin, or of a public body within Alameda County or member or delegate to the Congress of the United States, during his/her tenure or for one year thereafter, shall have any direct interest in the contracts or any direct or material benefit arising therefrom.

Proposers must provide a list of any potential conflicts of interest in working for the City of Dublin. This must include, but is not limited to, a list of your firm's clients who are the following: Private clients located or operating within the City of Dublin limits, Dublin San Ramon Service District, US Army Camp Parks and/or the County of Alameda, and a brief description of work for these clients. Proposers must also identify any other clients (including public entities), that may pose a potential conflict of interest, as well as a brief description of work you provide to these clients.

This list must include all potential conflicts of interest within the year prior to the release of this RFQ as well as current and future commitments to other projects.

Principals and those performing work for City of Dublin may be required to submit a California Fair Political Practices Commission (FPPC) Form 700: Statement of Economic Interests documenting potential financial conflicts of interest. For additional information, proposers should refer to the FPPC website at http://www.fppc.ca.gov/Form700.html.

Equal Employment Opportunity

Proposer shall not, on the grounds of race, color, sex, age, religion, national origin, ancestry, physical handicap, medical condition, or marital status either discriminate or permit discrimination against any employee or applicant for employment in any manner prohibited by Federal, State or local laws. In the event of Proposer non-compliance,

the City of Dublin may cancel, terminate or suspend the Contract in whole or in part. Proposer may also be declared ineligible for further contracts with the City of Dublin.

Proposer shall take affirmative action to ensure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion, color, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Proposer and its sub-consultants shall post in conspicuous places, available to all employees and applicants for employment, a notice setting forth the following provisions [29 U.S.C. § 623, 42 U.S.C. § 2000, 42 U.S.C. § 6102, 42 U.S.C. § 12112, 42 U.S.C. § 12132, 49 U.S.C. § 5332, 29 CFR Part 1630, 41 CFR Parts 60 et seq.].

Governing Law

This RFP summarizes the applicable laws and governance; when in conflict applicable State/Federal guidelines shall apply. The contract and legal relations between the parties hereto shall be governed and construed in accordance with the laws of the State of California.

Insurance Requirements

The Contractor shall provide insurance coverage as follows in conformance with the City of Dublin's requirements:

General Liability Insurance	$1,000,000
Automobile Liability Insurance	$1,000,000
Professional Liability Insurance	$1,000,000
Workers' Compensation Insurance	$1,000,000

References

Contractor must include three (3) references for which the company has provided services similar to those described in this RFP. Reference information shall include: Name, Address, Contact, Title, Phone Number, E-mail Address, and Term of the Contract.

Review and Selection Process

The City reserves the right to make the selection based on its sole discretion. A subcommittee selected by City Staff will evaluate proposals provided in response to this RFP. The subcommittee will use a forced ranking process (please see **Attachment C**, Forced Ranking Rating Sheet, for further detail). Informal interviews may be conducted by City staff and may include more than one firm that has submitted a Proposal.

Based on input from this review process, a recommendation will be made to the City Manager. The City Manager will make a recommendation to the City Council for award of contract services.

The City reserves the right to award a contract to the firm(s) that the City feels best meets the requirements of the RFP. The City reserves the right to reject any and all Proposals prior to execution of the Agreement, with no penalty to the City.

Selection of Consultant

Submitted Proposals will be evaluated and scored using the following criteria:

- Qualifications and specific experience of key project team members.
- Quality and completeness of the proposal.
- Experience with engagement of similar scope and complexity.
- Satisfaction of previous clients.
- Cost of providing the consultant services for this project.

Attachment A

Scope of Services

Scope of Work

Project	Description	Timeline
Measure CF-1: Opt-Up to 100% Renewable and Carbon-Free Electricity	Staff anticipates City Council will adopt a Resolution by April 2022 to request that the East Bay Community Energy (EBCE) Board consider defaulting non-residential accounts to Renewable 100 electricity. Assistance with outreach to non-residential accounts is desired. 1. In coordination with City Staff and EBCE, develop outreach materials for non-residential accounts. 2. Coordinate with City staff, the Chamber of Commerce, EBCE and others to hold informational stakeholder meetings. 3. Assist with direct, one-to-one outreach to individual non-residential account holders. 4. Other outreach, as requested.	May 2022 through June 2023
Measure EE-1: Achieve All Electric New Construction	Develop an all-electric ordinance or reach code for new building construction to reduce natural gas and limit the development of new gas infrastructure. 1. Coordinate with City Staff to develop an ordinance/code, leveraging resources available from East Bay Community Energy and BayAreaReachCodes.org. Consultants should plan for at least two revisions to the ordinance/code. 2. Validate and apply technical and cost effectiveness studies, as applicable. 3. Review and validate the greenhouse gas emissions (GHG) reductions associated with the electrification ordinance/code as described in the Climate Action Plan 2030 and Beyond (CAP 2030). 4. Conduct outreach for stakeholders to educate and get feedback on the proposed ordinance/code. 5. Develop a social media plan and associated communications. 6. Assist with presentation(s) to City Council. 7. Develop and submit paperwork for California Energy Commission consideration, as applicable. 8. Providing training to City staff and the development community on new ordinance/code, as necessary.	Final ordinance or Reach Code in Fall 2022, to coincide with 2022 Building Code update.
Measure EE-4: Develop an Existing Building Electrification Plan	Develop a plan to promote the retrofit of 22% of existing buildings in Dublin to all-electric by 2030 and provide guidance on potential existing building electrification polices or ordinances. 1. Provide materials and information to develop the City's web page into a repository of information about the benefits and options associated with existing building electrification, along with energy	Anticipated to begin work in 2023.

	efficiency actions that can be taken to reduce energy consumption. 2. Coordinate with the Bay Area Regional Energy Network (BayREN), East Bay Community Energy (EBCE), and others to provide outreach to the community to share the benefits, potential hurdles, and solutions surrounding existing building electrification and energy efficiency improvements. 3. Conduct an analysis of the existing building stock in Dublin to determine the number/type of units, the potential GHG emissions associated with electrification, and the various costs associated with making the change. 4. Develop an existing building electrification and energy efficiency plan, including equity as a consideration. Consultant should plan for at least two revisions to the plan. 5. Review and validate the greenhouse gas emissions (GHG) reductions associated with the existing building electrification and energy efficiency plan, as described in the Climate Action Plan 2030 and Beyond (CAP 2030). 6. Identify funding sources and incentives/rebates that may be available to facility energy efficiency and electrification projects. 7. Conduct outreach for stakeholders to educate and get feedback on the proposed plan. 8. Develop a social media plan and associated communications. 9. Assist with presentation(s) to City Council.	
Measure SM-1: Adopt an Electric Vehicle Charging Station Ordinance	Develop an electric vehicle charging station ordinance, zoning code or building code amendment, or other strategy for multifamily and commercial buildings to increase access to charging stations and promote the use of electric vehicles. 1. Coordinate with City Staff to develop an ordinance/code, leveraging resources available from East Bay Community Energy and BayAreaReachCodes.org. The ordinance/code will consider new construction and tenant improvement criteria. Consultants should plan for at least two revisions to the ordinance/code. 2. Validate and apply technical and cost effectiveness studies, as applicable. 3. Determine greenhouse gas emissions (GHG) reductions associated with the ordinance/code. 4. Conduct outreach for stakeholders to educate and get feedback on the proposed ordinance/code.	Final ordinance or Reach Code in Fall 2022, to coincide with 2022 Building Code update.

	5. Develop a social media plan and associated communications. 6. Assist with presentation(s) to City Council. 7. Provide training to City staff and the development community on the new ordinance/code, as necessary.	
Measure SM-2: Develop an EV Infrastructure Plan	Coordinate with internal and external stakeholders (EBCE) to develop an Electric Vehicle Infrastructure Plan for Public Electric Vehicle Charger deployment. 1. Help to identify the best locations for electric vehicle (EV) charging infrastructure to augment existing EV chargers and determine the best mix of EV charger types. 2. Determine the preferred model for EV infrastructure deployment (i.e. City owned/operated, City leased/maintained, third-party owned/operated, etc.), including consideration of City EV fleet conversion (e.g. how low carbon fuel credits consider in the economics of fleet conversion). 3. Identify where improvements to the electricity distribution infrastructure are necessary to support EV charger deployment and electric mobility hubs. 4. Develop EV Charger Cost Forecasting/Analysis (financial and environmental). 5. Develop deployment plan specifications. 6. Identify funding sources and incentives/rebates that may be available. Assist with preparation of incentive/rebate packages. 7. Develop a social media plan and associated communications. 8. The EV Infrastructure Plan shall include equity considerations.	Complete in FY2022-23
Measure MM-2: Reduce the Embodied GHG Emissions Associated with Building Materials	Beginning with Marin County's Low Carbon Concrete Building Code, develop a code and implementation plan for Dublin: 1. Identify local supplies, sources and costs for cement alternatives. 2. Identify the project types and structures to which the code would be applicable. 3. Identify obstacles and barriers for implementation and potential solutions to addressing the issues. 4. Participate in regional meetings coordinated by Stopwaste and others. 5. Validate and apply technical and cost effectiveness studies, as applicable. 6. Determine greenhouse gas emissions (GHG) reductions associated with the ordinance/code.	Final ordinance or Reach Code in Fall 2022, to coincide with 2022 Building Code update.

	7. Conduct outreach for stakeholders to educate and get feedback on the proposed ordinance/code. 8. Develop a social media plan and associated communications. 9. Assist with presentation(s) to City Council. 10. Develop implementation tools/guidance for the code. 11. Provide training to City staff and the development community on the new ordinance/code, as necessary.	
Miscellaneous	As-needed CAP 2030 Implementation Assistance not identified above	As-Needed

Attachment B

Standard Consulting Services Agreement

Removed for 5/17 Staff Report

Agenda Item 4.7

STAFF REPORT
CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Payment Issuance Report and Electronic Funds Transfers
Prepared by: Veronica Briggs, Senior Finance Technician

EXECUTIVE SUMMARY:

The City Council will receive a listing of payments issued from April 1, 2022 – April 30, 2022 totaling $13,403,784.56.

STAFF RECOMMENDATION:

Receive the report.

FINANCIAL IMPACT:

SUMMARY OF PAYMENTS ISSUED
April 1, 2022 – April 30, 2022

Total Number of Payments: 270
Total Amount of Payments: $13,403,784.56

DESCRIPTION:

The Payment Issuance Report (Attachment 1) provides a listing of all payments for the period beginning April 1, 2022 through April 30, 2022. This report is provided in accordance with the policy adopted November 15, 2011, in Resolution No.189-11. The listing of payments has been reviewed in accordance with the policies for processing payments and expenditures.

The City's practice of reporting payments to the City Council after the payments have been made is in compliance with California Government Code Sections 37208 (b) and (c), which allow for an agency to make payments without first being audited by the legislative body, as long as such payments are: 1) conforming to a budget approved by ordinance or resolution of the legislative body; and 2) presented to the legislative body for ratification and approval in the form of an

audited comprehensive annual financial report.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Payment Issuance Report for April 2022

City of Dublin
Payment Issuance Report
Payments Dated 4/1/2022 through 4/30/2022

Date Issued	Payee	Amount	Description
04/01/2022	CAL PERS	84,894.05	PERS RETIREMENT PLAN: PE 3/25/22
04/01/2022	EMPLOYMENT DEVELOPMENT DEPT	23,846.00	CA STATE WITHHOLDING: PE 3/25/22
04/01/2022	HEALTHEQUITY, INC.	3,990.37	HEALTHEQUITY: PE 3/25/22
04/01/2022	I C M A 401 PLAN	1,175.94	DEFERRED COMP 401A: PE 3/25/22
04/01/2022	I C M A 457 PLAN	31,203.24	DEFERRED COMP 457: PE 3/25/22
04/01/2022	INTERNAL REVENUE SERVICE	74,460.09	FEDERAL WITHHOLDING: PE 3/25/22
04/01/2022	US BANK - PARS	2,489.79	PARS: PE 3/25/22
	Payments Issued 4/1/2022 Total:	**222,059.48**	
04/04/2022	ALAMEDA COUNTY CLERK	50.00	NOTICE OF EXEMPTION FEE
04/04/2022	ALAMEDA COUNTY HOUSING	3,469.00	CITY CONTRIBUTIONS FOR HMIS MATCH
04/04/2022	ALLIANT INSURANCE SVCS INC	513.00	FACILITY RENTAL INSURANCE APR-JUN 2021
04/04/2022	ALPHA MEDIA LLC	3,000.00	ST. PATRICK’S FESTIVAL ADVERTISING
04/04/2022	AMP PRINTING, INC.	259.05	CAR MAGNETS & SIGNS FOR ST. PATRICK'S PARADE
		1,885.51	MUSEUM PANELS AT CAMP PARKS
	Check Total:	2,144.56	
04/04/2022	ANGEL HOUZE CLAY ART	150.00	REC CLASS INSTRUCTOR
04/04/2022	BAY ALARM COMPANY	270.00	ALARM SERVICES CORP YARD
		237.75	ALARM SERVICES FIRE STATION 17
		207.00	ALARM SERVICES SENIOR CENTER
	Check Total:	714.75	
04/04/2022	CAL PERS HEALTH PREMIUM	139,676.61	HEALTH INSURANCE PREMIUM - APR 2022
04/04/2022	CARBONIC SERVICE	338.25	THE WAVE POOL CHEMICALS
04/04/2022	CDW GOVERNMENT INC	1,016.47	COMPUTER EQUIPMENT
04/04/2022	CHASE, RHONDA	2,500.00	RECOVERED WOOD ART PROJECT
04/04/2022	DEMARTINI, ROBIN	1,500.00	ST. PATRICK’S FESTIVAL ENTERTAINMENT
04/04/2022	DUBLIN ARTS COLLECTIVE	500.00	DISCRETIONARY GRANT PROGRAM PAYMENT
04/04/2022	DUBLIN CHEVROLET	524.12	POLICE VEHICLE MAINT & REPAIRS
04/04/2022	ELS ARCHITECTURE & URBAN DESGN	37,234.62	SCS PROPERTY COMMUNITY OUTREACH
04/04/2022	GIS PLANNING	1,125.00	ANNUAL HOUSING DEMOGRAPHIC REPORT
04/04/2022	HALO BRANDED SOLUTIONS	255.90	CRIME PREVENTION PROMOTIONAL ITEMS
04/04/2022	HARRELL HARRIS PHOTOGRAPHY	1,800.00	ST. PATRICK'S FESTIVAL PHOTOGRAPHY SERVICES
04/04/2022	IRISH HERALD, THE	800.00	ST. PATRICK’S FESTIVAL ADVERTISING
04/04/2022	KINDERMUSIK W/ MS LINDSAY	315.00	REC CLASS INSTRUCTOR
04/04/2022	LIVERMORE AUTO GROUP	5,397.40	POLICE VEHICLE MAINT & REPAIRS
04/04/2022	MCE CORPORATION	594,699.42	MAINTENANCE SERVICES - FEB 2022
04/04/2022	MY JEEP CHRYSLER DODGE RAM	30,733.05	POLICE VEHICLE REPLACEMENTS
04/04/2022	PECKHAM & MCKENNEY	17,333.34	RECRUITMENT SVCS FOR P&CS DIRECTOR
04/04/2022	PG&E	4,019.26	SERVICE TO 03/08/2022
		8,745.61	SERVICE TO 03/09/2022
		89.35	SERVICE TO 03/10/2022
		5,171.92	SERVICE TO 03/13/2022
		433.07	SERVICE TO 03/14/2022
		3,182.24	SERVICE TO 03/15/2022
		65.12	SERVICE TO 03/16/2022
	Check Total:	21,706.57	
04/04/2022	PRUDENTIAL OVERALL SUPPLY	702.40	MAT SERVICE - CIVIC CENTER
		366.40	MAT SERVICE - CORP YARD

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Date Issued	Payee	Amount	Description
		324.80	MAT SERVICE - PSC
		497.48	MAT SERVICE - SENIOR CENTER
		737.00	MAT SERVICE - SHANNON CENTER
		379.40	MAT SERVICE - THE WAVE
	Check Total:	3,007.48	
04/04/2022	QUENCH USA, INC.	854.37	WATER FILTER SYSTEMS APR-MAY 2022
04/04/2022	R. LANCE TOWING CO INC	375.00	POLICE EVIDENCE TOW
04/04/2022	SKATESATIONAL	450.00	REC CLASS INSTRUCTOR
04/04/2022	SPECTRUM COMMUNITY SVCS INC.	1,222.92	HUMAN SERVICES GRANT
04/04/2022	STANTEC CONSULTING SVCS INC.	19,985.50	DUBLIN SENIOR LIVING PROJ CEQA DOC PREP
04/04/2022	TIREHUB, LLC.	162.17	POLICE VEHICLE MAINTENANCE
04/04/2022	TREASURER ALAMEDA COUNTY	18,800.00	RETURN OF ASSET SEIZURE FUNDS
04/04/2022	TREASURER ALAMEDA COUNTY	687.82	FINGERPRINT PROCESSING FEB 2022
	Vendor Total:	19,487.82	
04/04/2022	VASUDEVAN, PRIYA	216.00	REC CLASS INSTRUCTOR
	Payments Issued 4/4/2022 Total:	**913,258.32**	
04/05/2022	CALPERS	11,513.16	2022 REPLACEMENT CHARGES FOR CITY OF DUBLIN
04/05/2022	U.S. BANK CORPORATE PMT SYSTEM	2,197.42	40TH ANNIV & STRATEGIC PLAN MTG SUPPLIES
		7,384.90	40TH ANNIV & ST. PAT'S SUPPLIES, TVCC DINNER
		305.00	BUSINESS JOURNAL SUBSCRIPTION, ICC WEBINAR
		4,129.19	BUTTERFLY KNOLL GROUNDBREAKING EQUIP/SUPPLIES
		558.99	BUTTERFLY KNOLL OPENING SUPPLIES
		1,009.90	CALED DUES-FRANKLIN & ICSC CONF REG-WETHERFORD
		1,875.73	COMPUTER EQUIPMENT
		14.99	CPRS CONFERENCE BOOKING FEE
		375.00	DIV OF STATE ARCHITECT & NFPA DUES-SHREEVE
		64.99	DOMAIN NAME RENEWALS
		112.00	EMERGENCY MANAGER'S ASSN DUES-STEFANSKI
		14.00	FACILITIES LINEN DRY CLEANING
		117.04	FOLDING CART
		226.93	HERITAGE MUSEUM SUPPLIES
		1,041.04	INNOV TRI-VALLEY EVENT, ELECTIONS GUIDE
		627.99	LEAGUE OF CA CITIES CONF EXPENSES- L. SMITH
		1,470.67	OFFICE SUPPLIES
		1,366.98	OFFICE SUPPLIES, PARKS & REC CONF REG-ELLIOTT
		316.73	OFFICE SUPPLIES, COMM EFFECTIVELY CLASS-TJENG
		630.86	PLANNING & ZONING PUBLICATIONS
		4,933.00	PLANNING COMM ACADEMY, PLANNING ASSN DUES
		2,732.19	POLICE SUPPLIES
		3,018.12	POLICE VEHICLE PAINTING D11 & D18
		76.70	POOL CAR MAINTENANCE
		991.30	PRESCHOOL & AFTERSCHOOL REC SUPPLIES
		438.89	PUBLIC WORKS SUPPLIES
		897.59	RISK MANAGEMENT ASSN CONF EXP-DHAWAL

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Date Issued	Payee		Amount	Description
			3,987.07	SOUND PANELS FOR INTERVIEW ROOMS
			1,765.30	ST. PATRICK'S FESTIVAL MUGS
			288.00	ST. PATRICK'S FESTIVAL PROMO ADS
			481.54	ST. PATRICK'S FESTIVAL TEA COTTAGE SUPPLIES
			1,838.95	THE WAVE CONCESSION EQUIPMENT
			444.91	THE WAVE SUPPLIES
			1,929.07	WEDDING FAIRS TRADE SHOW BOOTH
		Check Total:	47,662.98	
	Payments Issued 4/5/2022 Total:		**59,176.14**	
04/08/2022	DELTA DENTAL OF CALIFORNIA		12,707.22	DELTA DENTAL PREMIUM - APR 2022
04/08/2022	UNUM LIFE INS CO OF AMERICA		10,733.40	LIFE AND AD&D PREMIUM - APR 2022
04/08/2022	VISION SERVICE PLAN - (CA)		1,858.36	VISION INSURANCE PREMIUM - APR 2022
	Payments Issued 4/8/2022 Total:		**25,298.98**	
04/11/2022	ADVANCED INTEGRATED PEST		5,060.00	PEST CONTROL SERVICES MAR 2022
04/11/2022	ADVANCED MOBILITY GROUP		2,371.68	TASSAJARA RD ARTERIAL MGMT PROJECT
			1,275.00	TRAFFIC SIGNAL SYSTEMS SUPPORT
			1,912.50	TRAFFIC SIGNAL SYSTEMS SUPPORT
		Check Total:	5,559.18	
04/11/2022	ALAMEDA CO SHERIFF'S OFFICE		115.62	EVIDENCE STICKERS & LABELS
			21.43	NEIGHBORHOOD WATCH FLYER
			40.38	POLICE DECALS
			34.73	POLICE PRINTING SVCS-OT CARDS
			24.08	POSTER FOR MAKE CHANGE COUNT
			12.93	SOCIAL MEDIA FLYERS
		Check Total:	249.17	
04/11/2022	ALL CITY MANAGEMENT SVCS INC		15,004.44	CROSSING GUARD SERVICES - 02/20/22 TO 03/05/22
04/11/2022	AMP PRINTING, INC.		62.59	BUSINESS CARDS
			98.37	BUSINESS CARDS
			431.93	WINDOW ENVELOPES
		Check Total:	592.89	
04/11/2022	ARROW FIRE PROTECTION		1,434.46	FIRE EXTINGUISHER SERVICE
04/11/2022	AT&T - CALNET 3		308.03	SERVICE TO 03/26/2022
			133.68	SERVICE TO 03/27/2022
		Check Total:	441.71	
04/11/2022	BADAWI & ASSOCIATES		5,250.50	FINANCIAL AUDIT SERVICES FOR FY20-21
04/11/2022	BALDANZI, ROSEMARY		35.10	MILEAGE REIMBURSEMENT MAR 2022
04/11/2022	BFS LANDSCAPE ARCHITECTURE		10,172.50	FALLON SPORTS PARK DESIGN SVCS - PHASE 3
04/11/2022	BKF ENGINEERS		2,793.00	TASSAJARA RD GAP CLOSURE PROJECT
04/11/2022	BLAISDELL'S BUSINESS PRODUCTS		637.04	OFFICE SUPPLIES-FEB 2022
			1,991.25	OFFICE SUPPLIES-MAR 2022
		Check Total:	2,628.29	
04/11/2022	BROOKFIELD RESIDENTIAL		10,776.80	REFUND OF PERFORMANCE SECURITY CASH DEPOSIT
04/11/2022	BSK ASSOCIATES INC.		1,843.75	TESTING/INSP FALLON SPORTS PARK PH3
			824.50	TESTING/INSP HERITAGE PARK CEMETARY IMPROV
		Check Total:	2,668.25	
04/11/2022	BYOG		708.00	CRIME PREVENTION SUPPLIES - CITIZENS ACADEMY

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Date Issued	Payee		Amount	Description
04/11/2022	CALEHS		300.00	GENERATOR INSPECTION CIVIC CENTER
04/11/2022	CALLANDER ASSOCIATES INC.		6,940.38	WALLIS RANCH PARK DESIGN SERVICES
04/11/2022	CORWOOD CAR WASH, INC.		2,660.00	POLICE VEHICLE CAR WASHES NOV 2021-MAR 2022
04/11/2022	COULSON & ASSOCIATES		4,750.00	PLAN REVIEW WALLIS RANCH COMM PARK
04/11/2022	COUNTY OF ALAMEDA		72.00	ASSESSOR MAP UPDATES - MAR 2022
04/11/2022	DEAM, VALERIE		252.00	REC CLASS INSTRUCTOR
			504.00	REC CLASS ISNTRUCTOR
		Check Total:	756.00	
04/11/2022	DHADWAL, RENUKA		134.96	REIMB PARMA CONFERENCE EXPENSES
04/11/2022	DIPIETRO & ASSOC. INC		2,079.00	AED PROGRAM ANNUAL FEE - POLICE
04/11/2022	DSRSD		10,819.86	SERVICE TO 03/14/2022
04/11/2022	DUBLIN ARTS COLLECTIVE		580.00	PUBLIC ART SUPPLIES FOR ST. PATRICK'S FESTIVAL
04/11/2022	DUBLIN SAN RAMON SERVICES		3,285.00	COMMERCIAL/INDUSTRIAL IMPROVEMENT
04/11/2022	ENTERPRISE RENT A CAR		1,824.77	VEHICLE RENTAL-SPECIAL INVESTIGATIONS UNIT
04/11/2022	EVERYTHING GROWS INTERIOR		204.51	PLANT SERVICE APR 2022
04/11/2022	EZENNAYA, CHIDOZIE		400.00	CIVIC CENTER MEETING ROOM RENTAL DEPOSIT
04/11/2022	FERGUSON, ROBERT		436.20	REC CLASS INSTRUCTOR
04/11/2022	FRANKLIN, RHONDA		144.37	REIMB ICSC CONF EXPENSES-FRANKLIN
04/11/2022	GALANG, PIERRE		500.00	DJ/MC SERVICE FOR EGGSTRAVAGANZA 2022
04/11/2022	GALLEGOS, JEFFREY R.		27.52	REIMB FOR WORK CELLPHONE COVER
04/11/2022	GIRISH, VIDYA		156.00	REC CLASS INSTRUCTOR
04/11/2022	GLASS TECH OF OREGON		1,427.31	ST. PATRICK'S FESTIVAL MUGS W/LOGO
04/11/2022	HF&H CONSULTANTS, LLC		4,482.00	SOLID WASTE FRANCHISE AGREEMENT AMENDMENT
04/11/2022	INDEPENDENT, THE		1,300.00	ST. PATRICK'S DAY FESTIVAL ADS
04/11/2022	KEITH, BRIAN		52,500.00	HERITAGE PARK PUBLIC ART PROJECT
04/11/2022	KIDZ LOVE SOCCER		8,316.00	REC CLASS INSTRUCTOR
04/11/2022	KIMLEY-HORN AND ASSOC. INC.		777.50	TRAFFIC & ENGINEERING SERVICE
			7,295.85	TRAFFIC SIGNAL FIBER INTERCONNECT DESIGN
		Check Total:	8,073.35	
04/11/2022	KITTELSON & ASSOCIATES, INC.		10,165.00	CITYWIDE BIKE/PED MASTER PLAN UPDATE
04/11/2022	LEHR AUTO		285.00	POLICE VEHICLE MAINT & REPAIRS
04/11/2022	LEWIS SOFTWARE ASSOC. LLC		54.00	941 QUARTERLY RETURNS FILING SERVICE
04/11/2022	MINUTEMAN PRESS		288.30	ACTIVITY GUIDE/ SURVEY POSTCARDS
			53.55	ST. PATRICK'S FESTIVAL STAFF BADGES
		Check Total:	341.85	
04/11/2022	MNS ENGINEERS, INC.		5,347.50	FALLON SPORTS PARK PH3 PW INSPECTIONS
04/11/2022	PAKPOUR CONSULTING GROUP, INC.		18,950.00	CONSTRUCTION MGMT-FALLON SPORTS PARK PH3
04/11/2022	PERRY, SHELBY		26.27	MILEAGE REIMBURSEMENT MAR 2022
04/11/2022	PETIT, CHRISTINE		336.00	REC CLASS INSTRUCTOR
04/11/2022	PG&E		4,411.94	SERVICE TO 03/15/2022
			26,294.31	SERVICE TO 03/16/2022
			571.88	SERVICE TO 03/24/2022
			113.02	SERVICE TO 03/25/2022
			280.15	SERVICE TO 03/30/2022
		Check Total:	31,671.30	
04/11/2022	PGADESIGN INC.		3,911.00	HERITAGE PARK IMPROVEMENTS DESIGN SVCS
04/11/2022	PRUDENTIAL OVERALL SUPPLY		87.80	MAT SERVICE CIVIC CENTER
04/11/2022	QUADIENT LEASING USA, INC.		1,073.36	NEOPOST MAIL MACHINE LEASE JAN-MAR 2022
04/11/2022	QUADIENT, INC.		99.06	POLICE POSTAGE METER LEASE

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04/11/2022	REDWOOD TOXICOLOGY LAB. INC.	1,539.00	FORENSIC DRUG AND ALCOHOL EXAMS
04/11/2022	ROMO STUDIOS, LLC.	10,000.00	HERITAGE PARK PUBLIC ART PROJECT
04/11/2022	SENIOR SUPPORT PROGRAM	3,695.65	HUMAN SERVICES GRANT JAN-MAR 2022
04/11/2022	SIMPLER SYSTEMS, INC	1,500.00	APR 2022 SIMPLER SOFTWARE LICENSING
04/11/2022	SKATESATIONAL	1,125.00	REC CLASS INSTRUCTOR
04/11/2022	SMITH ART CONSERVATION	6,545.00	PUBLIC ART MAINTENANCE SERVICES
04/11/2022	SNG & ASSOCIATES INC.	277.50	ON-CALL PLAN REVIEW SERVICES-CIP/PARKS
04/11/2022	SOLIS, LISA	75.00	WELLNESS REIMBURSEMENT
04/11/2022	SQUAD ESTATES	456.00	REC CLASS INSTRUCTOR
04/11/2022	STUDIO BLUE REPROGRAPHICS	88.12	PRINTING SERVICES-CULTURAL ARTS CENTER PLANS
04/11/2022	SURF TO SNOW ENVIRONMENTAL	1,240.00	SPILL RESPONSE ASSISTANCE & MRP INSPECTION
04/11/2022	TREASURER ALAMEDA COUNTY	26,354.31	FUEL - JAN 2022
04/11/2022	TREASURER ALAMEDA COUNTY	30,996.75	TRAFFIC SIGNAL/STREET LIGHT MAINTENANCE
04/11/2022	TRI-VALLEY JANITORIAL INC.	22,002.75	JANITORIAL SERVICES MAR 2022
		30,228.39	JANITORIAL SERVICES-CAMP PARKS MAR 2022
	Check Total:	52,231.14	
04/11/2022	TYLER TECHNOLOGIES, INC.	7,000.00	TYLER MUNIS ERP SOFTWARE IMPLEMENTATION
04/11/2022	VISION COMMUNICATIONS CO	690.00	ST. PATRICK'S FESTIVAL RADIO RENTALS
04/11/2022	WESTERN PACIFIC SIGNAL LLC	9,709.99	TRAFFIC SIGNAL BATTERIES
04/11/2022	WETHERFORD, HAZEL	114.26	REIMB ICSC CONF EXPENSE-WETHERFORD
04/11/2022	WORLD CUP SOCCER CAMPS CLINICS	2,671.20	REC CLASS INSTRUCTOR
	Payments Issued 4/11/2022 Total:	**404,200.58**	
04/15/2022	CAL PERS	84,161.38	PERS RETIREMENT PLAN: PE 4/8/22
04/15/2022	EMPLOYMENT DEVELOPMENT DEPT	22,364.94	CA STATE WITHHOLDING: PE 4/8/22
04/15/2022	HEALTHEQUITY, INC.	2,990.37	HEALTHEQUITY: PE 4/8/22
04/15/2022	I C M A 401 PLAN	1,388.89	DEFERRED COMP 401A: PE 4/8/22
04/15/2022	I C M A 457 PLAN	28,166.58	DEFERRED COMP 457: PE 4/8/22
04/15/2022	INTERNAL REVENUE SERVICE	70,669.49	FEDERAL WITHHOLDING: PE 4/8/22
04/15/2022	US BANK - PARS	2,129.75	PARS: PE 4/8/22
	Payments Issued 4/15/2022 Total:	**211,871.40**	
04/19/2022	AMADOR VALLEY INDUSTRIES LLC	3,795,587.52	RESIDENTIAL REFUSE SERVICES FY21-22
04/19/2022	AMP PRINTING, INC.	62.63	BUSINESS CARDS
		443.17	WINDOW ENVELOPES
	Check Total:	505.80	
04/19/2022	AMY'S ENGRAVED SIGNS & AWARDS	159.86	COUNCIL NAMEPLATES
04/19/2022	ARORA, AKSHAY	30,359.98	REC CLASS INSTRUCTOR
04/19/2022	AT&T	1,754.27	PUBLIC SAFETY COMPLEX DATA SERVICES
		425.30	PUBLIC SAFETY DATA COMPLEX SERVICES
		49.53	SERVICES FOR TOLL-FREE NUMBER
	Check Total:	2,229.10	
04/19/2022	AT&T - CALNET 3	128.90	SERVICE TO 04/01/2022
		48.88	SERVICE TO 04/06/2022
	Check Total:	177.78	
04/19/2022	BAY AREA NEWS GROUP	606.48	LEGAL NOTICES MAR 2022
04/19/2022	BIG O'TIRES #7	35.00	POLICE VEHICLE MAINT & TIRE INSTALLATION
04/19/2022	BLUETOAD, INC.	750.00	SUMMER 2022 ACTIVITY GUIDE DIGITAL EDITION
04/19/2022	BRINKS, INC.	258.11	ARMORED CAR SERVICE MAR 2022

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04/19/2022	BSK ASSOCIATES INC.	2,919.25	TESTING/INSP FALLON SPORTS PARK PH3
04/19/2022	BYOG	374.85	CODE ENFORCEMENT ATTIRE
04/19/2022	CDW GOVERNMENT INC	4,221.52	COMPUTER EQUIPMENT
04/19/2022	CENTRO LEGAL	1,224.88	HUMAN SERVICES GRANT FEB 2022
04/19/2022	CHANDLER ASSET MANAGEMENT	13,312.58	INVESTMENT CONSULTING SERVICES
04/19/2022	COGENT COMMUNICATIONS, INC	2,219.00	CIVIC CENTER INTERNET SERVICE APR 2022
04/19/2022	COMCAST	2,300.00	CIVIC CENTER & FIRE STATION INTERNET
04/19/2022	COMCAST	114.02	CIVIC CENTER CABLE SERVICE APR 2022
04/19/2022	CONVERGEONE, INC.	8,356.37	PROFESSIONAL SERVICES FOR SIP ROUTER
04/19/2022	CSMFO	110.00	MEMBERSHIP-HISATOMI
04/19/2022	DAHLIN GROUP INC	3,150.00	DESIGN SERVICES CIVIC CENTER RENOVATION
		1,095.00	SENIOR CENTER WALL REPAIR ASSESSMENT
	Check Total:	4,245.00	
04/19/2022	DEPARTMENT OF JUSTICE	320.00	FINGERPRINTING SERVICES - MAR 2022
04/19/2022	DUBLIN HISTORICAL PRESERVATION	5,000.00	ST. PATRICK'S DAY COMMUNITY PROMOTION
04/19/2022	DUTCHOVER & ASSOCIATES	1,782.50	LANDSCAPE PLAN CHECK & INSPECTIONS
04/19/2022	EARL ANTHONY BOWLING, INC	1,000.00	2022 PRO BOWLER ASSN TOUR SPONSOR
04/19/2022	EAST BAY POOL SERVICE, INC.	1,008.00	THE WAVE POOL CHEMICALS
		8,620.00	WATERPARK MONTHLY SERVICE
	Check Total:	9,628.00	
04/19/2022	ELITE AUTO GLASS INC	342.94	POLICE VEHICLE WINDOW REPLACEMENT
04/19/2022	ENGEO INC	157.50	FALLON CROSSING GHAD PROFESSIONAL SVCS
		5,725.46	FALLON VILLAGE GHAD PROFESSIONAL SVCS
		8,722.84	SCHAEFER RANCH GHAD PROFESSIONAL SVCS
	Check Total:	14,605.80	
04/19/2022	EUROPEAN MOBILE WERKS	3,042.76	POLICE VEHICLE MAINTENANCE & REPAIR
04/19/2022	FEDEX	24.73	EXPRESS SHIPPING
04/19/2022	FRANKLIN, RHONDA	38.61	MILEAGE REIMBURSEMENT MAR 2022
04/19/2022	GATES & ASSOCIATES, INC., DAVID L.	1,231.86	ALAMO CREEK FENCE DESIGN SERVICES
04/19/2022	GAUSMAN, ROBERT	50.00	ST. PATRICK'S FESTIVAL ENTERTAINMENT
04/19/2022	HEALTHEQUITY, INC.	380.75	FLEXIBLE SPENDING ACCOUNT FEES -MAR 2022
04/19/2022	KIDZ LOVE SOCCER	792.00	REC CLASS INSTRUCTOR
04/19/2022	LANGUAGE LINE SERVICES	152.32	LANGUAGE LINE SERVICES MAR 2022
04/19/2022	LEGAL ASSISTANCE FOR SENIORS	1,754.58	HUMAN SERVICES GRANT FY21-22
04/19/2022	MANAGEMENT PARTNERS INC.	440.00	CITY MANAGER EVALUATION 2022
04/19/2022	MARK THOMAS & COMPANY, INC.	2,062.68	IRON HORSE TRAIL CROSSING DESIGN SVCS
04/19/2022	MENDEZ, JENNIFER	92.28	REIMB FOR ST. PATRICK'S FESTIVAL BOOTH SUPPLIES
04/19/2022	MNS ENGINEERS, INC.	3,480.50	IRON HORSE TRAIL BRIDGE AT DUBLIN BLVD
04/19/2022	OFFICE TEAM	740.52	TEMPORARY STAFF FOR RECORDS PROJECT
04/19/2022	ORIGINAL WATERMEN, INC.	2,548.26	THE WAVE STAFF UNIFORMS
04/19/2022	PAKPOUR CONSULTING GROUP, INC.	24,200.00	CONSTRUCTION MGMT-DON BIDDLE COMM PARK
04/19/2022	PG&E	1,230.65	SERVICE TO 03/13/2022
		6,983.87	SERVICE TO 03/15/2022
		123.32	SERVICE TO 03/28/2022
		2,567.49	SERVICE TO 03/29/2022
		6,692.72	SERVICE TO 03/30/2022
		1,535.95	SERVICE TO 03/31/2022
		170.72	SERVICE TO 04/01/2022

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	Check Total:	19,304.72	
04/19/2022	PGADESIGN INC.	4,475.00	HERITAGE PARK IMPROVEMENTS DESIGN SVCS
04/19/2022	QAADRI, KASHEF	88.33	REIMB PLANNING COMMISSIONERS ACADEMY EXPENSES
04/19/2022	SAM THATTE VISUAL COMMUNICATIO	10,500.00	2022 STATE OF THE CITY PRESENTATION
04/19/2022	SELECT IMAGING	1,575.43	MASON JARS FOR CITY COUNCIL EVENT
		105.84	WEATHERPROOF STICKERS FOR WASTE RECEPTACLES
	Check Total:	1,681.27	
04/19/2022	SHAMROCK OFFICE SOLUTIONS, LLC	2,107.23	COPIER CHARGES
04/19/2022	SHIR MARTIAL ARTS	416.50	REC CLASS INSTRUCTOR
04/19/2022	SIERRA DISPLAY, INC.	9,093.89	40TH ANNIVERSARY BANNERS
04/19/2022	STANFORD HEALTH -VALLEYCARE	105.00	EMPLOYEE ONBOARDING MEDICAL SERVICES
04/19/2022	STANTEC CONSULTING SVCS INC.	27,628.00	CEQA DOC PREP-DUBLIN SENIOR LIVING
04/19/2022	STERICYCLE, INC.	223.64	EVIDENCE DISPOSAL - BIOHAZARD
04/19/2022	SWINERTON MANAGEMENT	5,424.00	PLAN/CONSTR REVIEW CULTURAL ARTS CENTER
04/19/2022	TPX COMMUNICATIONS	2,855.67	INTERNET & PHONE SERVICES TO 03/09/22
04/19/2022	TREASURER ALAMEDA COUNTY	3,688,472.66	DUBLIN POLICE SERVICES 12/26/21-02/19/22
04/19/2022	TRI-VALLEY COMMUNITY TV	909.51	RECORD/TELEVISE CITY COUNCIL/PLNG COMM MTGS
04/19/2022	TYLER TECHNOLOGIES, INC.	14,425.00	TYLER MUNIS ERP SOFTWARE IMPLEMENTATION
04/19/2022	VERIZON WIRELESS	1,748.46	POLICE SITCAM SIM CARDS TO 4/3/22
04/19/2022	WESCO GRAPHICS INC	10,222.32	CITY REPORT & ACTIVITY GUIDE PRINTING
04/19/2022	WESTEK SYSTEMS INC.	1,621.44	AMAG SOFTWARE MAINT & SUPPORT
04/19/2022	WILLDAN HOMELAND SOLUTIONS	1,635,952.25	ENERGY EFFICIENCY/INFRASTRUCTURE IMPROVEMENTS
	Payments Issued 4/19/2022 Total:	**9,381,033.08**	
04/20/2022	TRIVALLEY BMR, LLC	300,000.00	CONSTRUCT OPEN HEART KITCHEN AT VINEYARD 2.0
	Payments Issued 4/20/2022 Total:	**300,000.00**	
04/26/2022	4LEAF INC.	280.00	ENGINEERING SERVICES - JAN 2022
04/26/2022	ADVANCED MOBILITY GROUP	1,425.00	TASSAJARA RD ARTERIAL MGMT PROJECT
		825.00	TRAFFIC SIGNAL SYSTEMS SUPPORT SVCS
	Check Total:	2,250.00	
04/26/2022	ALAMEDA COUNTY FIRE DEPARTMENT	1,239,753.25	FIRE SERVICES APR 2022
04/26/2022	ALTA AMERICAN POOLS, INC.	2,174.00	REFUND ZONE 7 FEE FOR BUILDING PERMIT
04/26/2022	BAY ALARM COMPANY	41.00	ALARM SERVICES - HERITAGE PARK
		727.41	ALARM SERVICES - SHANNON CENTER
	Check Total:	768.41	
04/26/2022	BAY AREA AIR QUALITY MGMT DIST	444.00	ANNUAL GENERATOR PERMIT RENEWAL F/S 18
04/26/2022	BAY ISLAND OFFICIAL ASSOC	915.00	SPORTS OFFICIATING
		6,785.00	SPORTS OFFICIATING FOR JUNIOR WARRIORS
	Check Total:	7,700.00	
04/26/2022	BEST PRINT GRAPHICS INC.	4,999.83	THE WAVE SIGNAGE OF RULES
04/26/2022	BROOKFIELD RESIDENTIAL	16,031.00	REFUND OF PERFORMANCE SECURITY CASH BOND
04/26/2022	BSK ASSOCIATES INC.	5,614.50	TESTING/INSP DON BIDDLE COMMUNITY PARK
04/26/2022	CAL ENGINEERING & GEOLOGY INC	8,628.75	ENGINEERING SERVICES FEB 2022
04/26/2022	CALIFORNIA BUILDING STANDARDS	2,147.40	GREEN BUILDING FEES JAN-MAR 2022
04/26/2022	CONTRACT SWEEPING SERVICES	21,540.64	STREET SWEEPING SERVICES MAR 2022
04/26/2022	COOKING ROUND THE WORLD	990.00	REC CLASS INSTRUCTOR
04/26/2022	CUBIC ITS, INC.	398.62	TRAFFIC SIGNAL SUPPLIES
04/26/2022	DEAM, VALERIE	957.60	REC CLASS INSTRUCTOR

City of Dublin
Payment Issuance Report
Payments Dated 4/1/2022 through 4/30/2022

Date Issued	Payee	Amount	Description
04/26/2022	DUBLIN CHEVROLET	700.00	POLICE VEHICLE MAINT & REPAIRS
04/26/2022	DUBLIN CYCLERY	5,000.00	COMMERCIAL FACADE IMPROVEMENT GRANT REIMB
04/26/2022	DUBLIN SAN RAMON SERVICES	225.00	INSPECTION FEE FOR A BACKFLOW ASSEMBLY
04/26/2022	DUBLIN UNIFIED SCHOOL DISTRICT	32,046.00	AFTERSCHOOL REC CUSTODIAL USAGE AUG-DEC 2021
04/26/2022	DWYER, ANDREA	80.26	MILEAGE REIMBURSEMENT MAR 2022
04/26/2022	EAST BAY POOL SERVICE, INC.	840.00	POOL CHEMICALS
		3,565.02	POOL MAINTENANCE FOR THE WAVE
	Check Total:	4,405.02	
04/26/2022	ELLIOTT, ELIZABETH	128.35	MILEAGE REIMBURSEMENT MAR 2022
04/26/2022	EUROPEAN MOBILE WERKS	5,287.10	POLICE VEHICLE MAINTENANCE & REPAIR
04/26/2022	EVERBRIDGE, INC.	5,000.00	EMERGENCY ALERT SOFTWARE
04/26/2022	EVERPRO KIDS	891.00	REC CLASS INSTRUCTOR
04/26/2022	FARAHMAND, AMIR	754.53	MILEAGE REIMBURSEMENT MAR 2022
04/26/2022	FORD TIMING	3,181.76	SHAMROCK 5K FUN RUN TIMING
04/26/2022	GATES & ASSOCIATES, INC., DAVID L.	6,866.00	ENGINEERING SERVICES-IMAGINE PLAYGROUND
04/26/2022	GHD, INC.	660.00	SPEED LIMIT ENGINEERING/TRAFFIC SURVEYS
04/26/2022	GOLDEN STATE WARRIORS LLC	11,430.00	JUNIOR WARRIORS UNIFORMS
04/26/2022	ICITYWORK	1,483.20	CIP & DEVELOPER WEBSITE MANAGEMENT
04/26/2022	INTEGRA PLANNING & LANDSCAPE	875.00	ENGINEERING SERVICES - FEB 2022
04/26/2022	JAM SERVICES INC	3,969.00	TRAFFIC SIGNAL SUPPLIES
04/26/2022	JAVORSKY, KYLE	117.23	MILEAGE REIMBURSEMENT MAR 2022
04/26/2022	KEYSER MARSTON ASSOCIATES, INC	4,999.00	ASSISTED LIVING FISCAL ANALYSIS
04/26/2022	LEHR AUTO	285.00	POLICE VEHICLE MAINT & REPAIRS
04/26/2022	LOGOBOSS	16,581.72	SHAMROCK 5K FUN RUN SHIRTS
04/26/2022	MAKE ME A PRO SPORTS	4,050.00	REC CLASS INSTRUCTOR
04/26/2022	MCE CORPORATION	9,497.42	LANDSCAPE MAINTENANCE DSRSD MAR 2022
04/26/2022	METRO SECURITY SERVICES	2,430.00	ST. PATRICK'S FESTIVAL SECURITY SERVICES
04/26/2022	MEYERS NAVE	1,200.00	LEGAL SERVICES COST ONLY INVOICE FEB 2022
		63,534.44	LEGAL SERVICES FEB 2022
	Check Total:	64,734.44	
04/26/2022	MNS ENGINEERS, INC.	1,550.00	CONSTR MGMT/INSP-EV CHARGING STATIONS
		12,322.50	DON BIDDLE COMMUNITY PARK INSPECTIONS
		4,831.07	INSPECTIONS/CONSTR MGMT SR RD TRAIL LIGHTING
		13,151.50	IRON HORSE TRAIL BRIDGE AT DUBLIN BLVD
	Check Total:	31,855.07	
04/26/2022	MY JEEP CHRYSLER DODGE RAM	30,733.05	POLICE VEHICLE REPLACEMENT D15
04/26/2022	NOVANI, LLC.	3,000.00	TRAFFIC ENGINEERING SERVICES
04/26/2022	OSMER, TAYLOR	38.14	MILEAGE REIMBURSEMENT MAR 2022
		29.40	MILEAGE REIMBURSEMENT OCT 2021
	Check Total:	67.54	
04/26/2022	PAKPOUR CONSULTING GROUP, INC.	2,170.00	ENGINEERING SERVICES - FEB 2022
04/26/2022	PETIT, CHRISTINE	273.60	REC CLASS INSTRUCTOR
04/26/2022	PRECISION DYNAMICS CORPORATION	3,224.04	WATERPARK SEASONAL OPERATING SUPPLIES
04/26/2022	PRUDENTIAL OVERALL SUPPLY	87.80	MAT SERVICE - CIVIC CENTER
		294.80	MAT SERVICE - SHANNON CENTER
	Check Total:	382.60	
04/26/2022	QUADIENT FINANCE USA, INC.	292.90	POSTAGE FOR POLICE DEPT - FEB 2022
04/26/2022	QUENCH USA, INC.	82.69	WATER FILTER SYSTEMS MAINTENANCE
		148.84	WATER FILTER SYSTEMS FILTER CHANGE

City of Dublin
Payment Issuance Report
Payments Dated 4/1/2022 through 4/30/2022

Date Issued	Payee	Amount	Description
	Check Total:	231.53	
04/26/2022	RAYNE OF SAN JOSE	177.90	WATER SOFTENER SERVICE-FIRE STATION 16
		149.35	WATER SOFTENER SERVICE-FIRE STATION 18
	Check Total:	327.25	
04/26/2022	REGISTER, INGRID	300.00	EGGSTRAVAGANZA ENTERTAINMENT
04/26/2022	RUSSELL, ANDREW	158.00	REIMB PUBLIC WORK CONF EXPENSES
04/26/2022	SAN FRANCISCO ELEVATOR SVC INC	394.70	ELEVATOR MAINTENANCE/INSPECTION APR 2022
04/26/2022	SHADESCAPES AMERICAS, INC.	21,957.78	WAVE ROOF COVERS
04/26/2022	SHUMS CODA ASSOCIATES INC	375.00	PLAN CHECK SERVICES MAR 2022
04/26/2022	SKATESATIONAL	90.00	REC CLASS INSTRUCTOR
04/26/2022	SQUAD ESTATES	5,943.00	REC CLASS INSTRUCTOR
04/26/2022	STARSPORTS	1,462.74	ADULT SOFTBALL EQUIPMENT
04/26/2022	STONE, ROBERT	28.78	MILEAGE REIMBURSEMENT MAR 2022
04/26/2022	SUSTAINABLE LIVING BUILDERS	68.40	REFUND BUILDING PERMIT FEE
04/26/2022	TRB AND ASSOCIATES, INC.	50,856.25	BLDG INSP/PLAN CHECK & CODE ENF SVCS
04/26/2022	TREASURER ALAMEDA COUNTY	15,201.12	FUEL
04/26/2022	TREASURER ALAMEDA COUNTY	45,447.26	TRAFFIC SIGNAL/ STREET LIGHT MAINT FEB 2022
04/26/2022	TRI-VALLEY JANITORIAL INC.	150.00	JANITORIAL SERVICES-CAMP PARKS MAR 2022
04/26/2022	UNITED SITE SERVICES OF CA INC	725.87	BLDG INSP TRAILER SEPTIC TANK SERVICES
04/26/2022	UNIVAR SOLUTIONS	1,051.83	THE WAVE POOL CHEMICALS
04/26/2022	UNIVERSAL BUILDING SERVICES &	558.00	CARPET CLEANING - THE WAVE
		566.00	CARPET CLEANING SERVICES - CIVIC CENTER
		240.00	CARPET CLEANING SERVICES - LIBRARY
		660.00	CARPET CLEANING SERVICES - SENIOR CENTER
		1,142.00	CARPET CLEANING SERVICES - SHANNON CENTER
		200.00	WINDOW CLEANING - CIVIC CENTER
		900.00	WINDOW CLEANING - THE WAVE
	Check Total:	4,266.00	
04/26/2022	UPADHYAY, NIYANT	176.37	MILEAGE REIMBURSEMENT MAR 2022
04/26/2022	VASUDEVAN, PRIYA	240.00	REC CLASS INSTRUCTOR
04/26/2022	VERIZON WIRELESS	678.96	POLICE VEHICLE MODEMS & CITY CELLPHONES
04/26/2022	WANZENRIED, NICOLE	148.47	MILEAGE REIMBURSEMENT MAR 2022
04/26/2022	WC3-WEST COAST CODE CONSULTANT	7,322.50	PLAN CHECK SERVICES MAR 2022
04/26/2022	WEE HOOP, INC.	1,591.20	REC CLASS INSTRUCTOR
04/26/2022	WORKFORCE INTEGRITY &	5,469.30	COMMNITY WORKFORCE AGREEMENT ADMIN SVCS
04/26/2022	YASH'S PIZZA CORP	854.19	THE WAVE BIRTHDAY PARTY PIZZAS
	Payments Issued 4/26/2022 Total:	**1,737,870.33**	
04/29/2022	DSRSD	149,016.25	SERVICE TO 3/31/2022
	Payments Issued 4/29/2022 Total:	**149,016.25**	

Grand Total for Payments Dated 4/1/2022 through 4/30/2022: 13,403,784.56

Total Number of Payments Issued: 270

Agenda Item 4.8

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Local Housing Trust Fund Program Grant Application
Prepared by: Kristie Wheeler, Assistant Community Development Director

EXECUTIVE SUMMARY:

The City Council will consider adoption of a Resolution authorizing the City Manager to submit an application and receive up to $3,333,333 in grant funds from the State of California's Local Housing Trust Fund (LHTF) Program. The purpose of the LHTF Program is to provide matching funds to local and regional housing trust funds dedicated to the creation, rehabilitation, or preservation of affordable housing, transitional housing and emergency shelters. If awarded, the grant funds will be used to help fund Phase 1 of the Amador Station affordable rental housing project proposed by BRIDGE Housing at 6501 Golden Gate Drive.

STAFF RECOMMENDATION:

Adopt the **Resolution** Authorizing Application for, and Receipt of, Local Housing Trust Fund Program Funds.

FINANCIAL IMPACT:

The LHTF Program requires a minimum one-to-one match from eligible local housing trust funds and awards maximum points for applications proposing a three-to-one match. On April 21, 2021, the City Council appropriated $7.1 million from the City's Affordable Housing Fund and authorized the commitment of $2.9 million in Alameda County Measure A-1 Funds from Dublin's Base City Allocation to BRIDGE Housing for Phase 1 of the Amador Station affordable rental housing project (Resolution No. 36-21). This would provide a three-to-one match. Additionally, Staff time is required to prepare the grant application and administer the receipt and disbursement of the grant funds.

DESCRIPTION:

Background

The LHTF Program is funded by the Veterans and Affordable Housing Bond Act of 2018 (Proposition 1) and administered by the California Department of Housing and Community Development (HCD). HCD will allocate up to $300 million of the bond proceeds over a number of years to provide matching funds to local and regional housing trust funds dedicated to the creation, rehabilitation, or preservation of affordable housing, transitional housing, and emergency shelters. Funds allocated from the City's Affordable Housing Fund and Alameda County Measure A-1 Bond Fund qualify as local housing trust funds.

A Notice of Funding Availability (NOFA) was released on April 5, 2022, for approximately $57 million in funds from the LHTF Program with an application deadline of May 25, 2022. The program provides grants of up to $5 million. Grants are awarded on a competitive basis using certain criteria to rate application submittals. Amongst other requirements, the City Council must adopt a Resolution authorizing the City Manager to submit an application and receive grant funds from the LHTF Program (Attachment 1). In addition, the application must identify an eligible project, provide matching funds, and make a commitment to housing affordability. Staff is proposing to request a grant of $3,333,333 for Phase 1 of Amador Station/BRIDGE Housing project as further discussed below.

Eligible Project

Staff proposes to submit a grant application for Phase 1 of the Amador Station affordable rental housing project proposed by BRIDGE Housing on a 3.6-acre site located at 6501 Golden Gate Drive. The Amador Station project includes 300 affordable units in two separate buildings in two phases, including 136 units in Phase 1 and 164 units in Phase 2. On April 21, 2021, the City Council appropriated $7.1 million from the City's Affordable Housing Fund and authorized the commitment of $2.9 million in Alameda County Measure A-1 Funds from Dublin's Base City Allocation to BRIDGE Housing for Phase 1 of the Amador Station affordable rental housing project (Resolution No. 36-21). On August 10, 2021, the Planning Commission approved a Site Development Review Permit for the proposed project. In addition, on September 21, 2021, the City Council approved a Community Benefit Program Agreement for the proposed project allocating residential units from the Downtown Dublin Specific Plan Development Pool.

Commitment of Housing Affordability

Phase 1 of the Amador Station project would meet the required LHTF Program affordability criteria. One hundred percent of the 136 units (excluding two manager's units) in Phase 1 would be affordable to households earning an average of no more than 43% of area median income (AMI). In addition, BRIDGE Housing has committed that a minimum of 41 units in Phase 1 of the project would be set aside for homeless persons, persons at risk of becoming homeless, and persons with special needs.

Matching Funds for Project

The LHTF Program requires a minimum one-to-one local match of funds and maximum points are awarded to applications that include a three-to-one match. As noted above, the City Council appropriated $7.1 million from the City's Affordable Housing Fund and committed $2.9 million in

Alameda County Measure A-1 Funds to Phase 1 of the Amador Station affordable rental housing project. The total match of $10 million equals three times the $3,333,333 grant request in the proposed LHTF Program grant application. The requested amount is based on the project need and the opportunity to leverage the local funds to maximize the competitiveness of the application.

ENVIRONMENTAL REVIEW:

The Resolution authorizing the City Manager to submit an application and receive grant funds from the LHTF Program is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 as the application does not meet CEQA's definition of a "project" and would not result in either a direct physical change, or a reasonably foreseeable indirect physical change in the environment.

STRATEGIC PLAN INITIATIVE:

Strategy 3: Create More Affordable Housing Opportunities
Objective A: Facilitate production of affordable housing for lower income seniors, workforce and special needs households by leveraging the Alameda County Measure A-1 Bond funds and the City's Affordable Housing Fund.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council agenda was posted.

ATTACHMENTS:

1) Resolution Authorizing Application for, and Receipt of, Local Housing Trust Fund Program Funds

RESOLUTION NO. xx-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL HOUSING TRUST FUND PROGRAM FUNDS

WHEREAS, a necessary quorum and majority of the Council members of the City of Dublin ("Applicant") hereby consents to, adopts and ratifies this resolution; and

WHEREAS, the State of California (the "State") Department of Housing and Community Development ("Department") is authorized to provide up to $57 million under the Local Housing Trust Fund ("LHTF") Program from the Veterans and Affordable Housing Bond Act of 2018 (Proposition 1) (as described in Health and Safety Code section 50842.2 et seq. (Chapter 365, Statutes of 2017 (SB 3)) ("Program"); and

WHEREAS, the Department issued a Notice of Funding Availability ("NOFA") dated April 5, 2022, under the LHTF Program; and

WHEREAS, the Applicant is an eligible Local Housing Trust Fund applying to the Program to administer one or more eligible activities using Program Funds; and

WHEREAS, the Department may approve funding allocations for the LHTF Program, subject to the terms and conditions of Health and Safety Code Section 50842.2, the LHTF Program Guidelines, NOFA, Program requirements, the Standard Agreement and other related contracts between the Department and LHTF award recipients.

NOW, THEREFORE, BE IT RESOLVED, the Dublin City Council confirms that**:**

SECTION 1. If the Applicant receives an award of LHTF funds from the Department pursuant to the above referenced LHTF NOFA, it represents and certifies that it will use all such funds on Eligible Projects in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including, without limitation, all rules and laws regarding the LHTF Program, as well as any and all contracts the Applicant may have with the Department ("Eligible Project").

SECTION 2. The City of Dublin is hereby authorized to act as the trustee/manager in connection with the Department's funds to Eligible Projects pursuant to the above-described NOFA in an amount not to exceed $3,333,333 (the "LHTF Award").

SECTION 3. Applicant hereby agrees to match on a dollar-for-dollar basis the LHTF Award pursuant to Guidelines Section 104. Applicant hereby agrees to utilize matching finds on a dollar-for-dollar basis for the same Eligible Project for which Program Funds are used, as required by HSC Section 50843.5(c).

SECTION 4. Pursuant to Attachment 1 and the Applicant's certification in this Resolution, the LHTF funds will be expended only for Eligible Projects and consistent with all program requirements.

SECTION 5. Nonprofit Housing Trust Funds and Native American Tribe Housing Trust Funds agree to use Program Funds only for Eligible Projects located in cities and counties that submitted an adopted Housing Element that was found by the Department to be in compliance and that have submitted their Housing Element Annual Progress Report (APR) for the current year or prior year by the application due date.

SECTION 6. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, H&S Section 50842.2 and LHTF Program Guidelines.

SECTION 7. The City Manager, Linda Smith, is authorized to execute the LHTF Program Application, the LHTF Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the LHTF Award to Applicant, as the Department may deem appropriate.

PASSED, APPROVED, AND ADOPTED by the Dublin City Council on this 17th day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Mayor

CERTIFICATE OF THE ATTESTING OFFICER

The undersigned, City Clerk of the City of Dublin does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of the Dublin City Council, which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

ATTEST:

_____

City Clerk

ATTACHMENTS:

1. Summary of City of Dublin Commitment of Funding

Attachment 1:

Summary of City of Dublin Commitment for Use of the Local Housing Trust Fund Program Funds and Matching Funds

The City of Dublin's Local Housing Trust Fund (LHTF) match and 100 percent of the requested LHTF Program funds will be used for a project proposed by BRIDGE Housing for 136 affordable rental units on an approximately 1.3-acre site located at 6501 Golden Gate Drive. The Dublin City Council has appropriated $7.1 million from the City's LHTF and committed $2.9 million in Alameda County Measure A-1 Bond funds to the project contingent upon project financing. In addition, the project has received its necessary entitlements. Excluding two manager's units, 100 percent of the project would be affordable to households earning an average of no more than 43 percent of area median income (AMI). BRIDGE Housing has committed that a minimum of 41 units in the project would be set aside for homeless persons, persons at risk of becoming homeless, and persons with special needs.

Agenda Item 4.9

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: City Treasurer's Informational Report of Investments for the Quarter Ending March 31, 2022
Prepared by: Chris Rhoades, Financial Analyst

EXECUTIVE SUMMARY:

The City Council will receive an informational report of the City's investments through the quarter ending March 31, 2022 including a monthly transaction ledger. The City's investment portfolio for this period totaled $370,906,101 (market value) with an average market yield of 1.62%. 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 March 31, 2022.

FINANCIAL IMPACT:

There is no financial impact resulting from this report. Investments are made in accordance with the City Investment Policy and State Law. Interest earned is apportioned between funds (i.e., General Fund, Gas Tax Fund, etc.) based upon their proportionate share of the total cash balance. Based on the financial needs of the City including the timing of revenues and expenditures, the quarterly cash balance can vary from quarter to quarter.

DESCRIPTION:

The total investment portfolio (market value) consists of $240,783,265 managed by Chandler Asset Management (Chandler), and $130,122,836 invested by the City in local government pools, the Local Agency Investment Fund (LAIF) and the California Asset Management Program (CAMP). The average market yield of the Chandler portfolio and the local pools was 2.38% and 0.21% respectively.

The total investment portfolio balance fluctuates throughout the year due to normal cash flow needs and includes both discretionary and restricted funds.

Economic Update Highlights

The following are some highlights from the Economic Update included in the Investment Report prepared by Chandler (Attachment 1).

The Russian invasion into Ukraine and resulting Western sanctions on Russia have fueled volatility in financial markets. The latest escalation has exacerbated inflationary pressures, particularly in energy and commodities, and has caused tightening conditions in financial markets. While consumer spending and economic growth remain strong, Chandler believes an extended conflict in Eastern Europe along with elevated energy prices increases the risk of an economic slowdown later this year. While Chandler expects the Fed to tighten monetary policy, the Federal Open Market Committee (FOMC) has very little margin for error as it attempts to combat inflation without pushing the economy into a recession. Over the near-term, Chandler expects financial market volatility to remain elevated and conditions to remain tighter with heightened geopolitical risk, supply chain bottlenecks and persistent inflation, and the Fed's pivot to less accommodative monetary policy.

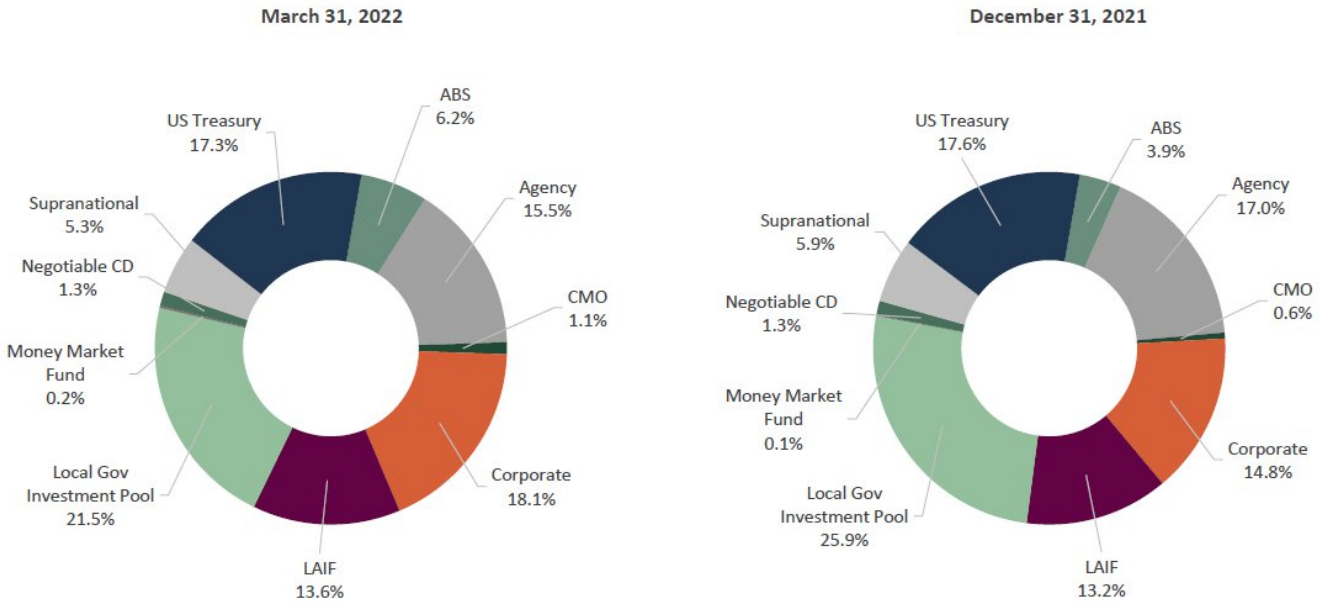
The FOMC raised the federal funds rate by 0.25% at their March 16th meeting to a target range of 0.25% to 0.50%. The Federal Reserve also ended their bond-buying program as expected in March, which included the purchase of treasury and agency mortgage-backed securities. Chandler is anticipating additional rates hikes by the Fed this year but does not believe that monetary policy is on a pre-set course and expect the Fed's policy adjustments will depend on developments in the economy.

In March, yields increased dramatically, and the curve continued to flatten. While the flat yield curve bears watching over the longer run, the spread between 3-month and 10-year treasuries is still steep at about 185 basis points, which indicates likely economic growth in the coming year.

City of Dublin Portfolio

The City's aggregate portfolio has maintained a healthy balance of investment types with minimal change from the prior quarter as shown below in Chart 1.

Chart 1: Investments by Type
March 31, 2022 and December 31, 2021



The market value of the City's portfolio decreased by $11,616,776 from the December 31, 2021 quarter. The quarterly change results from the normal fluctuations in the timing of incoming revenue, predominantly the receipt of property tax allocations, and sales tax revenue; and expenditures on Capital Projects; as well as payments to Alameda County for Police and Fire Services. The City's portfolio increased $49.0 million from the same quarter the prior year due to the excess of revenues over expenditures trending on an annual basis (see Table 1 below). Overall market yield-to-maturity stays has increased to 1.62% over the prior quarter's 0.60% (shown in Table 2) due to the factors discussed in the Economic Update Highlights. For detailed monthly transactions, see Attachment 2.

Table 1: Portfolio Values and Yield to Maturity

Holdings	March 31, 2021 Market Value	December 31, 2021 Market Value	March 31, 2022 Par Value	Book Value	Market Value	% of Subtotal	% of Total Portfolio	Book Yield	Market Yield
Managed by City									
LAIF	50,268,759	50,395,433	50,424,445	50,424,445	50,424,445	38.8%	13.4%	0.42%	0.42%
CAMP	45,517,393	99,038,042	79,661,872	79,661,872	79,661,872	61.2%	21.2%	0.07%	0.07%
SUBTOTAL	95,786,151	149,433,475	130,086,317	130,086,317	130,086,317	100.00%	34.57%	0.21%	0.21%
Accrued Interest	51,201	26,613			36,519				
	95,837,352	149,460,088			130,122,836				
Managed by Chandler									
ABS	7,785,198	14,715,444	23,327,438	23,325,374	22,814,841	9.5%	6.2%	1.05%	2.54%
Agency	78,831,782	64,567,126	58,320,000	58,581,085	57,293,846	23.9%	15.5%	1.61%	2.27%
CMO	-	2,102,544	4,000,000	4,200,834	4,052,552	1.7%	1.1%	1.35%	2.67%
Money Market	7,546,801	287,150	632,736	632,736	632,736	0.3%	0.2%	0.01%	0.01%
Negotiable CD	-	4,996,560	5,000,000	5,000,068	4,978,673	2.1%	1.3%	0.23%	1.23%
Supranational	14,391,293	22,424,573	20,740,000	20,705,963	19,609,525	8.2%	5.5%	0.85%	2.45%
Corporate	48,771,479	56,130,717	67,970,000	68,493,227	66,644,264	27.8%	18.1%	1.97%	2.60%
US Treasury	67,900,673	66,952,848	66,250,000	66,143,687	63,976,891	26.7%	17.6%	1.46%	2.27%
SUBTOTAL	225,227,225	232,176,962	246,240,174	247,082,973	240,003,327	100.00%	65.43%	1.52%	2.38%
Accrued Interest	796,190	885,828			779,938				
	226,023,415	233,062,790			240,783,265				
TOTAL PORTFOLIO	321,860,767	382,522,878	376,326,491	377,169,290	370,906,101		100.00%		1.62%
			Change from Prior Year		49,045,334				
			Change from Prior Quarter		(11,616,776)				

Table 2: Quarterly Holdings (Market Value) by Type, and YTM, 5 Quarters

Holdings (Market Value)	3/31/21	6/30/21	9/30/21	12/31/21	3/31/22
LAIF/CAMP	95,786,151	97,647,167	93,494,034	149,433,475	130,086,317
ABS	7,785,198	9,835,052	13,665,558	14,715,444	22,814,841
Agency	78,831,782	75,581,659	65,306,279	64,567,126	57,293,846
CMO	-	-	2,138,464	2,102,544	4,052,552
Money Market	7,546,801	756,163	809,873	287,150	632,736
Negotiable CD	-	2,499,825	2,500,588	4,996,560	4,978,673
Supranational	14,391,293	19,043,767	22,656,506	22,424,573	19,609,525
Corporate	48,771,479	54,161,172	57,831,563	56,130,717	66,644,264
US Treasury	67,900,673	71,745,729	68,951,352	66,952,848	63,976,891
Accrued Interest	*847,391*	*988,596*	*773,887*	*912,441*	*816,458*
TOTAL	321,860,767	332,259,129	328,128,102	382,522,878	370,906,101
YIELD TO MATURITY	0.39%	0.39%	0.44%	0.60%	1.62%

Funds Managed by the City

The City participates in two local agency investment pools managed by government finance professionals and treasurers: the Local Agency Investment Fund (LAIF) and the California Asset Management Program (CAMP).

Table 3: Quarterly Portfolio Yields, Recent 8 Quarters

Market Yield	LAIF	CAMP	Chandler
3/31/20	1.74%	1.50%	0.89%
6/30/20	1.15%	0.48%	0.36%
9/30/20	0.66%	0.25%	0.30%
12/31/20	0.52%	0.12%	0.27%
3/31/21	0.35%	0.07%	0.46%
6/30/21	0.25%	0.05%	0.49%
9/30/21	0.21%	0.05%	0.56%
12/31/21	0.22%	0.05%	0.91%
3/31/22	0.42%	0.07%	2.38%

STRATEGIC PLAN INITIATIVE:

Strategy 2: Explore new City revenue streams for long term financial stability.
Objective D: Continue to maintain strong fiscal policies.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) City of Dublin Investment Report for Period Ending March 31, 2022
2) Transaction Ledger – January through March 2022

INVESTMENT REPORT

CHANDLER ASSET MANAGEMENT

City of Dublin

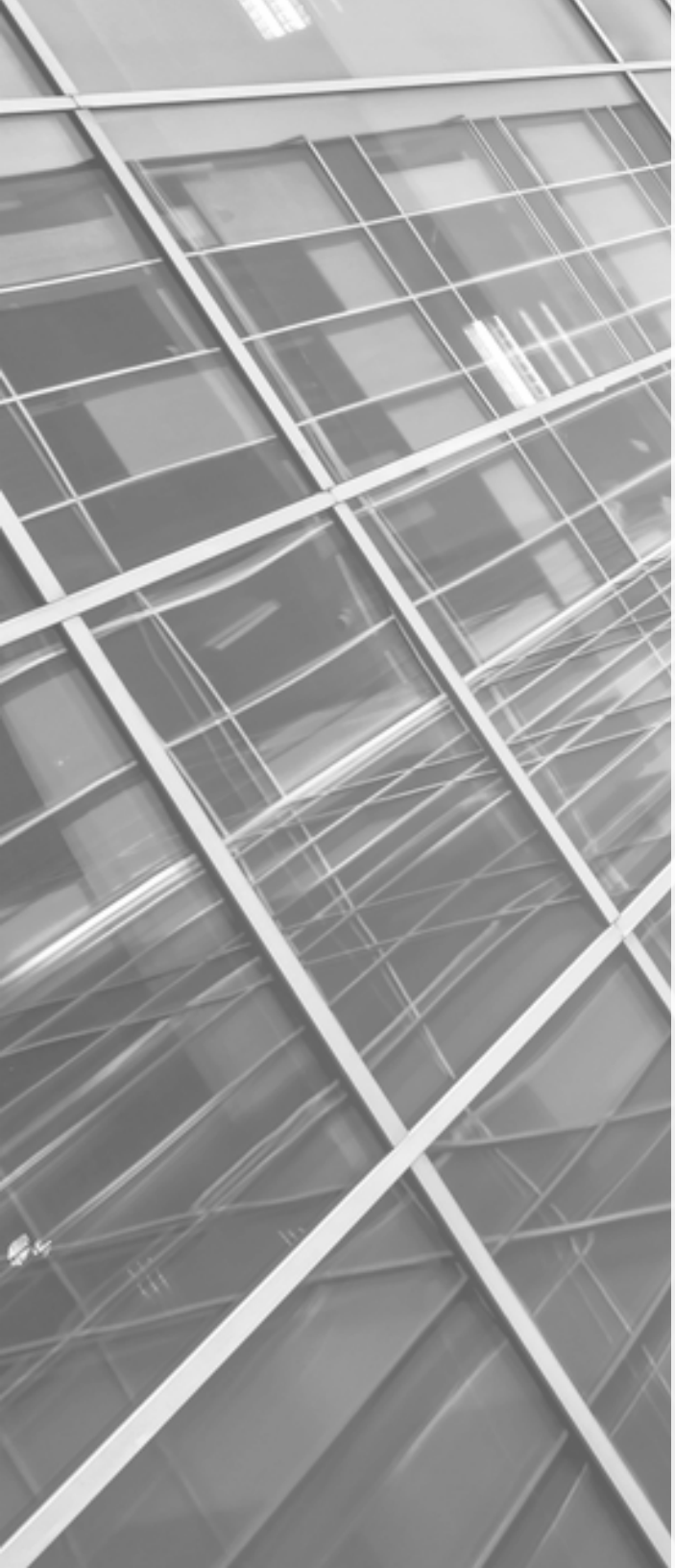
Period Ending March 31, 2022

CHANDLER ASSET MANAGEMENT, INC. | 800.317.4747 | www.chandlerasset.com

Table of Contents

As of March 31, 2022

SECTION 1	**Economic Update**
SECTION 2	**Account Profile**
SECTION 3	**Consolidated Information**
SECTION 4	**Portfolio Holdings**
SECTION 5	**Transactions**



Section 1 | Economic Update

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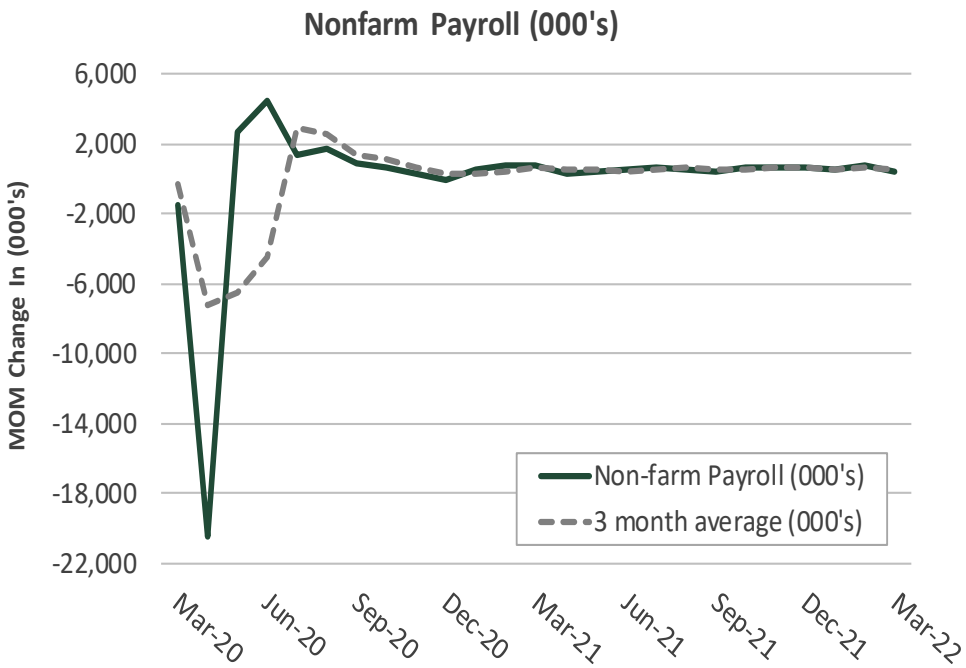
Economic Update

- The Russian invasion into Ukraine and resulting Western sanctions on Russia have fueled volatility in financial markets. The latest escalation has exacerbated inflationary pressures, particularly in energy and commodities, and has caused tightening conditions in financial markets. While consumer spending and economic growth remain strong, we believe an extended conflict in Eastern Europe along with elevated energy prices increases the risk of an economic slowdown later this year. While we expect the Fed to tighten monetary policy, the FOMC has very little margin for error as it attempts to combat inflation without pushing the economy into a recession. Over the near-term, we expect financial market volatility to remain elevated and conditions to remain tighter with heightened geopolitical risk, supply chain bottlenecks and persistent inflation, and the Fed's pivot to less accommodative monetary policy.

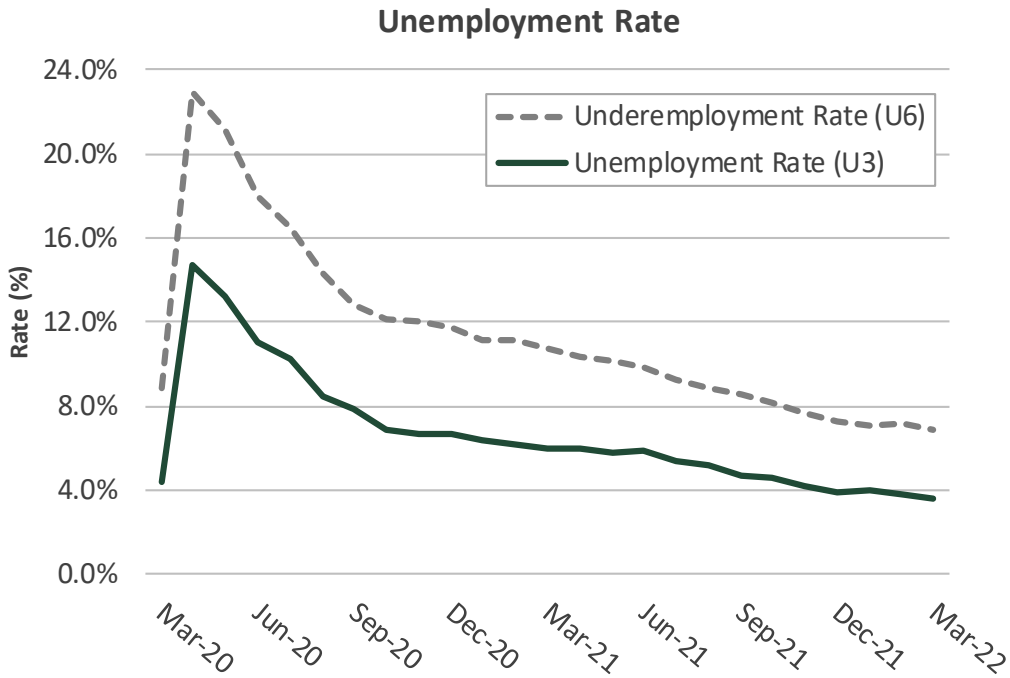
- The Federal Open Market Committee (FOMC) raised the federal funds rate by 0.25% at their March 16th meeting to a target range of 0.25% to 0.50%. The Federal Reserve also ended their bond-buying program as expected in March, which included the purchase of treasury and agency mortgage-backed securities. Fed Chair Powell suggested that balance sheet runoff could begin as early as their next meeting in May, sooner than previously anticipated, and that the pace of the unwind will likely be faster than in the previous quantitative tightening cycle. The dot plot favors six additional rate hikes in 2022, which implies a 25 basis point rate hike at each remaining meeting this year, but the Fed hasn't ruled out incorporating one or more 50 basis point hikes to address inflation. The FOMC's Summary of Economic Projections forecasts higher Personal Consumption Expenditure (PCE) inflation this year at 4.3% and a lower growth rate of 2.8% real GDP. We are anticipating additional rates hikes by the Fed this year, but we do not believe that monetary policy is on a pre-set course and expect the Fed's policy adjustments will depend on developments in the economy.

- In March, yields increased dramatically and the curve continued to flatten. The 2-year Treasury yield increased 90 basis points to 2.34%, the 5-year Treasury yield increased 74 basis points to 2.46%, and the 10-year Treasury yield increased 51 basis points to 2.34%. The spread between the 2-year and 10-year Treasury yield declined to zero at March month-end versus 40 basis points at February month-end and 158 basis points one year ago. While the flat yield curve bears watching over the longer run, the spread between 3-month and 10-year treasuries is still steep at about 185 basis points, which indicates likely economic growth in the coming year.

Employment



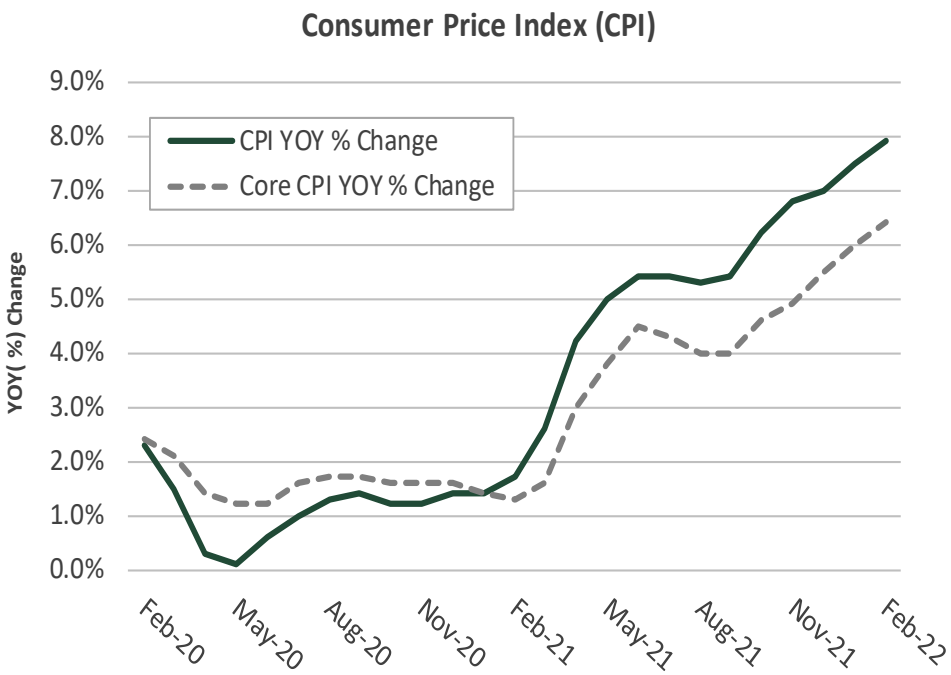
Source: US Department of Labor



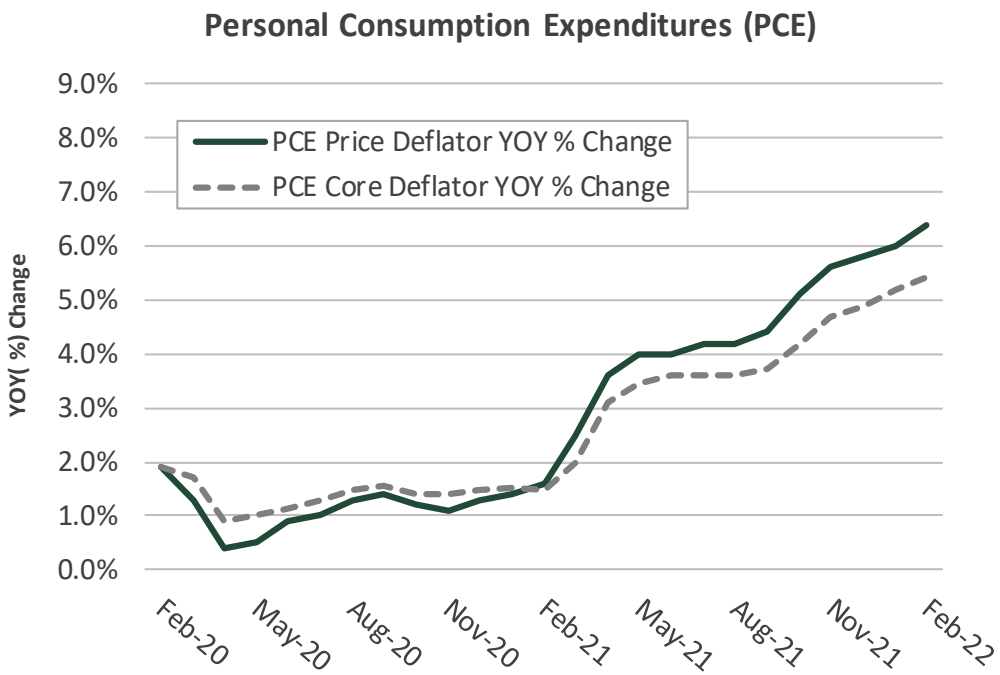
Source: US Department of Labor

The U.S. economy added 431,000 jobs in March, with upward revisions from the prior months totaling 95,000. Trends in employment remain strong, with the three-month moving average payrolls at 561,000 and the six-month moving average at 600,000. Job gains were broad based in March, led by leisure and hospitality and professional and business services. The unemployment rate fell to 3.6% from 3.8%, the lowest level since February 2020. The labor participation rate increased marginally to 62.4% in March from 62.3% in February but remains lower than the pre-pandemic level of 63.4%. The U-6 underemployment rate, which includes those who are marginally attached to the labor force and employed part time for economic reasons, fell to 6.9% in March from 7.2% in February, declining below its pre-pandemic level of 7.0% in February 2020. Wage growth accelerated in March, with average hourly earnings rising 5.6% from 5.2% year-over-year. As more participants enter the labor force, wage inflation dynamics should start to moderate, helping to lower the current elevated inflation readings.

Inflation



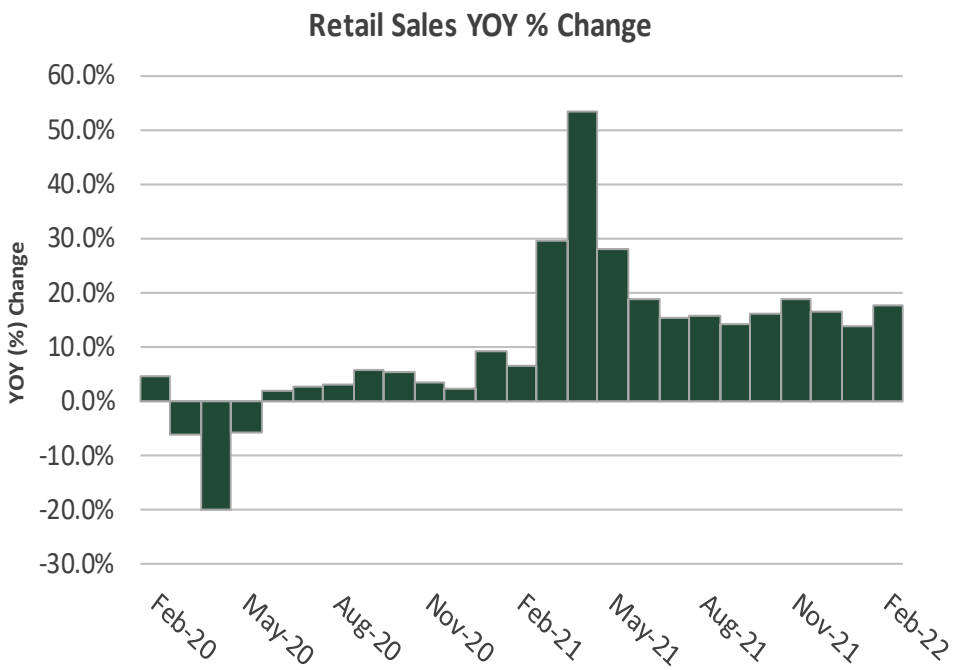
Source: US Department of Labor



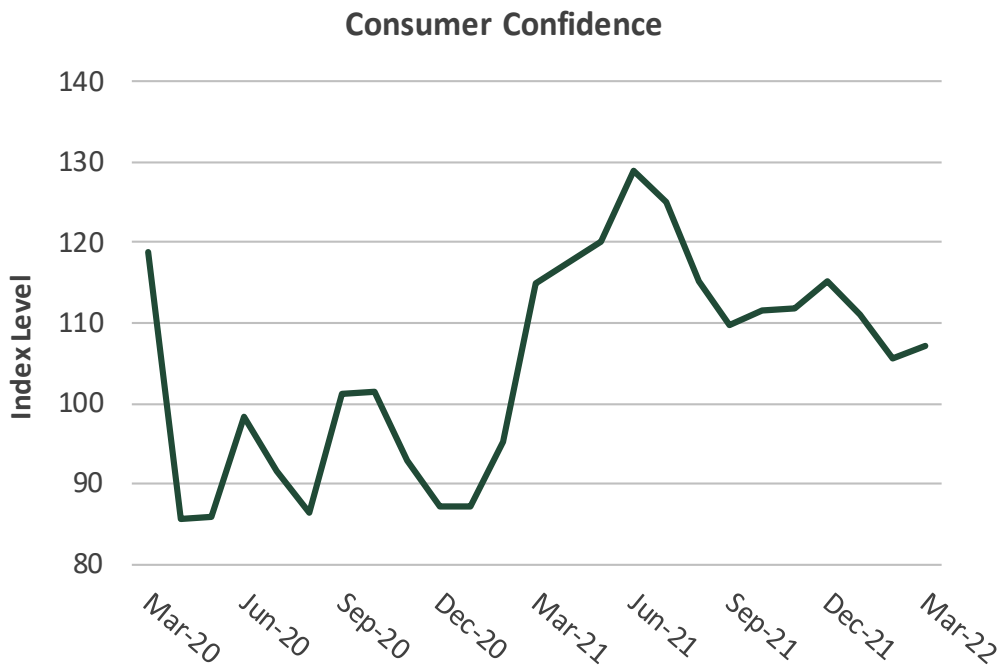
Source: US Department of Commerce

Although U.S. consumer prices were in line with expectations in February, inflation hit a 40-year high. The Consumer Price Index (CPI) was up 7.9% year-over-year in February, versus a 7.5% year-over-year gain in January. Core CPI (CPI less food and energy) was up 6.4% year-over-year in February, versus up 6.0% in January. Rising food and rent prices were primary contributors to the big increase, as well as the month-end surge in gas prices, which is likely to be even more pronounced in the March report. The Personal Consumption Expenditures (PCE) index was up 6.4% year-over-year in February, up from 6.0% in January. Core PCE was up 5.4% year-over-year in February, versus up 5.2% in January. Current inflation readings continue to run well above the Fed's longer-run target of around 2.0%. We believe pricing pressures are likely to increase in the coming months considering the recent surge in commodity prices, and will likely remain elevated longer than anticipated as a result of the conflict in Europe.

Consumer



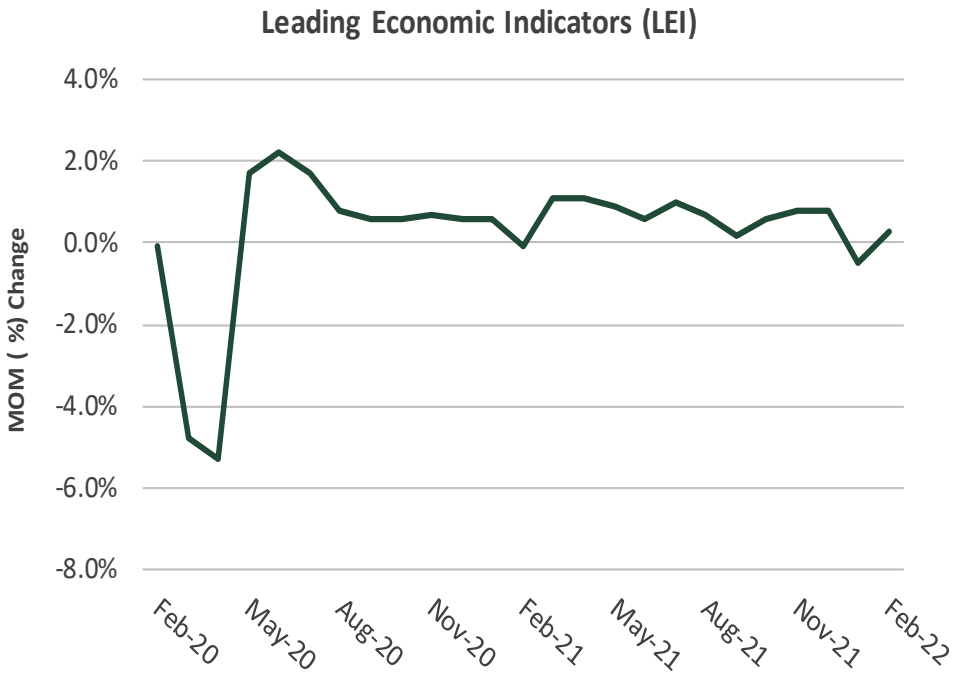
Source: US Department of Commerce



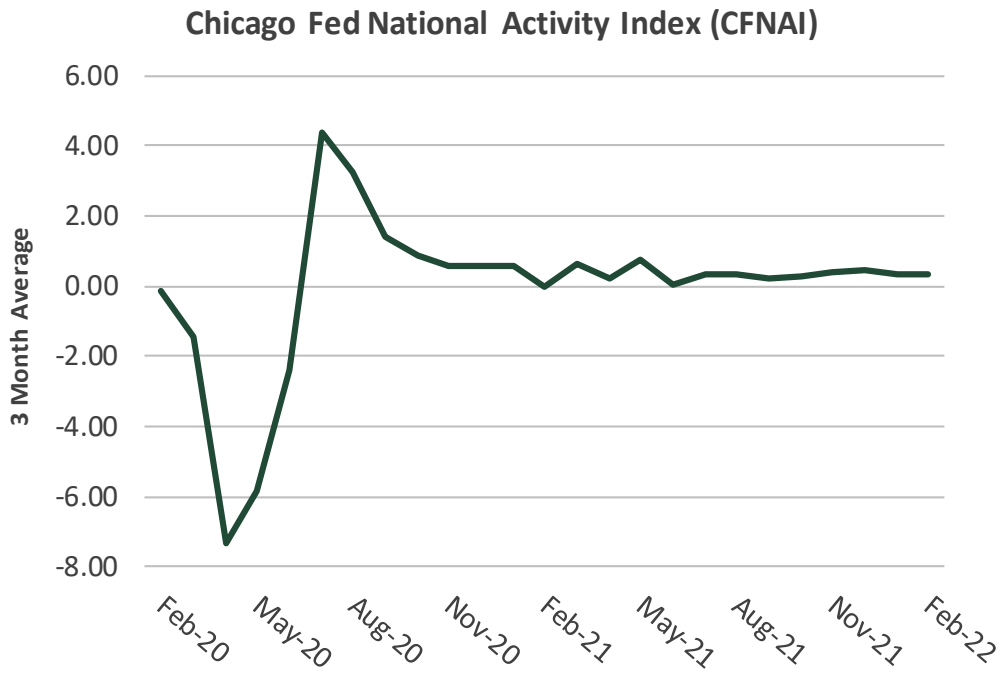
Source: The Conference Board

Retail sales edged higher in February, but there are signs that higher gas prices are impacting discretionary spending. On a year-over-year basis, retail sales were up 17.6% in February versus up 14% in January. On a month-over-month basis, retail sales moderated, rising 0.3% in February versus an upwardly revised increase of 4.9% in January. Excluding vehicles and gas, retail sales were down 0.4% month-over-month. Although inflation threatens to put a dent in expected growth, we believe high levels of consumer savings along with improvement in the health situation and continued improvement in the labor market should provide a healthy tailwind for consumer spending. The Consumer Confidence index rebounded to 107.2 in March following declines in January and February, primarily driven by positive assessments of employment. However, while consumers' evaluations of the present situation was strong, future expectations have been deteriorating.

Economic Activity



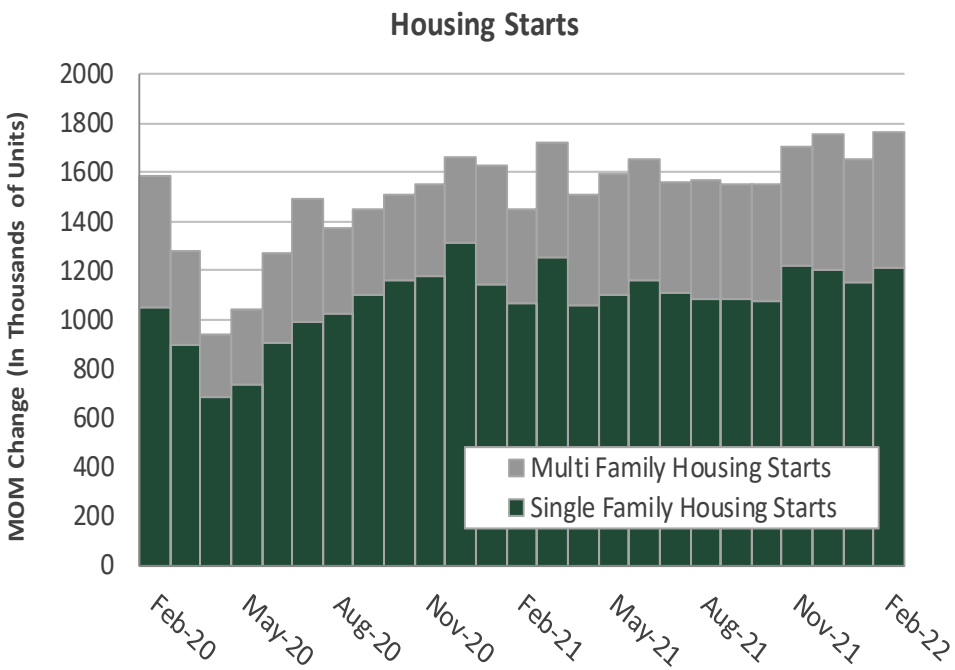
Source: The Conference Board



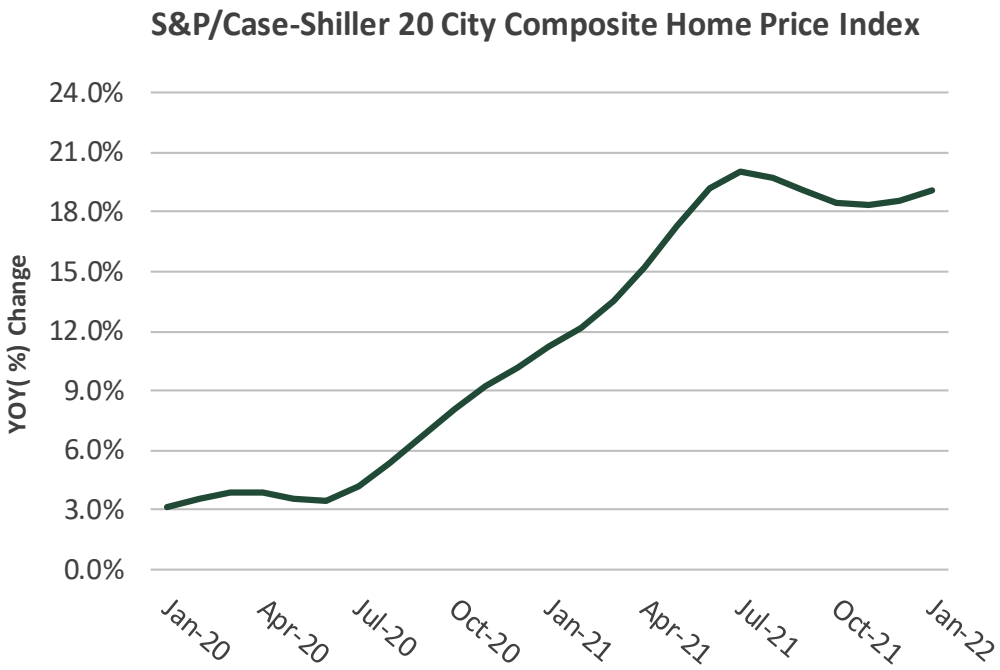
Source: Federal Reserve Bank of Chicago

The Conference Board's Leading Economic Index (LEI) increased 0.3% month-over-month in February, following a 0.5% downwardly revised decline in January. On a year-over-year basis, the LEI was up 7.6% in February versus up 7.3% in January. The Conference Board acknowledged that the data do not fully reflect the impact of the Russian invasion of Ukraine on global supply chain issues, shortages, and the resulting soaring prices, which could result in slower than expected growth in the first half of the year. Meanwhile, the Chicago Fed National Activity Index (CFNAI) fell to 0.51 in February from a downwardly revised 0.59 in January. On a 3-month moving average basis, the CFNAI declined to 0.35 in February, while January was revised downward to 0.37.

Housing



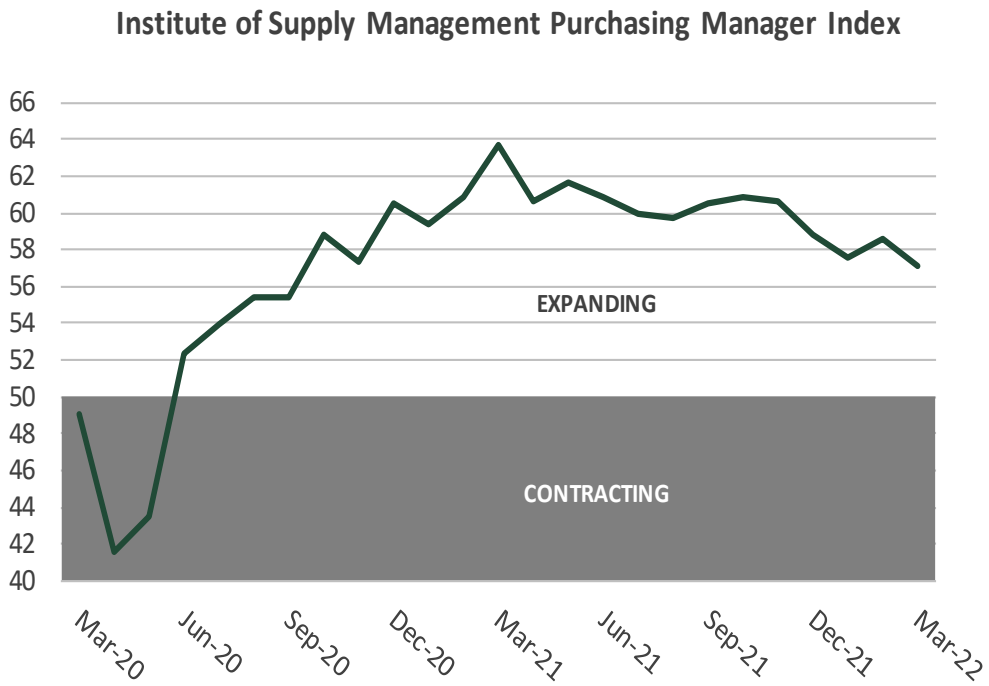
Source: US Department of Commerce



Source: S&P

Total housing starts rebounded 6.8% to an annual rate of 1,769,000 in February. Single-family starts increased 5.7%, and multi-family starts increased 9.3%, month-over-month. On a year-over-year basis, total housing starts were up 22.3% in February driven by multi-family starts. According to the Case-Shiller 20-City home price index, home prices were up 19.1% year-over-year in January versus up 18.6% year-over-year in December, suggesting tight supply may be continuing to support prices. Rising mortgage rates and affordability could be headwinds to further price growth.

Manufacturing



Source: Institute for Supply Management

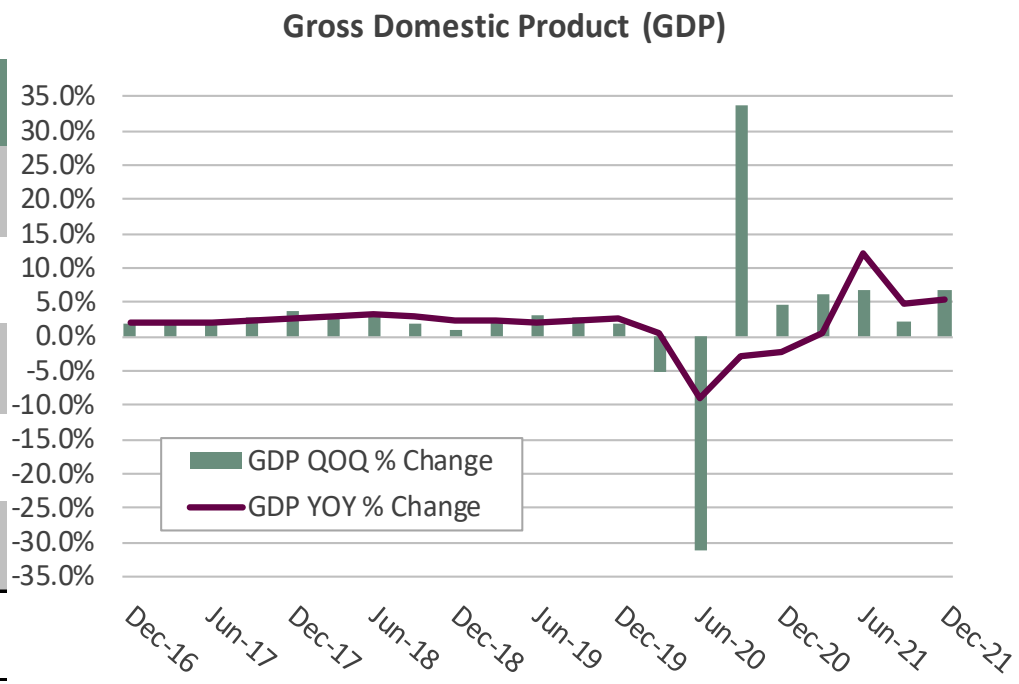
Source: Federal Reserve

The Institute for Supply Management (ISM) manufacturing index fell to an 18-month low of 57.1 in March from 58.6 in February due to surging energy and commodities prices triggered by Russia's invasion of Ukraine. Readings above 50.0 are indicative of expansion in the manufacturing sector. On a month-over-month basis, the Industrial Production index rose 0.5% in February, following a 1.4% increase in January. Capacity utilization rose to 77.6% in February, up from 77.3% in January. Although capacity utilization remains below its longer-run average of 79.6%, it is running above the pre-pandemic level of 76.3%.

Gross Domestic Product (GDP)

Components of GDP	3/21	6/21	9/21	12/21
Personal Consumption Expenditures	7.4%	7.9%	1.4%	1.8%
Gross Private Domestic Investment	-0.4%	-0.7%	2.1%	5.8%
Net Exports and Imports	-1.6%	-0.2%	-1.3%	-0.2%
Federal Government Expenditures	0.8%	-0.4%	-0.4%	-0.3%
State and Local (Consumption and Gross Investment)	0.0%	0.0%	0.5%	-0.2%
Total	**6.3%**	**6.7%**	**2.3%**	**6.9%**

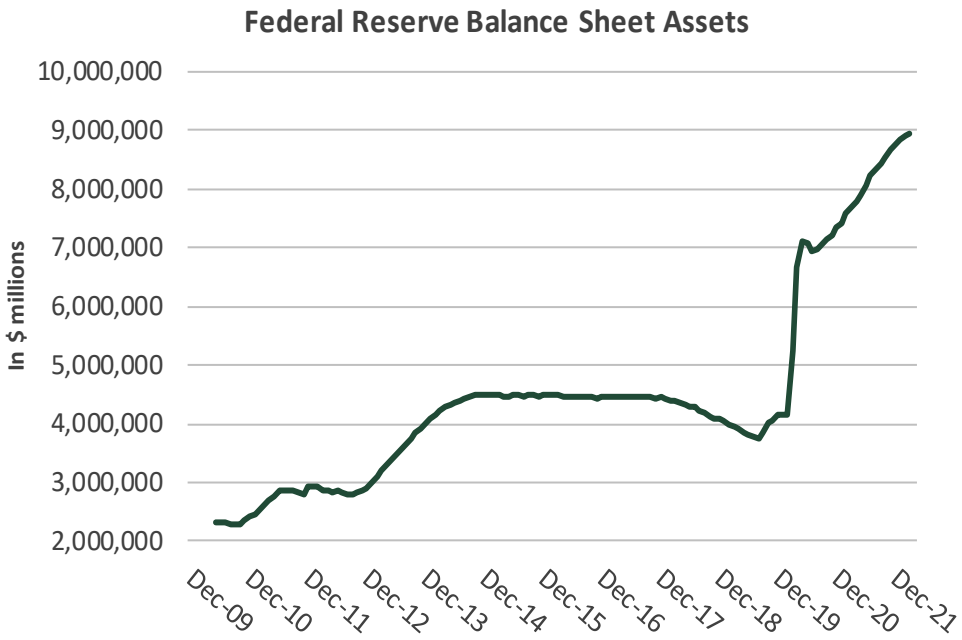
Source: US Department of Commerce



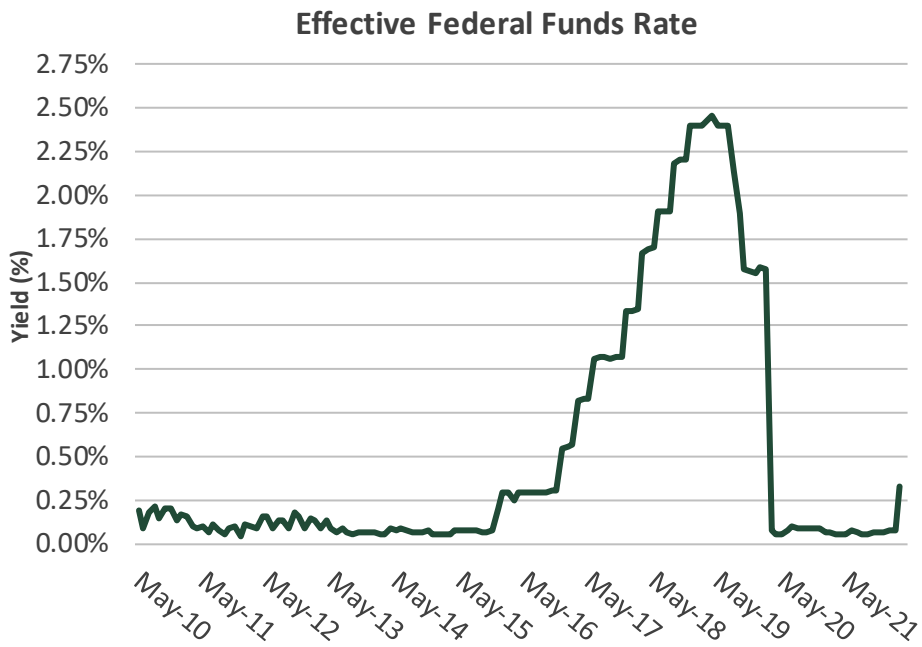
Source: US Department of Commerce

According to the third estimate, fourth quarter GDP grew at an annualized rate of 6.9%, revised slightly downward from the second estimate of 7.0%. Economic growth reaccelerated in the fourth quarter after slowing to a pace of 2.3% growth in the third quarter, bringing overall GDP growth for 2021 to 5.7%. The most significant contributor to fourth quarter growth was inventory build, potentially reflecting some easing in supply chain disruptions. The fourth-quarter's build will make for a tough comparison in the first quarter. The consensus estimate calls for 1.1% GDP growth in the first quarter, 3.0% growth in the current quarter, and 3.3% growth for 2022.

Federal Reserve



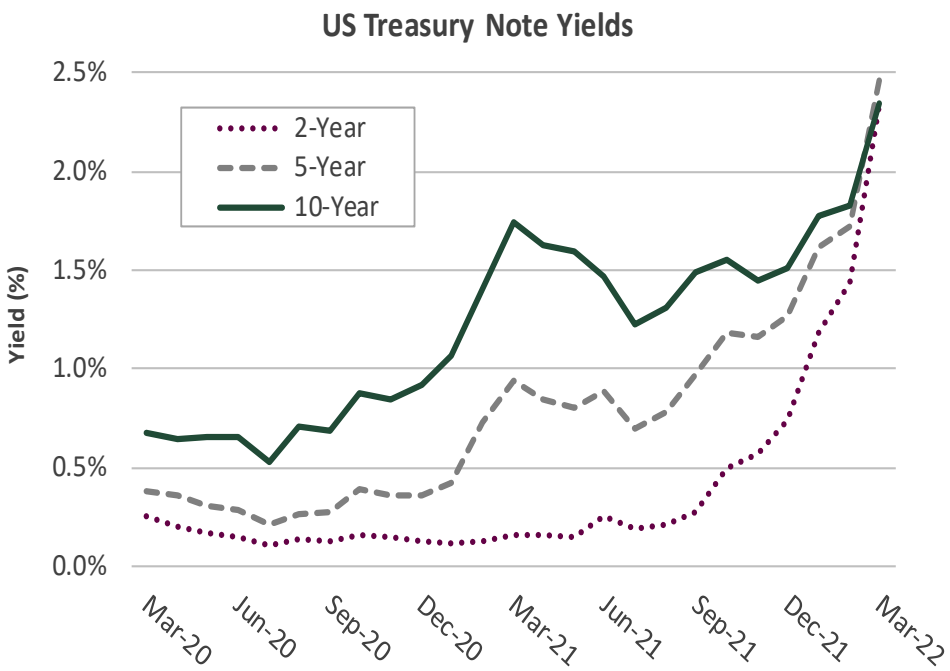
Source: Federal Reserve



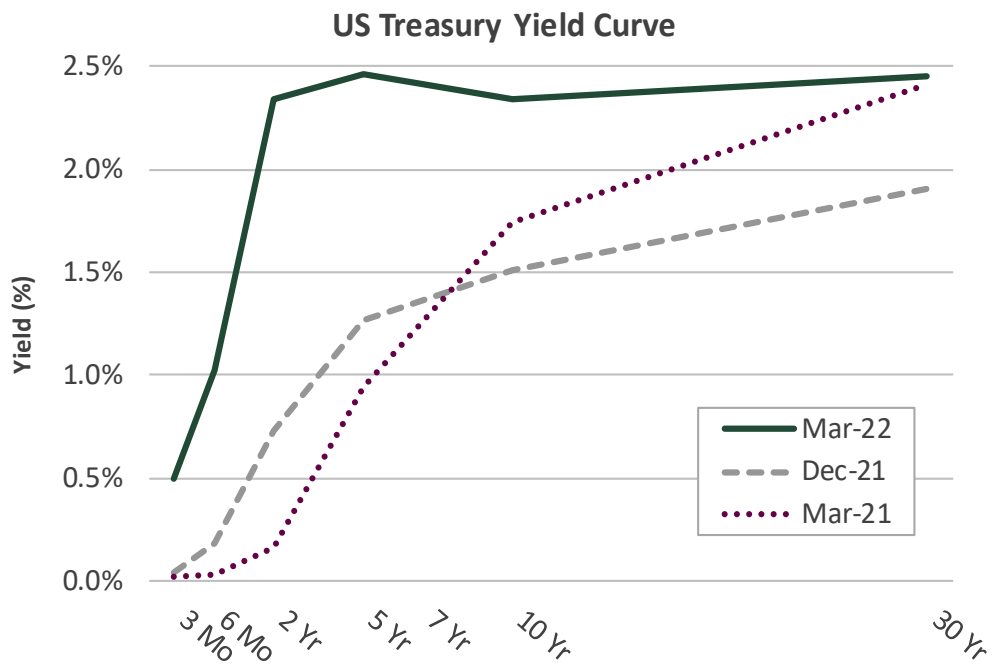
Source: Bloomberg

As expected the Federal Open Market Committee (FOMC) raised the federal funds rate by 0.25% at their March meeting to a target range of 0.25% to 0.50%., This was the first increase since 2018, after two years of holding the federal funds rates near zero to insulate the economy from the impacts of the pandemic. The Federal Reserve (Fed) also ended their bond-buying program as expected in March, which grew the balance sheet to about $8.9 trillion. Fed Chair Powell suggested that balance sheet runoff could begin as early as their next meeting in May, sooner than previously anticipated, and that the pace of the unwind will likely be faster than in the previous quantitative tightening cycle. The dot plot favors six additional rate hikes in 2022, which implies a 25 basis point rate hike at each remaining meeting this year, but the Fed hasn't ruled out incorporating one or more 50 basis point hikes to address inflation. The FOMC's Summary of Economic Projections forecasts higher Personal Consumption Expenditure (PCE) inflation this year at 4.3% and a lower growth rate of 2.8% real GDP.

Bond Yields

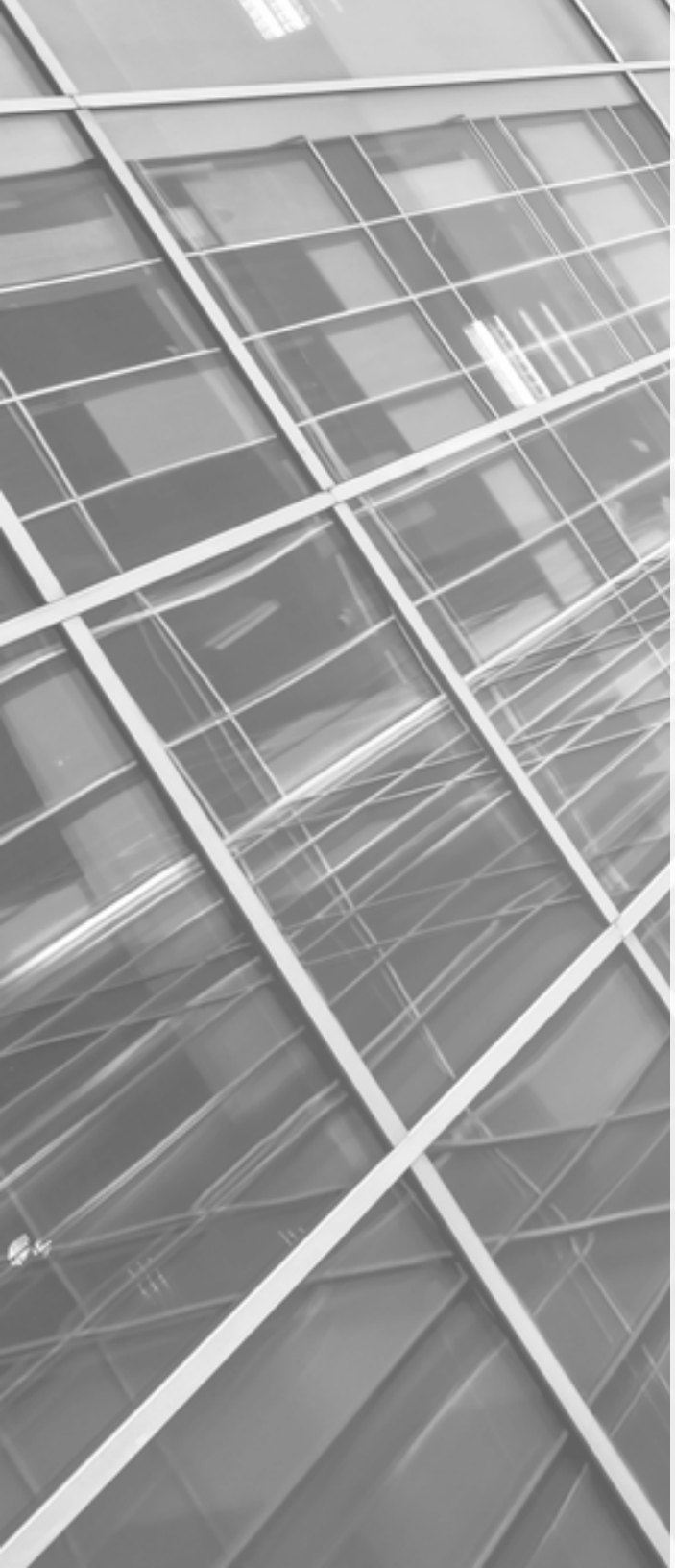


Source: Bloomberg



Source: Bloomberg

At the end of March, the 2-year Treasury yield was 217 basis points higher, and the 10-Year Treasury yield was about 60 basis points higher, year-over-year. The spread between the 2-year Treasury yield and 10-year Treasury yield declined to zero at March month-end compared to the average historical spread (since 2003) of about 130 basis points. While the flat yield curve bears watching over the longer run, the spread between 3-month and 10-year treasuries is still steep at about 185 basis points, which indicates likely economic growth in the coming year.



Section 2 | Account Profile

Objectives

As of March 31, 2022

Investment Objectives

The investment objectives of the City of Dublin are first, to provide safety of principal; second, to provide adequate liquidity to meet all requirements which might be reasonably anticipated; third, to attain a market average rate of return on its investments throughout economic cycles; and fourth, to be diversified to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions.

Chandler Asset Management Performance Objective

The performance objective of the City of Dublin is to earn a return that equals or exceeds the return on of the ICE BofA 1-5 Year Treasury and Agency Index.

Strategy

In order to achieve this objective, the portfolio invests in high quality fixed income instruments consistent with the City's investment policy and California Government Code.

Compliance

As of March 31, 2022

City of Dublin

Assets managed by Chandler Asset Management are in full compliance with state law and with the City's investment policy.

Category	Standard	Comment
U.S. Treasury Issues	No limitations; Full faith and credit of the U.S. are pledged for payment of principal and interest.	*Complies*
Federal Agencies	35% max per agency issuer; 25% max callables for agency securities; Federal Agencies or U.S. Government Sponsored Enterprises (GSE), participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or U.S. GSEs.	*Complies*
Municipal Securities	"A" rated or higher by a NRSRO; 5% max per issuer; Obligations of the State of California, any of the other 49 states, or any local agency within the state of California;	*Complies*
Supranational Securities	"AA" rating category or better by a Nationally Recognized Statistical Rating Organization ("NRSRO"); 30% maximum; 10% max per issuer; U.S. dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development ("IBRD"), the International Finance Corporation ("IFC") or the Inter-American Development Bank ("IADB")	*Complies*
Asset-Backed Securities/Mortgage-Backed Securities/ Collateralized Mortgage Obligations	"AA" rated or higher by a NRSRO; 20% maximum (combined); 5% max per issuer	*Complies*
Corporate Medium Term Notes	"A" rated or higher by a NRSRO; 30% maximum; 5% max per issuer; Issued by corporations organized and operating within the U.S. or by depository institutions licensed by the U.S. or any state and operating within the U.S.	*Complies*
Negotiable Certificates of Deposit	"A" long-term debt rated and/or "A-1" short-term rated or higher by a NRSRO; 30% maximum; 5% max per issuer; 20% max amount invested in NCDs with any one financial institution in combination with any other debt from that financial institution; Issued by a nationally or state-chartered bank, a savings association or a federal association, a state or federal credit union, or by a state-licensed branch of a foreign bank.	*Complies*
Time Deposits/ Certificates of Deposit	10% maximum; Collateralized/FDIC Insured; 1 year max maturity	*Complies*
Commercial Paper	"A-1" rated or higher by a NRSRO; 25% maximum; 5% max per issuer; 10% max of the outstanding commercial paper of an issuing corporation; 20% max amount invested in CP of any one issuer in combination with any other debt from that issuer; 270 days max maturity; Issuer of the commercial paper shall meet all conditions in either A) (1) Organized and operating in the U.S. as a general corp, (2) Has AUM > $500 million, (3) "A" rated issuer debt (if any) or higher by a NRSRO; or B) (1) Organized in the U.S. as a special purpose corp, trust, LLC, (2) Has program wide credit enhancements including, but not limited to, over collateralization, LOC, or surety bond, (3) "A-1" rated or higher by a NRSRO	*Complies*
Banker's Acceptances	"A-1" short-term rated or higher by a NRSRO; 40% maximum; 5% max per issuer; 20% max amount invested in BA with any one financial institution in combination with any other debt from that financial institution; 180 days max maturity	*Complies*
Money Market Mutual Funds and Mutual Funds	Highest rating or "AAA" rated by two NRSROs; SEC registered adviser with AUM >$500 million and experience > 5 years; 20% maximum in Mutual Funds and Money Market Mutual Funds; 20% max in Money Market Mutual Fund; 10% max per one Mutual Fund	*Complies*
Local Agency Investment Fund (LAIF)	Maximum permitted by LAIF; Not used by investment adviser	*Complies*
California Asset Management Program (CAMP)	Issued by joint powers authority organized pursuant to California Government Code; Not used by investment adviser	*Complies*
Prohibited Securities	Inverse floaters; Ranges notes, Mortgage-derived, Interest-only strips; Any investment in a security not specifically listed as an Authorized and Suitable Investment in the policy.	*Complies*
Max Per Issuer	5% max per issuer, except US Government, its Agencies and instrumentalities (including agency backed-mortgage pools), Supranational securities, or Money Market Mutual Funds	*Complies*
Maximum Maturity	5 years, unless otherwise stated in the policy	*Complies*

Portfolio Characteristics

As of March 31, 2022

City of Dublin

	03/31/22		12/31/21
	Benchmark*	**Portfolio**	**Portfolio**
Average Maturity (yrs)	2.62	2.71	2.67
Average Modified Duration	2.53	2.45	2.47
Average Purchase Yield	n/a	1.52%	1.49%
Average Market Yield	2.30%	2.38%	0.91%
Average Quality**	AAA	AA/Aa1	AA/Aa1
Total Market Value		240,783,265	233,062,790

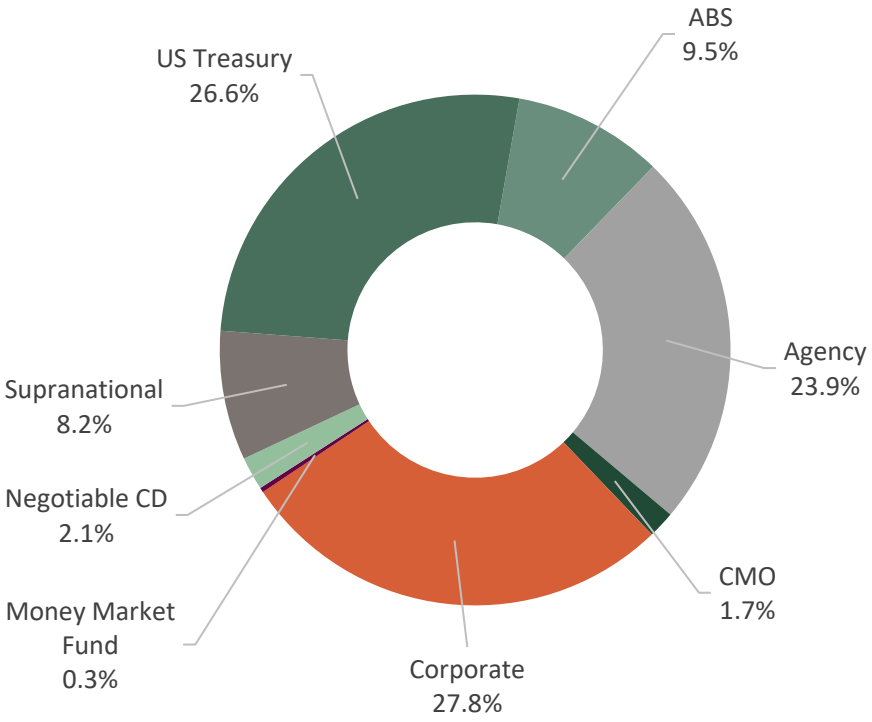
**ICE BofA 1-5 Yr US Treasury & Agency Index*
***Benchmark is a blended rating of S&P, Moody's, and Fitch. Portfolio is S&P and Moody's respectively.*

Sector Distribution

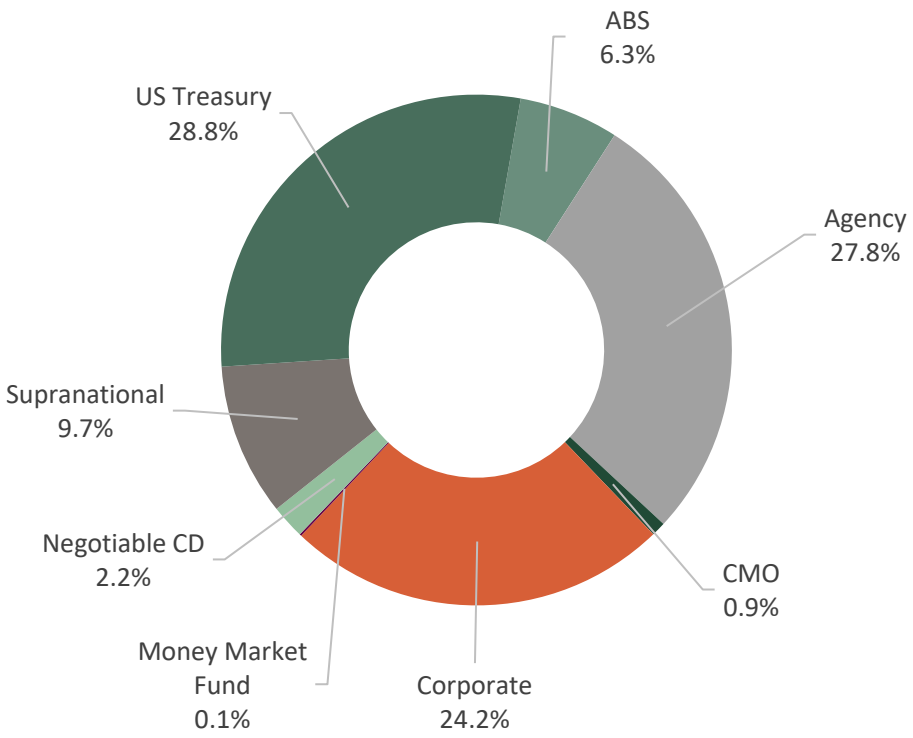
As of March 31, 2022

City of Dublin

March 31, 2022



December 31, 2021



Issuers

As of March 31, 2022

City of Dublin – Account #10198

Issue Name	Investment Type	% Portfolio
Government of United States	US Treasury	26.64%
Federal National Mortgage Association	Agency	9.61%
Federal Home Loan Bank	Agency	7.34%
Inter-American Dev Bank	Supranational	4.95%
Federal Home Loan Mortgage Corp	Agency	4.25%
Intl Bank Recon and Development	Supranational	3.21%
Federal Farm Credit Bank	Agency	2.69%
Honda Motor Corporation	Corporate	1.87%
Hyundai Auto Receivables	ABS	1.78%
Berkshire Hathaway	Corporate	1.72%
Federal Home Loan Mortgage Corp	CMO	1.69%
JP Morgan Chase & Co	Corporate	1.67%
Charles Schwab Corp/The	Corporate	1.61%
Bank of America Corp	Corporate	1.51%
Qualcomm Inc	Corporate	1.50%
Royal Bank of Canada	Corporate	1.43%
Toronto Dominion Holdings	Corporate	1.35%
Honda ABS	ABS	1.30%
John Deere ABS	ABS	1.29%
Toyota Lease Owner Trust	ABS	1.27%
Apple Inc	Corporate	1.27%
Metlife Inc	Corporate	1.22%
Morgan Stanley	Corporate	1.20%
US Bancorp	Corporate	1.07%
Chubb Corporation	Corporate	1.05%
Bank of Nova Scotia Houston	Negotiable CD	1.04%
Svenska Handelsbanken NY	Negotiable CD	1.03%
Honeywell Corp	Corporate	1.01%
Toyota Motor Corp	Corporate	0.96%
Bank of Montreal Chicago	Corporate	0.96%
Hyundai Auto Lease Securitization	ABS	0.95%
PNC Financial Services Group	Corporate	0.94%
Deere & Company	Corporate	0.84%
Wal-Mart Stores	Corporate	0.81%
United Health Group Inc	Corporate	0.78%
Amazon.com Inc	Corporate	0.75%
GM Financial Automobile Leasing Trust	ABS	0.69%
BMW Vehicle Lease Trust	ABS	0.59%

Issuers

As of March 31, 2022

City of Dublin – Account #10198

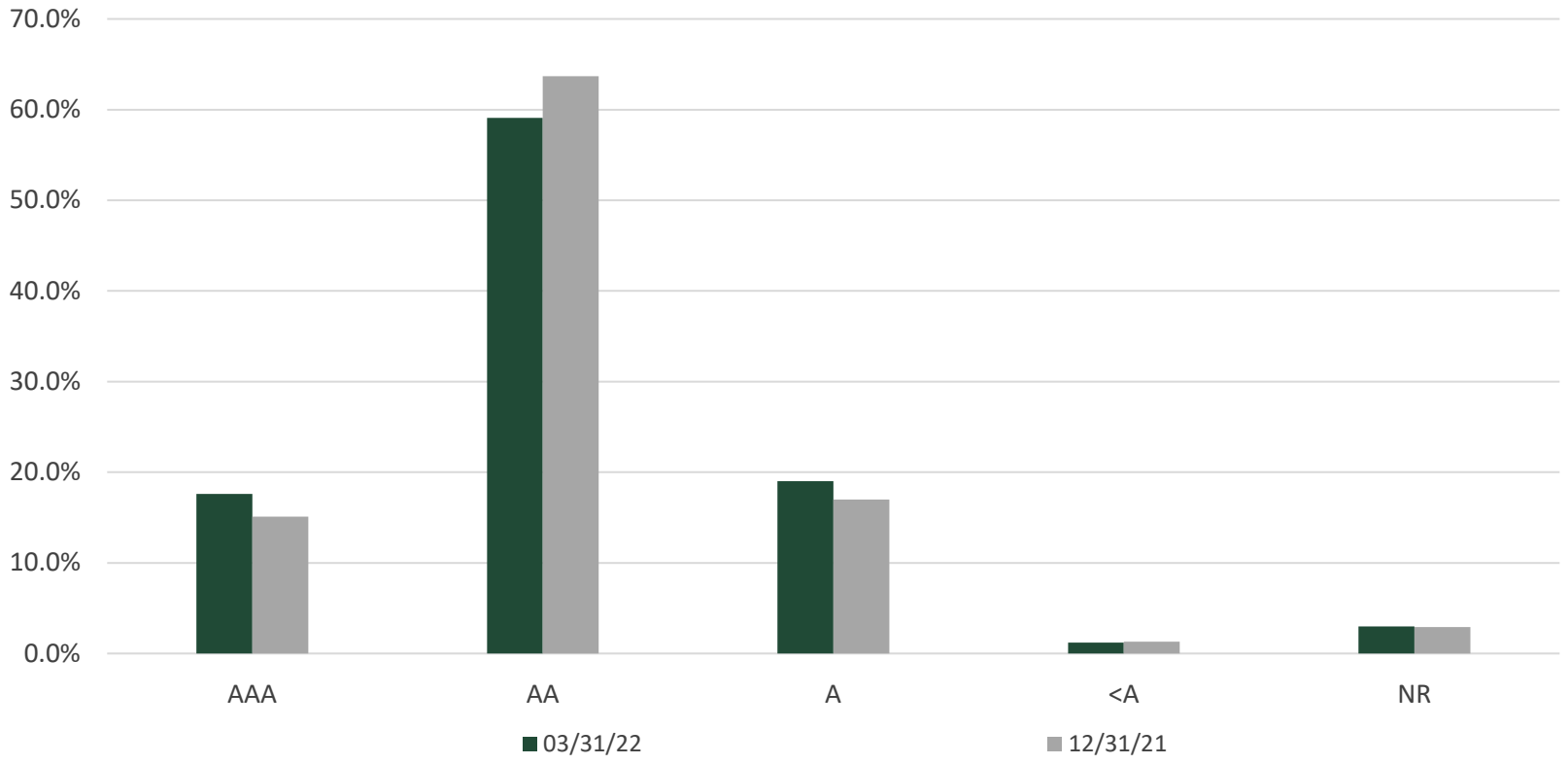
Issue Name	Investment Type	% Portfolio
Target Corp	Corporate	0.54%
Bank of New York	Corporate	0.51%
Mercedes-Benz Auto Lease Trust	ABS	0.46%
GM Financial Securitized Term Auto Trust	ABS	0.44%
ChevronTexaco Corp	Corporate	0.42%
Toyota ABS	ABS	0.37%
Nissan ABS	ABS	0.32%
Guardian Life Global Funding	Corporate	0.32%
Merck & Company	Corporate	0.31%
First American Govt Oblig Fund	Money Market Fund	0.26%
Salesforce.com Inc	Corporate	0.19%
TOTAL		**100.00%**

Quality Distribution

As of March 31, 2022

City of Dublin

March 31, 2022 vs. December 31, 2021

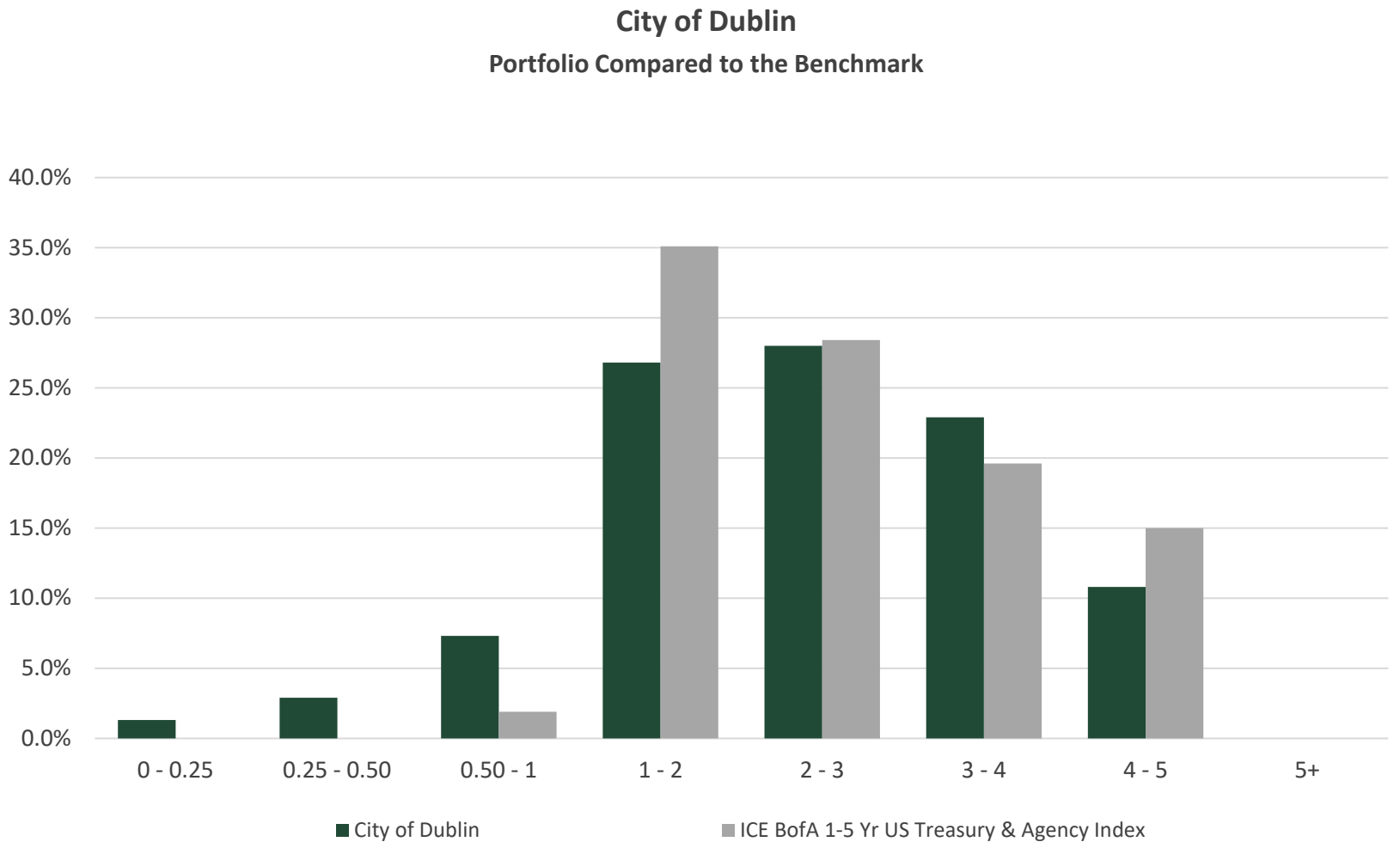


	AAA	AA	A	<A	NR
03/31/22	17.6%	59.1%	19.0%	1.2%	3.0%
12/31/21	15.1%	63.7%	17.0%	1.3%	2.9%

Source: S&P Ratings

Duration Distribution

As of March 31, 2022

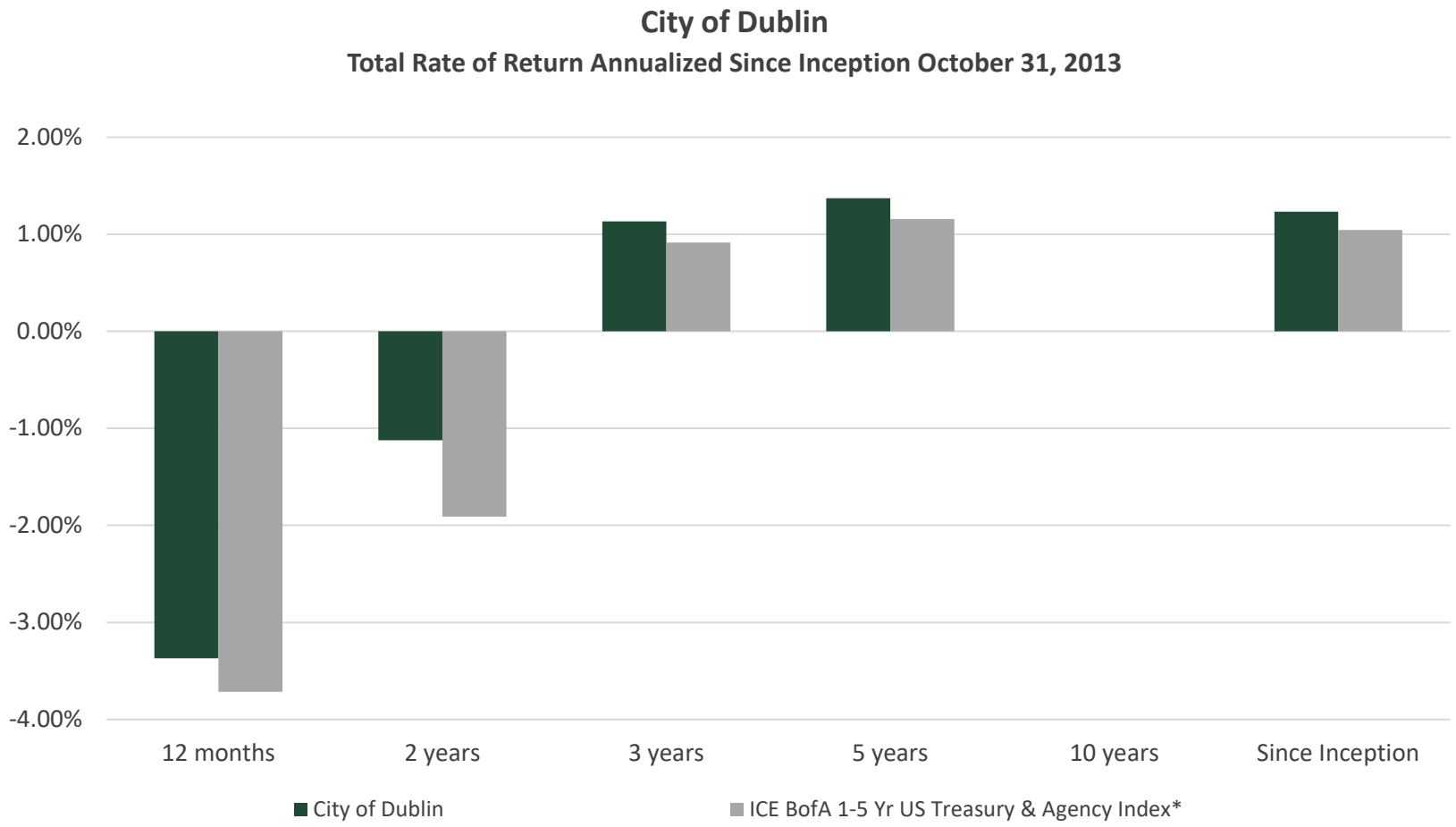


	0 - 0.25	0.25 - 0.50	0.50 - 1	1 - 2	2 - 3	3 - 4	4 - 5	5+
Portfolio	1.3%	2.9%	7.3%	26.8%	28.0%	22.9%	10.8%	0.0%
Benchmark*	0.0%	0.0%	1.9%	35.1%	28.4%	19.6%	15.0%	0.0%

**ICE BofA 1-5 Yr US Treasury & Agency Index*

Investment Performance

As of March 31, 2022



			Annualized				
TOTAL RATE OF RETURN	**3 months**	**12 months**	**2 years**	**3 years**	**5 years**	**10 years**	**Since Inception**
City of Dublin	-2.98%	-3.37%	-1.12%	1.13%	1.37%	N/A	1.23%
ICE BofA 1-5 Yr US Treasury & Agency Index*	-3.16%	-3.71%	-1.91%	0.91%	1.15%	N/A	1.04%

**ICE BofA 1-3 Yr US Treasury & Agency Index to 12/31/14*

Total rate of return: A measure of a portfolio's performance over time. It is the internal rate of return, which equates the beginning value of the portfolio with the ending value; it includes interest earnings, realized and unrealized gains and losses in the portfolio.

Portfolio Characteristics

As of March 31, 2022

City of Dublin Reporting Account

	03/31/22 Portfolio	12/31/21 Portfolio
Average Maturity (yrs)	0.00	0.00
Modified Duration	0.00	0.00
Average Purchase Yield	0.21%	0.11%
Average Market Yield	0.21%	0.11%
Average Quality*	AAA/NR	AAA/NR
Total Market Value	130,122,836	149,460,088

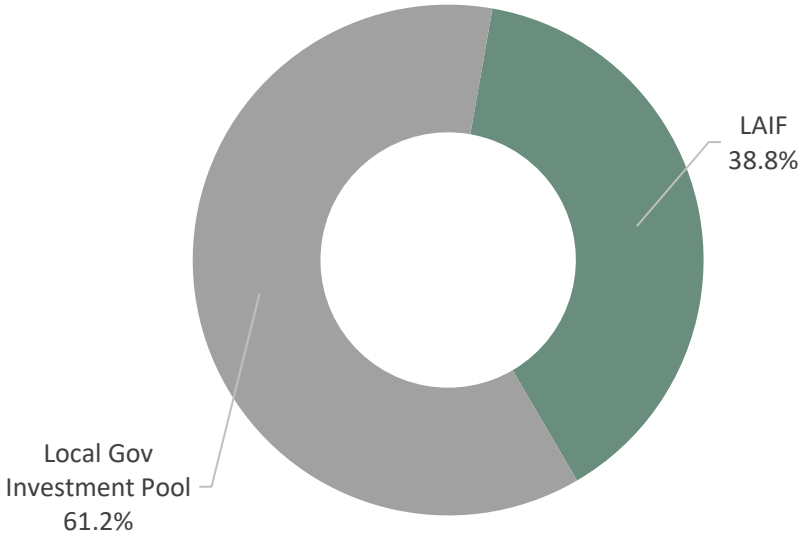
**Portfolio is S&P and Moody's, respectively.*

Sector Distribution

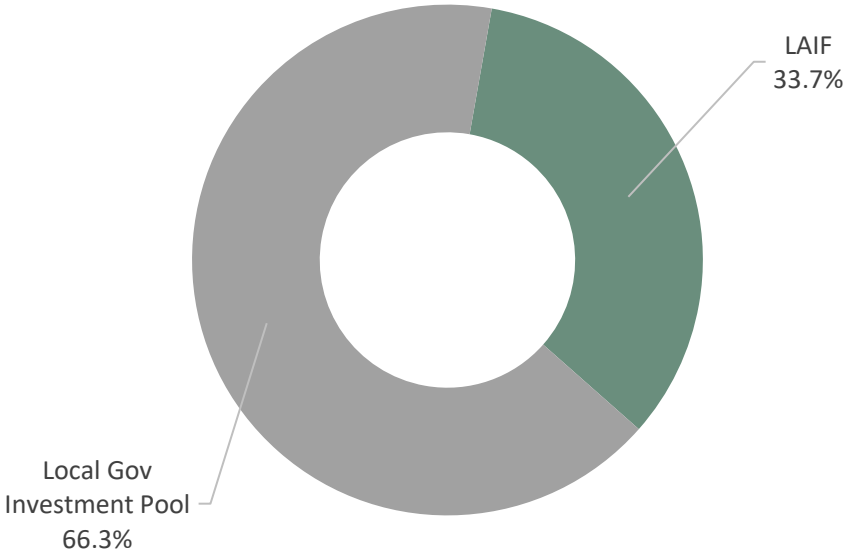
As of March 31, 2022

City of Dublin Reporting Account

March 31, 2022



December 31, 2021



Issuers

As of March 31, 2022

City of Dublin Reporting Account – Account #10219

Issue Name	Investment Type	% Portfolio
CAMP	Local Gov Investment Pool	61.22%
Local Agency Investment Fund	LAIF	38.78%
TOTAL		**100.00%**

Section 3 | Consolidated Information

Portfolio Characteristics

As of March 31, 2022

City of Dublin Consolidated

	03/31/22 Portfolio	12/31/21 Portfolio
Average Maturity (yrs)	1.76	1.63
Modified Duration	1.59	1.50
Average Purchase Yield	1.06%	0.94%
Average Market Yield	1.62%	0.60%
Average Quality*	AA+/Aa1	AA+/Aa1
Total Market Value	370,906,101	382,522,878

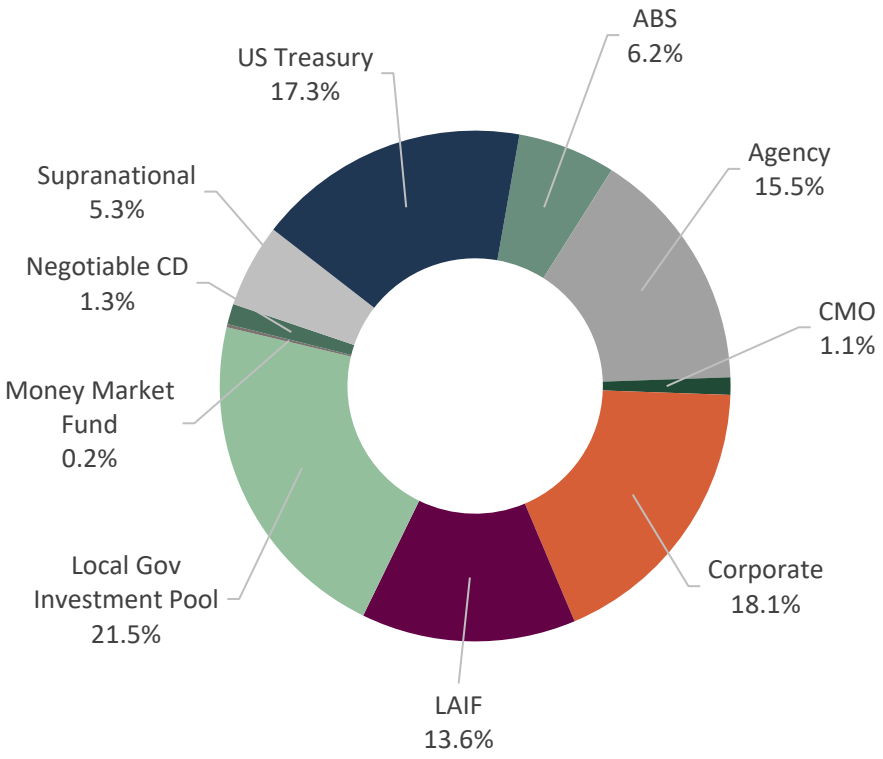
** Portfolio is S&P and Moody's respectively.*

Sector Distribution

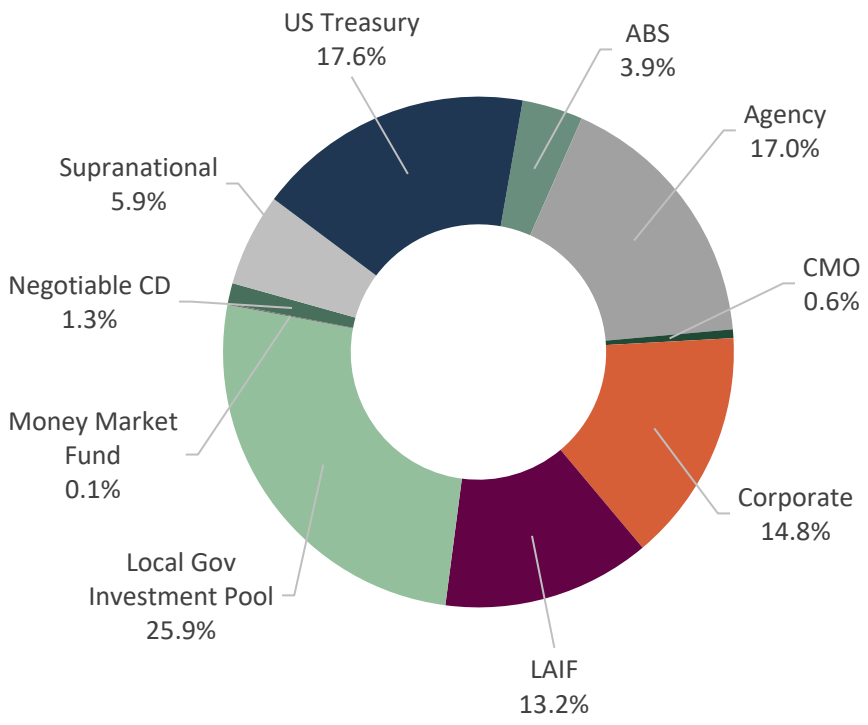
As of March 31, 2022

City of Dublin Consolidated

March 31, 2022



December 31, 2021



Section 4 | Portfolio Holdings

Holdings Report

As of March 31, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
ABS									
89231PAD0	Toyota Auto Receivables Trust 2018-D A3 3.180% Due 03/15/2023	29,698.88	08/29/2019 1.97%	30,333.46 29,869.67	100.10 0.57%	29,728.61 41.97	0.01% (141.06)	Aaa / AAA NR	0.96 0.04
44891VAC5	Hyundai Auto Lease Trust 2021-B A3 0.330% Due 06/17/2024	1,420,000.00	06/08/2021 0.34%	1,419,787.00 1,419,861.98	97.86 2.28%	1,389,606.32 208.27	0.58% (30,255.66)	Aaa / AAA NR	2.22 1.11
65479JAD5	Nissan Auto Receivables Owner 2019-C A3 1.930% Due 07/15/2024	774,321.59	10/16/2019 1.94%	774,280.71 774,301.80	100.19 1.42%	775,821.45 664.20	0.32% 1,519.65	Aaa / AAA NR	2.29 0.38
89237VAB5	Toyota Auto Receivables Trust 2020-C A3 0.440% Due 10/15/2024	881,125.42	07/21/2020 0.44%	881,057.58 881,084.57	99.08 2.02%	872,992.66 172.31	0.36% (8,091.91)	Aaa / AAA NR	2.55 0.58
43813KAC6	Honda Auto Receivables Trust 2020-3 A3 0.370% Due 10/18/2024	1,120,000.00	09/22/2020 0.38%	1,119,835.47 1,119,914.36	98.74 2.13%	1,105,920.48 149.64	0.46% (13,993.88)	NR / AAA AAA	2.55 0.71
89239CAC3	Toyota Lease Owner Trust 2021-B A3 0.420% Due 10/21/2024	1,090,000.00	07/27/2021 0.40%	1,089,985.28 1,089,989.23	97.05 2.52%	1,057,886.42 139.88	0.44% (32,102.81)	Aaa / NR AAA	2.56 1.42
47787NAC3	John Deere Owner Trust 2020-B A3 0.510% Due 11/15/2024	427,292.18	07/14/2020 0.52%	427,227.06 427,258.70	98.89 2.22%	422,536.42 96.85	0.18% (4,722.28)	Aaa / NR AAA	2.63 0.65
58769KAD6	Mercedes-Benz Auto Lease Trust 2021-B A3 0.400% Due 11/15/2024	1,135,000.00	06/22/2021 0.40%	1,134,914.31 1,134,939.74	97.45 2.42%	1,106,101.77 201.78	0.46% (28,837.97)	NR / AAA AAA	2.63 1.27
09690AAC7	BMW Vehicle Lease Trust 2021-2 A3 0.330% Due 12/26/2024	710,000.00	09/08/2021 0.34%	709,926.73 709,944.19	97.49 2.43%	692,160.54 39.05	0.29% (17,783.65)	Aaa / NR AAA	2.74 1.20
44891WAC3	Hyundai Auto Lease Trust 2022-A A3 1.160% Due 01/15/2025	910,000.00	01/11/2022 1.16%	909,979.89 909,981.66	97.64 2.61%	888,521.27 469.16	0.37% (21,460.39)	Aaa / AAA NR	2.80 1.64
89238LAC4	Toyota Lease Owner Trust 2022-A A3 1.960% Due 02/20/2025	2,045,000.00	02/23/2022 1.98%	2,044,678.12 2,044,690.34	98.31 2.87%	2,010,506.99 1,224.73	0.84% (34,183.35)	NR / AAA AAA	2.90 1.88
36265MAC9	GM Financial Auto Lease Trust 2022-1 A3 1.900% Due 03/20/2025	1,680,000.00	02/15/2022 1.91%	1,679,985.55 1,679,986.23	98.80 2.58%	1,659,789.60 975.33	0.69% (20,196.63)	Aaa / NR AAA	2.97 1.78
05601XAC3	BMW Vehicle Lease Trust 2022-1 A3 1.100% Due 03/25/2025	755,000.00	01/11/2022 1.05%	754,887.13 754,897.34	97.51 2.72%	736,222.40 138.42	0.31% (18,674.94)	NR / AAA AAA	2.99 1.55
47788UAC6	John Deere Owner Trust 2021-A A3 0.360% Due 09/15/2025	800,000.00	03/02/2021 0.37%	799,846.24 799,891.49	96.85 2.79%	774,792.81 128.00	0.32% (25,098.68)	Aaa / NR AAA	3.46 1.30
44933LAC7	Hyundai Auto Receivables Trust 2021-A A3 0.380% Due 09/15/2025	725,000.00	04/20/2021 0.38%	724,923.73 724,946.89	97.50 2.34%	706,874.28 122.44	0.29% (18,072.61)	NR / AAA AAA	3.46 1.29
44934KAC8	Hyundai Auto Receivables Trust 2021-B A3 0.380% Due 01/15/2026	2,065,000.00	07/20/2021 0.39%	2,064,544.25 2,064,642.56	96.72 2.54%	1,997,175.08 348.76	0.83% (67,467.48)	NR / AAA AAA	3.80 1.53
43815GAC3	Honda Auto Receivables Trust 2021-4 A3 0.880% Due 01/21/2026	765,000.00	11/16/2021 0.89%	764,838.74 764,856.16	96.82 2.58%	740,695.95 187.00	0.31% (24,160.21)	Aaa / NR AAA	3.81 1.89

Holdings Report

As of March 31, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
47789QAC4	John Deere Owner Trust 2021-B A3 0.520% Due 03/16/2026	965,000.00	07/13/2021 0.52%	964,913.92 964,930.32	95.82 2.82%	924,661.07 223.02	0.38% (40,269.25)	Aaa / NR AAA	3.96 1.85
44935FAD6	Hyundai Auto Receivables Trust 2021-C A3 0.740% Due 05/15/2026	545,000.00	11/09/2021 0.75%	544,878.36 544,892.58	96.10 2.82%	523,743.91 179.24	0.22% (21,148.67)	NR / AAA AAA	4.13 1.90
43815BAC4	Honda Auto Receivables Trust 2022-1 A3 1.880% Due 05/15/2026	1,315,000.00	02/15/2022 1.89%	1,314,802.22 1,314,808.44	98.21 2.68%	1,291,454.94 1,098.76	0.54% (23,353.50)	Aaa / AAA NR	4.13 2.26
362554AC1	GM Financial Securitized Term 2021-4 A3 0.680% Due 09/16/2026	585,000.00	10/13/2021 0.66%	584,985.08 584,987.03	96.60 2.67%	565,093.04 165.75	0.23% (19,893.99)	Aaa / AAA NR	4.47 1.73
47787JAC2	John Deere Owner Trust 2022-A A3 2.320% Due 09/16/2026	1,005,000.00	03/10/2022 2.34%	1,004,777.69 1,004,780.47	98.70 2.91%	991,967.16 971.50	0.41% (12,813.31)	Aaa / NR AAA	4.47 2.22
448977AD0	Hyundai Auto Receivables Trust 2022-A A3 2.220% Due 10/15/2026	1,080,000.00	03/09/2022 2.23%	1,079,958.42 1,079,958.98	98.75 2.79%	1,066,532.40 999.00	0.44% (13,426.58)	NR / AAA AAA	4.55 2.21
380146AC4	GM Financial Auto Receivables 2022-1 A3 1.260% Due 11/16/2026	500,000.00	01/11/2022 1.23%	499,956.55 499,959.13	96.81 3.09%	484,055.50 262.50	0.20% (15,903.63)	NR / AAA AAA	4.63 1.76
				23,325,303.49		**22,814,841.07**	**9.48%**	**Aaa / AAA**	**3.28**
TOTAL ABS		**23,327,438.07**	**1.05%**	**23,325,373.86**	**2.54%**	**9,207.56**	**(510,532.79)**	**Aaa**	**1.53**
Agency									
3135G0T94	FNMA Note 2.375% Due 01/19/2023	2,500,000.00	03/28/2018 2.70%	2,463,675.00 2,493,942.39	100.66 1.53%	2,516,617.50 11,875.00	1.05% 22,675.11	Aaa / AA+ AAA	0.81 0.79
313383QR5	FHLB Note 3.250% Due 06/09/2023	1,500,000.00	08/28/2018 2.87%	1,525,005.00 1,506,219.01	101.46 2.00%	1,521,955.50 15,166.67	0.64% 15,736.49	Aaa / AA+ NR	1.19 1.15
3137EAEN5	FHLMC Note 2.750% Due 06/19/2023	2,000,000.00	07/16/2018 2.88%	1,988,360.00 1,997,125.61	100.96 1.95%	2,019,136.00 15,583.33	0.85% 22,010.39	Aaa / AA+ AAA	1.22 1.19
3135G05G4	FNMA Note 0.250% Due 07/10/2023	2,350,000.00	07/08/2020 0.32%	2,344,947.50 2,347,854.42	97.85 1.97%	2,299,390.40 1,321.88	0.96% (48,464.02)	Aaa / AA+ AAA	1.28 1.26
3133EKZK5	FFCB Note 1.600% Due 08/14/2023	4,000,000.00	08/26/2019 1.54%	4,009,000.00 4,003,107.73	99.52 1.96%	3,980,756.00 8,355.56	1.66% (22,351.73)	Aaa / AA+ AAA	1.37 1.34
313383YJ4	FHLB Note 3.375% Due 09/08/2023	5,000,000.00	Various 2.90%	5,102,615.00 5,031,396.16	101.85 2.06%	5,092,430.00 10,781.25	2.12% 61,033.84	Aaa / AA+ NR	1.44 1.40
3130A0F70	FHLB Note 3.375% Due 12/08/2023	5,000,000.00	Various 2.73%	5,147,870.00 5,050,710.05	101.82 2.27%	5,090,910.00 52,968.75	2.14% 40,199.95	Aaa / AA+ AAA	1.69 1.62
3135G0V34	FNMA Note 2.500% Due 02/05/2024	2,000,000.00	02/27/2019 2.58%	1,992,340.00 1,997,132.28	100.50 2.22%	2,010,044.00 7,777.78	0.84% 12,911.72	Aaa / AA+ AAA	1.85 1.79
3130A1XJ2	FHLB Note 2.875% Due 06/14/2024	3,795,000.00	Various 1.96%	3,958,639.85 3,867,260.13	101.01 2.40%	3,833,397.81 32,428.80	1.61% (33,862.32)	Aaa / AA+ NR	2.21 2.11

Holdings Report

As of March 31, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
3133EKWV4	FFCB Note 1.850% Due 07/26/2024	2,500,000.00	08/13/2019 1.65%	2,524,140.00 2,511,308.95	99.08 2.26%	2,477,060.00 8,350.69	1.03% (34,248.95)	Aaa / AA+ AAA	2.32 2.25
3130A2UW4	FHLB Note 2.875% Due 09/13/2024	2,000,000.00	10/10/2019 1.58%	2,122,020.00 2,060,772.61	101.05 2.43%	2,021,062.00 2,875.00	0.84% (39,710.61)	Aaa / AA+ AAA	2.46 2.35
3135G0W66	FNMA Note 1.625% Due 10/15/2024	2,000,000.00	11/08/2019 1.80%	1,983,400.00 1,991,437.02	98.07 2.41%	1,961,402.00 14,986.11	0.82% (30,035.02)	Aaa / AA+ AAA	2.55 2.45
3135G0X24	FNMA Note 1.625% Due 01/07/2025	4,200,000.00	Various 1.18%	4,287,898.80 4,250,370.51	97.73 2.48%	4,104,702.00 15,925.00	1.71% (145,668.51)	Aaa / AA+ AAA	2.78 2.67
3137EAEP0	FHLMC Note 1.500% Due 02/12/2025	4,200,000.00	Various 1.23%	4,254,786.30 4,231,820.79	97.29 2.49%	4,086,163.20 8,575.00	1.70% (145,657.59)	Aaa / AA+ AAA	2.87 2.77
3135G03U5	FNMA Note 0.625% Due 04/22/2025	1,825,000.00	04/22/2020 0.67%	1,821,240.50 1,822,697.72	94.55 2.49%	1,725,477.28 5,037.76	0.72% (97,220.44)	Aaa / AA+ AAA	3.06 2.99
3135G04Z3	FNMA Note 0.500% Due 06/17/2025	3,435,000.00	06/17/2020 0.54%	3,427,889.55 3,430,427.33	93.84 2.51%	3,223,280.34 4,961.67	1.34% (207,146.99)	Aaa / AA+ AAA	3.22 3.14
3137EAEU9	FHLMC Note 0.375% Due 07/21/2025	1,745,000.00	07/21/2020 0.48%	1,736,309.90 1,739,249.48	93.36 2.48%	1,629,091.87 1,272.40	0.68% (110,157.61)	Aaa / AA+ AAA	3.31 3.24
3135G05X7	FNMA Note 0.375% Due 08/25/2025	2,755,000.00	08/25/2020 0.47%	2,742,106.60 2,746,220.61	93.18 2.48%	2,567,230.22 1,033.13	1.07% (178,990.39)	Aaa / AA+ AAA	3.41 3.34
3137EAEX3	FHLMC Note 0.375% Due 09/23/2025	2,655,000.00	09/23/2020 0.44%	2,647,008.45 2,649,431.33	92.94 2.51%	2,467,453.46 221.25	1.02% (181,977.87)	Aaa / AA+ AAA	3.48 3.41
3135G06G3	FNMA Note 0.500% Due 11/07/2025	2,860,000.00	11/09/2020 0.57%	2,849,761.20 2,852,600.63	93.23 2.48%	2,666,286.48 5,720.00	1.11% (186,314.15)	Aaa / AA+ AAA	3.61 3.52
				58,929,013.65		**57,293,846.06**	**23.89%**	**Aaa / AA+**	**2.26**
TOTAL Agency		**58,320,000.00**	**1.61%**	**58,581,084.76**	**2.27%**	**225,217.03**	**(1,287,238.70)**	**Aaa**	**2.19**
CMO									
3137BFE98	FHLMC K041 A2 3.171% Due 10/25/2024	2,000,000.00	07/01/2021 0.72%	2,151,406.25 2,117,077.25	101.14 2.62%	2,022,844.00 5,285.00	0.84% (94,233.25)	Aaa / AAA AAA	2.57 2.36
3137BSRE5	FHLMC K059 A2 3.120% Due 09/25/2026	2,000,000.00	02/18/2022 1.98%	2,085,625.00 2,083,756.82	101.49 2.72%	2,029,708.00 5,200.00	0.85% (54,048.82)	NR / AAA AAA	4.49 4.06
				4,237,031.25		**4,052,552.00**	**1.69%**	**Aaa / AAA**	**3.53**
TOTAL CMO		**4,000,000.00**	**1.35%**	**4,200,834.07**	**2.67%**	**10,485.00**	**(148,282.07)**	**Aaa**	**3.21**

Holdings Report

As of March 31, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
Corporate									
808513AT2	Charles Schwab Corp Callable Note Cont 12/25/2022 2.650% Due 01/25/2023	2,000,000.00	05/21/2019 2.74%	1,993,920.00 1,998,646.37	100.73 1.64%	2,014,630.00 9,716.67	0.84% 15,983.63	A2 / A A	0.82 0.72
084670BR8	Berkshire Hathaway Callable Note Cont 1/15/2023 2.750% Due 03/15/2023	1,865,000.00	Various 3.35%	1,818,500.75 1,855,250.95	100.70 1.85%	1,878,075.52 2,279.44	0.78% 22,824.57	Aa2 / AA A+	0.96 0.78
58933YAF2	Merck & Co Note 2.800% Due 05/18/2023	740,000.00	10/26/2018 3.41%	720,996.80 735,286.38	100.82 2.06%	746,056.16 7,654.89	0.31% 10,769.78	A1 / A+ A+	1.13 1.10
46625HRL6	JP Morgan Chase Callable Note Cont 3/18/2023 2.700% Due 05/18/2023	500,000.00	12/20/2018 3.74%	479,055.00 494,626.81	100.42 2.25%	502,123.00 4,987.50	0.21% 7,496.19	A2 / A- AA-	1.13 0.94
69353RFL7	PNC Bank Callable Note Cont 5/9/2023 3.500% Due 06/08/2023	2,210,000.00	Various 3.53%	2,206,955.80 2,209,276.83	101.32 2.28%	2,239,152.11 24,279.30	0.94% 29,875.28	A2 / A A+	1.19 1.07
166764AH3	Chevron Corp Callable Note Cont 3/24/2023 3.191% Due 06/24/2023	1,000,000.00	11/08/2018 3.59%	983,170.00 995,512.67	101.12 2.02%	1,011,211.00 8,597.97	0.42% 15,698.33	Aa2 / AA- NR	1.23 0.96
931142EK5	Wal-Mart Stores Callable Note Cont 5/26/2023 3.400% Due 06/26/2023	1,380,000.00	Various 3.41%	1,379,641.30 1,379,911.35	101.75 1.86%	1,404,116.88 12,381.66	0.59% 24,205.53	Aa2 / AA AA	1.24 1.12
02665WCJ8	American Honda Finance Note 3.450% Due 07/14/2023	1,000,000.00	Various 3.54%	996,275.00 998,965.10	101.41 2.33%	1,014,101.00 7,379.17	0.42% 15,135.90	A3 / A- A	1.29 1.25
06406RAJ6	Bank of NY Mellon Corp Note 3.450% Due 08/11/2023	1,200,000.00	08/24/2018 3.42%	1,201,836.00 1,200,504.42	101.38 2.41%	1,216,542.00 5,750.00	0.51% 16,037.58	A1 / A AA-	1.36 1.32
06051GHF9	Bank of America Corp Callable Note 1X 3/5/2023 3.550% Due 03/05/2024	2,400,000.00	Various 2.92%	2,434,650.00 2,413,591.04	100.70 2.33%	2,416,783.20 6,153.33	1.01% 3,192.16	A2 / A- AA-	1.93 1.86
89114QCB2	Toronto Dominion Bank Note 3.250% Due 03/11/2024	2,300,000.00	03/26/2019 2.95%	2,331,234.00 2,312,252.01	101.27 2.58%	2,329,118.00 4,152.78	0.97% 16,865.99	A1 / A AA-	1.95 1.87
037833CU2	Apple Inc Callable Note Cont 3/11/2024 2.850% Due 05/11/2024	3,000,000.00	Various 2.56%	3,038,334.00 3,016,082.32	100.90 2.37%	3,026,868.00 33,250.00	1.27% 10,785.68	Aaa / AA+ NR	2.12 1.87
023135BW5	Amazon.com Inc Note 0.450% Due 05/12/2024	1,865,000.00	05/10/2021 0.50%	1,862,277.10 1,863,082.04	96.43 2.19%	1,798,384.07 3,240.44	0.75% (64,697.97)	A1 / AA AA-	2.12 2.08
24422ETT6	John Deere Capital Corp Note 2.650% Due 06/24/2024	2,000,000.00	Various 1.32%	2,093,680.00 2,057,708.02	100.22 2.55%	2,004,312.00 14,280.56	0.84% (53,396.02)	A2 / A A	2.24 2.14
02665WCZ2	American Honda Finance Note 2.400% Due 06/27/2024	1,500,000.00	07/10/2019 2.49%	1,493,742.00 1,497,174.92	99.38 2.69%	1,490,677.50 9,400.00	0.62% (6,497.42)	A3 / A- A	2.24 2.15
79466LAG9	Salesforce.com Inc Callable Note Cont 7/15/2022 0.625% Due 07/15/2024	465,000.00	06/29/2021 0.64%	464,762.85 464,819.60	95.83 2.51%	445,592.76 613.54	0.19% (19,226.84)	A2 / A+ NR	2.29 2.24
78013XZU5	Royal Bank of Canada Note 2.550% Due 07/16/2024	2,500,000.00	09/10/2019 2.28%	2,531,325.00 2,514,821.38	99.63 2.72%	2,490,770.00 13,281.25	1.04% (24,051.38)	A1 / A AA-	2.30 2.20

Holdings Report

As of March 31, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
46647PAU0	JP Morgan Chase & Co Callable Note 1X 7/23/2023 3.797% Due 07/23/2024	2,500,000.00	09/12/2019 2.26%	2,632,175.00 2,562,954.68	101.19 2.44%	2,529,670.00 17,930.28	1.06% (33,284.68)	A2 / A- AA-	2.32 2.20
02665WEA5	American Honda Finance Note 1.500% Due 01/13/2025	1,075,000.00	01/11/2022 1.53%	1,074,150.75 1,074,211.19	96.44 2.84%	1,036,713.88 3,493.75	0.43% (37,497.31)	A3 / A- A	2.79 2.69
90331HPL1	US Bank NA Callable Note Cont 12/21/2024 2.050% Due 01/21/2025	2,610,000.00	01/16/2020 2.10%	2,604,440.70 2,606,878.03	98.01 2.79%	2,557,974.87 10,403.75	1.07% (48,903.16)	A1 / AA- AA-	2.81 2.69
00440EAS6	Chubb INA Holdings Inc Note 3.150% Due 03/15/2025	2,500,000.00	Various 0.76%	2,753,600.00 2,673,378.34	101.17 2.73%	2,529,295.00 3,500.00	1.05% (144,083.34)	A3 / A A	2.96 2.80
747525AF0	Qualcomm Inc Callable Note Cont 2/20/2025 3.450% Due 05/20/2025	3,500,000.00	Various 1.78%	3,686,490.00 3,676,772.07	101.99 2.78%	3,569,569.50 43,939.59	1.50% (107,202.57)	A2 / A NR	3.14 2.92
61747YEA9	Morgan Stanley Callable Note Cont 5/30/2024 0.790% Due 05/30/2025	3,040,000.00	05/26/2021 0.77%	3,041,611.70 3,041,163.84	95.08 2.42%	2,890,422.88 8,072.05	1.20% (150,740.96)	A1 / BBB+ A	3.17 3.09
438516CB0	Honeywell Intl Callable Note Cont 5/1/2025 1.350% Due 06/01/2025	2,500,000.00	06/23/2020 0.85%	2,559,500.00 2,537,830.04	96.40 2.54%	2,410,015.00 11,250.00	1.01% (127,815.04)	A2 / A A	3.17 3.06
78015K7H1	Royal Bank of Canada Note 1.150% Due 06/10/2025	1,000,000.00	02/22/2021 0.86%	1,012,240.00 1,009,107.75	94.49 2.97%	944,881.00 3,545.83	0.39% (64,226.75)	A1 / A AA-	3.20 3.08
02665WDL2	American Honda Finance Note 1.200% Due 07/08/2025	1,000,000.00	08/10/2021 1.00%	1,007,640.00 1,006,397.03	94.33 3.03%	943,347.00 2,766.67	0.39% (63,050.03)	A3 / A- A	3.27 3.16
89114QCK2	Toronto Dominion Bank Note 0.750% Due 09/11/2025	1,000,000.00	02/16/2021 0.81%	997,230.00 997,906.70	92.30 3.12%	923,029.00 416.67	0.38% (74,877.70)	A1 / A AA-	3.45 3.35
06051GHY8	Bank of America Corp Callable Note Cont 2/13/2025 2.015% Due 02/13/2026	1,250,000.00	03/04/2021 1.14%	1,291,725.00 1,280,437.78	96.36 2.92%	1,204,490.00 3,358.33	0.50% (75,947.78)	A2 / A- AA-	3.88 3.67
46647PBH8	JP Morgan Chase & Co Callable Note Mthly 3/13/2025 2.005% Due 03/13/2026	1,000,000.00	04/29/2021 1.20%	1,030,270.00 1,023,072.04	96.51 2.92%	965,133.00 1,002.50	0.40% (57,939.04)	A2 / A- AA-	3.95 3.76
808513BR5	Charles Schwab Corp Callable Note Cont 4/13/2026 1.150% Due 05/13/2026	1,370,000.00	05/11/2021 1.20%	1,366,821.60 1,367,383.83	93.24 2.90%	1,277,367.45 6,039.42	0.53% (90,016.38)	A2 / A A	4.12 3.95
91324PEC2	United Health Group Inc Callable Note Cont 4/15/2026 1.150% Due 05/15/2026	2,000,000.00	Various 1.90%	1,939,210.15 1,940,435.08	93.05 2.95%	1,860,902.01 8,688.89	0.78% (79,533.07)	A3 / A+ A	4.13 3.96
89236TJK2	Toyota Motor Credit Corp Note 1.125% Due 06/18/2026	2,485,000.00	06/15/2021 1.13%	2,483,906.60 2,484,078.45	92.90 2.93%	2,308,654.46 7,998.59	0.96% (175,423.99)	A1 / A+ A+	4.22 4.05
58989V2D5	Met Tower Global Funding Note 1.250% Due 09/14/2026	1,285,000.00	09/07/2021 1.27%	1,283,817.80 1,283,946.64	92.42 3.08%	1,187,643.26 758.51	0.49% (96,303.38)	Aa3 / AA- AA-	4.46 4.27

Holdings Report

As of March 31, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
06368FAC3	Bank of Montreal Note 1.250% Due 09/15/2026	2,500,000.00	Various 1.29%	2,495,539.50 2,496,023.16	91.93 3.21%	2,298,257.50 1,388.89	0.96% (197,765.66)	A2 / A- AA-	4.46 4.27
931142ER0	Wal-Mart Stores Callable Note Cont 08/17/2026 1.050% Due 09/17/2026	585,000.00	09/08/2021 1.09%	583,894.35 584,013.03	93.10 2.70%	544,625.06 238.88	0.23% (39,387.97)	Aa2 / AA AA	4.47 4.31
59217GER6	Metlife Note 1.875% Due 01/11/2027	1,860,000.00	01/03/2022 1.90%	1,857,879.60 1,857,972.50	94.08 3.22%	1,749,928.92 7,750.00	0.73% (108,043.58)	Aa3 / AA- AA-	4.79 4.49
87612EBM7	Target Corp Callable Note Cont 12/15/2026 1.950% Due 01/15/2027	1,340,000.00	01/19/2022 1.99%	1,337,722.00 1,337,806.00	96.72 2.69%	1,295,999.76 4,863.08	0.54% (41,806.24)	A2 / A A	4.80 4.51
808513BY0	Charles Schwab Corp Callable Note Cont 2/3/2027 2.450% Due 03/03/2027	585,000.00	03/01/2022 2.47%	584,368.20 584,378.23	97.21 3.06%	568,696.05 1,114.75	0.24% (15,682.18)	A2 / A A	4.93 4.58
084664CZ2	Berkshire Hathaway Callable Note Cont 2/15/2027 2.300% Due 03/15/2027	2,295,000.00	03/07/2022 2.30%	2,294,563.95 2,294,568.01	98.28 2.67%	2,255,562.72 2,346.00	0.94% (39,005.29)	Aa2 / AA A+	4.96 4.64
40139LBF9	Guardian Life Glob Fun Note 3.246% Due 03/29/2027	765,000.00	03/24/2022 3.25%	765,000.00 765,000.00	99.81 3.29%	763,572.51 137.96	0.32% (1,427.49)	Aa2 / AA+ NR	5.00 4.57
TOTAL Corporate		**67,970,000.00**	**1.97%**	**68,714,152.50** **68,493,226.63**	**2.60%**	**66,644,264.03** **318,402.89**	**27.81%** **(1,848,962.60)**	**A1 / A+** **A+**	**2.85** **2.69**
Money Market Fund									
31846V203	First American Govt Obligation Fund Class Y	632,735.73	Various 0.01%	632,735.73 632,735.73	1.00 0.01%	632,735.73 0.00	0.26% 0.00	Aaa / AAA AAA	0.00 0.00
TOTAL Money Market Fund		**632,735.73**	**0.01%**	**632,735.73** **632,735.73**	**0.01%**	**632,735.73** **0.00**	**0.26%** **0.00**	**Aaa / AAA** **Aaa**	**0.00** **0.00**
Negotiable CD									
06417MQL2	Bank of Nova Scotia Houston Yankee CD 0.200% Due 06/23/2022	2,500,000.00	06/29/2021 0.20%	2,499,999.81 2,499,999.96	99.82 0.96%	2,495,577.50 3,916.67	1.04% (4,422.46)	P-1 / A-1 F-1+	0.23 0.23
86959RTW0	Svenska Handelsbanken NY Yankee CD 0.255% Due 10/14/2022	2,500,000.00	10/15/2021 0.25%	2,500,126.08 2,500,067.89	99.32 1.50%	2,483,095.00 2,975.00	1.03% (16,972.89)	P-1 / A-1+ F-1+	0.54 0.54
TOTAL Negotiable CD		**5,000,000.00**	**0.23%**	**5,000,125.89** **5,000,067.85**	**1.23%**	**4,978,672.50** **6,891.67**	**2.07%** **(21,395.35)**	**Aaa / AA+** **Aaa**	**0.38** **0.38**
Supranational									
4581X0CZ9	Inter-American Dev Bank Note 1.750% Due 09/14/2022	2,500,000.00	11/28/2017 2.18%	2,451,675.00 2,495,413.41	100.02 1.70%	2,500,502.50 2,065.97	1.04% 5,089.09	Aaa / AAA AAA	0.46 0.45

Holdings Report

As of March 31, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
4581X0DZ8	Inter-American Dev Bank Note 0.500% Due 09/23/2024	3,680,000.00	09/15/2021 0.52%	3,677,276.80 3,677,748.89	95.31 2.46%	3,507,297.60 408.89	1.46% (170,451.29)	Aaa / AAA NR	2.48 2.43
459058JB0	Intl. Bank Recon & Development Note 0.625% Due 04/22/2025	2,260,000.00	04/15/2020 0.70%	2,251,253.80 2,254,649.78	94.43 2.53%	2,134,219.70 6,238.54	0.89% (120,430.08)	Aaa / AAA NR	3.06 2.99
4581X0DN5	Inter-American Dev Bank Note 0.625% Due 07/15/2025	1,685,000.00	01/13/2021 0.53%	1,692,329.75 1,690,361.16	93.91 2.57%	1,582,361.60 2,223.26	0.66% (107,999.56)	Aaa / AAA NR	3.29 3.21
459058JL8	Intl. Bank Recon & Development Note 0.500% Due 10/28/2025	6,000,000.00	Various 0.55%	5,986,632.00 5,989,921.47	92.91 2.59%	5,574,618.00 12,750.00	2.32% (415,303.47)	Aaa / AAA AAA	3.58 3.49
4581X0DV7	Inter-American Dev Bank Note 0.875% Due 04/20/2026	4,615,000.00	04/13/2021 0.97%	4,593,863.30 4,597,868.39	93.40 2.60%	4,310,525.38 18,059.39	1.80% (287,343.01)	Aaa / AAA AAA	4.06 3.92
TOTAL Supranational		**20,740,000.00**	**0.85%**	**20,653,030.65 20,705,963.10**	**2.45%**	**19,609,524.78 41,746.05**	**8.16% (1,096,438.32)**	**Aaa / AAA Aaa**	**3.01 2.93**
US Treasury									
912828L57	US Treasury Note 1.750% Due 09/30/2022	3,750,000.00	Various 2.02%	3,702,841.80 3,745,200.80	100.35 1.04%	3,763,185.00 179.31	1.56% 17,984.20	Aaa / AA+ AAA	0.50 0.50
912828M49	US Treasury Note 1.875% Due 10/31/2022	1,000,000.00	01/30/2018 2.47%	973,359.38 996,727.54	100.38 1.21%	1,003,828.00 7,872.93	0.42% 7,100.46	Aaa / AA+ AAA	0.59 0.57
9128284D9	US Treasury Note 2.500% Due 03/31/2023	3,750,000.00	Various 2.75%	3,706,123.05 3,741,142.69	100.76 1.73%	3,778,417.50 256.15	1.57% 37,274.81	Aaa / AA+ AAA	1.00 0.99
912828R69	US Treasury Note 1.625% Due 05/31/2023	1,500,000.00	05/30/2018 2.67%	1,427,167.97 1,483,048.40	99.71 1.88%	1,495,663.50 8,169.64	0.62% 12,615.10	Aaa / AA+ AAA	1.17 1.14
912828U57	US Treasury Note 2.125% Due 11/30/2023	5,000,000.00	Various 2.53%	4,908,242.19 4,968,452.05	99.92 2.17%	4,995,900.00 35,611.27	2.09% 27,447.95	Aaa / AA+ AAA	1.67 1.62
912828V80	US Treasury Note 2.250% Due 01/31/2024	5,000,000.00	Various 2.32%	4,983,691.41 4,993,786.37	99.96 2.27%	4,997,850.00 18,646.40	2.08% 4,063.63	Aaa / AA+ AAA	1.84 1.78
912828WJ5	US Treasury Note 2.500% Due 05/15/2024	1,750,000.00	06/10/2019 1.91%	1,798,261.72 1,770,779.35	100.28 2.36%	1,754,852.75 16,557.32	0.74% (15,926.60)	Aaa / AA+ AAA	2.13 2.04
9128282N9	US Treasury Note 2.125% Due 07/31/2024	2,000,000.00	08/30/2019 1.44%	2,064,531.25 2,030,595.78	99.36 2.41%	1,987,266.00 7,044.20	0.83% (43,329.78)	Aaa / AA+ AAA	2.34 2.26
912828YH7	US Treasury Note 1.500% Due 09/30/2024	3,500,000.00	Various 1.65%	3,474,941.41 3,487,078.89	97.73 2.44%	3,420,431.00 143.45	1.42% (66,647.89)	Aaa / AA+ AAA	2.50 2.43
9128283J7	US Treasury Note 2.125% Due 11/30/2024	3,000,000.00	Various 1.76%	3,051,650.40 3,027,775.14	99.11 2.47%	2,973,282.00 21,366.76	1.24% (54,493.14)	Aaa / AA+ AAA	2.67 2.56

Holdings Report

As of March 31, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
912828ZC7	US Treasury Note 1.125% Due 02/28/2025	3,500,000.00	03/24/2020 0.52%	3,603,222.66 3,560,982.18	96.22 2.48%	3,367,658.00 3,423.91	1.40% (193,324.18)	Aaa / AA+ AAA	2.92 2.84
91282CED9	US Treasury Note 1.750% Due 03/15/2025	2,000,000.00	03/15/2022 2.00%	1,985,312.50 1,985,527.11	97.99 2.46%	1,959,844.00 1,616.85	0.81% (25,683.11)	Aaa / AA+ AAA	2.96 2.86
912828ZL7	US Treasury Note 0.375% Due 04/30/2025	4,000,000.00	Various 0.38%	3,998,593.75 3,999,111.21	93.73 2.50%	3,749,220.00 6,298.34	1.56% (249,891.21)	Aaa / AA+ AAA	3.08 3.02
91282CAM3	US Treasury Note 0.250% Due 09/30/2025	2,500,000.00	10/16/2020 0.32%	2,491,406.25 2,493,922.07	92.48 2.51%	2,312,012.50 17.08	0.96% (181,909.57)	Aaa / AA+ AAA	3.50 3.44
91282CBC4	US Treasury Note 0.375% Due 12/31/2025	1,000,000.00	12/29/2020 0.38%	999,921.88 999,941.39	92.45 2.49%	924,531.00 942.68	0.38% (75,410.39)	Aaa / AA+ AAA	3.76 3.68
91282CBH3	US Treasury Note 0.375% Due 01/31/2026	4,000,000.00	02/23/2021 0.58%	3,960,625.00 3,969,387.14	92.26 2.50%	3,690,468.00 2,486.19	1.53% (278,919.14)	Aaa / AA+ AAA	3.84 3.76
91282CBQ3	US Treasury Note 0.500% Due 02/28/2026	2,500,000.00	03/26/2021 0.83%	2,459,960.94 2,468,160.37	92.56 2.51%	2,313,965.00 1,086.96	0.96% (154,195.37)	Aaa / AA+ AAA	3.92 3.83
91282CBT7	US Treasury Note 0.750% Due 03/31/2026	5,000,000.00	Various 0.85%	4,974,804.69 4,979,787.17	93.36 2.50%	4,668,165.00 102.46	1.94% (311,622.17)	Aaa / AA+ AAA	4.00 3.90
91282CCF6	US Treasury Note 0.750% Due 05/31/2026	2,000,000.00	06/18/2021 0.91%	1,985,000.00 1,987,360.11	93.12 2.50%	1,862,344.00 5,027.47	0.78% (125,016.11)	Aaa / AA+ AAA	4.17 4.05
91282CCW9	US Treasury Note 0.750% Due 08/31/2026	2,000,000.00	08/30/2021 0.77%	1,998,515.63 1,998,688.78	92.81 2.48%	1,856,250.00 1,304.35	0.77% (142,438.78)	Aaa / AA+ AAA	4.42 4.29
91282CDG3	US Treasury Note 1.125% Due 10/31/2026	5,000,000.00	Various 1.25%	4,970,498.06 4,972,382.94	94.18 2.48%	4,709,180.00 23,618.78	1.97% (263,202.94)	Aaa / AA+ AAA	4.59 4.40
912828Z78	US Treasury Note 1.500% Due 01/31/2027	2,500,000.00	01/31/2022 1.64%	2,483,300.78 2,483,849.49	95.70 2.45%	2,392,577.50 6,215.47	1.00% (91,271.99)	Aaa / AA+ AAA	4.84 4.61
TOTAL US Treasury		**66,250,000.00**	**1.46%**	**66,001,972.72 66,143,686.97**	**2.27%**	**63,976,890.75 167,987.97**	**26.64% (2,166,796.22)**	**Aaa / AA+ Aaa**	**2.82 2.73**
TOTAL PORTFOLIO		**246,240,173.80**	**1.52%**	**247,493,365.88 247,082,972.97**	**2.38%**	**240,003,326.92 779,938.17**	**100.00% (7,079,646.05)**	**Aa1 / AA Aaa**	**2.71 2.45**
TOTAL MARKET VALUE PLUS ACCRUALS						**240,783,265.09**			

Holdings Report

As of March 31, 2022

City of Dublin Reporting Account - Account #10219

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	50,424,445.25	Various 0.42%	50,424,445.25 50,424,445.25	1.00 0.42%	50,424,445.25 36,519.44	38.78% 0.00	NR / NR NR	0.00 0.00
TOTAL LAIF		**50,424,445.25**	**0.42%**	**50,424,445.25** **50,424,445.25**	**0.42%**	**50,424,445.25** **36,519.44**	**38.78%** **0.00**	**NR / NR** **NR**	**0.00** **0.00**
Local Gov Investment Pool									
90CAMP$00	California Asset Mgmt Program CAMP	79,661,871.67	Various 0.07%	79,661,871.67 79,661,871.67	1.00 0.07%	79,661,871.67 0.00	61.22% 0.00	NR / AAA NR	0.00 0.00
TOTAL Local Gov Investment Pool		**79,661,871.67**	**0.07%**	**79,661,871.67** **79,661,871.67**	**0.07%**	**79,661,871.67** **0.00**	**61.22%** **0.00**	**NR / AAA** **NR**	**0.00** **0.00**
TOTAL PORTFOLIO		**130,086,316.92**	**0.21%**	**130,086,316.92** **130,086,316.92**	**0.21%**	**130,086,316.92** **36,519.44**	**100.00%** **0.00**	**NR / AAA** **NR**	**0.00** **0.00**
TOTAL MARKET VALUE PLUS ACCRUALS						**130,122,836.36**			

Section 5 | Transactions

Transaction Ledger

As of March 31, 2022

City of Dublin - Account #10198

December 31, 2021 through March 31, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	01/11/2022	59217GER6	1,860,000.00	Metlife Note 1.875% Due: 01/11/2027	99.886	1.90%	1,857,879.60	0.00	1,857,879.60	0.00
Purchase	01/13/2022	02665WEA5	1,075,000.00	American Honda Finance Note 1.5% Due: 01/13/2025	99.921	1.53%	1,074,150.75	0.00	1,074,150.75	0.00
Purchase	01/19/2022	05601XAC3	755,000.00	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due: 03/25/2025	99.985	1.11%	754,887.13	0.00	754,887.13	0.00
Purchase	01/19/2022	380146AC4	500,000.00	GM Financial Auto Receivables 2022-1 A3 1.26% Due: 11/16/2026	99.991	1.27%	499,956.55	0.00	499,956.55	0.00
Purchase	01/19/2022	44891WAC3	910,000.00	Hyundai Auto Lease Trust 2022-A A3 1.16% Due: 01/15/2025	99.998	1.16%	909,979.89	0.00	909,979.89	0.00
Purchase	01/24/2022	87612EBM7	1,340,000.00	Target Corp Callable Note Cont 12/15/2026 1.95% Due: 01/15/2027	99.830	1.99%	1,337,722.00	0.00	1,337,722.00	0.00
Purchase	01/27/2022	747525AF0	2,500,000.00	Qualcomm Inc Callable Note Cont 2/20/2025 3.45% Due: 05/20/2025	105.498	1.74%	2,637,450.00	16,052.08	2,653,502.08	0.00
Purchase	01/31/2022	747525AF0	1,000,000.00	Qualcomm Inc Callable Note Cont 2/20/2025 3.45% Due: 05/20/2025	104.904	1.91%	1,049,040.00	6,804.17	1,055,844.17	0.00
Purchase	01/31/2022	912828Z78	2,500,000.00	US Treasury Note 1.5% Due: 01/31/2027	99.332	1.64%	2,483,300.78	0.00	2,483,300.78	0.00
Purchase	02/22/2022	91324PEC2	1,395,000.00	United Health Group Inc Callable Note Cont 4/15/2026 1.15% Due: 05/15/2026	95.502	2.27%	1,332,252.90	4,322.56	1,336,575.46	0.00
Purchase	02/23/2022	36265MAC9	1,680,000.00	GM Financial Auto Lease Trust 2022-1 A3 1.9% Due: 03/20/2025	99.999	1.91%	1,679,985.55	0.00	1,679,985.55	0.00
Purchase	02/23/2022	43815BAC4	1,315,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due: 05/15/2026	99.985	1.89%	1,314,802.22	0.00	1,314,802.22	0.00
Purchase	02/24/2022	3137BSRE5	2,000,000.00	FHLMC K059 A2 3.12% Due: 09/25/2026	104.281	1.98%	2,085,625.00	3,986.67	2,089,611.67	0.00
Purchase	02/28/2022	89238LAC4	2,045,000.00	Toyota Lease Owner Trust 2022-A A3 1.96% Due: 02/20/2025	99.984	1.98%	2,044,678.12	0.00	2,044,678.12	0.00
Purchase	03/03/2022	808513BY0	585,000.00	Charles Schwab Corp Callable Note Cont 2/3/2027 2.45% Due: 03/03/2027	99.892	2.47%	584,368.20	0.00	584,368.20	0.00

Transaction Ledger

As of March 31, 2022

City of Dublin - Account #10198

December 31, 2021 through March 31, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
Purchase	03/15/2022	084664CZ2	2,295,000.00	Berkshire Hathaway Callable Note Cont 2/15/2027 2.3% Due: 03/15/2027	99.981	2.30%	2,294,563.95	0.00	2,294,563.95	0.00
Purchase	03/16/2022	448977AD0	1,080,000.00	Hyundai Auto Receivables Trust 2022-A A3 2.22% Due: 10/15/2026	99.996	2.23%	1,079,958.42	0.00	1,079,958.42	0.00
Purchase	03/16/2022	47787JAC2	1,005,000.00	John Deere Owner Trust 2022-A A3 2.32% Due: 09/16/2026	99.978	2.34%	1,004,777.69	0.00	1,004,777.69	0.00
Purchase	03/16/2022	91282CED9	2,000,000.00	US Treasury Note 1.75% Due: 03/15/2025	99.266	2.00%	1,985,312.50	95.11	1,985,407.61	0.00
Purchase	03/29/2022	40139LBF9	765,000.00	Guardian Life Glob Fun Note 3.246% Due: 03/29/2027	100.000	3.25%	765,000.00	0.00	765,000.00	0.00
Subtotal			**28,605,000.00**				**28,775,691.25**	**31,260.59**	**28,806,951.84**	**0.00**
TOTAL ACQUISITIONS			**28,605,000.00**				**28,775,691.25**	**31,260.59**	**28,806,951.84**	**0.00**
DISPOSITIONS										
Sale	01/05/2022	912828XW5	2,000,000.00	US Treasury Note 1.75% Due: 06/30/2022	100.742	1.86%	2,014,843.75	483.43	2,015,327.18	15,881.98
Sale	01/13/2022	459058FY4	2,000,000.00	Intl. Bank Recon & Development Note 2% Due: 01/26/2022	100.066	2.12%	2,001,320.00	18,555.56	2,019,875.56	1,401.24
Sale	01/13/2022	912828XW5	1,000,000.00	US Treasury Note 1.75% Due: 06/30/2022	100.695	1.86%	1,006,953.13	628.45	1,007,581.58	7,448.65
Sale	03/03/2022	313378CR0	2,000,000.00	FHLB Note 2.25% Due: 03/11/2022	100.048	1.86%	2,000,960.00	21,500.00	2,022,460.00	796.38
Sale	03/09/2022	3135G0T45	3,250,000.00	FNMA Note 1.875% Due: 04/05/2022	100.116	1.99%	3,253,770.00	26,067.71	3,279,837.71	4,039.17

Transaction Ledger

As of March 31, 2022

City of Dublin - Account #10198

December 31, 2021 through March 31, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
Sale	03/16/2022	912828L24	2,000,000.00	US Treasury Note 1.875% Due: 08/31/2022	100.496	1.92%	2,009,921.88	1,630.43	2,011,552.31	10,300.84
Subtotal			**12,250,000.00**				**12,287,768.76**	**68,865.58**	**12,356,634.34**	**39,868.26**
TOTAL DISPOSITIONS			**12,250,000.00**				**12,287,768.76**	**68,865.58**	**12,356,634.34**	**39,868.26**

Transaction Ledger

As of March 31, 2022

City of Dublin Reporting Account - Account #10219

December 31, 2021 through March 31, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	01/15/2022	90LAIF$00	29,012.37	Local Agency Investment Fund State Pool	1.000	0.22%	29,012.37	0.00	29,012.37	0.00
Purchase	01/31/2022	90CAMP$00	3,896.35	California Asset Mgmt Program CAMP	1.000	0.05%	3,896.35	0.00	3,896.35	0.00
Purchase	02/28/2022	90CAMP$00	3,573.51	California Asset Mgmt Program CAMP	1.000	0.07%	3,573.51	0.00	3,573.51	0.00
Purchase	03/31/2022	90CAMP$00	16,360.01	California Asset Mgmt Program CAMP	1.000	0.07%	16,360.01	0.00	16,360.01	0.00
Subtotal			**52,842.24**				**52,842.24**	**0.00**	**52,842.24**	**0.00**
Security Contribution	03/04/2022	90CAMP$00	3,000,000.00	California Asset Mgmt Program CAMP	1.000		3,000,000.00	0.00	3,000,000.00	0.00
Security Contribution	03/28/2022	90CAMP$00	5,000,000.00	California Asset Mgmt Program CAMP	1.000		5,000,000.00	0.00	5,000,000.00	0.00
Subtotal			**8,000,000.00**				**8,000,000.00**	**0.00**	**8,000,000.00**	**0.00**
TOTAL ACQUISITIONS			**8,052,842.24**				**8,052,842.24**	**0.00**	**8,052,842.24**	**0.00**
DISPOSITIONS										
Security Withdrawal	01/11/2022	90CAMP$00	2,200,000.00	California Asset Mgmt Program CAMP	1.000		2,200,000.00	0.00	2,200,000.00	0.00
Security Withdrawal	01/14/2022	90CAMP$00	2,300,000.00	California Asset Mgmt Program CAMP	1.000		2,300,000.00	0.00	2,300,000.00	0.00
Security Withdrawal	01/19/2022	90CAMP$00	15,000,000.00	California Asset Mgmt Program CAMP	1.000		15,000,000.00	0.00	15,000,000.00	0.00
Security Withdrawal	01/21/2022	90CAMP$00	500,000.00	California Asset Mgmt Program CAMP	1.000		500,000.00	0.00	500,000.00	0.00
Security Withdrawal	01/28/2022	90CAMP$00	1,200,000.00	California Asset Mgmt Program CAMP	1.000		1,200,000.00	0.00	1,200,000.00	0.00
Security Withdrawal	02/04/2022	90CAMP$00	1,900,000.00	California Asset Mgmt Program CAMP	1.000		1,900,000.00	0.00	1,900,000.00	0.00

Transaction Ledger

As of March 31, 2022

City of Dublin Reporting Account - Account #10219

December 31, 2021 through March 31, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
Security Withdrawal	02/18/2022	90CAMP$00	500,000.00	California Asset Mgmt Program CAMP	1.000		500,000.00	0.00	500,000.00	0.00
Security Withdrawal	02/25/2022	90CAMP$00	2,500,000.00	California Asset Mgmt Program CAMP	1.000		2,500,000.00	0.00	2,500,000.00	0.00
Security Withdrawal	03/21/2022	90CAMP$00	1,300,000.00	California Asset Mgmt Program CAMP	1.000		1,300,000.00	0.00	1,300,000.00	0.00
Subtotal			**27,400,000.00**				**27,400,000.00**	**0.00**	**27,400,000.00**	**0.00**
TOTAL DISPOSITIONS			**27,400,000.00**				**27,400,000.00**	**0.00**	**27,400,000.00**	**0.00**

Important Disclosures

As of March 31, 2022

2022 Chandler Asset Management, Inc, An Independent Registered Investment Adviser.

Information contained herein is confidential. Prices are provided by IDC, an independent pricing source. In the event IDC does not provide a price or if the price provided is not reflective of fair market value, Chandler will obtain pricing from an alternative approved third party pricing source in accordance with our written valuation policy and procedures. Our valuation procedures are also disclosed in Item 5 of our Form ADV Part 2A.

Performance results are presented gross-of-advisory fees and represent the client's Total Return. The deduction of advisory fees lowers performance results. These results include the reinvestment of dividends and other earnings. Past performance may not be indicative of future results. Therefore, clients should not assume that future performance of any specific investment or investment strategy will be profitable or equal to past performance levels. All investment strategies have the potential for profit or loss. Economic factors, market conditions or changes in investment strategies, contributions or withdrawals may materially alter the performance and results of your portfolio.

Index returns assume reinvestment of all distributions. Historical performance results for investment indexes generally do not reflect the deduction of transaction and/or custodial charges or the deduction of an investment management fee, the incurrence of which would have the effect of decreasing historical performance results. It is not possible to invest directly in an index.

Source ice Data Indices, LLC ("ICE"), used with permission. ICE permits use of the ICE indices and related data on an "as is" basis; ICE, its affiliates and their respective third party suppliers disclaim any and all warranties and representations, express and/or implied, including any warranties of merchantability or fitness for a particular purpose or use, including the indices, index data and any data included in, related to, or derived therefrom. Neither ICE data, its affiliates or their respective third party providers guarantee the quality, adequacy, accuracy, timeliness or completeness of the indices or the index data or any component thereof, and the indices and index data and all components thereof are provided on an "as is" basis and licensee's use it at licensee's own risk. ICE data, its affiliates and their respective third party do not sponsor, endorse, or recommend chandler asset management, or any of its products or services.

This report is provided for informational purposes only and should not be construed as a specific investment or legal advice. The information contained herein was obtained from sources believed to be reliable as of the date of publication, but may become outdated or superseded at any time without notice. Any opinions or views expressed are based on current market conditions and are subject to change. This report may contain forecasts and forward-looking statements which are inherently limited and should not be relied upon as indicator of future results. Past performance is not indicative of future results. This report is not intended to constitute an offer, solicitation, recommendation or advice regarding any securities or investment strategy and should not be regarded by recipients as a substitute for the exercise of their own judgment.

Fixed income investments are subject to interest, credit and market risk. Interest rate risk: the value of fixed income investments will decline as interest rates rise. Credit risk: the possibility that the borrower may not be able to repay interest and principal. Low rated bonds generally have to pay higher interest rates to attract investors willing to take on greater risk. Market risk: the bond market in general could decline due to economic conditions, especially during periods of rising interest rates.

Ratings information have been provided by Moody's, S&P and Fitch through data feeds we believe to be reliable as of the date of this statement, however we cannot guarantee its accuracy.

Security level ratings for U.S. Agency issued mortgage-backed securities ("MBS") reflect the issuer rating because the securities themselves are not rated. The issuing U.S. Agency guarantees the full and timely payment of both principal and interest and carries a AA+/Aaa/AAA by S&P, Moody's and Fitch respectively.

ICE BofA 1-5 Yr US Treasury & Agency Index*

The ICE BofA 1-5 Year US Treasury & Agency Index tracks the performance of US dollar denominated US Treasury and nonsubordinated US agency debt issued in the US domestic market. Qualifying securities must have an investment grade rating (based on an average of Moody's, S&P and Fitch). Qualifying securities must have at least one year remaining term to final maturity and less than five years remaining term to final maturity, at least 18 months to maturity at time of issuance, a fixed coupon schedule, and a minimum amount outstanding of $1 billion for sovereigns and $250 million for agencies.

The ICE BofA 1-3 Year US Treasury & Agency Index tracks the performance of US dollar denominated US Treasury and nonsubordinated US agency debt issued in the US domestic market. Qualifying securities must have an investment grade rating (based on an average of Moody's, S&P and Fitch). Qualifying securities must have at least one year remaining term to final maturity and less than three years remaining term to final maturity, at least 18 months to maturity at time of issuance, a fixed coupon schedule, and a minimum amount outstanding of $1 billion for sovereigns and $250 million for agencies.

Transaction Ledger

As of March 31, 2022

City of Dublin - Account #10198

December 31, 2021 through March 31, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	01/11/2022	59217GER6	1,860,000.00	Metlife Note 1.875% Due: 01/11/2027	99.886	1.90%	1,857,879.60	0.00	1,857,879.60	0.00
Purchase	01/13/2022	02665WEA5	1,075,000.00	American Honda Finance Note 1.5% Due: 01/13/2025	99.921	1.53%	1,074,150.75	0.00	1,074,150.75	0.00
Purchase	01/19/2022	05601XAC3	755,000.00	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due: 03/25/2025	99.985	1.11%	754,887.13	0.00	754,887.13	0.00
Purchase	01/19/2022	380146AC4	500,000.00	GM Financial Auto Receivables 2022-1 A3 1.26% Due: 11/16/2026	99.991	1.27%	499,956.55	0.00	499,956.55	0.00
Purchase	01/19/2022	44891WAC3	910,000.00	Hyundai Auto Lease Trust 2022-A A3 1.16% Due: 01/15/2025	99.998	1.16%	909,979.89	0.00	909,979.89	0.00
Purchase	01/24/2022	87612EBM7	1,340,000.00	Target Corp Callable Note Cont 12/15/2026 1.95% Due: 01/15/2027	99.830	1.99%	1,337,722.00	0.00	1,337,722.00	0.00
Purchase	01/27/2022	747525AF0	2,500,000.00	Qualcomm Inc Callable Note Cont 2/20/2025 3.45% Due: 05/20/2025	105.498	1.74%	2,637,450.00	16,052.08	2,653,502.08	0.00
Purchase	01/31/2022	747525AF0	1,000,000.00	Qualcomm Inc Callable Note Cont 2/20/2025 3.45% Due: 05/20/2025	104.904	1.91%	1,049,040.00	6,804.17	1,055,844.17	0.00
Purchase	01/31/2022	912828Z78	2,500,000.00	US Treasury Note 1.5% Due: 01/31/2027	99.332	1.64%	2,483,300.78	0.00	2,483,300.78	0.00
Purchase	02/22/2022	91324PEC2	1,395,000.00	United Health Group Inc Callable Note Cont 4/15/2026 1.15% Due: 05/15/2026	95.502	2.27%	1,332,252.90	4,322.56	1,336,575.46	0.00
Purchase	02/23/2022	36265MAC9	1,680,000.00	GM Financial Auto Lease Trust 2022-1 A3 1.9% Due: 03/20/2025	99.999	1.91%	1,679,985.55	0.00	1,679,985.55	0.00
Purchase	02/23/2022	43815BAC4	1,315,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due: 05/15/2026	99.985	1.89%	1,314,802.22	0.00	1,314,802.22	0.00
Purchase	02/24/2022	3137BSRE5	2,000,000.00	FHLMC K059 A2 3.12% Due: 09/25/2026	104.281	1.98%	2,085,625.00	3,986.67	2,089,611.67	0.00
Purchase	02/28/2022	89238LAC4	2,045,000.00	Toyota Lease Owner Trust 2022-A A3 1.96% Due: 02/20/2025	99.984	1.98%	2,044,678.12	0.00	2,044,678.12	0.00
Purchase	03/03/2022	808513BY0	585,000.00	Charles Schwab Corp Callable Note Cont 2/3/2027 2.45% Due: 03/03/2027	99.892	2.47%	584,368.20	0.00	584,368.20	0.00

Transaction Ledger

As of March 31, 2022

City of Dublin - Account #10198

December 31, 2021 through March 31, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
Purchase	03/15/2022	084664CZ2	2,295,000.00	Berkshire Hathaway Callable Note Cont 2/15/2027 2.3% Due: 03/15/2027	99.981	2.30%	2,294,563.95	0.00	2,294,563.95	0.00
Purchase	03/16/2022	448977AD0	1,080,000.00	Hyundai Auto Receivables Trust 2022-A A3 2.22% Due: 10/15/2026	99.996	2.23%	1,079,958.42	0.00	1,079,958.42	0.00
Purchase	03/16/2022	47787JAC2	1,005,000.00	John Deere Owner Trust 2022-A A3 2.32% Due: 09/16/2026	99.978	2.34%	1,004,777.69	0.00	1,004,777.69	0.00
Purchase	03/16/2022	91282CED9	2,000,000.00	US Treasury Note 1.75% Due: 03/15/2025	99.266	2.00%	1,985,312.50	95.11	1,985,407.61	0.00
Purchase	03/29/2022	40139LBF9	765,000.00	Guardian Life Glob Fun Note 3.246% Due: 03/29/2027	100.000	3.25%	765,000.00	0.00	765,000.00	0.00
Subtotal			**28,605,000.00**				**28,775,691.25**	**31,260.59**	**28,806,951.84**	**0.00**
TOTAL ACQUISITIONS			**28,605,000.00**				**28,775,691.25**	**31,260.59**	**28,806,951.84**	**0.00**
DISPOSITIONS										
Sale	01/05/2022	912828XW5	2,000,000.00	US Treasury Note 1.75% Due: 06/30/2022	100.742	1.86%	2,014,843.75	483.43	2,015,327.18	15,881.98
Sale	01/13/2022	459058FY4	2,000,000.00	Intl. Bank Recon & Development Note 2% Due: 01/26/2022	100.066	2.12%	2,001,320.00	18,555.56	2,019,875.56	1,401.24
Sale	01/13/2022	912828XW5	1,000,000.00	US Treasury Note 1.75% Due: 06/30/2022	100.695	1.86%	1,006,953.13	628.45	1,007,581.58	7,448.65
Sale	03/03/2022	313378CR0	2,000,000.00	FHLB Note 2.25% Due: 03/11/2022	100.048	1.86%	2,000,960.00	21,500.00	2,022,460.00	796.38
Sale	03/09/2022	3135G0T45	3,250,000.00	FNMA Note 1.875% Due: 04/05/2022	100.116	1.99%	3,253,770.00	26,067.71	3,279,837.71	4,039.17

Transaction Ledger

As of March 31, 2022

City of Dublin - Account #10198

December 31, 2021 through March 31, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
Sale	03/16/2022	912828L24	2,000,000.00	US Treasury Note 1.875% Due: 08/31/2022	100.496	1.92%	2,009,921.88	1,630.43	2,011,552.31	10,300.84
Subtotal			**12,250,000.00**				**12,287,768.76**	**68,865.58**	**12,356,634.34**	**39,868.26**
TOTAL DISPOSITIONS			**12,250,000.00**				**12,287,768.76**	**68,865.58**	**12,356,634.34**	**39,868.26**

Transaction Ledger

As of March 31, 2022

City of Dublin Reporting Account - Account #10219

December 31, 2021 through March 31, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	01/15/2022	90LAIF$00	29,012.37	Local Agency Investment Fund State Pool	1.000	0.22%	29,012.37	0.00	29,012.37	0.00
Purchase	01/31/2022	90CAMP$00	3,896.35	California Asset Mgmt Program CAMP	1.000	0.05%	3,896.35	0.00	3,896.35	0.00
Purchase	02/28/2022	90CAMP$00	3,573.51	California Asset Mgmt Program CAMP	1.000	0.07%	3,573.51	0.00	3,573.51	0.00
Purchase	03/31/2022	90CAMP$00	16,360.01	California Asset Mgmt Program CAMP	1.000	0.07%	16,360.01	0.00	16,360.01	0.00
Subtotal			**52,842.24**				**52,842.24**	**0.00**	**52,842.24**	**0.00**
Security Contribution	03/04/2022	90CAMP$00	3,000,000.00	California Asset Mgmt Program CAMP	1.000		3,000,000.00	0.00	3,000,000.00	0.00
Security Contribution	03/28/2022	90CAMP$00	5,000,000.00	California Asset Mgmt Program CAMP	1.000		5,000,000.00	0.00	5,000,000.00	0.00
Subtotal			**8,000,000.00**				**8,000,000.00**	**0.00**	**8,000,000.00**	**0.00**
TOTAL ACQUISITIONS			**8,052,842.24**				**8,052,842.24**	**0.00**	**8,052,842.24**	**0.00**
DISPOSITIONS										
Security Withdrawal	01/11/2022	90CAMP$00	2,200,000.00	California Asset Mgmt Program CAMP	1.000		2,200,000.00	0.00	2,200,000.00	0.00
Security Withdrawal	01/14/2022	90CAMP$00	2,300,000.00	California Asset Mgmt Program CAMP	1.000		2,300,000.00	0.00	2,300,000.00	0.00
Security Withdrawal	01/19/2022	90CAMP$00	15,000,000.00	California Asset Mgmt Program CAMP	1.000		15,000,000.00	0.00	15,000,000.00	0.00
Security Withdrawal	01/21/2022	90CAMP$00	500,000.00	California Asset Mgmt Program CAMP	1.000		500,000.00	0.00	500,000.00	0.00
Security Withdrawal	01/28/2022	90CAMP$00	1,200,000.00	California Asset Mgmt Program CAMP	1.000		1,200,000.00	0.00	1,200,000.00	0.00
Security Withdrawal	02/04/2022	90CAMP$00	1,900,000.00	California Asset Mgmt Program CAMP	1.000		1,900,000.00	0.00	1,900,000.00	0.00

Transaction Ledger

As of March 31, 2022

City of Dublin Reporting Account - Account #10219

December 31, 2021 through March 31, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
Security Withdrawal	02/18/2022	90CAMP$00	500,000.00	California Asset Mgmt Program CAMP	1.000		500,000.00	0.00	500,000.00	0.00
Security Withdrawal	02/25/2022	90CAMP$00	2,500,000.00	California Asset Mgmt Program CAMP	1.000		2,500,000.00	0.00	2,500,000.00	0.00
Security Withdrawal	03/21/2022	90CAMP$00	1,300,000.00	California Asset Mgmt Program CAMP	1.000		1,300,000.00	0.00	1,300,000.00	0.00
Subtotal			**27,400,000.00**				**27,400,000.00**	**0.00**	**27,400,000.00**	**0.00**
TOTAL DISPOSITIONS			**27,400,000.00**				**27,400,000.00**	**0.00**	**27,400,000.00**	**0.00**

Agenda Item 4.10

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: LGBTQ+ Pride Month Proclamation
Prepared by: John Stefanski, Assistant to the City Manager

EXECUTIVE SUMMARY:

The City Council will consider proclaiming June 2022 as LGBTQ+ Pride Month in Dublin and approving the flying of the Progress Pride Flag during the month of June 2022, consistent with the City's Outdoor Flag Display Policy.

STAFF RECOMMENDATION:

Proclaim June 2022 as LGBTQ+ Pride Month in Dublin and approve the flying of the Progress Pride Flag at City Hall during the month of June.

FINANCIAL IMPACT:

None.

DESCRIPTION:

Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month is recognized in June of each year. Pride Month commemorates the positive impacts LGBTQ+ people have had in their local communities and the Country as a whole. Throughout the month, people, regardless of their sexual orientation, celebrate these collective impacts through parades, parties, concerts, and other gatherings. The month also memorializes members of the LGBTQ+ community who have been victims of hate crimes or have lost their lives from HIV/AIDS.

Staff has prepared the attached proclamation for the City Council's consideration. Additionally, pursuant to the City's Outdoor Flag Policy, Councilmember Kumagai has requested that the Pride Flag be flown at City Hall for the month of June. Staff recommends the City fly the Progress Pride Flag, as the City did last year.

Designed by Daniel Quasar in 2018, the Progress Pride Flag is a variation of the classic rainbow flag which includes a five-color chevron to place a greater emphasis on inclusion and progression. The brown and black stripes in the chevron represent marginalized LGBTQ+ communities of color, and the colors of pink, light blue, and white represent members of the transgender community.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) LGBTQ+ Pride Month Proclamation

A PROCLAMATION OF THE CITY OF DUBLIN, CALIFORNIA

"LGBTQ+ Pride Month – June 2022"

WHEREAS, the City of Dublin is a welcoming community and an exceptional place to live, learn, work, play, and raise a family; and

WHEREAS, the United States of America was founded upon and is guided by a set of principles that includes that every person has been created equal, that each has rights to their life, liberty, and pursuit of happiness, and that each shall be afforded the full recognition and protection of the law; and

WHEREAS, the City of Dublin recognizes the importance of equality and freedom, and is dedicated to fostering acceptance of all its residents and preventing discrimination and bullying based on sexual orientation and gender identity; and

WHEREAS, the City of Dublin is strengthened by and thrives upon the rich diversity of ethnic, cultural, racial, gender, and sexual identities of its residents; all of which contribute to the vibrant character of the City; and

WHEREAS, many of the residents, students, City employees, and business owners within the City of Dublin who contribute to the enrichment of the City are a part of the lesbian, gay, bisexual, transgender, and queer community; and

WHEREAS, June has become a symbolic month in which lesbians, gay men, bisexual people, transgender, queer people, and supporters come together in various celebrations of pride.

NOW, THEREFORE, BE IT RESOLVED, that we, the Dublin City Council, do hereby proclaim June 2022 as "LGBTQ+ Pride Month" in Dublin and encourage all residents to recognize the contributions made by members of the LGBTQ+ community and to actively promote the principles of equality and liberty.

DATED: May 17, 2022

Mayor Melissa Hernandez

Vice Mayor Jean Josey

Councilmember Sherry Hu

Councilmember Shawn Kumagai

Councilmember Michael McCorriston

Agenda Item 4.11

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: City Proclamations for the Month of June
Prepared by: Cierra Fabrigas, Executive Aide

EXECUTIVE SUMMARY:

The City Council will consider the following proclamations for the month of June in the City of Dublin: Flag Day and National Flag Week, African American Music Appreciation Month, Caribbean American Heritage Month, Great Outdoors Month, Homeownership Month, Juneteenth, and Ocean Month.

STAFF RECOMMENDATION:

Approve the proclamations.

FINANCIAL IMPACT:

None.

DESCRIPTION:

The City Council will consider the following proclamations for the month of June:

1. Flag Day and National Flag Week
2. African American Music Appreciation Month
3. Caribbean American Heritage Month
4. Great Outdoors Month
5. Homeownership Month
6. Juneteenth
7. Ocean Month

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Flag Day and National Flag Week Proclamation
2) African American Music Appreciation Month Proclamation
3) Caribbean American Heritage Month Proclamation
4) Great Outdoors Month Proclamation
5) Homeownership Month Proclamation
6) Juneteenth Proclamation
7) Ocean Month Proclamation

A PROCLAMATION OF THE CITY COUNCIL
CITY OF DUBLIN, CALIFORNIA

"Flag Day and National Flag Week"

WHEREAS, on Flag Day and throughout Flag Week, we pay tribute to the American flag, the most recognizable symbol of the principles for which our Republic stands; and

WHEREAS, the American flag represents the unity of our country and its people; and

WHEREAS, the American flag persists as a powerful representation of freedom and opportunity; and

WHEREAS, throughout American history, the American flag has steadfastly served as an emblem of democracy; and

WHEREAS, to commemorate the adoption of our flag, Congress, by joint resolution approved August 3, 1949 as amended, designated June 14 of each year as "Flag Day" and requested that the President issue an annual proclamation calling for its observance and for the display of the flag of the United States on all Federal Government buildings; and

WHEREAS, Congress also requested, by joint resolution approved June 9, 1966 as amended, that the President annually issue a proclamation designating the week in which June 14 occurs as "National Flag Week" and call on all citizens of the United States to display the flag during that week.

NOW, THEREFORE, BE IT RESOLVED that the Dublin City Council does hereby proclaim June 14, 2022 as "Flag Day" and June 12-18, 2022 as "National Flag Week" in the City of Dublin and encourages all citizens to display the flag during the week of June 12-18.

DATED: May 17, 2022

Mayor Melissa Hernandez

Vice Mayor Jean Josey

Councilmember Sherry Hu

Councilmember Shawn Kumagai

Councilmember Michael McCorriston

A PROCLAMATION OF THE CITY COUNCIL
CITY OF DUBLIN, CALIFORNIA

"African American Music Appreciation Month"

WHEREAS, throughout U.S. history, African American music has expressed the pain and suffering brought on by injustice as well as the faith and joy of the resilient American spirit; and

WHEREAS, originally coined Black Music Month, the commemoration was conceived by black music moguls Kenny Gamble, Dyana Williams and Ed Wright in the 1970's and initiated by President Jimmy Carter on June 7, 1979; and

WHEREAS, President Barack Obama renamed the month to African American Music Appreciation Month in 2009; and

WHEREAS, we celebrate African American musicians, their songs, and their lasting cultural and historical impacts; and

WHEREAS, this month, we express our appreciation for the countless contributions of African American singers, songwriters, and musicians, whose remarkable talents continue to inspire the souls of many.

NOW, THEREFORE, BE IT RESOLVED that the Dublin City Council does hereby proclaim June 2022 as "African American Music Appreciation Month" in the City of Dublin and encourages all citizens to celebrate the contributions of African American musicians, their songs, and their lasting cultural and historical impacts in our country.

DATED: May 17, 2022

Mayor Melissa Hernandez

Vice Mayor Jean Josey

Councilmember Sherry Hu

Councilmember Shawn Kumagai

Councilmember Michael McCorriston

A PROCLAMATION OF THE CITY COUNCIL
CITY OF DUBLIN, CALIFORNIA

"Caribbean American Heritage Month"

WHEREAS, in June 2004, Congresswoman Barbara Lee introduced a resolution for a proclamation declaring June as Caribbean American Heritage Month; and

WHEREAS, Congresswoman Barbara Lee reintroduced the resolution in 2005, and during the 109th Congress of the United States of America, House Concurrent Resolution 71 was agreed to by the House of Representatives and the Senate; and

WHEREAS, a proclamation has been issued annually by the President of the United States declaring June as National Caribbean-American Heritage Month; and

WHEREAS, Caribbean Americans contribute to the continued success and prosperity of the State of California and the United States; and

WHEREAS, Caribbean Americans have played an indelible role in many social and political movements, including the Civil Rights Movement, and their participation has helped shape American history, culture, and government; and

WHEREAS, distinguished Caribbean Americans continuously attain outstanding achievements in education, sports, music, literature, economics, technology, law enforcement, military, and many other fields.

NOW, THEREFORE, BE IT RESOLVED that the Dublin City Council does hereby proclaim June 2022 as "Caribbean American Heritage Month" in the City of Dublin and encourages all citizens to celebrate the many contributions of Caribbean Americans.

DATED: May 17, 2022

Mayor Melissa Hernandez

Vice Mayor Jean Josey

Councilmember Sherry Hu

Councilmember Shawn Kumagai

Councilmember Michael McCorriston

A PROCLAMATION OF THE CITY COUNCIL
CITY OF DUBLIN, CALIFORNIA

"Great Outdoors Month"

WHEREAS, Great Outdoors Week began under President Clinton in 1998 and has grown into a month-long celebration of the outdoors; and

WHEREAS, June celebrates Great Outdoors Month, where citizens are encouraged to explore the mountains, forests, canyons, beaches, and rivers that provide recreation and enrich our lives; and

WHEREAS, from the lands and waters that constitute our National Park System, to state, local, and city parks and to our own backyards, every unique experience of the great outdoors helps improve our health and offers opportunities for families, friends, and communities to connect over a shared appreciation for the natural world; and

WHEREAS, hiking on world-class trails, camping under the stars, or fishing, exploring the great outdoors provides adventurers of all ages endless opportunities to create lifelong memories; and

WHEREAS, this month, we pause to appreciate the extraordinary natural beauty of the trails, parks, and lakes in the Alameda County and the East Bay Regional Parks.

NOW, THEREFORE, BE IT RESOLVED that the Dublin City Council does hereby proclaim June 2022 as "Great Outdoors Month" in the City of Dublin and encourages all citizens to enjoy the great outdoors of East Bay Regional Parks in Dublin and Alameda County.

DATED: May 17, 2022

Mayor Melissa Hernandez

Vice Mayor Jean Josey

Councilmember Sherry Hu

Councilmember Shawn Kumagai

Councilmember Michael McCorriston

A PROCLAMATION OF THE CITY COUNCIL
CITY OF DUBLIN, CALIFORNIA

"Homeownership Month"

WHEREAS, during Homeownership Month, we acknowledge the benefits of sustainable homeownership; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) marks Homeownership Month in June – a time of year when HUD, the Federal Housing Administration (FHA) and other organizations recognize the importance of homeownership and its impact upon the lives of American families, local neighborhoods, and the national economy; and

WHEREAS, National Homeownership week began in 1995 under President Bill Clinton's administration, to increase homeownership across America; and

WHEREAS, in 2022, President George W. Bush expanded the period of observance from a week to the entire month of June. Each June, Homeownership Month acknowledges the many benefits of secure and affordable homeownership; and

WHEREAS, the City of Dublin is committed to promoting housing choices and fostering inclusive communities, free from housing discrimination.

NOW, THEREFORE, BE IT RESOLVED that the Dublin City Council does hereby proclaim June 2022 as "Homeownership Month" in the City of Dublin and encourages all citizens to recognize the lasting value of owning a home and work diligently toward ensuring that every hardworking and credit-worthy American enjoys a fair chance at becoming a homeowner.

DATED: May 17, 2022

Mayor Melissa Hernandez

Vice Mayor Jean Josey

Councilmember Sherry Hu

Councilmember Shawn Kumagai

Councilmember Michael McCorriston

A PROCLAMATION OF THE CITY COUNCIL
CITY OF DUBLIN, CALIFORNIA

"Juneteenth"

WHEREAS, President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863, declaring the slaves in the Confederate territory free, paving the way for the passing of the 13th Amendment which formally abolished slavery in the United States of America; and

WHEREAS, word about the signing of the Emancipation Proclamation was delayed some two and a half years, to June 19, 1865, in reaching Texas when Union General Gordon Granger arrived in Galveston Bay with Union troops. It was on June 19, 1865, that he announced: "The people of Texas are informed that, in accordance with a Proclamation from the Executive of the United States, all slaves are free"; and

WHEREAS, Emancipation Day observations are held on different days in different states in the South and Southwest, and in other parts of the nation; and

WHEREAS, celebration of the end of slavery, which became known as Juneteenth, is the oldest known public celebration of the end of slavery in the United States; and

WHEREAS, Juneteenth commemorates African American freedom and celebrates the successes gained through education and greater opportunity; and

WHEREAS, on a larger scale, the celebration of Juneteenth reminds each of us of the precious promises of freedom, equality, and opportunity which are at the core of the American Dream.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin does hereby proclaim June 19, 2022, as Juneteenth in the City of Dublin and encourages all citizens to become more aware of the significance of this celebration in African American history and in the heritage of our nation and city.

DATED: May 17, 2022

Mayor Melissa Hernandez

Vice Mayor Jean Josey

Councilmember Sherry Hu

Councilmember Shawn Kumagai

Councilmember Michael McCorriston

A PROCLAMATION OF THE CITY COUNCIL
CITY OF DUBLIN, CALIFORNIA

"Ocean Month"

WHEREAS, our ocean and coastal waterways are essential to our national security, international trade, maritime commerce, global competitiveness, and transportation; and

WHEREAS, during Ocean Month, we reaffirm our commitment to responsible stewardship of our ocean resources to strengthen and expand economic opportunities, while also ensuring that the natural beauty and wonder of the oceans are preserved and maintained for future generations; and

WHEREAS, throughout the month of June, the National Oceanic and Atmospheric Administration celebrates the world's oceans and waterways by providing educational resources; and

WHEREAS, the ocean economy employs millions of people and contributes billions of dollars to the U.S. economy; and

WHEREAS, according to the National Oceanic and Atmospheric Administration, scientists believe 4.8 to 12.7 million metric tons of plastic enter the ocean every year—the weight of nearly 90 aircraft carriers; and

WHEREAS, by increasing awareness of how and why we consume single-use items, voluntarily reducing consumption of disposable and single-use items such as plastics and papers, and increasing reuse and recycling, the City of Dublin can contribute significantly to the health of our oceans and lands.

NOW, THEREFORE, BE IT RESOLVED that the Dublin City Council does hereby proclaim June 2022 as "Ocean Month" in the City of Dublin and encourages all citizens to increase awareness of single-use items and increasing reuse and recycling efforts to help preserve our oceans.

DATED: May 17, 2022

Mayor Melissa Hernandez

Vice Mayor Jean Josey

Councilmember Sherry Hu

Councilmember Shawn Kumagai

Councilmember Michael McCorriston

Agenda Item 4.12

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Authorizing Remote Meetings of City Council and City Commissions Due to Increase in COVID-19 Cases
Prepared by: John Bakker, City Attorney

EXECUTIVE SUMMARY:

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, the City returned to in-person meetings and at the same time state law changed to require certain findings to be made for an agency to meet remotely. Under the new law, AB 361, the City can conduct virtual meetings where the Governor has proclaimed a State of Emergency and state or local health officials have imposed or recommended social distancing or where the City Council has declared the need to meet remotely due to imminent risks to the health or safety of attendees. On January 11, 2022, the City Council adopted a resolution pursuant to AB 361 authorizing remote teleconferenced meetings for a 30-day period ending February 10, 2022. Due to the current increase in cases resulting from the Omicron variants, it would be prudent for the City Council and City Commissions to have the ability to attend meetings virtually for at least the next 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.

FINANCIAL IMPACT:

None.

DESCRIPTION:

On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State address the broader spread of COVID-19.

On March 18, 2020, the City Council adopted a resolution ratifying the proclamation of a local state of emergency by the Director of Emergency Services due to COVID-19.

On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means. Additionally, the State implemented a shelter-in-place order, requiring all non-essential personnel to work from home.

At that time and through September 2021, the City's legislative bodies met by teleconference. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which among other things, rescinded certain clauses of Executive Order N-29-20 after September 30, 2021, including clauses that suspended certain provisions of the Brown Act. Thus, effective October 1, 2021, agencies would have had to transition back to public meetings held in full compliance with the Brown Act. The City of Dublin began meeting in person beginning in October 2021.

Since the Governor issued Executive Order N-08-21, the highly contagious Delta variant has emerged, causing a spike in cases throughout the state and within the Alameda County. Additionally, since then, the Omicron variants have emerged and been designed as a variant of concern by the United States, and the number of cases in the City have increased over the last month.

On September 16, 2021, the Governor signed AB 361 (2021) which allows for local legislative and advisory bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the Council make specified findings. AB 361 took effect immediately.

AB 361 allows local legislative bodies to continue to meet remotely after the expiration of the clauses of Executive Order N-29-20. Under AB 361, the City and its legislative bodies may meet remotely when:

- The local agency holds a meeting during a declared state of emergency;
- State or local health officials have imposed or recommended measures to promote social distancing;
- Legislative bodies declare the need to meet remotely due to present imminent risks to the health or safety of attendees.

On January 11, 2022, the City Council adopted a resolution authorizing remote teleconferenced meetings for a period of 30 days pursuant to AB 361. That resolution expired on February 10, 2022.

At its April 19, 2022 meeting, the City Council directed Staff to bring a resolution to the May 3, 2022 meeting to allow the City Council and the City's legislative bodies to meet virtually, including hybrid meetings, pursuant to AB 361. At its May 3, 2022 meeting, the City Council adopted Resolution No. 39-22, that included the necessary findings pursuant to AB 361 to allow the City Council and the City's legislative bodies to meet remotely or in a hybrid format for 30 days.

The City meets the requirements to hold meetings remotely in order to ensure the health and safety of the public:

- The Governor has declared a State of Emergency, and the City Council has ratified the proclamation of a local emergency by the Director of Emergency Services;
- The CDC recommends social distancing of at least six feet due to COVID-19;
- There's been an increase of COVID-19 cases within the state and throughout Alameda County;
- Meeting in person would present imminent risks to the health or safety of attendees, the legislative bodies, and staff.

The proposed resolution includes the necessary findings pursuant to AB 361 to allow the City Council and the City's legislative bodies to meet remotely or in a hybrid format for the next 30 days. The City Council would need to adopt a subsequent resolution declaring the need to continue to meet remotely to allow for such meetings after that 30-day period.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

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; and Authorizing Remote Teleconferenced Meetings of the Legislative Bodies of the City of Dublin Pursuant to AB 361

RESOLUTION NO. xx-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

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

WHEREAS, all meetings of the City of Dublin's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code sections 54950 – 54963), so that any member of the public may attend, participate, and watch the City's legislative bodies conduct their business; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of the novel coronavirus disease 2019 ("COVID-19"); and

WHEREAS, on March 18, 2020, the City Council adopted a resolution ratifying the proclamation of a local emergency by the Director of Emergency Services due to COVID-19; and

WHEREAS, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, as a result of the COVID-19 pandemic, and pursuant to Executive Order N-29-20 and its successors, the City Council met primarily virtually through September 2021; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, ended the provisions of Executive Order N-29-20 that allows local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (2021) which allows for local legislative bodies and advisory bodies to conduct meetings via teleconferencing under specified conditions and includes a requirement that the City Council make specified findings. AB 361 (2021) took effect immediately; and

WHEREAS, under AB 361 (2021), an agency meeting virtually requires that the Governor declare a State of Emergency pursuant to Government Code section 8625; and

WHEREAS, AB 361 (2021) further requires that state or local officials have imposed or recommended measures to promote social distancing, or, requires that the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the City, specifically, Governor Newsom has

declared a State of Emergency due to COVID-19; and

WHEREAS, since the issuance of Executive Order N-08-21, the highly contagious Delta variant of COVID-19 has emerged, causing an increase in COVID-19 cases throughout the State and Alameda County; and

WHEREAS, on November 30, 2021, the Omicron variant was designated as a variant of concern by the United States; and

WHEREAS, cases of the highly contagious Omicron variant, including a subvariant called BA.2, have caused surges of COVID-19 and there has been an increase in cases during the last month in Alameda County; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") continues to recommend physical distancing of at least 6 feet from others outside of the household; and

WHEREAS, because of the recent rise in COVID-19 cases due in part to the highly contagious Omicron variants of COVID-19, the City is concerned about the health and safety of all individuals who intend to attend City Council and meetings of the City's other legislative bodies; and

WHEREAS, the City Council finds that the imminent risks of the City's legislative bodies holding in person meetings to the health or safety of attendees exists due in part to the Omicron variants of COVID-19; and

WHEREAS, the City Council finds, acting as a legislative body pursuant to Government Code section 54952(a) and for the benefit of all legislative bodies created by the City Council pursuant to Government Code section 54952(b), that the presence of COVID-19 and the Delta and Omicron variants would present imminent risks to the health or safety of attendees, staff, and members; and

WHEREAS, teleconference meetings may include hybrid meetings, in which all or some members of the legislative body meet in person while others attend by teleconference, and members of the public are either allowed to participate only by teleconference or both in person and by teleconference ("hybrid meetings"). The purpose of hybrid meetings is to allow for multiple modes of attending meetings while reducing the risks of COVID-19, including the Delta and Omicron variants; and

WHEREAS, the City shall ensure that its meetings comply with the provisions required by AB 361 (2021) for holding teleconferenced meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dublin as follows:

1. The above recitals are true and correct, and incorporated into this Resolution.

2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings without complying with the usual teleconference meeting requirements of the Brown Act, the City Council makes the following findings:

   a) The City Council has considered the circumstances of the state of emergency; and

   b) The state of emergency, as declared by the Governor and City Council, and as specifically related to the current increase in cases apparently resulting from the

Omicron variant, directly impacts the ability of the City Council and the City's legislative bodies, as well as staff and members of the public, to meet safely in person; and

c) The CDC continues to recommend physical distancing of at least six feet due to COVID-19 and as a result of the presence of COVID-19 and the increase of cases due to the Omicron variant, meeting in person would present imminent risks to the health or safety of attendees, the legislative bodies and staff.

3. City staff is directed to facilitate any teleconference meetings, including hybrid meetings, of the City Council and City's legislative bodies in compliance with AB 361, in order to better ensure the health and safety of the public for a period of thirty days following the adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 17th day of May 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Mayor

ATTEST:

_____

City Clerk

Agenda Item 4.13

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Approval of Letter in Support of Constitutional Protections for Women's Reproductive Rights
Prepared by: John Stefanski, Assistant to the City Manager

EXECUTIVE SUMMARY:

The City Council will consider sending a letter of support to Governor Newsom regarding constitutional protections for women's reproductive rights.

STAFF RECOMMENDATION:

Approve the letter of support to Governor Newsom regarding constitutional protections for women's reproductive rights.

FINANCIAL IMPACT:

None.

DESCRIPTION:

This item is in response to a May 3, 2022, Item 9 Request by the City Council to send a letter of support to Governor Newsom regarding constitutional protections for women's reproductive rights. Earlier this month, the draft Supreme Court ruling in Dobbs v. Jackson Women's Health Organization was leaked to the public and revealed that Roe v. Wade could be overturned. Following this, Governor Newsom announced the State's intent to enshrine the rights provided under Roe v. Wade in the State Constitution.

On February 1, 2022, the City Council adopted the City's 2022 Legislative Platform. The Legislative Platform guides the City's response to potential and pending legislation, policies, programs, grant funding opportunities, ballot measures, mandates, and budgets at all levels of government. The Platform includes legislative principals and Public Policy Priorities, which identify the parameters for the City's Legislative advocacy efforts.

In scenarios like this, where a proposal or regulation arises and is not covered by the Legislative Platform, Staff prepares a draft letter for the City Council to review and consider prior to distribution. Attachment 1 is a draft letter in support of Governor Newsom's planned efforts.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Draft Letter of Support Regarding Constitutional Protections for Women's Reproductive Rights

DUBLIN
CALIFORNIA
THE NEW AMERICAN BACKYARD

May 17, 2022

Governor Gavin Newsom
1303 10th Street, Suite 1173
Sacramento, CA 95814

RE: Constitutional Protections for Women's Reproductive Rights
Letter of Support—City of Dublin

Dear Governor Newsom,

On behalf of the City of Dublin, we write to express our support for the efforts you are leading to ensure that the women of our state retain their reproductive rights. With the release of the draft Supreme Court ruling in *Dobbs v. Jackson Women's Health Organization*, it has become clear that immediate State action is required to protect the rights of millions of women in California.

Established rights and broader cultural norms are now in jeopardy. The Supreme Court of the United States intends to strike down *Roe v. Wade* without consideration for how revoking the precedent will diminish federalism and the institution itself or impact the ability to access critical healthcare services.

It is important, now more than ever, that we as a State take all necessary precautions to safeguard these rights by enshrining them in the California State Constitution. The City of Dublin supports you and your efforts to protect the rights of millions of Californians and appreciates your strong leadership during these unprecedented times.

Sincerely,

Mayor Melissa Hernandez

Vice Mayor Jean Josey

Councilmember Sherry Hu

Councilmember Shawn Kumagai

Councilmember Mike McCorriston

Cc:
Toni Atkins, Senate President Pro Tempore
Anthony Rendon, Assembly Speaker

City Council
925.833.6650
City Manager
925.833.6650
Community Development
925.833.6610
Economic Development
925.833.6650
Finance/IT
925.833.6640
Fire Prevention
925.833.6606
Human Resources
925.833.6605
Parks & Community Services
925.833.6645
Police
925.833.6670
Public Works
925.833.6630

100 Civic Plaza
Dublin, CA 94568
P 925.833.6650
F 925.833.6651
www.dublin.ca.gov

DRAFT

Agenda Item 4.14

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Mayor's Recommendation for Appointment to the Senior Center Advisory Committee Unscheduled Vacancies
Prepared by: Marsha Moore, MMC, City Clerk

EXECUTIVE SUMMARY:

The City Council will consider the Mayor's recommendation for appointment to fill two unscheduled vacancies on the Senior Center Advisory Committee, one with a term ending December 2022 and one with a term ending December 2024.

STAFF RECOMMENDATION:

Confirm the Mayor's recommendation to appoint Christy Li to the Senior Center Advisory Committee for the remainder of a term ending December 2022 and Steve Kau for the remainder of a term ending December 2024.

FINANCIAL IMPACT:

None.

DESCRIPTION:

There are two unscheduled vacancies on the Senior Center Advisory Committee. The vacancies were posted on March 9, 2022, with an application deadline of Wednesday, March 30, 2022 at 5:00 p.m.

A total of three applications were received from the following individuals: Christy Li, Steve Kau, and Agnes Craig. Mayor Hernandez has reviewed the applications and is recommending appointment of Christy Li to the Senior Center Advisory Committee for the remainder of a term ending December 2022 and Steve Kau for the remainder of a term ending December 2024.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted, and the applicants were sent a copy of this Staff Report.

ATTACHMENTS:

1) Senior Center Advisory Committee Vacancy Applications

Print

Senior Center Advisory Committee Application - Submission #3851

Date Submitted: 11/12/2020

Senior Center Advisory Committee

Committee Responsibilities

The Senior Center Advisory Committee consists of five members who serve four-year staggered terms and two alternates who serve two-year terms. This Committee makes recommendations related to the operation and maintenance of an effective and efficient Senior Center for the residents of Dublin. The Senior Center Advisory Committee Bylaws and Rules of Procedure govern the meetings and activities of the Advisory Committee.

Senior Center Advisory Committee Bylaws and Rules of Procedure

Senior Center Advisory Committee Bylaws and Rules of Procedure

Date*

11/12/2020

First Name*

Christy

Last Name*

Li

Address1*

[redacted]

City*

Dublin

State*

CA

Zip*

94568

Phone (Primary)*

[redacted]

Phone (Secondary):

E-mail*

[redacted]

How long have you been a resident of Dublin? *

10

Why are you interested in serving on the Senior Center Advisory Committee?

I am interested in serving on the Senior Center Advisory Committee because I am dedicated and have the best interest of the seniors in mind. Coming from personal experience, I feel as if many can relate to separation anxiety with family members over the age of 60, even more so now with COVID-19 as a constant threat. I think that in the status quo, the most important thing is to keep our seniors safe as they are the most vulnerable and have given the most to the community. The Senior Center Advisory Committee has always been dedicated and provided quality care for our seniors- and I feel as if my morals and goals fall in line with what the committee is currently doing.

In what organizations are you currently a member? Please list.

Dublin Rotary Club
Breaking Bearriers

What is your impression of the programs and services offered for seniors through the Dublin Senior Center?

My initial impression of the programs and services offered for seniors through the Dublin Senior Center was very positive, and I found myself quite impressed on how much coverage the programs had to many issues.

Have you or a family member participated in the programs, services, or events offered at the Dublin Senior Center?

No

Are there additional programs and services that should be offered through the Dublin Senior Center? Please describe.

There are many additional programs and services that we could include, but I will summarize on just a few ideas. I think that a lot of the time seniors really struggle with loneliness and isolation, however we could compensate this issue by creating a program where the youth have an opportunity to interact with them. My initial idea for this program was to have the youth come to simply have conversations with our seniors, but this idea was expanded on the idea of COVID-19. In order to keep both our seniors and youth healthy, we could schedule zoom meetings where students talk to the seniors, or read books/stories. Not only this, but we could schedule periodic events like movie nights on zoom where the entire community could participate and have fun.

What do you feel are some of the most pressing issues facing senior adults in the City of Dublin?

I think that some of the issues that senior adults in Dublin face are isolation, and vulnerability to COVID-19. Starting with isolation, in terms of the pandemic, they have never faced such high risk of health complications- causing everyone to quarantine out of fear, cutting off relationships. This would be detrimental in two ways; humans typically struggle without human interaction from loved ones, which can lead to depression. Second, we are seeing a spike right now in the numbers of

Application must be submitted no later than Friday, November 13, 2020, at 5:00 p.m.

If you select "Submit," your application will be sent electronically to the City Clerk's office. If you'd like to retain a copy of your application, please choose "Submit and Print." After you click this button, you will be shown a page with your information provided. Please choose Print from your "File" navigation and then select "Continue."

Senior Center Advisory Committee Application

The Senior Center Advisory Committee consists of five members who serve four-year staggered terms. This Committee makes recommendations related to the operation and maintenance of an effective and efficient Senior Center for the residents of Dublin.

Senior Center Advisory Committee Bylaws and Rules of Procedure

The City of Dublin is currently recruiting for an unscheduled vacancy for an alternate on the Senior Center Advisory Committee to serve the remaining term with an end date of December 2022.

Date Time *
11/7/2021

First Name *
Steve

Last Name *
Kau

Address *
Street Address
[redacted]
Address Line 2

City
Dublin

State/Province/Region
CA

Postal/Zip Code
94568

Country
USA

Phone (Primary) *
[redacted]

Phone (Secondary)

E-mail *
[redacted]

How long have you been a resident of Dublin? *
20 Years

Application Questions

Why are you interested in serving on the Senior Center Advisory Committee?
It is one way to serve the Dublin Community. I am also considered a Senior (50 and over).

In what organizations are you currently a member? Please list.
None

What is your impression of the programs and services offered for seniors through the Dublin Senior Center?

Very good as it seems to cover a wide range and at least in my mind senior services for younger that the traditional 65 an up with 50 and over.

Have you or a family member participated in the programs, services, or events offered at the Dublin Senior Center?

Lunch with Open Heart Kitchen prior to the pandemic.

Are there additional programs and services that should be offered through the Dublin Senior Center? Please describe.

I'm hoping that if I get selected I hear all of what is being offered to see the full range of services and activities offered and hope to contribute with new ideas but keeping in mind the resources that are available.

What do you feel are some of the most pressing issues facing senior adults in the City of Dublin?

With the change in climate conditions, we need to make sure the seniors are accommodated as needed in the event of things like extreme heat or cold, fire and in the years where rainfall is expected to harsh and cause major flooding. Also in the case of major disasters an earthquake.

Applications must be submitted no later than Friday, November 12, 2021, at 5:00 p.m.

For questions, please contact the City Clerk's Office at (925) 833-6650 or city.clerk@dublin.ca.gov

Senior Center Advisory Committee Application

The Senior Center Advisory Committee consists of five members who serve four-year staggered terms. This Committee makes recommendations related to the operation and maintenance of an effective and efficient Senior Center for the residents of Dublin.

Senior Center Advisory Committee Bylaws and Rules of Procedure

The City of Dublin is currently recruiting for two unscheduled vacancies on the Senior Center Advisory Committee to serve the remaining terms, one with an end date of December 2022 and one with an end date of December 2024.

Date Time *
3/9/2022

First Name *
Agnes

Last Name *
Craig

Address *
Street Address
[redacted]

Address Line 2
205

City
Dublin

State/Province/Region
California

Postal/Zip Code
94568

Country
United States

Phone (Primary) *
[redacted]

Phone (Secondary)

E-mail *
[redacted]

How long have you been a resident of Dublin? *
3years

Application Questions

Why are you interested in serving on the Senior Center Advisory Committee?

I myself am a permanently disabled senior. I know the challenges and benefits that can be in the best interests of Seniors. Also very interest in community involvement. I am able to fulfill duties required.
Appreciate any consideration.

In what organizations are you currently a member? Please list.

Wells Church
Monthly Miracles
Just joined Tri Valley Seek and Save

What is your impression of the programs and services offered for seniors through the Dublin Senior Center?

Very educational, informative, easily understood,
accessible as well as well received/enjoyed

Have you or a family member participated in the programs, services, or events offered at the Dublin Senior Center?

YES

Are there additional programs and services that should be offered through the Dublin Senior Center? Please describe.

How to care for your pet now and their future
Resources for ESA Owners
Dog Park Events as a social outlet for pet & owner
How where and when to walk safely, with or without a pet

What do you feel are some of the most pressing issues facing senior adults in the City of Dublin?

Resource Assisance for a better knowledge of a better quality of life as a senior in Dublin, Ca

Applications must be submitted no later than Wednesday March 30, 2022, at 5:00 p.m.

For questions, please contact the City Clerk's Office at (925) 833-6650 or city.clerk@dublin.ca.gov

Agenda Item 4.15

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Transition to District-Based Councilmember Elections
Prepared by: Jordyn Bishop, Assistant City Attorney

EXECUTIVE SUMMARY:

On April 20, 2022, the City received a second notification threatening litigation under the California Voting Rights Act. The City Council will consider adopting another resolution of intent to transition from at-large elections to a district-based councilmember election system. As the City Council is aware, the City has begun the process to transition to district-based councilmember elections, with hearings on going and the process scheduled to be completed by September 2022.

STAFF RECOMMENDATION:

Adopt the **Resolution** Declaring Its Intention to Transition From an At-Large Election System to a District-Based Election System.

FINANCIAL IMPACT:

If the City Council concurs with Staff's recommendation, the City will incur no additional staff costs beyond those associated with the Resolution adopted on February 15, 2022. Existing costs also include a demographer to assist with drawing district maps and soliciting public input in order to draw district maps. Additionally, the City may be required to reimburse a prospective plaintiff for its documented attorney's fees and costs, up to $30,000 (plus an annual adjustment for inflation).

DESCRIPTION:

Background

The City of Dublin utilizes an at-large election system for electing its Mayor and Councilmembers. An at-large election system means that all electors in the City elect each of the four Councilmembers and Mayor. A district-based election system would be one in which the City would be physically divided into separate districts, each represented by one Councilmember who resides in and is chosen by the electors residing in that same district. Under such a system, the Mayor would continue to be elected by the electorate of the entire City.

On April 20, 2022, the City received a letter, included as Attachment 1, from Rosel Trolan, on behalf of Rosel Trolan, Jennifer Situ, and Vinil Chokshi, alleging a violation of the California Voting Rights Act (CVRA) and threatening litigation. After discussing the letter in a closed session conference with legal counsel, the City Council directed staff to move forward with drafting the attached Resolution declaring intent to transition from at-large to district-based elections, for consideration at the May 17, 2022 meeting.

The California Voting Rights Act

The CVRA prohibits at-large election systems from impairing the ability of a protected class (members of a race, color, or language minority group) to elect candidates of its choice or its ability to influence the outcome of an election. Modeled after the Federal Voting Rights Act (FVRA) (42 U.S.C. § 1973), the CVRA was specifically enacted in 2002 to make it easier for plaintiffs to prevail in lawsuits against public entities that elected their members to its governing body through "at-large" elections.

To prove a violation of the CVRA, plaintiffs need only show the existence of racially polarized voting. (Elec. Code §§ 14026(e), 14028(a).) Other factors are also relevant in determining liability. Plaintiffs are not required to show that members of a protected class live in a geographically compact area or prove intent to discriminate on the part of voters or officials. If a CVRA violation is found, the court has authority to impose district-based elections and determine district boundaries with input from the plaintiff's attorney. (Elec. Code § 14029).

As a result, cities and other agencies throughout the State have increasingly been facing legal challenges to their "at-large" systems of electing councilmembers or board members. Almost all have settled claims out of court by agreeing to voluntarily shift to district-based elections. Locally, the City of Pleasanton, the City of Livermore, the Dublin Unified School District, the Dublin San Ramon Services District, and the Pleasanton Unified School District have all transitioned, or are in the midst of transitioning to a district-based election system.

Significant financial costs are associated with litigating a challenge under the CVRA. The CVRA grants a prevailing plaintiff the right to recover reasonable attorneys' fees and expert witness fees. This has resulted in payment of large amounts of money in attorneys' fees by cities that have chosen to litigate the CVRA challenge. Conversely, a city prevailing against a CVRA challenge has no right to recover either attorneys' fees or costs. Also, the city would remain vulnerable to subsequent litigation brought under the CVRA by different plaintiffs.

In recent cases brought under the CVRA, awards to prevailing plaintiffs have approached $5 million, which does not capture other significant costs incurred during the course of litigation, such as cities' own attorneys' fees and staff time.

Existing legislation (discussed in the next section) provides a "safe harbor" mechanism for an agency to consider its options after receiving a CVRA litigation threat and take steps to convert to district-based elections without fear of paying substantial attorneys' fees to the plaintiff.

Safe Harbor under Assembly Bill (AB) 350

Effective January 1, 2017, AB 350 (2016) amended Elections Code section 10010 and attempted to provide a "safe harbor" for agencies facing CVRA litigation if they take immediate steps to transition to district-based elections. If a city receives a demand letter from a "prospective plaintiff," the city is given 45 days of protection from litigation to assess its situation and determine a course of action. If within that 45 days, a city adopts a resolution declaring intent to transition from at-large to district-based elections, outlining specific steps to be undertaken to facilitate the transition, and estimating a timeframe for action, then a potential plaintiff is prohibited from filing a CVRA action for a 90-day period from the resolution's passage.

The city and the prospective plaintiff may enter into a written agreement to extend that 90-day time period for up to an additional 90 days in order to provide additional time to conduct public outreach, encourage public participation, and receive public input. The extension must be in writing and must require the district boundaries be established at least six months before the next regular election. Within 10 days of signing the extension agreement, the city must post a tentative public outreach/public hearing schedule on its website. Thus, the "safe harbor" legislation provides a minimum of 135 days, and up to 225 days upon mutual agreement, for a city to assess and implement a transition to a district-based system before a lawsuit may be filed. Under AB 350, a city's liability is capped at $30,000 (plus an annual adjustment for inflation) if it follows this safe harbor process after receiving a threat, and the plaintiff must show financial documentation that these costs were actually incurred.

Regardless of whether the city is transitioning on its own initiative, or under "safe harbor" in response to a demand letter, the Elections Code sets out a number of steps a city must take in the effort to assess and transition to a district-based election system, which are laid out in further detail below.

Transition from At-Large to District-Based Elections

Under Elections Code section 10010, a city is required to hold at least five public hearings during the transition process. The first two public hearings will give the community an opportunity to provide input on the composition of the districts before any maps are drawn. Subsequently, draft district maps will be drawn and two additional public hearings will be held for the public to provide input regarding the content of the draft maps and the proposed sequence of elections. The maps must be published at least seven days before the public hearings. The fifth, and final, public hearing will be for the City Council to consider an ordinance that establishes the district-based elections and approves the maps.

Most communities have taken a phased approach to implementing district-based elections. If district elections are initiated by the city, the City Council may determine the potential sequence of the elections. (Elec. Code § 10010(a)(2)). If a city is compelled to adopt district elections as a result of litigation, district boundaries will be drawn by the presiding court with input from the plaintiff.

In establishing a district-based election system, no councilmember's term may be cut short (Gov. Code § 34873; Elec. Code § 21606(a)), but when their term ends, an incumbent can only run from the new district in which he or she resides. The term of office for each councilmember remains four years. (Gov. Code § 34879). In determining the final sequence of the district elections, the City Council must give special consideration to the purposes of the CVRA. This may require that the election in a district with a majority of voters of a protected class be scheduled in the presidential election year when voter turnout is typically much higher than in the gubernatorial election year.

The district boundary maps must meet certain criteria. In particular, the districts must be roughly equal in population, excluding incarcerated persons. (Elec. Code, § 21601, subd. (a).) The districts are further subject to the following criteria in order of priority:

- geographical contiguity
- minimize the division of any local neighborhood or local community of interest
- easily identified and understood by residents
- geographical compactness (Elec. Code, § 21601, subd. (c).)

Process and Timeline

The proposed Resolution declares the City Council's intent to consider adoption of an ordinance establishing district-based elections beginning with the November 2024 regular municipal election, consistent with the Resolution adopted on February 15, 2022. The specific steps already taken and still to be undertaken to facilitate the transition and the estimated timeframes are set forth in Exhibit A to the Resolution (Attachment 1), and presented below.

Table 1: Tentative Schedule

Date	Meeting	Topics
Tuesday April 19, 2022 7:00 p.m.	Public Hearing 1	Overview of Process, Map Drawing Criteria, Communities of Interest, Mapping Tools; Community Feedback.
Thursday April 28, 2022 6:00 p.m.	Virtual Workshop	Overview of Process, Parameters, Mapping Tools; Community Feedback.
Wednesday May 4, 2022 6:00 p.m.	In-Person Workshop	Overview of Process, Parameters, Mapping Tools; Community Feedback.
Tuesday May 17, 2022 7:00 p.m.	Public Hearing 2	Map Drawing Criteria, Communities of Interest; Mapping Tools; Community Feedback.
Tuesday June 21, 2022 7:00 p.m.	Public Hearing 3	NDC and Community Draft Maps; Community Feedback.

Tuesday **July 19, 2022** **7:00 p.m.**	Public Hearing 4	NDC and Community Revised Maps; City Council Selects Finalist(s); Sequencing of District Elections.
Tuesday **August 16, 2022** **7:00 p.m.**	Public Hearing 5	City Council Final Map Selection; Introduction of Ordinance.
Tuesday **September 6, 2022** **7:00 p.m.**	City Council Consent Calendar	Second Reading of Ordinance.

The candidate nomination period for the November 8, 2022 regular municipal election opens on Monday, July 18, 2022. The County Registrar of Voters administrative deadline for final district maps was May 12, 2022. As a result, staff recommends that the City Council adopt the proposed Resolution declaring intent to transition to district-based elections beginning with the 2024 election, outlining specific steps to be undertaken to facilitate this transition, and establishing the estimated timeframe for doing so.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Declaring Its Intention to Transition from an At-Large Election System to a District-Based Election System
2) Demand Letter from Rosel Trolan

RESOLUTION NO. XX – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

DECLARING ITS INTENTION TO TRANSITION FROM AN AT-LARGE ELECTION SYSTEM TO A DISTRICT-BASED ELECTION SYSTEM

WHEREAS, members of the City Council of the City of Dublin ("City") are currently elected in "at-large" elections, in which each City Councilmember is elected by the registered voters of the entire City; and

WHEREAS, California Government Code Section 34886 permits the legislative body of a city to adopt an ordinance to change its method of election from an "at-large" system to a "district-based" system in which each councilmember is elected only by the voters in the district in which the candidate resides; and

WHEREAS, the City received a letter on April 20, 2022, from Rosel Trolan, on behalf of Rosel Trolan, Jennifer Situ and Vinil Chokshi, electors who reside in Dublin, alleging that the City is in possible violation of the California Voting Rights Act ("CVRA") and threatening litigation; and

WHEREAS, under Elections Code section 14028(a), a violation of the CVRA is established if it is shown that racially polarized voting occurs in elections. "Racially polarized voting" means voting in which there is a difference in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate (Elections Code Section 14026, subd. (e)); and

WHEREAS, the City denies that its at-large councilmember electoral system violates the CVRA or any other provision of law, and asserts the City's election system is legal in all respects and further denies any wrongdoing in connection with the manner in which it has conducted its City Council elections; and

WHEREAS, under Elections Code section 10010, a prospective plaintiff can file a lawsuit if the City does not adopt a resolution of intent to transition to district-based elections within 45 days of receipt of a letter sent by certified mail asserting that the City's method of conducting elections may violate the CVRA; and

WHEREAS, Elections Code section 10010 provides a method by which a city can expeditiously change from an at-large elections system to a district-based election system and avoid the high cost of litigation; and

WHEREAS, under Elections Code section 10010, if the City adopts a resolution outlining its intention to transition from at-large to district-based elections, including specific steps it will undertake to facilitate this transition and an estimated timeframe for doing so, then a prospective plaintiff may not bring a CVRA lawsuit within 90 days after that resolution's passage and attorneys' fees would be capped at a maximum of $30,000; and

WHEREAS, prior to the City Council's consideration of an ordinance to establish district boundaries for a district-based electoral system, Elections Code section 10010 requires all of the following:

1. Before drawing a draft map or maps of the proposed boundaries of the districts, the City shall hold at least two public hearings over a period of no more than 30 days, at which the public is invited to provide input regarding the composition of the districts. Before these hearings, the City may conduct outreach to the public, including to non-English-speaking communities, to explain the districting process and to encourage public participation;

2. After all draft maps are drawn, the City shall publish and make available for release at least one draft map and, if members of the City Council will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections. The City shall also hold at least two additional hearings over a period of no more than 45 days, at which the public is invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable. The first version of a draft map shall be published at least seven days before consideration at a hearing. If a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven days before being adopted; and

WHEREAS, the City intends to retain an experienced demographer to assist the City to develop a proposal for a district-based electoral system.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin declares its intention to consider adoption of an ordinance to transition to a district-based election system beginning with the November 2024 regular municipal election, as authorized by Government Code section 34886.

BE IT FURTHER RESOLVED that the City Council hereby declares its intention to take the specific steps, and approves the estimated timeline for taking such steps, as set forth in **Exhibit A**, attached hereto and made a part hereof. The City Manager may adjust such timeline if she deems it necessary, provided that any such adjustments may not prevent adoption of an ordinance in sufficient time for district-based elections to be used at the November 2024 regular municipal election.

BE IT FURTHER RESOLVED that the City Council reaffirms the direction and authorizations given in Resolution No. 17-22.

BE IT FURTHER RESOLVED that if any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Resolution. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

{Signatures on following page}

PASSED, APPROVED AND ADOPTED this 17th day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

5102960.3

Exhibit A

Estimated Timeframe for Transitioning to District-Based Elections

Date	Meeting	Topics
Tuesday **April 19, 2022** **7:00 p.m.**	Public Hearing 1	Overview of Process, Map Drawing Criteria, Communities of Interest, Mapping Tools; Community Feedback.
Thursday **April 28, 2022** **6:00 p.m.**	Virtual Workshop	Overview of Process, Parameters, Mapping Tools; Community Feedback.
Wednesday **May 4, 2022** **6:00 p.m.**	In-Person Workshop	Overview of Process, Parameters, Mapping Tools; Community Feedback.
Tuesday **May 17, 2022** **7:00 p.m.**	Public Hearing 2	Map Drawing Criteria, Communities of Interest; Mapping Tools; Community Feedback.
Tuesday **June 21, 2022** **7:00 p.m.**	Public Hearing 3	NDC and Community Draft Maps; Community Feedback.
Tuesday **July 19, 2022** **7:00 p.m.**	Public Hearing 4	NDC and Community Revised Maps; City Council Selects Finalist(s); Sequencing of District Elections.
Tuesday **August 16, 2022** **7:00 p.m.**	Public Hearing 5	City Council Final Map Selection; Introduction of Ordinance.
Tuesday **September 6, 2022** **7:00 p.m.**	City Council Consent Calendar	Second Reading of Ordinance.

VIA CERTIFIED MAIL

RECEIVED

APR 20 2022

CITY OF DUBLIN
CITY MANAGER'S OFFICE

April 19, 2022

Marsha Moore, MMC – City Clerk
City of Dublin, California
100 Civic Plaza
Dublin, CA 94568

Re: Violation of California Voting Rights Act

Dear Ms. Moore,

I write this letter on behalf of myself, Rosel Trolan, Jennifer Situ and Vinil Chokshi. We are electors who reside in the city of Dublin and are members of classes protected by the Voting Rights Act of 1965. This letter gives you notice that the City is in possible violation of the Voting Rights Act of 1965 and the California Voting Rights Act.

Some of us have spoken to Mr. Shenkman in the past, but he is no longer responding to our inquiries.

On February 15, 2022, the City Council passed a resolution that does not comply with Elections Code, Section 10010, because (1) it proposes to conduct an unlawful at-large election in November 2022 and (2) it discourages public input and evades public scrutiny by scheduling intermittent hearings extending long into the summer.

But even if the resolution provides 90 days to cure, any legislative authority to draw district maps expires on May 16, 2022. After that date, minority voters may enforce the CVRA by presenting their own map and sequence of elections for approval by the Superior Court.

The claim that you were unable to retain qualified demographers is not only untrue; it is irrelevant. The court will be able to approve a map whether or not the city presents a proposed option.

Mr. Shenkman lacks authority under the law to grant an extension of the cure period. AB 2123 was enacted to guarantee that once an attorney sent a timely notice to a jurisdiction, the governing body would be UNABLE to conduct an additional unlawful election. The incumbents cannot simply promise to comply after they seek reelection at-large.

In the Bay Area, incumbents who have delayed compliance in anticipation that they would be reelected at-large have been disappointed.

This letter is intended to eliminate any doubt that, at least 45 days after you receive this letter, an attorney of our choice may file an action to enforce the CVRA.

Sincerely,

Rosel Trolan
Dublin Community Advocate

Cc: Jennifer Situ
Vinil Chokshi

Agenda Item 4.16

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Mayor's Recommendation for Appointment to the Planning Commission Unscheduled Alternate Vacancy
Prepared by: Marsha Moore, MMC, City Clerk

EXECUTIVE SUMMARY:

The City Council will consider the Mayor's recommendation for appointment to fill an unscheduled alternate vacancy on the Planning Commission.

STAFF RECOMMENDATION:

Confirm the Mayor's recommendation to appoint Matthew Aini as an alternate to the Planning Commission for the remainder of a term ending December 2022.

FINANCIAL IMPACT:

None.

DESCRIPTION:

There is an unscheduled vacancy for an alternate member on the Planning Commission. The vacancy was posted on Friday, October 29, 2021, with an application deadline of Friday, November 19, 2021 at 5:00 p.m. Due to a limited number of applications received, a new recruitment was opened on February 7, 2022 with a deadline on Friday, February 25, 2022.

Planning Commission
A total of 10 applications were received from the following individuals: Matthew Aini, Seema Badar, Richard Cho, Heath Cunningham, Kim Jones, Dawn Plants, Chandra Singh, Supreet Singh, Richard Thornbury, and Peter Valencia. Mayor Hernandez has reviewed the applications and is recommending appointment of Matthew Aini to the Planning Commission Alternate, with the term expiring in December 2022.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted, and the applicants were sent a copy of this Staff Report.

ATTACHMENTS:

1) Planning Commission Alternate Vacancy Applications

DUBLIN
CALIFORNIA

Planning Commission Application

The Planning Commission is an advisory body to the City Council. The Planning Commission is made up of seven community members, including five Planning Commissioners who serve four-year terms, and two Alternate Planning Commissioners who serve two-year terms. The duties and powers of the Planning Commission are spelled out in Chapter 2.12 of the Dublin Municipal Code and include the power to perform duties in reference to Planning, Zoning, and land use, and to make recommendations, for City Council approval, of the following: A comprehensive, long term General Plan for the physical development of the City and land within the City's sphere of influence; Development plans which are consistent with the General Plan; and Regulations, programs, and ordinances as required for the systematic implementation of the General Plan. Rules for conducting Planning Commission Meetings have been established to provide a framework for running Planning Commission meetings, maintaining decorum, and ensuring opportunities for members of the public to address the Planning Commission. These rules have been adopted in accordance with the Dublin Municipal Code (Chapter 2.12.040.C).

Learn more about the Planning Commission

The City of Dublin is currently recruiting for an alternate on the Planning Commission to serve the remaining term with an end date of December 2022.

Date Time *
2/23/2022

First Name *
Matthew

Last Name *
Aini

Address *
Street Address
[redacted]
Address Line 2

City
Dublin

State/Province/Region
California

Postal/Zip Code
94568

Country
United States

Phone (Primary) *
[redacted]

Phone (Secondary)

E-mail *
[redacted]

How long have you been a resident of Dublin? *
Over 18 years (Since I was born)

Application Questions

Why are you interested in serving on the Planning Commission?

As a lifelong Dublin resident, I've seen this city grow significantly in size as we've expanded both Eastward and Westward with the creation of new neighborhoods. My interest in planning stemmed from witnessing the growing pains that the city has faced in the past couple of decades, with schools and traffic chief among them. In the process of understanding the problem and what ought to be done about it, while I

found somewhat of an answer in the principles of smart growth, I'd also come across urban planning ideas around walkability and zoning. As a result, I have become actively engaged in the City's planning meetings by attending as an engaged citizen of Dublin and have been thinking about the different ways that Dublin could change in improving the way they develop.

The City has already made strides to make improvements on how we develop by reevaluating the Eastern Dublin Specific Plan, as well as the large strides that have been made in developing the Downtown Dublin Specific Plan. As the city approaches developing some of its final large lots within the city, as well as reimagining some of the vacated lots, I want to be an active participant in the discussion for how we can maximize accessibility and inclusivity in developments to both city residents and those wishing to join the Dublin Community.

What is your knowledge of and experience in Planning and Zoning?

While I haven't formally studied or worked in planning and zoning, this is an area that I've taken great interest in exploring on my own accord over the years. In terms of knowledge about planning and zoning within Dublin, tracking some of the major commercial and residential developments of Dublin has become a pastime for me at this point. I can say with certainty that I frequent the development projects map on the city site more than the vast majority of residents. That being said, one of the projects I've been tracking most closely because of its relevance to me as someone who has lived fairly close by in Dublin Ranch is the SCS development (and of course the At Dublin project that preceded it). Through these projects, I've enjoyed tracking their journey along with the planning commission to the city council, and evaluating the new site plans as some of the major development proposals evolve over time. Looking at planning and zoning more broadly, there are a few channels through which I've explored the topics in depth. Watching videos about urban planning (City Beautiful is my favorite channel to watch related to this), reading books related to planning (The Color of Law gave me a fresh perspective about development history in the bay area), and taking classes related to the subject (I'm currently taking a class from UC Berkely's City Planning academic department on real estate investing) are the main ways I've engaged with the subject at hand.

Do you have any experience in urban design, architecture or landscaping? If yes, please describe your experience.

I do not have any formal experience in urban design, architecture, or landscaping.

What experience, if any, do you have serving on boards, commissions or task forces? Please explain.

I've had the pleasure of serving on the City of Dublin's Task Force on Equity, Diversity, and Inclusion. In the duration of the task force, there were general meetings every 2nd and 4th Thursday of the month, a frequency that generally resembles the Planning Commission. During the bulk of the task force's work period, we also had ad hoc committees which also met generally every week or so. The ad hoc committees I'd served on were the Policies and Procedures ad hoc and the Community Agency Funding and Support ad hoc, both of which I'd unofficially chaired for the purposes of coordinating meeting times with the city staff. The two ad hoc groups I'd served in were related to the Policing and DEI components of the task force respectively, and within each working group, I was working towards developing recommendations within that relevant area and reporting out to the task force at large to consider the recommendation ideas. In developing those recommendations, I learned a lot about both the issue areas I was tasked with as well as how those issues fit into what the city of Dublin is making decisions on. Having recently served as an integral and committed member of the City of Dublin Task Force on Equity, Diversity, and Inclusion where we were able to come up with practical solutions to the problems the city faced in this particular area has prepared me to handle the position of planning commissioner and be able to continue to contribute and be of service to the city and community that I love and grew up in.

How do you feel about making a decision for the overall good of the community, but unpopular with some neighbors?

I hold an understanding that with certain major decisions, it's almost impossible for all sides to be completely happy. While not everyone will like certain decisions surrounding development, it's very beneficial to hear the voices of opponents to a decision in order to hear what is the reasoning behind the position. An example of this type of concern can be parking, as was voiced in the IKEA project which led to development modifications before final approval. At the same time, some concerns which are clearly intended to just foment total opposition to a proposed development can be rather unhelpful, and in those cases, one can only assuage concern around the issue area while being blunt about the lack of feasibility of some demands. An example of this is claiming that a plot of land that has been zoned for decades for specific development use (which is about to be developed) should be declared a nature preserve to protect wildlife. In that example, aside from assuaging community members about the fees collected to take care of any species displacement as well as the EIRs, you're only left with the acknowledgment that a project is compliant with CEQA so there's no legal standing of using environmental protection as a reason for blocking a proposed project.
Outside of dealing with concerns that make a development unpopular, I think that I've shown my willingness to support projects that may be unpopular with some people. One example of this was the council meeting related to approval of the East Ranch Project, during which I was practically the only resident voicing support for the project among a sea of public comments in direct opposition to the project. I understood the concerns of many residents, but I ultimately saw that there was a clear success from the city's end in getting major concessions related to practically every concern area brought up with regards to the project.

How can the City better ensure the viewpoints and perspectives of underrepresented minorities are considered when making decisions about city planning?

I think that better incorporating minority perspectives takes three main steps. The first step is inviting minority and affordable housing advocates to meetings to discuss input at commission meetings. By ensuring that there's diversity among the attendees of the community meetings and diverse perspectives coming forth for public comment, I think that the planning commission will be able to make the most informed decision in advising the city council. I include affordable housing advocates as part of that step because of the fact that housing affordability can have significant effects on what groups move into and out of Dublin, which in turn corresponds to the demographic makeup of our city. Making sure that home prices are being made as accessible as possible within the scope of what the city can do is an integral component of making sure we live up to our mission of championing a culture of diversity and inclusion. The city is already doing a great job with outreach through its housing element update community meetings, and continuing this practice provides an excellent forum for such a step to take place. The second step would be to expand the practice of community input meetings for development projects in order to make sure that residents of all backgrounds have their voices reflected on development proposals. I think that the level of community engagement performed with the SCS property ought to be replicated with more proposed developments. The third step would be continuing to avoid a "Not In My Back Yard" (NIMBY) attitude when considering developments in Dublin. More often than not, NIMBYism can lead to communities becoming more exclusive over time, especially when surrounding communities continually expand as is the case across the Tri-Valley. In creating exclusivity, the city can jeopardize increasing diversity in the community by generally blocking out new families, groups, and individuals from moving into the city. Not only is such a practice morally lopsided, but the state of California has taken visible legal opposition towards actions in a NIMBY direction (e.g. the recent Atherton SB 9 compliance debacle). The city has done a great job combatting this mindset thus far, but continuing to do so is essential if we want to make Dublin an affordable and accessible community for decades to come.

What is the most important contribution you can make as a member of the Planning Commission?

The most important contribution I can make as a member of the Planning Commission is my perspective as a lifelong Dubliner, a member of the Muslim community, and as a young person and current student. Through these lenses I know I will be able to help expand the voices that are represented in the development process in Dublin. A lot of development projects in Dublin get scrutinized for the potential impacts on students and schools. As someone who came out of the DUSD schools very recently, I can hear and understand their concerns on a very personal level. Additionally, as someone with an over half-hour daily commute, I also have a deep stake in the traffic impacts of Dublin's proposed development projects and can hear out those concerns on a personal level as well.

Applications must be submitted no later than Friday, February 25, 2022, at 5:00 p.m.

For questions, please contact the City Clerk's Office at (925) 833-6650 or city.clerk@dublin.ca.gov

Planning Commission Application

DUBLIN
CALIFORNIA

The Planning Commission is an advisory body to the City Council. The Planning Commission is made up of seven community members, including five Planning Commissioners who serve four-year terms, and two Alternate Planning Commissioners who serve two-year terms. The duties and powers of the Planning Commission are spelled out in Chapter 2.12 of the Dublin Municipal Code and include the power to perform duties in reference to Planning, Zoning, and land use, and to make recommendations, for City Council approval, of the following: A comprehensive, long term General Plan for the physical development of the City and land within the City's sphere of influence; Development plans which are consistent with the General Plan; and Regulations, programs, and ordinances as required for the systematic implementation of the General Plan. Rules for conducting Planning Commission Meetings have been established to provide a framework for running Planning Commission meetings, maintaining decorum, and ensuring opportunities for members of the public to address the Planning Commission. These rules have been adopted in accordance with the Dublin Municipal Code (Chapter 2.12.040.C).

Learn more about the Planning Commission

The City of Dublin is currently recruiting for an alternate on the Planning Commission to serve the remaining term with an end date of December 2022.

Date Time *
2/9/2022

First Name *
Seema

Last Name *
Badar

Address *
Street Address
[redacted]
Address Line 2

City
Dublin

State/Province/Region
CA

Postal/Zip Code
94568

Country
USA

Phone (Primary) *
[redacted]

Phone (Secondary)

E-mail *
[redacted]

How long have you been a resident of Dublin? *
1

Application Questions

Why are you interested in serving on the Planning Commission?

I would like to serve on the Planning Commission to become more involved in my community. One of my passions is community service and I want to give back to my community by being more involved in my new neighborhood and community. I feel like it is my civic duty to become more knowledgeable about issues and policies related to planning, land use, and community development. I am well known to

many of our local government officials because of my service and work on boards. I was awarded community hero awards the past two years by Assemblymember Kansen Chu and Assemblymember Alex Lee for my service to the community during the pandemic.

What is your knowledge of and experience in Planning and Zoning?

I have some working knowledge about Planning and Zoning but don't necessarily have experience. I know Planning is related to working with residents, business owners, and developers to ensure that their development proposals conform to City policies and guidelines. Zoning refers to local laws or regulations that govern how real property can and cannot be used in certain geographic areas. I am excited to learn more how Planning and Zoning plays a role in shaping our community.

Do you have any experience in urban design, architecture or landscaping? If yes, please describe your experience.

I do not have experience in urban design, architecture, or landscaping.

What experience, if any, do you have serving on boards, commissions or task forces? Please explain.

I currently serve as treasurer on the Board of the Muslim Democrats and Friends Club of Alameda County. My involvement on this board has allowed me to meet many of my local elected officials and work with them. Shawn Kumagai joined my last meeting I was moderating alongside Assemblymember Bill Quirk.

How do you feel about making a decision for the overall good of the community, but unpopular with some neighbors?

I feel comfortable making a decision I know will be for the overall good of the community even if it is unpopular with some neighbors. I feel we can always explain the reasons behind the decision and help our neighbors and community understand why the decision is for the overall good of the community.

How can the City better ensure the viewpoints and perspectives of underrepresented minorities are considered when making decisions about city planning?

It's important to make sure underrepresented minorities have access to our local officials and planning commission. One way to involve minority groups is to to have town halls and meetings where we can invite minority groups and the nonprofits and community organizations representing them to make sure their voices are heard.

What is the most important contribution you can make as a member of the Planning Commission?

One of the most important contributions I can make is to use my community partnerships with many locals and organizations to help make the voice of the planning commission heard. I am also an excellent community fundraiser and have fundraised for many events, service projects, nonprofits and even campaigning for elected officials. I may not have all the knowledge but will work hard to learn help my community.

Applications must be submitted no later than Friday, February 25, 2022, at 5:00 p.m.

For questions, please contact the City Clerk's Office at (925) 833-6650 or city.clerk@dublin.ca.gov

Planning Commission Application

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CALIFORNIA

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Learn more about the Planning Commission

The City of Dublin is currently recruiting for an alternate on the Planning Commission to serve the remaining term with an end date of December 2022.

Date Time *
2/25/2022

First Name *
Richard

Last Name *
Cho

Address *
Street Address
[redacted]
Address Line 2

City
Dublin

State/Province/Region
CA

Postal/Zip Code
94568

Country
USA

Phone (Primary) *
[redacted]

Phone (Secondary)

E-mail *
[redacted]

How long have you been a resident of Dublin? *
5+

Application Questions

Why are you interested in serving on the Planning Commission?

To serve the community in all matters regarding development and construction within our city. I would like to be a conduit to voice the concerns of the community while also educating the community on the decisions of the commission.

What is your knowledge of and experience in Planning and Zoning?

More on the novice end of the spectrum, but am familiar enough with planning and zoning from prior experience in the construction industry.

Do you have any experience in urban design, architecture or landscaping? If yes, please describe your experience.

No.

What experience, if any, do you have serving on boards, commissions or task forces? Please explain.

Some experience. Have served on several commissions and task forces for various non-profit organizations and educational institutions. Primarily involved in Enterprise Risk Management roles.

How do you feel about making a decision for the overall good of the community, but unpopular with some neighbors?

This is not a problem. I feel that transparency, communication and setting expectations are key in order to achieve a desired outcome.

How can the City better ensure the viewpoints and perspectives of underrepresented minorities are considered when making decisions about city planning?

More outreach within the underrepresented population must be key. Using a more pragmatic approach to disseminating information versus the normal channels, which at times may be cumbersome and ineffective.

What is the most important contribution you can make as a member of the Planning Commission?

Providing a more balanced approach, and being the mediator/arbitrator to resolve differences to create the best possible solution. My approach is that, "nobody can have their cake, and eat it too". The best possible solution is that "everyone gets a slice of cake - no matter how small".

Applications must be submitted no later than Friday, February 25, 2022, at 5:00 p.m.

For questions, please contact the City Clerk's Office at (925) 833-6650 or city.clerk@dublin.ca.gov

Planning Commission Application

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Learn more about the Planning Commission

The City of Dublin is currently recruiting for an alternate on the Planning Commission to serve the remaining term with an end date of December 2022.

Date Time *
2/8/2022

First Name *
Heath

Last Name *
Cunningham

Address *
Street Address
[redacted]
Address Line 2

City
DUBLIN

State/Province/Region
CA

Postal/Zip Code
94568

Country
United States

Phone (Primary) *
[redacted]

Phone (Secondary)

E-mail *
[redacted]

How long have you been a resident of Dublin? *
25

Application Questions

Why are you interested in serving on the Planning Commission?
I love Dublin. I've been here since it was tiny.

What is your knowledge of and experience in Planning and Zoning?

Absolutely none.

Do you have any experience in urban design, architecture or landscaping? If yes, please describe your experience.

Nope.

What experience, if any, do you have serving on boards, commissions or task forces? Please explain.

None.

How do you feel about making a decision for the overall good of the community, but unpopular with some neighbors?

I can handle it.

How can the City better ensure the viewpoints and perspectives of underrepresented minorities are considered when making decisions about city planning?

It doesn't matter if you are a minority or not. We want our city livable. That's easy.

What is the most important contribution you can make as a member of the Planning Commission?

An open mind.

Applications must be submitted no later than Friday, February 25, 2022, at 5:00 p.m.

For questions, please contact the City Clerk's Office at (925) 833-6650 or city.clerk@dublin.ca.gov

Planning Commission Application

DUBLIN
CALIFORNIA

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Learn more about the Planning Commission

The City of Dublin is currently recruiting for an alternate on the Planning Commission to serve the remaining term with an end date of December 2022.

Date Time *
11/18/2021

First Name *
Kim

Last Name *
Jones

Address *
Street Address
[redacted]

Address Line 2
[redacted]

City
Dublin

State/Province/Region
CA

Postal/Zip Code
94568

Country
United States

Phone (Primary) *
[redacted]

Phone (Secondary)

E-mail *
[redacted]

How long have you been a resident of Dublin? *
3 years

Application Questions

Why are you interested in serving on the Planning Commission?

I would like to introduce sustainable living for the public to own prefab modern homes. One concept of sustainable living is Mighty Builders. Mighty Builders has put together an entire City for half the cost of building with standard building standards.

Being on the planning commission I could utilize my skills in research and project development. My skills are within the research to locate the best sustainable property builders that are cost effective to help support the community with ownership.

What is your knowledge of and experience in Planning and Zoning?

I have a brokers certificate in Real Estate from Chamberlin Real Estate. I have work with the City of Hayward as a Community Development member to review proposals for community projects for the City of Hayward.

Do you have any experience in urban design, architecture or landscaping? If yes, please describe your experience.

Yes, I have research the best design for urban design, and some landscaping. Mostly it is urban design.

What experience, if any, do you have serving on boards, commissions or task forces? Please explain.

I have six months experience in serving City of Hayward Community Development proposals. Each individual community development proposal is review for approval in order to receive their funding.

How do you feel about making a decision for the overall good of the community, but unpopular with some neighbors?

My feeling are when making business decisions to stay professional no matter what. I think by having minorities see first hand that operations are ran by Washington D.C. to allocate portions of funding to each county on a set budget to review the decision making process.

How can the City better ensure the viewpoints and perspectives of underrepresented minorities are considered when making decisions about city planning?

Minorities need a voice for the City Dublin up and coming projects. Minorities are heard at best, howler one should be able to have some input and receive post feedbacks.

What is the most important contribution you can make as a member of the Planning Commission?

I can introduced a new innovative approach to energy saving and the most cost effective approach to saving money for building new prefab sustainable homes. And apply my knowledge to the Planning Commission on research and making the public aware of prefab sustainable living.

Applications must be submitted no later than Friday, November 19, 2021, at 5:00 p.m.

For questions, please contact the City Clerk's Office at (925) 833-6650 or city.clerk@dublin.ca.gov

Planning Commission Application

DUBLIN
CALIFORNIA

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Learn more about the Planning Commission

The City of Dublin is currently recruiting for an alternate on the Planning Commission to serve the remaining term with an end date of December 2022.

Date Time *
11/1/2021

First Name *
Dawn

Last Name *
Plants

Address *
Street Address
[redacted]
Address Line 2

City
Dublin

State/Province/Region
CA

Postal/Zip Code
94568

Country
USA

Phone (Primary) *
[redacted]

Phone (Secondary)

E-mail *
[redacted]

How long have you been a resident of Dublin? *
41 years

Application Questions

Why are you interested in serving on the Planning Commission?
Because of my dedication to Dublin and my past experience on the Dublin Planning Commission.

What is your knowledge of and experience in Planning and Zoning?

30 years work experience in Land Development and Infrastructure Construction Administration, including 9 years experience in Commercial Property Management of Class "A" office buildings (including Leasing and Tenant Improvements).

Do you have any experience in urban design, architecture or landscaping? If yes, please describe your experience.

I have managed design and landscaping projects (and improvements) for 4 acre office complex in Redwood City.

What experience, if any, do you have serving on boards, commissions or task forces? Please explain.

I was previously an Alternate on the Dublin Planning Commission in 2019.

How do you feel about making a decision for the overall good of the community, but unpopular with some neighbors?

I believe planning decisions should be made for the overall good of the Community.

How can the City better ensure the viewpoints and perspectives of underrepresented minorities are considered when making decisions about city planning?

By asking them directly when I see or meet them, like I did when running for City Council in 2020.

What is the most important contribution you can make as a member of the Planning Commission?

My personal dedication and loyalty to the City of Dublin, as a 41 year resident and homeowner.

Applications must be submitted no later than Friday, November 19, 2021, at 5:00 p.m.

For questions, please contact the City Clerk's Office at (925) 833-6650 or city.clerk@dublin.ca.gov

Planning Commission Application

DUBLIN
CALIFORNIA

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Learn more about the Planning Commission

The City of Dublin is currently recruiting for an alternate on the Planning Commission to serve the remaining term with an end date of December 2022.

Date Time *
11/12/2021

First Name *
Chandra

Last Name *
Singh

Address *
Street Address
[redacted]
Address Line 2

City
Dublin

State/Province/Region
CA

Postal/Zip Code
94568

Country
USA

Phone (Primary) *
[redacted]

Phone (Secondary)

E-mail *
[redacted]

How long have you been a resident of Dublin? *
four months

Application Questions

Why are you interested in serving on the Planning Commission?
I am a retired electrical engineer with a interest to serve a developing city. We are witnessing growing use of solar and wind energy but other conventional source like coal, natural gas, oil have to be replaced. Dublin is witnessing rapid growth.

What is your knowledge of and experience in Planning and Zoning?

None

Do you have any experience in urban design, architecture or landscaping? If yes, please describe your experience.

None

What experience, if any, do you have serving on boards, commissions or task forces? Please explain.

some

How do you feel about making a decision for the overall good of the community, but unpopular with some neighbors?

we are professionals with excellent social values.

How can the City better ensure the viewpoints and perspectives of underrepresented minorities are considered when making decisions about city planning?

we are new to Dublin. I am a member of underrepresented minority with a research in controlled thermonuclear fusion as a future electrical energy use in this STATE. This state has a national research interest in nuclear fission and nuclear fusion.
I am a retired Professor of engineering. we state to improve national power of households.

What is the most important contribution you can make as a member of the Planning Commission?

Our education for NUCLEAR engineering.

We did graduate schooling in nuclear fission Iowa State University - Ames, Iowa.
Continued graduate schooling in University of Wisconsin - Madison, Wisconsin for Masters and University of Texas - Austin, Texas for Ph.D.

Served as Professor.

Applications must be submitted no later than Friday, November 19, 2021, at 5:00 p.m.

For questions, please contact the City Clerk's Office at (925) 833-6650 or city.clerk@dublin.ca.gov

Planning Commission Application

DUBLIN
CALIFORNIA

The Planning Commission is an advisory body to the City Council. The Planning Commission is made up of seven community members, including five Planning Commissioners who serve four-year terms, and two Alternate Planning Commissioners who serve two-year terms. The duties and powers of the Planning Commission are spelled out in Chapter 2.12 of the Dublin Municipal Code and include the power to perform duties in reference to Planning, Zoning, and land use, and to make recommendations, for City Council approval, of the following: A comprehensive, long term General Plan for the physical development of the City and land within the City's sphere of influence; Development plans which are consistent with the General Plan; and Regulations, programs, and ordinances as required for the systematic implementation of the General Plan. Rules for conducting Planning Commission Meetings have been established to provide a framework for running Planning Commission meetings, maintaining decorum, and ensuring opportunities for members of the public to address the Planning Commission. These rules have been adopted in accordance with the Dublin Municipal Code (Chapter 2.12.040.C).

Learn more about the Planning Commission

The City of Dublin is currently recruiting for an alternate on the Planning Commission to serve the remaining term with an end date of December 2022.

Date Time *
11/2/2021

First Name *
Supreet

Last Name *
Singh

Address *
Street Address
[redacted]
Address Line 2

City
Dublin.

State/Province/Region
CA

Postal/Zip Code
94568

Country
USA

Phone (Primary) *
[redacted]

Phone (Secondary)

E-mail *
[redacted]

How long have you been a resident of Dublin? *
4

Application Questions

Why are you interested in serving on the Planning Commission?

I want to help Dublin grow naturally as a new and upcoming city. Growth has been tremendous and people come for the great schools and parks that are present her. However, while the population has increased the walkability of Dublin has o lay gotten worse. There is no place to walk around and unexpectedly meet neighbors as Dublin has become a car centric place.

What is your knowledge of and experience in Planning and Zoning?

As a citizen I have lived in Dublin for 4 years. I strongly believe in the book the Happy City on how to organically grow a city and make it possible for citizens to be happy and healthy and the urban planning that can influence those two factors. As a physician, I see a lot of health problems from cities that are car dependent including the physical and mental health of a person.

Do you have any experience in urban design, architecture or landscaping? If yes, please describe your experience.

In University, I was an engineer, and that gave me an important insight on road and bridge structural design. Ultimately it is the people of a city that make a city healthy and livable

What experience, if any, do you have serving on boards, commissions or task forces? Please explain.

I have been the Anesthesia director and executive member of St Rose Hospital. In my time there, I learned the important of having a strong focus, not getting distracted by small picture issues and finding a way to get your vision implemented. Commonly that path is not always direct but one needs to find a way to get the plan done.

How do you feel about making a decision for the overall good of the community, but unpopular with some neighbors?

I think it's important to take the whole communities input. If a disagreement occurs, it is important to let the other side be heard and explain why the alternative decision was made. As long as the communication has been transparent, most people will understand not everything will go the way they want it.

How can the City better ensure the viewpoints and perspectives of underrepresented minorities are considered when making decisions about city planning?

I think the city needs to reach the citizens of Dublin outside of most working hours. They can also reach out to more minority lead organizations to make sure there voice is heard. Picking minority members to be on committees also will help the message to spread to more communities.

What is the most important contribution you can make as a member of the Planning Commission?

I'm a great researcher and leader and have a strong problem solving background as a former engineer. I also am enthusiastic and can work with groups in making change happen.

Applications must be submitted no later than Friday, November 19, 2021, at 5:00 p.m.

For questions, please contact the City Clerk's Office at (925) 833-6650 or city.clerk@dublin.ca.gov

Planning Commission Application

DUBLIN
CALIFORNIA

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Learn more about the Planning Commission

The City of Dublin is currently recruiting for an alternate on the Planning Commission to serve the remaining term with an end date of December 2022.

Date Time *
2/24/2022

First Name *
Richard

Last Name *
Thornbury

Address *
Street Address
[redacted]
Address Line 2

City
Dublin

State/Province/Region
CA

Postal/Zip Code
94568

Country
USA

Phone (Primary) *
[redacted]

Phone (Secondary)

E-mail *
[redacted]

How long have you been a resident of Dublin? *
2.5

Application Questions

Why are you interested in serving on the Planning Commission?

I chose to settle in Dublin because many aspects of the City, such as great schools, neighborhoods, parks, and proximity to transit, make it a great place to live. Planning has played an important role in developing this high quality of life in Dublin. As the city continues its growth and reaches build-out, planning decisions will be critical to ensuring we meet our future economic development, housing, affordable housing

goals. I plan to call Dublin my home for many years to come, and as such I have committed to engaging in the civic process to help Dublin meet its goals and maintain its success. I have really enjoyed serving on a Commission in Dublin, and I am interested in this opportunity as an alternate to the Planning Commission as a means of contributing more to the City.

What is your knowledge of and experience in Planning and Zoning?

My knowledge and experience in planning comes from my participation in various city meetings/workshops and as a member of the Parks and Community Services Commission.
In 2020 I participated in Inside Dublin where some issues of planning and zoning were covered in the Community and Economic Development presentation. I have attended City lead community meetings about development activity in Dublin including the community meetings for the SCS Property, the Regional Street Senior Affordable Housing Project, and the Housing Element Update workshop which inspired my interest in the Planning Commission. I also regularly watch the Dublin City Council meetings and the Planning Commission meetings to keep up on planning activity in the city.
As a member of the Parks and Community Services Commission I have gained experience reviewing design plans, such as for the Wallis Ranch Park design and the accompanying parking study. In this role I have also gained experience reviewing operations plans such as the Master Fee Schedule and the Operations Plans for the Cultural Arts Center.

Do you have any experience in urban design, architecture or landscaping? If yes, please describe your experience.

I do not have professional experience in these areas, however, I have reviewed design plans in my role as a member of the Parks and Community Services Commission. For example, in the last year we reviewed and provided feedback for the Wallis Rach Park design.

What experience, if any, do you have serving on boards, commissions or task forces? Please explain.

For just over a year I have served as an alternate commissioner on the Dublin Parks and Community Services commission.

How do you feel about making a decision for the overall good of the community, but unpopular with some neighbors?

I would be comfortable making a decision that is for the overall good of the city, although it may be unpopular with some residents. It is important for a public official to listen to and seek a diverse set of perspectives when considering such decisions but, ultimately, this must be considered with all other information available. It is a public official's duty to diligently study the issue and then act in the best interest of the city. There will not always be a consensus in the community, and so I also believe it is important to be transparent and to explain the 'why' when making a decision.

How can the City better ensure the viewpoints and perspectives of underrepresented minorities are considered when making decisions about city planning?

To ensure the viewpoints and perspectives of underrepresented minorities are considered, the City could focus on boosting engagement in feedback opportunities such as community meetings and workshops. This may require more robust noticing/social media campaign to enhance engagement, as well as targeted, direct outreach to underrepresented communities in particular. In my experience, I have met people in the city who would have been more interested in participating in City activities had they been aware of various opportunities (for example, I met several citizens during the Dublin Pride creek clean up that would have been interested in volunteering had they been aware of the event). One avenue to pursue this type of targeted outreach would be through the Community Liaison role that will be created through implementation of the DEI taskforce recommendations. To ensure these perspectives are considered, I think it would be useful if the Community Liaison provided with the agenda packet for planning items a report on feedback the Liaison received from this outreach to underrepresented communities.

What is the most important contribution you can make as a member of the Planning Commission?

A unique contribution I could make as a Planning Commissioner is bringing my perspective as a former resident of Downtown Dublin. Before recently moving, I lived for over 2 years in the Downtown Dublin Transit Oriented District. In the coming years, one of the most active areas for planning decisions will be the Downtown Dublin area as the Specific Plan and Preferred Vision are implemented. I believe my daily life experience in the area could bring a valuable perspective to the Commission as it considers the goals and impacts of planning decisions in Downtown Dublin. I really enjoyed the walkable aspects of the district (e.g. proximity to transit, grocery, dining), and think I could provide perspective on how to further enhance that experience.

Applications must be submitted no later than Friday, February 25, 2022, at 5:00 p.m.

For questions, please contact the City Clerk's Office at (925) 833-6650 or city.clerk@dublin.ca.gov

Planning Commission Application

DUBLIN
CALIFORNIA

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Learn more about the Planning Commission

The City of Dublin is currently recruiting for an alternate on the Planning Commission to serve the remaining term with an end date of December 2022.

Date Time *
2/25/2022

First Name *
Peter

Last Name *
Valencia

Address *
Street Address
[redacted]

Address Line 2
[redacted]

City
DUBLIN

State/Province/Region
CA

Postal/Zip Code
94568

Country
United States

Phone (Primary) *
[redacted]

Phone (Secondary)

E-mail *
[redacted]

How long have you been a resident of Dublin? *
2 years

Application Questions

Why are you interested in serving on the Planning Commission?

I enjoy and intend on making Dublin a city where I will raise my family. Dublin is a city that is growing and evolving. Having had the opportunity to live within different cities and states I have seen how different cities were planned and how it affected the local residence.

Improving the community I live in is important to me.

What is your knowledge of and experience in Planning and Zoning?

Planning and Zoning is preparing, maintaining, and implementing a general plan for the development of a city. General plan provides overall guidance for the future of a city and other citywide elements including State mandated elements such as the transportation, housing, open spaces, and land use.

Do you have any experience in urban design, architecture or landscaping? If yes, please describe your experience.

I have always have had an interest building design and architecture, as for landscaping I have experience, from desert landscaping to urban farming.

With desert landscaping, the largest limiting the need for water this can be done through a varieties of ways. You can use plants that are native to the region and or grow zone, use alternatives to plants such as rocks or gravel and setting up a proper watering system. As for Urban farming, it started as a personal hobby that continued to grow through self-education. I personally prefer perennials plants due to the lack of need to replant or seed, however it is important to coordinate plants that will grow well together and are properly spaced. It is also important to be aware if a plant is in invasive species. An invasive plant that is properly contained can be an excellent solution due to the need but if not controlled it could be considered a weed.

What experience, if any, do you have serving on boards, commissions or task forces? Please explain.

I have experience serving on committees and task forces. My evolvement was related to U.S. Securities and Exchange Commission regulations. One committee was a regulatory monitoring committee, which included staying apprised of regulation changes, enforcements. The committee would engage and inform financial advisors of the regulation changes and how it would impact their business operations.

Some taskforces I was involved in was leading and coordinating U.S. Securities and Exchange Commission exams that Financial Advisors received.

How do you feel about making a decision for the overall good of the community, but unpopular with some neighbors?

When making decisions that affect many people it is impossible, make everyone happy and something I have learned to accept. However it is important to listen to everyone's view and make it known that you are listening.

How can the City better ensure the viewpoints and perspectives of underrepresented minorities are considered when making decisions about city planning?

Listening to everyone and being fair to everyone, acknowledging that you are listing, and reaching out to the community and asking for input. If people know, you want to listen to their input they are more willing to share.

What is the most important contribution you can make as a member of the Planning Commission?

I am familiar with managing risk and look at things in a holistic view. It is important to know how a small change can have an impact as a whole and be aware of unforeseen outcomes.

Applications must be submitted no later than Friday, February 25, 2022, at 5:00 p.m.

For questions, please contact the City Clerk's Office at (925) 833-6650 or city.clerk@dublin.ca.gov

Agenda Item 4.17

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: June 7, 2022 Regular City Council Meeting Start Time
Prepared by: Marsha Moore, MMC, City Clerk

EXECUTIVE SUMMARY:

The City Council will consider approving a start time of 5:30 p.m. for the June 7, 2022 Regular City Council Meeting.

STAFF RECOMMENDATION:

Approve a change to the June 7, 2022 Regular City Council Meeting start time from 7:00 p.m. to 5:30 p.m.

FINANCIAL IMPACT:

None.

DESCRIPTION:

The City Council holds all Regular Meetings the first and third Tuesday of the month at 7:00 p.m. On occasion, the City Council has changed the start time of the meeting on General and Primary Election night.

June 7, 2022 is Primary Election night and Staff recommends the City Council start the meeting at 5:30 p.m. The City Council is being asked to approve this change in start time.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

None.

Agenda Item 6.1

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Inspiration Drive Memory Care and Assisted Living Projects (PLPA-2020-00044 and PLPA-2020-00045)
Prepared by: Amy Million, Principal Planner

EXECUTIVE SUMMARY:

The Applicant, Steve Ring of Fulcrum Development, is proposing to develop two projects, a 55-bed memory care facility and an 84-bed assisted living facility, on Parcels 2 and 3, respectively, of the Valley Christian Center property. Requested approvals include Planned Development Rezoning with related Stage 1 and Stage 2 Development Plans, Site Development Review Permits, a Street Vacation and Tentative Parcel Map. The City Council will consider the Inspiration Drive Memory Care and Assisted Living projects, including a Supplemental Mitigated Negative Declaration to the Valley Christian Center Environmental Impact Report.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate and: 1) adopt the **Resolution** Adopting a Supplemental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Inspiration Drive Memory Care and Assisted Living Projects; 2) waive the reading and INTRODUCE the **Ordinance** Amending the Zoning Map and Approving a Planned Development Zoning District with a Stage 1 and Stage 2 Development Plan for the Inspiration Drive Memory Care Project; 3) adopt the **Resolution** Approving a Site Development Review Permit for the Inspiration Drive Memory Care Project; 4) adopt the **Resolution** Summarily Vacating Unused Right-of-Way on Dublin Boulevard and Reservation of a Public Service Easement; 5) adopt the **Resolution** Approving a Purchase and Sale Agreement with Valley Christian Center for Exempt Surplus Former Right-of-Way on Dublin Boulevard; 6) waive the reading and INTRODUCE the **Ordinance** Amending the Zoning Map and Approving a Planned Development Zoning District with a Stage 1 and Stage 2 Development Plan for the Inspiration Drive Assisted Living Project; 7) waive the reading and INTRODUCE the **Ordinance** Approving an Amendment to Planned Development Ordinance No. 07-03 for the Valley Christian Center; and 8) adopt the **Resolution** Approving a Site Development Review Permit and Tentative Parcel Map No. 11241 for the Inspiration Drive Assisted Living

Project.

FINANCIAL IMPACT:

The costs associated with processing the proposed projects are borne by the Applicant. As part of the Inspiration Drive Memory Care project, a summary vacation of unused right-of-way on Dublin Boulevard is requested. Staff is recommending a sale price of $14.83/square foot for a total of $120,390. The recommended sale price was based on a comparable sale of a vacant property zoned for commercial use with similar improvements, and the proposed Memory Care Facility at 5751 Arnold Road property's 2021-22 assessed value.

DESCRIPTION:

The two project sites are part of the Valley Christian Center property. The Valley Christian Center is located on approximately 51 acres at 7500 Inspiration Drive in the westerly portion of Dublin. The Valley Christian Center property includes four separate parcels as shown in Figure 1 and Table 1. The property has a General Plan land use designation of Public/Semi-Public. The property is subject to Planned Development (PD) Zoning (Ordinance No. 07-03), which was approved as part of the original Valley Christian expansion program in 2003. The PD has been amended over time to reflect the changing needs for church facilities. The project sites are surrounded by the Valley Christian Center, open space, and residential land uses as shown in Table 2 and Table 3.

Figure 1. Project Location

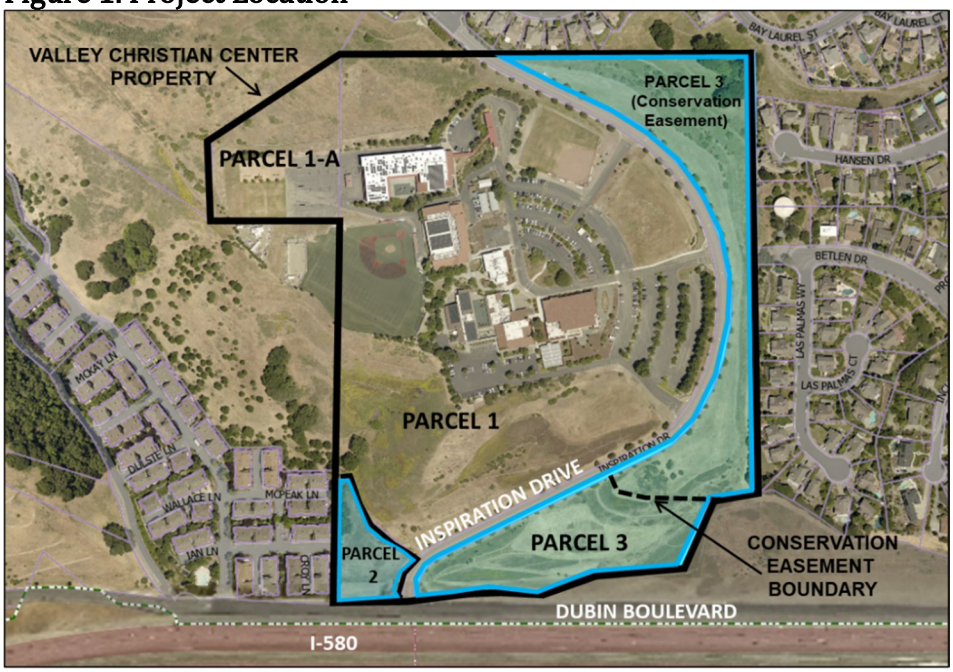


Table 1: Valley Christian Center Parcel Sizes and Land Uses

Parcel No.	Current Use of the Property	Proposed Use of the Property	Parcel Size	Existing General Plan Land Use
1	Valley Christian Center	No change –	33.3	Public/Semi-Public

	Campus	Church/School		
1A	Valley Christian Center Campus	No change – Church/School	3.7	Public/Semi-Public
2	Vacant	Memory Care Facility	1.6	Public/Semi-Public
3	Vacant / Conservation Easement (northern 8 acres)	Assisted Living Facility /Conservation Easement	12.7	Public Semi-Public

Table 2: Memory Care Facility Surrounding Land Uses

Location	Zoning	General Plan Land Use	Current Use of the Property
North	PD (Planned Development)	Public/Semi-Public	Valley Christian Center Campus
South	N/A	N/A	Dublin Boulevard / I-580
East	PD (Planned Development)	Public/Semi-Public	Vacant
West	PD (Planned Development)	Medium/High Density Residential	Condominiums

Table 3: Assisted Living Facility Surrounding Land Uses

Location	Zoning	General Plan Land Use	Current Use of the Property
North	PD (Planned Development)	Public/Semi-Pubic & Low-Density Single Family	Valley Christian Center Campus and Single-Family Homes
South	N/A	N/A	Dublin Boulevard / I-580
East	R-1 (Single Family Residential)	Single Family Residential	Single Family Homes
West	PD (Planned Development)	Public/Semi-Public	Vacant

Proposed Projects

The Applicant, Fulcrum Development, has submitted applications for two separate projects that are being processed concurrently. Collectively, the proposed projects would result in development of a 55-bed memory care facility on Parcel 2 (PLPA-2020-00044) and an 84-bed assisted living facility on Parcel 3 (PLPA-2020-00045). Both projects include associated landscaping, parking, utility improvements and frontage improvements. The two proposed projects are described separately below. The City Council is requested to approve the two proposed projects.

Analysis

Memory Care Facility (PLPA-2020-00044)

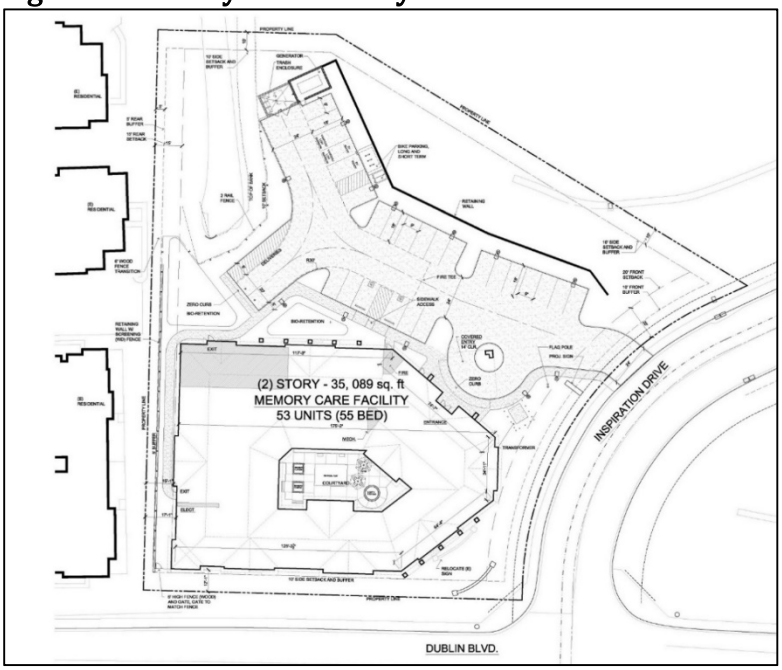
The requested entitlements associated with the proposed memory care facility include a: 1) a Planned Development Rezone with a related Stage 1 and 2 Development Plan; 2) Site Development Review Permit; and 3) Street Vacation.

The proposed memory care facility is a two-story, approximately 35,000-square-foot building. A

total of 51 private units and two shared units (a total of 55 beds) would be provided. In addition to the memory care units, the first and second floor of the facility would provide a range of amenities and support facilities for residents and staff, including a courtyard, kitchen, lobby area, offices, medical facilities, living area, TV room, activity area, dining room and reception. The proposed memory care facility is anticipated to require 36 staff, who would be present throughout the day spread over six employee shifts. The proposed use is consistent with the existing General Plan land use designation of Public/Semi-Public.

The request also includes an adjustment to the northern and southern property lines. The northern property line between Parcel 1 and Parcel 2 would be adjusted to create a parcel boundary between the memory care facility and a small area of riparian woodland associated with an ephemeral stream near the northwestern corner of the property. The adjustment to the southern property line is for the incorporation of an unused portion of the Dublin Boulevard right-of-way. Figure 2 shows the proposed site plan, with the property line adjustments incorporated. Lot Line Adjustment and Parcel Merger applications for Staff approval will be submitted subsequent to project approval.

Figure 2. Memory Care Facility Site Plan



Planned Development Rezone

The site has existing Planned Development Zoning (Ordinance No. 07-03), which allows agricultural uses. To accommodate the proposed project, the application includes a Planned Development Rezone with a related Stage 1 and Stage 2 Development Plan. The proposed PD will establish a detailed Development Plan, which specifies the overall development density and intensity (e.g., FAR, building heights, setbacks) for the site, and design guidelines. A "Community Care Facility, Large" as defined by the Dublin Zoning Ordinance, would be the only use allowed by the PD. The proposed memory care facility is consistent with this use type. Table 4 provides an overview of the development standards for the memory care facility.

Table 4. Development Standards – Memory Care Facility

Maximum Beds	55
Maximum Faculty and Staff	18 at one time
Maximum Floor Area Ratio	.50
Maximum Building Height:	35 feet
Maximum Lot Coverage	50%
Parking Spaces	1 per 3 employees on largest shift, plus 1 per 3 beds
Parking Stall Dimensions Standards	Per Chapter 8.76 Off-Street Parking and Loading Regulations of the Dublin Zoning Ordinance
Minimum Setbacks	20' front yard 10' street side yard 10' Interior side yard 15' rear yard (building) 5' rear yard (fence)
Signage	Pursuant to an approved Master Sign Program

The draft Ordinance providing the details of the proposed zoning is included as Attachment 3.

Site Development Review Permit
In 2016, Valley Christian Center and California Highlands entered into a private settlement agreement, which set terms for development of Parcel 2, including setbacks and design considerations. The following is a summary of the key components of the project associated with the Site Development Review Permit, including those aspects which are driven by the settlement agreement.

Site Design and Access: The project site is accessed from a new driveway and sidewalk off Inspiration Drive. The driveway leads to the parking area, which is situated along the north side of the building terminating in the northwest area of the property at the location of the trash enclosure. The proposed building is located on the southern portion of the property along Dublin Boulevard in line with the adjacent residential buildings of California Highlands. Adjacent to the building's front entry near Inspiration Drive is a large, covered canopy. This canopy allows for resident and guest pickup and drop-off without the need to navigate the length of the parking area. At the western end of the parking area, just north of the building near the rear entrance, is a loading area for deliveries separating commercial vehicle loading from guest and employee parking areas.

An existing sidewalk extends along the property frontage on both Dublin Boulevard and Inspirative Drive. As part of the project, the existing curb ramps at the corner of Inspiration Drive and Dublin Boulevard will be reconstructed to meet current standards.

Architecture: The architecture of the building is guided by the architecture of the adjacent California Highlands residential development. Per the 2016 settlement agreement between the Valley Christian Center and California Highlands, development of the subject property should "be of a quality and a standard that is consistent with the California Highlands development."

The two-story building is accented with changes in exterior cladding and colors, multi-pane windows, and a series of front gables with decorative brackets. The main entry is highlighted through a large canopy providing cover for vehicle pickup and drop-off. The building is finished with a variety of materials including stone veneer, fiber cement Hardie board, stucco and a tile roof. The proposed paint colors are a range of grey with blue and white trim to provide a neutral backdrop for the finish materials. The color and materials are shown in the Project Plans on Sheet A5.3 and A5.4.

Landscaping: The memory care facility would provide approximately 35,911 square feet of private open space on Parcel 2, including preservation of the riparian area associated with the ephemeral stream area in the northwestern portion of the project site. A landscape buffer would be provided around the perimeter of the project site (minimum of five feet wide at the rear and 10 feet wide on all other sides).

Per the 2016 settlement agreement between the Valley Christian Center and California Highlands, the purpose of the landscape buffer at the rear (western property line) is to provide landscape screening between the development on Parcel 2 and the California Highlands property.

The proposed landscaping includes various evergreen and ornamental trees, shrubs, grasses, perennials, ground cover, and vines. Existing street trees and perennials along Inspiration Drive would be retained. In addition, the proposed project would include two landscaped detention basins located on the north side of the building adjacent to the parking/loading area. A total of approximately 34 trees would be planted as part of the proposed project. The proposed landscape plan is shown in the Project Plans on Sheet L-1.

A three-foot tall retaining wall with a six-foot-high wood screening fence would be installed along the western boundary of the project site. Additionally, a three-foot-tall retaining wall would be installed along the northern boundary of the proposed parking area. A rail fence would be provided to prevent intrusion into the riparian area associated with the ephemeral stream in the northwestern portion of the project site.

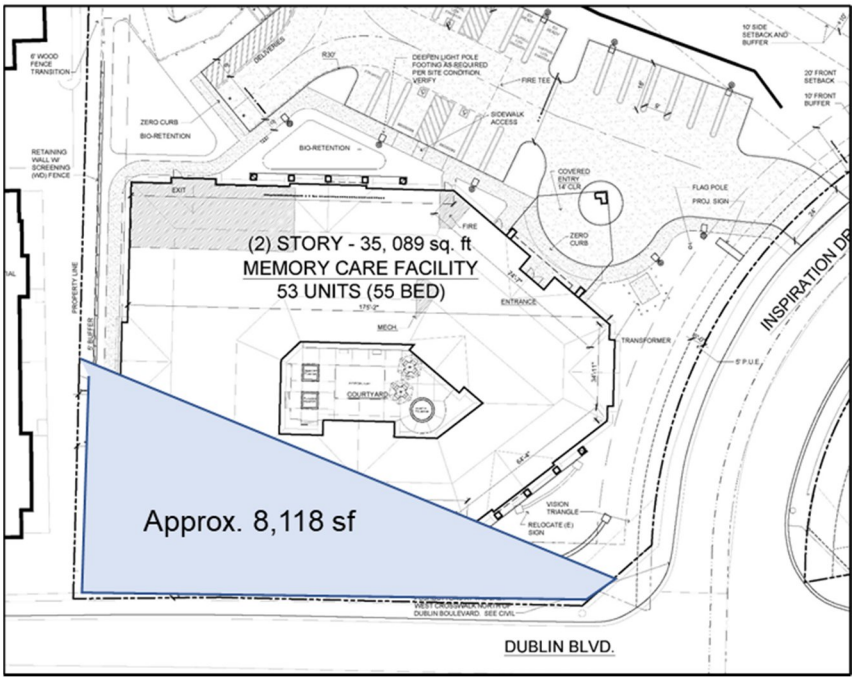
Public Art Compliance: The applicant intends to satisfy the requirements of the City's Public Art Ordinance through the payment of in lieu fees. Condition of Approval No. 17 in the Resolution approving the Site Development Review Permit captures this requirement (Attachment 4).

The draft Resolution approving the Site Development Review Permit is included as Attachment 4. The Project Plans are included as Attachment 5.

Street Vacation of Dublin Boulevard

As part of the proposed project, the property owner, Valley Christian Center, in concert with the Applicant, has requested a summary vacation of approximately 8,118 square feet of unused Dublin Boulevard right-of-way as generally shown by the blue area in Figure 3 below. A plat and legal description of the subject right-of-way is included as Exhibits A and B to Attachment 6. Once vacated as right-of-way, the City will continue to own the underlying fee parcel.

Figure 3. Dublin Boulevard Right-of-Way Vacation Area



Section 8331 of the California Streets and Highways Code et seq. provides the procedures for vacating street right-of-way and allows for a summary vacation if:

a. Right-of-way is in excess of a street not required for street purposes.
b. For a period of five consecutive years, the street or highway has been impassable for vehicular traffic.
c. No public money was expended for maintenance on the street during such period.

The subject right-of-way is part of the I-580 freeway frontage road that was relinquished from the State of California to Alameda County in 1981 prior to the City's incorporation. The frontage road was annexed into the City of Dublin in 1990 and later improved as an extension of Dublin Boulevard. The final roadway alignment of the Dublin Boulevard extension left remnants of the annexed frontage road undeveloped. The subject right-of-way is currently undeveloped, has been impassable to vehicular traffic, and no public money was expended for its maintenance.

Through the years as development adjacent to Dublin Boulevard has occurred, portions of the unimproved area of the right-of-way beyond the limits of the improved Dublin Boulevard have been vacated to accommodate development.

On April 26, 2022, in accordance with Government Code Section 65402, the Planning Commission made a finding of conformance with an adopted General Plan for a street vacation and disposition of real property. The General Plan designation for the subject right-of-way is Public/Semi-Public. The vacation of the property conforms with the Land Use and Circulation Element (Chapter 5) of the General Plan in that the proposed use of the property is community serving by providing supportive housing for the senior community with special needs. The finding of conformance with the Land Use and Circulation Element of the General Plan is included in the Planning Commission's

Resolution, Attachment 9.

Subsection (a) of Section 8355 of the California Streets Highways Code allows the City to sell the subject right-of-way in conjunction with its vacation. The City has prepared a Purchase and Sale Agreement, which outlines the terms and conditions of the sale of the remnant parcel to Valley Christian Center. Upon the City Council's approval of the street vacation and Purchase and Sale Agreement, Valley Christian Center will merge the remnant parcel with Parcel 2 to accommodate the development of the memory care facility.

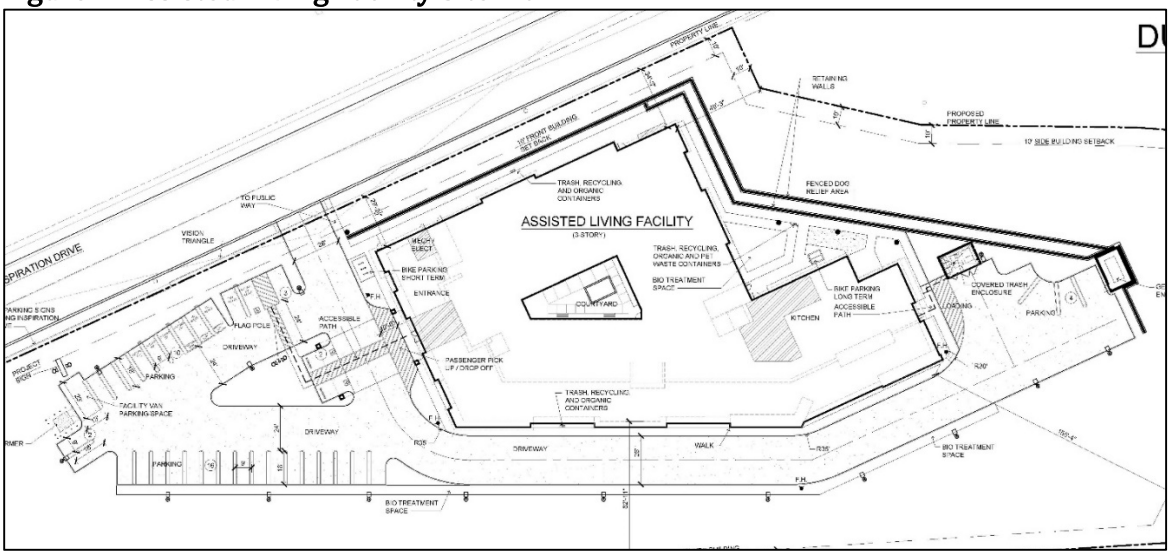
The Resolution approving the vacation of unused right-of-way on Dublin Boulevard is included as Attachment 6. The Resolution approving a Purchase and Sale Agreement with the property owner, Valley Christian Center, with the draft Purchase and Sale Agreement are included as Attachments 7 and 8, respectively.

Assisted Living Facility (PLPA-2020-00045)

The requested entitlements associated with the proposed assisted living facility include a: 1) Planned Development Rezone with a related Stage 1 and 2 Development Plan; 2) Planned Development Zoning Amendment; 3) Site Development Review Permit; and 4) Tentative Parcel Map.

The proposed assisted living facility is three-stories, approximately 40 feet tall and approximately 75,112 square feet in size. The facility includes 84 beds consisting of studios, and one-bedroom units. Like the memory care facility, the assisted living facility would also provide communal spaces for the use of residents and staff, including a courtyard, kitchen, lobby area, offices, medical facilities, living area, dining room, activity area, café, theater and wellness spa/salon. Figure 4 shows the proposed site plan. In addition to the 84 residents, the proposed assisted living facility is anticipated to require up to 43 staff, who would be present at the site throughout the day spread over six employee shifts.

Figure 4. Assisted Living Facility Site Plan



Planned Development Rezone
Pursuant to the Valley Christian Planned Development Zoning (Ordinance No. 07-03), Parcel 3 was designated as a "Future Study Area." The PD states that "no uses shall be permitted until established by a future Stage 2 Planned Development Rezone approved by the City Council."

Similar to the proposed Planned Development Rezoning for the memory care facility, the assisted living facility proposes a Stage 1 and 2 Development Plan, which would supersede existing Planned Development Zoning Ordinance No. 07-03 for 4.68-acres of Parcel 3. The applicant is proposing the PD zoning district allow for a "Community Care Facility, Large" land use and similar uses as determined by the Community Development Director. Table 5 provides an overview of the development standards for the assisted living facility.

Table 5. Development Standards – Assisted Living Project

Maximum Beds	84
Maximum Faculty and Staff	26 at one time
Maximum Floor Area Ratio	.50
Maximum Building Height:	40 feet
Maximum lot coverage	35%
Parking Spaces	1 per 3 employees on largest shift, plus 1 per 3 beds
Parking Stall Dimensions Standards	Per Chapter 8.76 Off-Street Parking and Loading Regulations of the Dublin Zoning Ordinance
Minimum Setbacks	10' front yard 10' side yard 15' rear yard
Signage	Pursuant to an approved Master Sign Program

The draft Ordinance providing the details of the proposed zoning is included as Attachment 10.

Planned Development Zoning Amendment
Amendments to Planned Development Ordinance No. 07-03 for the Valley Christian Center are necessary for consistency and ease of implementation. An amendment to Planned Development Ordinance No. 07-03 for the Valley Christian Center is included with the proposed project to remove Parcel 2 and the southern portion of Parcel 3 as they would no longer be a part of the Valley Christian Center Planned Development.

No other changes to this Planned Development are proposed. The amendment to Planned Development Ordinance No. 07-03 is included as Attachment 11.

Site Development Review
The following is a summary of the key components of the project associated with the Site Development Review Permit.

Site Design and Access: The project site is accessed from a new single driveway and sidewalk off Inspiration Drive. Inspiration Drive is a steep two-lane road that wraps the west and north sides of

the subject site. The driveway, which slopes down from Inspiration Drive into the property, leads directly to the building's front entrance and the parking area located to the west of the building. The site has a significant grade change from Inspiration Drive, which is addressed through a series of 12-foot-tall, terraced retaining walls along the north side of the building to retain the existing slope. As Inspiration Drive ascends the hill, the proposed building nestles into the hillside and becomes less visible from Inspiration Drive.

Adjacent to the building's front entry is a large, covered canopy, which allows for resident and guest pickup and drop-off without the need to navigate the length of the parking area. At the eastern end of the parking area, near the building's rear entrance, is a loading area for deliveries, the trash enclosure, generator enclosure and four additional parking spaces.

There is currently no sidewalk along the east side of Inspiration Drive. As part of the project, a new sidewalk will be installed from the project driveway to Dublin Boulevard. In addition, the existing curb ramps at the corner of Inspiration Drive and Dublin Boulevard will be reconstructed to meet current standards and match up with the improvements made as part of the memory care project.

Architecture: The architecture of the building is residential in nature and uses varying planes, materials and colors to break up the mass. The three-story building is accented with changes in exterior cladding and colors, multi-pane windows, awnings and a multiple level flat roof. The third story is set back to reduce the building mass as viewed from I-580 and to provide a large open patio with unobstructed views to the south of the Tri-Valley. The main entry is highlighted through a large canopy providing cover for vehicle pickup and drop-off. The building is finished with a variety of materials including stone veneer, fiber cement Hardie board, stucco and a tile roof. The proposed paint colors are a range of grey with blue and white trim to provide a neutral backdrop for the finish materials. The color and materials are shown in the Project Plans on Sheet A3.1, A5.3 and A5.5.

Landscaping: The assisted living facility would provide approximately 118,087 square feet of private open space on Parcel 3. A bioretention landscape buffer is located along the south side of the parking area and driveway/fire lane.

The proposed landscaping includes various evergreen and ornamental trees, shrubs, grasses, perennials, ground cover, and vines. A new sidewalk and street trees are proposed along Inspiration Drive down to Dublin Boulevard.

A series of retaining walls is located along the north side of the building. The walls are bordered with landscape along the bottom edge and along the top between the wall and Inspiration Drive. The project site is surrounding by the natural hillside on the south, east and north. The proposed landscape plan is shown in the Project Plans on Sheets L-1.1 and L1.2

The draft Resolution approving the Site Development Review Permit is included as Attachment 12. The Project Plans are included as Attachment 13.

Tentative Parcel Map
The proposed assisted living facility includes a request for Tentative Parcel Map No. 11241 to

create two parcels: 1) the northern parcel (8.02 acres) consistent with the boundaries of the existing conservation easement; and 2) the southern parcel (4.68 acres) for the proposed project site. It is anticipated that the northern parcel will continue to be owned by the Valley Christian Center and the southern parcel will be sold to and owned by the Applicant.

The Dublin Municipal Code (DMC) requires that all existing and proposed utility distribution facilities within a subdivision and along project streets be placed underground. DMC Section 9.32.040 provides for relief through a request for exception. The request for the exception is reviewed and considered by the City Engineer and based on balancing the requirements of the public health, safety, and general welfare with the feasibility of meeting by reason of economic feasibility, soil, topography, compatibility of surrounding area, and future potential number of building sites affected. The Applicant submitted an exception request to not underground the existing utilities along Dublin Boulevard, which was reviewed by and is supported by the City Engineer.

The draft Resolution approving the Site Development Review Permit and Tentative Parcel Map No. 11241 is included as Attachment 12. The Project Plans are included as Attachment 13 and Tentative Parcel Map No. 11241 is included as Attachment 14.

Public Art Compliance
The applicant intends to satisfy the requirements of the City's Public Art Ordinance for both projects through the payment of in lieu fees. Condition of Approval No. 18 in the Resolution approving the Site Development Review Permit captures this requirement (Attachment 12).

CONSISTENCY WITH THE GENERAL PLAN AND ZONING ORDINANCE:

The proposed memory care facility and assisted living facility and their respective site improvements are consistent with the General Plan land use designation of Public/Semi-Public, which allows quasi-public uses such as senior centers, special needs program facilities and other similar services and benefit to the community. These uses and improvements are consistent with the proposed Planned Development Zoning.

REVIEW BY APPLICABLE DEPARTMENT AND AGENCIES:

The Building and Safety Division, Fire Prevention Bureau, Public Works Department, and Dublin San Ramon Services District reviewed the project and provided Conditions of Approval where appropriate to ensure that the project is established in compliance with all local ordinances and regulations. Conditions of approval from these departments and agencies have been included in the attached Resolution pertaining to the Site Development Review Permit for the Memory Care Facility (Attachment 4) and the attached Resolution pertaining to the Site Development Review Permit and Tentative Parcel Map for the Assisted Living Facility (Attachment 12).

ENVIRONMENTAL DETERMINATION:

Development on the project site was previously addressed in the Environmental Impact Report (EIR) for the Valley Christian Center Expansion Program (State Clearinghouse No. 200212070). On

May 20, 2003, the Dublin City Council adopted Resolution No. 92-03, certifying an EIR for the Valley Christian Center.

In 2018, the City adopted a Supplemental Mitigated Negative Declaration supported by an Initial Study[1] (2018 Supplemental IS/MND) to evaluate proposed changes to the Valley Christian Center Expansion Program, including conversion of the softball field to a football athletic field, expansion of an existing athletic field to accommodate the relocated softball field, construction of a central plaza, and associated parking and landscape improvements.

Consistent with the requirements of the California Environmental Quality Act (CEQA), including Section 21166 and related CEQA Guidelines Sections 15162 and 15163, the City prepared an Initial Study to determine whether additional environmental review was required for the proposed Inspiration Drive Memory Care and Assisted Living projects, which determined that there were new potentially significant impacts associated with the project related to aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and noise; therefore, a Supplemental Mitigated Negative Declaration (State Clearinghouse No. 2021110251) was prepared to analyze the impacts and identify mitigation measures for those impacts. The environmental effects of the project are discussed in detail in the Supplemental Mitigated Negative Declaration for the project.

The project is subject to mitigation measures identified in the Supplemental Mitigated Negative Declaration and the previously adopted EIR, as applicable. The City will monitor the Applicant's compliance with mitigation measures as the project is constructed and operated under the Mitigation Monitoring and Reporting Program adopted in conjunction with the project approvals.

The Supplemental Mitigated Negative Declaration/Initial Study was circulated for a public review period from November 18, 2021, to December 17, 2021. No comments were provided.

At the time the environmental review was completed, it was assumed that a General Plan Amendment was necessary for the Assisted Living project and was, therefore, included in the analysis. The change to the project description to not include a General Plan Amendment does not impact this analysis. No impacts associated with the General Plan Amendment were identified and, therefore, no new analysis is required.

The Resolution adopting the Supplemental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program is included as Attachment 1. The Initial Study/Supplemental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program are included as Attachment 2.

PLANNING COMMISSION REVIEW:

On April 12, 2022, the Planning Commission held a study session on the proposed projects. Staff and the Applicant provided presentations. The Planning Commission asked various questions and

[1] City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration / Initial Study, Planning Application Number: PLPA-2014-00052.

made comments regarding emergency vehicle access, parking lot design and grading, retaining walls, architectural features and articulation of the building facades, landscaping and the potential for additional oak trees, and the layout of the interior spaces. One member of the public addressed the Planning Commission and spoke in opposition to the project.

On April 26, 2022, the Planning Commission held a public hearing on the proposed projects. As part of the public hearing, 19 members of the public provided comments regarding the project. The public expressed concerns regarding short-term health impacts related to construction, increase in traffic, impacts to views, and biological resources on the property.

The Planning Commission adopted Resolution No. 22-04 and Resolution No. 22-05 recommending approval of the Inspiration Drive Memory Care and Assisted Living Projects, respectively (refer to Attachments 9 and 15).

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

Two City-led Community Meetings were held on December 8 and 9, 2021, to provide Dublin residents with information about the proposed Inspiration Drive Memory Care and Assisted Living projects. In addition to Staff and the Applicant, four community members attended the first meeting, and eight members attended the second meeting. Questions were asked about accessing project information, project timing and the City's role in the infrastructure improvements.

In addition, the Applicant team held their own community outreach meetings. A total of six meetings were held with various parties including the Las Palmas Homeowner's Association, Hansen Hills Neighborhood, California Highlands, Valley Christian Church members, and other adjacent residents. A copy of a community engagement summary provided by the Applicant is attached as Attachment 16.

In response to the City Council's request during the General Plan Amendment Study Initiation, the Applicant installed story poles showing the mass and scale of the proposed projects. Story poles were erected in early December 2021.

In addition, the City Council held a Study Session on April 5, 2022, and the Planning Commission held a Study Session on April 12, 2022.

On April 26, 2022, a comment letter on behalf of East Bay Residents for Responsible Development was submitted challenging the Supplemental Mitigated Negative Declaration. Though not required by CEQA, the City prepared a response to the comment. A copy of this letter along with all other written public comments received on the proposed project until the publication of this report is included as Attachment 17. A copy of the City's response is included as Attachment 18.

In accordance with State law, a public notice was mailed to all property owners and occupants within 300 feet of the proposed project to advertise the project and the upcoming public hearing. A public notice also was published in the *East Bay Times* and posted at several locations throughout the City. A Planning Application sign was posted on the project site and the project was also included on the City's development projects webpage. A copy of this Staff Report has been provided to the Applicant.

ATTACHMENTS:

1) Resolution Adopting a Supplemental Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program for the Inspiration Drive Memory Care and Assisted Living Projects (PLPA-2020-00044 and PLPA-2020-00045)
2) Exhibit A to the Resolution - Initial Study / Supplemental Mitigated Negative Declaration
3) Ordinance Amending the Zoning Map and Approving a Planned Development Zoning District with a Stage 1 and Stage 2 Development Plan for the Inspiration Drive Memory Care Project
4) Resolution Approving a Site Development Review Permit for the Inspiration Drive Memory Care Project
5) Exhibit A to the Resolution - Memory Care Project Plans
6) Resolution Summarily Vacating Unused Right-of-Way on Dublin Boulevard and Reservation of a Public Service Easement
7) Resolution Approving a Purchase and Sale Agreement with Valley Christian Center for Exempt Surplus Former Right-of-Way on Dublin Boulevard
8) Exhibit A to the Resolution – Draft Purchase and Sale Agreement
9) Planning Commission Resolution No. 22-04
10) Ordinance Amending the Zoning Map and Approving a Planned Development Zoning District with a Stage 1 and Stage 2 Development Plan for the Inspiration Drive Assisted Living Project
11) Ordinance Approving an Amendment to Planned Development Ordinance No. 07-03 for the Valley Christian Center
12) Resolution Approving a Site Development Review Permit and Tentative Parcel Map No. 11241 for the Inspiration Drive Assisted Living Project
13) Exhibit A to the Resolution - Assisted Living Project Plans
14) Exhibit B to the Resolution - Tentative Parcel Map No. 11241
15) Planning Commission Resolution No. 22-05
16) Community Engagement Summary by Fulcrum Development
17) Public Comments
18) Response to Environmental Review Comments – May 2022

RESOLUTION NO. XX - 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

ADOPTING A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE INSPIRATION DRIVE MEMORY CARE AND ASSISTED LIVING PROJECTS PLPA 2020-00044 AND PLPA-2020-00045 (APN 941-0022-005 & 006)

WHEREAS, the Applicant, Steve Ring of Fulcrum Development, is proposing to develop a 55-bed memory care facility on Parcel 2 and an 84-bed assisted living facility on Parcel 3 of the Valley Christian Center Property located at 7500 Inspiration Drive. Requested approvals for the two projects include Planned Development Rezoning with related Stage 1 and Stage 2 Development Plans, Site Development Review Permits, a Street Vacation and a Tentative Parcel Map. These planning and implementing actions are collectively known as the "Inspiration Drive Memory Care Project and Inspiration Drive Assisted Living Project" or the "Projects;" and

WHEREAS, the Project site is approximately 1.6 acres located on the northwest corner of Inspiration Drive and Dublin Boulevard (Parcel 2: APN 941-0022-005-00) and 4.68 acres located on the north west corner of Inspiration Drive and Dublin Boulevard, which is a portion of the larger 12.7-acre parcel located on the east side of Inspiration Drive (Parcel 3; APN 941-0022-006-00); and

WHEREAS, the California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, in 2003, the City Council adopted a Resolution certifying an Environmental Impact Report (EIR), and adopted findings and a Mitigation Monitoring and Reporting Program for the Valley Christian Center Expansion/Master Plan project (Resolution No. 92-03, incorporated herein by reference); and

WHEREAS, in 2018, the City adopted a Supplemental Mitigated Negative Declaration supported by an Initial Study (2018 Supplemental IS/MND) to evaluate proposed changes to the Valley Christian Center Expansion Program, including conversion of the softball field to a football athletic field, expansion of an existing athletic field to accommodate the relocated softball field, construction of a central plaza, and associated parking and landscape improvements; and

WHEREAS, the City prepared an Initial Study to determine whether supplemental environmental review was required for the proposed Projects under CEQA standards. The Initial Study examined whether there were substantial changes to the proposed development, substantial changes in circumstances, or new information, any of which would result in new or more severe significant impacts than analyzed in the prior Valley Christian Center EIR and 2018 Supplemental MND or whether any other standards for supplemental environmental review were met; and

WHEREAS, upon completion of the Initial Study it was determined that there were new potentially significant impacts associated with the project related to aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and noise and,

therefore, a Supplemental Mitigated Negative Declaration was prepared to analyze those impacts and identify mitigation measures to reduce the impacts to less than significant; and

WHEREAS, the Supplemental Mitigated Negative Declaration/Initial Study was circulated for public review from November 18, 2021 - December 17, 2021; and

WHEREAS, the City of Dublin received no comment letters during the public review period; and

WHEREAS, on April 26, 2022, the Planning Commission held a properly noticed public hearing on the Projects, at which time all interested parties had the opportunity to be heard; and

WHEREAS, a Staff Report, dated April 26, 2022, and incorporated herein by reference, described and analyzed the Projects and related Supplemental Mitigated Negative Declaration for the Planning Commission and recommended adoption of the Supplemental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of the Projects; and

WHEREAS, on April 26, 2022, the Planning Commission adopted Resolution No. 22-04 and Resolution No. 22-05 (incorporated herein by reference) recommending that the City Council adopt the Supplemental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Projects; and

WHEREAS, on May 17, 2022, the City Council held a properly noticed public hearing on the Projects and Supplemental Mitigated Negative Declaration, at which time all interested parties had the opportunity to be heard; and

WHEREAS, a Staff Report dated May 17, 2022, and incorporated herein by reference described and analyzed the Projects and related Supplemental Mitigated Negative Declaration for the City Council and recommended adoption of the Supplemental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approval of the Projects; and

WHEREAS, the City Council considered the Supplemental Mitigated Negative Declaration, as well as the prior Valley Christian Center EIR, 2018 Supplemental IS/MND and all above-referenced reports, recommendations, and testimony before taking any action on the project.

NOW, THEREFORE BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this Resolution.

BE IT FURTHER RESOLVED that the City Council of the City of Dublin finds the following:

A. The Dublin City Council has reviewed and considered the Supplemental Mitigated Negative Declaration including comments received during the public review period, prior to taking action on the Projects.

B. The Supplemental Mitigated Negative Declaration adequately describes the environmental impacts of the Projects. On the basis of the whole record before it, the City Council finds that there is no substantial evidence that the Projects as approved with mitigation will have a significant effect on the environment.

C. The Supplemental Mitigated Negative Declaration has been completed in compliance with CEQA, the State CEQA Guidelines and the City of Dublin Environmental Regulations.

D. The Supplemental Mitigated Negative Declaration is complete and adequate and reflects the City's independent judgement and analysis as to the environmental effects of the Projects.

E. Following adoption of this Resolution, City staff is authorized and directed to file with the County of Alameda a Notice of Determination pursuant to CEQA.

BE IT FURTHER RESOLVED that based on the above findings, the Dublin City Council adopts the Supplemental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (attached as **Exhibit A**) for the Projects and the mitigation measures in the Mitigation Monitoring and Reporting Program are imposed as conditions of approval for the Projects.

PASSED, APPROVED AND ADOPTED this 17th day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

DUBLIN
CALIFORNIA

Inspiration Drive Memory Care and Assisted Living Facility Project

Initial Study

November 11, 2021
PLPA-2020-00044 & PLPA-2020-00045

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Inspiration Drive Memory Care and Assisted Living Facility Project Initial Study

Project Information

Project Title

Inspiration Drive Memory Care and Assisted Living Facility Project (PLPA-2020-00044 and PLPA-2020-00045)

Lead Agency Name and Address

City of Dublin
Community Development Department
100 Civic Plaza
Dublin, CA 94568

Contact Person and Phone Number

Amy E. Million
Principal Planner
Phone: 925/833-6610
amy.million@dublin.ca.gov

Project Location

The project site is located at 7500 Inspiration Drive in the City of Dublin, Alameda County, California. The site consists of four parcels, totaling 50.6 acres (Assessor Parcel Number [APN] 941-0022-003, 941-0022-004, 941-0022-005 and 941-0022-006), which are part of the larger Valley Christian Center (VCC) site. Regional access to the project site is provided by Interstate 580 (I-580), which is located just south of the project site. Local access to the project site is provided by Dublin Boulevard.

Project Applicant's/Sponsor's Name and Address

Steven Ring
Fulcrum Real Estate Development
475 Gate 5 Road, Suite 316
Sausalito, CA 94965

General Plan Designation

Public/Semi-Public and Open Space

Zoning

Planned Development (PD) Ordinance No. 07-03

Project Description

The following describes the proposed Inspiration Drive Memory Care and Assisted Living Facility Project (project) that is the subject of this Initial Study prepared pursuant to the California Environmental Quality Act (CEQA). The proposed project would result in the construction of two buildings, consisting of a Memory Care Facility and an Assisted Living Facility at the project site. The City of Dublin (City) is the Lead Agency for review of the proposed project under CEQA.

Project Site

The following section describes the project location, existing conditions, surrounding land uses, and regulatory setting.

Project Location

The project site is located at 7500 Inspiration Drive in the City of Dublin, Alameda County, California. The project site includes four parcels, totaling 50.6 acres (Assessor Parcel Number [APN] 941-0022-003 [Parcel 1A], 941-0022-004 [Parcel 1], 941-0022-005 [Parcel 2] and 941-0022-006 [Parcel 3]), which are part of the larger Valley Christian Center (VCC) site. Parcels 1 and 1A include the developed portion of the VCC site and consist of a church and associated school as further described below in Section 2.1.3. Parcel 2 is generally located south of the main VCC complex and is vacant. Parcel 3 wraps around the northern, eastern, and southern boundaries of the VCC and is part of a conservation easement.

Development of the project site as part of the proposed project is limited to Parcel 2 and Parcel 3. However, an amendment to the General Plan land use designation is requested for a portion of Parcel 1 and, therefore, included as part of the project site.

The project site is bounded by single-family residential uses (California Highlands) and open space to the west, single-family residential uses to the north, Interstate 580 (I-580) to the south, and single-family residential uses to the east along Las Palmas Way, Hansen Drive and Bay Laurel Street. Figure 1 shows the regional and local context of the project site. Figure 2 depicts an aerial photograph of the project site and surrounding land uses.

Circulation and Access

Inspiration Drive provides direct vehicular access to the project site. Access to Inspiration Drive is provided via Dublin Boulevard. Regional access to the project site is provided by I-580, which is located just south of the project site. The closest on- and off-ramps to the project site are located along Foothill Road/San Ramon Road, approximately one mile to the east.

Project Background and Regulatory Setting

The VCC was approved under a Conditional Use Permit issued by Alameda County in 1978, prior to the incorporation of Dublin in 1982. Following incorporation, the City granted approval for an elementary school in 1994, and expansion of a playfield in 1995. In 1998, the City approved a Site Design Review (SDR) application for placement of two temporary classrooms.

In 2003, the City certified an Environmental Impact Report for the Valley Christian Center Expansion Project (VCC EIR).[1] The VCC EIR evaluated proposed improvements to the existing VCC to include an expanded church, as well as a private school. The following improvements were evaluated as part of the VCC EIR:

- Expansion of the building area on the site to include the following: 90,000 square feet of additional building area to the existing sanctuary building, a new pre-school, a new three-story fellowship hall and administration building, a 1,000-square-foot expansion to an existing pre-school, construction of a 45,000-square-foot junior and senior high school administration building, construction of a 15,000-square-foot sports building, construction of a 30,000-square-foot senior activity center, and construction of a 6,000-square-foot chapel building, resulting in a total of approximately 187,000 square feet of additional floor space for VCC. Approximately 20 new employees would be added to the existing 145 employees at VCC.
- Construction of up to 22 multi-family units on the northwest corner of Dublin Boulevard and Inspiration Drive (Parcel 2), resulting in an increase of 59 persons at the project site.
- Construction of paved parking areas along the west side of Inspiration Drive near existing parking areas.
- Installation of an LED-readout changeable message board sign on the south side of the administration building and mounted on the building.

As part of the project approvals, the VCC site was subdivided into four smaller parcels. Parcel 1 (APN 941-0022-004) and Parcel 1-A (APN 941-0022-003) encompass approximately 37 acres of land and include all of the existing improvements associated with the VCC. Parcel 2 (APN 941-0022-005) consists of approximately 1.4 acres of land at the northwest corner of Dublin Boulevard and Inspiration Drive and was designated for future residential use in the VCC EIR; however, the residential development was not part of the final project approvals and, therefore, never constructed. Parcel 3 (APN 941-0022-006) consists of approximately 13 acres of land on the east side of Inspiration Drive. In the VCC EIR, this parcel was included for master planning purposes, but no specific land use was proposed. Parcel 3 includes approximately

[1] *City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.*

eight acres of land that has been dedicated as a conservation easement, which precludes development on that portion of the parcel.

In 2018, the City adopted a Supplemental Mitigated Negative Declaration supported by an Initial Study[2] (2018 Supplemental IS/MND) to evaluate proposed changes to the VCC Expansion Project, including conversion of the softball field to a football athletic field, expansion of an existing athletic field to accommodate the relocated softball field, construction of a central plaza, and associated parking and landscape improvements.

Per *State CEQA Guideline*s Section 15152, "where an EIR [or negative declaration] has been prepared and certified [or adopted] for a program, plan, policy or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy or ordinance should limit the EIR or negative declaration on the later project to effects which: (1) were not examined as significant effects on the environment in the prior EIR; or (2) are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means." The analysis provided in this Initial Study tiers from the VCC EIR, as appropriate. The Mitigation Monitoring and Reporting Program (MMRP) prepared for the VCC EIR is included as Appendix A to this Initial Study. The MMRP lists each of the mitigation measures identified in the VCC EIR, as well as any modifications required for the proposed project identified in this Initial Study.

Proposed Project

The proposed project would result in development of a 55-bed memory care facility on Parcel 2 and an 84-bed assisted living facility on Parcel 3, with associated landscaping, parking, and utility improvements. Both facilities are considered Residential Care Facilities for the Elderly (RCFE). As part of the proposed project entitlements, the boundary of the existing conservation easement on Parcel 3 would be adjusted and the development of the assisted living facility on Parcel 3 would require a General Plan Amendment from Open Space to Public/Semi-Public. In addition, a General Plan Amendment is required to convert a portion of Parcel 1 from the Public/Semi-Public land use designation to Open Space. Figure 3 shows the proposed parcel layout.

Individual project components are described below. Table A provides a summary overview and comparison of the proposed project as it relates to the development evaluated as part of the VCC EIR and 2018 Supplemental IS/MND.

[2] *City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration / Initial Study, Planning Application Number: PLPA-2014-00052. June 18.*

Table A: Proposed Project Compared to Development Evaluated in Prior Environmental Documents

Parcel	Acreage	Development Evaluated in the VCC EIR and 2018 Supplemental IS/MND			Proposed Project		
		Land Use	Number of Units/ Building Size	Population/ Employment	Land Use	Number of Units/ Building Size	Population/ Employment
1/1-A	37	VCC campus	188,300 square feet[1] 230 parking spaces sports fields central plaza	200 students 20 employees 1,500 worshipers	VCC campus	N/A	N/A
2	1.4	Multi-family Residential[2]	22 units	59 residents	Memory Care	35,000 square feet	55 beds 36 staff
3	13	Not specified	N/A	N/A	Assisted Living	75,112 square feet	84 beds 41 staff

Source: Compiled by LSA. 2021
[1] This includes 187,000 square feet of additional building area approved as part of the VCC EIR and 1,300 square feet of additional area approved as part of the 2018 Supplemental IS/MND.
[2] As described above, these units were part of the project evaluated in the VCC EIR, but were not constructed.

Memory Care Facility

The various components of the proposed memory care facility on Parcel 2, including the proposed building program, landscaping, circulation and parking and utilities, are discussed below.

Building Program

The proposed memory care facility would be a two-story (approximately 32-foot-tall), approximately 35,000-square-foot building. A total of 51 private units and two shared units (a total of 55 beds) would be provided. Private units would be either 289 square feet or 335 square feet in size; shared units would be 451 square feet. In addition to the residential units, the first and second floor of the facility would provide a range of amenities and support facilities for residents and staff, including a courtyard, kitchen, lobby area, offices, medical facilities, living area, TV room, activity area, dining room and reception. Figure 4 shows the conceptual site plan for the proposed project. Typical building elevations are shown in Figures 5 and 6.

In addition to the 55 residents, the proposed memory care facility is anticipated to require 36 staff, who would be present at the site throughout the day. Six employee shifts are anticipated as shown in Table B.

Table B: Estimated Employee Shift Times – Memory Care Facility

Shift	Shift Time	Number of Employees
Shift 1	5:30 a.m. to 1:30 p.m.	6 associates
Shift 2	6:30 a.m. to 2:30 p.m.	6 associates
Shift 3	10:45 a.m. to 6:45 p.m.	4 associates
Shift 4	11:00 a.m. to 7:00 p.m.	2 associates
Shift 5	3:00 p.m. to 11:00 p.m.	11 associates
Shift 6	10:30 p.m. to 6:30 a.m.	7 associates

Source: Fulcrum Real Estate Development, 2020

Open Space and Landscaping

As shown on Figure 4, the memory care facility would provide approximately 35,911 square feet of private open space on Parcel 2, including preservation of the riparian area associated with the ephemeral stream area in the northwestern portion of the project site.

A landscape buffer would be provided around the perimeter of the project site (five feet wide at the rear and 10 feet wide on all other sides). Landscaping would include various evergreen and ornamental trees, shrubs, grasses, perennials, ground cover, and vines. Existing street trees and perennials along Inspiration Drive would be retained. In addition, the proposed project would include two landscaped detention basins, as further described below, which would be approximately 1,640 square feet in size. A total of approximately 34 trees would be planted as part of the proposed project. Figure 7 shows the proposed landscape plan for the memory care facility.

A three-foot tall retaining wall with a six-foot-high wooden screening fence would be installed along the western boundary of the project site. Additionally, a three-foot-tall retaining wall would be installed along the northern boundary of the proposed parking area. A rail fence would be provided to prevent intrusion into the riparian area associated with the ephemeral drainage in the northwestern portion of the project site.

Access, Circulation, and Parking

As shown on Figure 4, access to the project site would be provided via a new driveway on Inspiration Drive. A total of 25 parking spaces would be provided, including two accessible spaces, two electric vehicle (EV) ready spaces, and two clean air/vanpool spaces. In addition, six short-term and two long-term bike parking spaces would be provided just north of the vehicle parking lot.

Utilities and Infrastructure

The project site is located in a developed area that is currently served by existing utilities, including water, sanitary sewer, storm drainage, electricity, gas, and telecommunications infrastructure. Existing and proposed utility connections are discussed below.

Water. Water service is provided by the Dublin San Ramon Services District (DSRSD). The proposed project would include the installation of new water lines on the site that would connect to the existing water main in Inspiration Drive.

Wastewater. DSRSD maintains existing sanitary sewer lines within the vicinity of the project site, including the existing sanitary sewer main located within Dublin Boulevard, just south of the project site. New lines would be installed within the project site and would tie into the existing sanitary sewer main. A new sanitary sewer manhole would be installed within Dublin Boulevard at the sewer main connection.

Stormwater. The project site is currently undeveloped and covered in non-native grassland and, therefore, does not contain any impervious surfaces. Upon construction of the proposed project, approximately 50 percent (33,917 square feet) of the project site would be covered with impervious surfaces, and the remaining 50 percent (35,911 square feet) would be covered by pervious surfaces, consisting of the landscaped areas. The proposed project would include approximately 1,640 square feet of bioretention space on the project site that would be used for stormwater control. The proposed project would include catch basins and storm drains throughout the project site, which would connect to the bioretention basin and existing stormwater pipes. Full trash capture devices are also required per Provision C.10 of the Municipal Regional Permit.

Electricity and Gas. Electricity is provided to the project site by East Bay Community Energy and is distributed by Pacific Gas & Electric Company (PG&E). Gas service is currently provided to the project site by PG&E. The City is in the process of preparing a new Construction All Electric Reach Code, which will require that new construction minimize and/or eliminate the use of gas appliances and other equipment. As needed, connections to the existing electricity and natural gas lines (if required) that run adjacent to the project site, including the lines within Dublin Boulevard and Inspiration Drive would serve the proposed project.

Assisted Living Facility

The various components of the proposed assisted living facility, including the proposed building program, landscaping, circulation and parking and utilities, are discussed below.

Building Program

The assisted living facility would be a three-story (approximately 40-foot-tall), approximately 75,112-square-foot building, providing 84 beds consisting of studios, and one bedroom units.

Approximately 24 studios ranging from 403 to 460 square feet, and 60 one-bedroom units ranging from 552 to 684 square feet would be provided. Like the memory care facility, the assisted living facility would also provide communal spaces for the use of residents and staff, including a courtyard, kitchen, lobby area, offices, medical facilities, living area, dining room, activity area, café, theater and wellness spa/salon. Figure 8 shows the conceptual site plan for the proposed project. Typical building elevations are shown in Figure 9.

In addition to the 84 residents, the proposed assisted living facility is anticipated to require up to 41 staff, who would be present at the site throughout the day. Six employee shifts are anticipated as shown in Table C.

Table C: Estimated Employee Shift Times – Assisted Living Facility

Shift	Shift Time	Number of Employees
Shift 1	5:30 a.m. to 1:30 p.m.	8 associates
Shift 2	6:30 a.m. to 2:30 p.m.	8 associates
Shift 3	10:45 a.m. to 6:45 p.m.	4 associates
Shift 4	11:00 a.m. to 7:00 p.m.	6 associates
Shift 5	3:00 p.m. to 11:00 p.m.	9 associates
Shift 6	10:30 p.m. to 6:30 a.m.	6 associates

Source: Fulcrum Real Estate Development, 2020

Open Space and Landscaping

As shown on Figure 10, the assisted living facility would provide approximately 122,178 square feet of private open space on Parcel 3. Landscaping would be installed around the perimeter of the project site. Landscaping would include various evergreen and ornamental trees, shrubs, grasses, perennials, ground cover, and vines. Existing street trees along Inspiration Drive would be retained. A total of approximately 211 trees would be planted as part of the proposed project. Figure 10 shows the proposed landscape plan for the assisted living facility.

A series of 12-foot tall terraced retaining walls would be installed to the north of the proposed facility in order to restrain the existing slope.

Access, Circulation, and Parking

As shown on Figure 8, access to the project site would be provided via a new driveway on Inspiration Drive. A total of 37 parking spaces would be provided, including two accessible spaces, four electric vehicle (EV) ready spaces, and two clean air/vanpool spaces. In addition, six short-term and two long-term bike parking spaces would be provided on the north side of the building.

Utilities and Infrastructure

The project site is located in a developed area that is currently served by existing utilities, including water, sanitary sewer, storm drainage, electricity, gas, and telecommunications infrastructure. Existing and proposed utility connections are discussed below.

Water. Water service is provided by DSRSD. The proposed project would include the installation of new water lines on the site that would connect to the existing water main in Inspiration Drive.

Wastewater. DSRSD maintains existing sanitary sewer lines within the vicinity of the project site, including the existing sanitary sewer main located within Dublin Boulevard, just west of the project site. New lines would be installed within the project site and would tie into the existing sanitary sewer main.

Stormwater. The project site is currently undeveloped and covered in non-native grassland and, therefore, does not contain any impervious surfaces. Upon construction of the proposed project, approximately 32 percent (65,655 square feet) of the project site would be covered with impervious surfaces, and the remaining 68 percent (138,206 square feet) would be covered by pervious surfaces, consisting of the landscaped areas. The proposed project would include approximately 6,000 square feet of bioretention space on the project site that would be used for stormwater control. The proposed project would include catch basins and storm drains throughout the project site, which would connect to existing stormwater facilities.

Electricity and Gas. Electricity is provided to the project site by East Bay Community Energy and is distributed by Pacific Gas & Electric Company (PG&E). Gas service is provided to the project site by PG&E. The City is in the process of preparing a new Construction All Electric Reach Code, which would require the project applicant to minimize/eliminate gas infrastructure proposed as part of the project. As needed, connections to the existing electricity and natural gas lines that run adjacent to the project site, including the lines within Dublin Boulevard and Inspiration Drive would serve the proposed project.

Construction

Development of the assisted living facility on Parcel 3 would require approximately 17,000 cubic yards of cut and 300 cubic yards of fill, resulting in a net export of approximately 16,700 cubic yards. Development of Parcel 2 would require approximately 500 cubic yards of cut and 1,600 cubic yards of fill, some of which would come from Parcel 3. Overall, project construction would result in off haul of approximately 15,600 cubic yards of material from the project site.

Construction of the proposed project is anticipated to begin in late 2022 or early 2023 and would occur over an approximately 20-month period.

Project Approvals

The City is the CEQA Lead Agency for the proposed project and will consider the environmental impacts of the project as part of the project approval. Permits and approvals required for the proposed project are described below. In addition, subsequent ministerial actions would be required for implementation of the project including issuance of building permits, grading, encroachment, watercourse protection permit and site improvements.

General Plan Amendment and Parcel Map/Lot Line Adjustment

A General Plan Amendment is being requested for approximately 4.7 acres of Parcel 3 along Inspiration Drive to accommodate the proposed assisted living facility. The existing General Plan land use designation for this portion of the site is "Open Space," which limits development to areas where slopes are under 30 percent. The proposed land use designation is "Public/Semi-Public," which would allow residential care facilities for the elderly. In addition, a General Plan Amendment would be required to convert a portion of Parcel 1 from the Public/Semi-Public land use designation to Open Space to compensate for the loss of open space area on Parcel 3.

Consistent with the proposed General Plan Amendment several lot line adjustments are being requested, including the boundary of the existing conservation easement on Parcel 3, the boundary between Parcel 1 and Parcel 2 and the southern boundary of Parcel 2 to include a remainder parcel of the City's right-of-way adjacent to Dublin Boulevard. Figure 3 shows the proposed parcel layout.

The proposed General Plan Amendment must be acted upon by the Dublin City Council at a public hearing following a recommendation made at a public hearing by the Planning Commission.

Planned Development Rezone (Stage 1 and 2 Development Plans)

The applicant has requested approval of a Stage 1 and Stage 2 Planned Development for approximately 6.3 acres, consisting of Parcel 2 proposed for development of the memory care facility and the portion of Parcel 3 proposed for development of the assisted living facility. Development of these two areas were not included in the original Planned Development approvals for the VCC project and, therefore, subsequent Stage 1 and 2 Planned Development Rezoning must be approved for these two parcels prior to development. As part of the Planned Development Rezoning, a Stage 1 and Stage 2 Development Plan has been prepared describing in detail the proposed development program for the proposed project. Details of the development plan are described above.

The proposed Planned Development Rezoning, including the proposed Stage 1 and Stage 2 Development Plan, must be acted upon by the Dublin City Council at a public hearing following a recommendation made at a public hearing by the Planning Commission.

Site Development Review Permit

Approval of a Site Development Review Permit is also required as part of the entitlement process for the project, pursuant to Chapter 8.104 of the Dublin Zoning Ordinance. The purpose of Site Development Review is to promote orderly, attractive and harmonious development within the City and to ensure compliance with all applicable development regulations of the Zoning Ordinance.

The proposed Site Development Review Permit must be acted upon by the Dublin City Council at a public hearing following a recommendation made at a public hearing by the Planning Commission.

Environmental Setting

Project Site and Existing Facilities

As previously described, the proposed project includes development of two parcels of land (Parcels 2 and 3 within the larger VCC site, and collectively referred to herein as the "project site"), which are divided by Inspiration Drive. Parcel 2 (APN 941-0022-005) is located on the northwest corner of Inspiration Drive and Dublin Boulevard and contains 1.4 acres of land. Parcel 3 (APN 941-0022-006) contains approximately 12.7 acres of land located east of Inspiration Drive. This parcel includes approximately 8.02 acres of land that has been dedicated as a conservation easement that precludes development. Both Parcels 2 and 3 are currently undeveloped.

Parcel 2 is generally flat, sloping from east to west. Site elevations range from approximately 580 to 560 feet above mean sea level. Parcel 2 is currently vacant and generally consists of non-native annual grassland and ruderal vegetation. An existing ephemeral drainage terminates into a box culvert in the northwestern portion of the parcel. This ephemeral drainage appears to be the result of a culvert system that drains the hillside to the north. The channel flows down the south-facing hill and into a rock-lined trapezoidal ditch, which parallels the adjacent VCC school property boundary and feeds into a culvert where it flows into Dublin Creek further downstream.

The ephemeral drainage has a riparian woodland canopy that includes coast live oak (*Quercus agrifolia*), valley oak (*Quercus lobata*), arroyo willow (*Salix lasiolepis*), and red willow (*Salix laevigata*). Coyote brush (*Baccharis pilularis*) is a common understory shrub species along the channel. Several invasive non-native species such as pampas grass (*Cortedaria jubata*), poison hemlock (*Conium maculatum*) and Himalayan blackberry (*Rubus armeniacus*) occur as understory vegetation. No herbaceous wetland plants, with the exception of a small patch of tall flat sedge (*Cyperus eragrostis*), were observed within the channel on Parcel 2, 95 feet north of the headwall culvert.

Site elevations within the proposed development area on Parcel 3 range from approximately 550 feet above mean sea level near the Dublin Boulevard/Inspiration Drive intersection at the southwest corner of the site to 650 feet above mean sea level in the northeastern corner of the proposed development area. Parcel 3 generally consists of non-native annual grassland and ruderal vegetation. As shown on Figure 3, Parcel 3 includes approximately eight acres of land that has been dedicated as a conservation easement, which currently precludes development in that portion of the parcel.

Surrounding Land Uses

As shown in Figure 2, the project site is generally surrounded by existing residential uses and the existing VCC complex. To the north, Parcels 2 and 3 are generally bounded by the existing VCC complex, which consists of a church and a pre-school through grade 12 private school, with associated parking, landscaping, sports and play fields, lighting and other infrastructure. Further north of the VCC complex and portions of Parcel 3 is a single-family residential neighborhood with two-story homes. Parcel 3 is bordered to the east by a single-family residential neighborhood with one- and two-story homes. Further east are residential uses and commercial development along Dublin Boulevard. To the south of both parcels is I-580, across which are residential uses and two churches, Pleasant View Church of Christ and Kingdom Hall of Jehovah's Witnesses. Parcel 2 is bound to the west by multi-family residential development and undeveloped open space.

Environmental Checklist

Environmental Factors Potentially Affected by the Project

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agricultural and Forestry Resources		Air Quality
	Biological Resources		Cultural Resources		Energy
	Geology / Soils		Greenhouse Gas Emissions		Hazards & Hazardous Materials
	Hydrology / Water Quality		Land Use / Planning		Mineral Resources
	Noise		Population / Housing		Public Services
	Recreation		Transportation / Traffic		Tribal Cultural Resources
	Utilities / Service Systems		Wildfire		Mandatory Findings of Significance

Instructions

1. A brief explanation is required for all answers. Certain “No New Impact” answers are supported by the information sources a lead agency cites in the parentheses following each question (see Source List, attached). A "No New Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone), or, in this case, there is no impact of the proposed project beyond that which was considered previously in the certified VCC EIR (see explanation under Project Background and Regulatory Setting). A "No New Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially

Significant Impact" is appropriate if there is substantial evidence that any effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated: applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.

5. Earlier Analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a discussion should identify the following on attached sheets:

    a. Earlier analysis used. Identify earlier analyses and state where they are available for review.
    b. Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c. Mitigation measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
    d. A "No New Impact" finding means that there would be no new or substantially more severe significant impacts to the impact area beyond what has been analyzed in the VCC EIR, and no other CEQA standards for supplemental review are met. Therefore, no further environmental review is required for the impact area.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

- The significance criteria or threshold, if any, used to evaluate each question; and
- The mitigation measure identified, if any, to reduce the impact to less than significance

10. Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

    In January 2021, the City provided formal notification to the California Native American tribe that has requested notification under Assembly Bill 52 and under Senate Bill 18 related to the proposed General Plan Amendment. In response to the notifications, two responses were received. Ms. Katherine Perez, Chairperson of the Northern Valley Yokut/Ohlone/Bay Mewuk Tribe, responded via email on January 27, 2021, requesting additional information related to the proposed project. Corrina Gould, Chairperson of the Confederated Villages of Lisjan Tribe requested information on the Sacred Lands Files and requested to be kept informed with any new details as it pertains to the Confederated Villages of Lisjan Tribe. No formal tribal consultation was requested.

Determination

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a potentially significant or a potentially significant unless mitigated impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

CITY OF DUBLIN

_____ _____

Amy E. Million, Principal Planner Date

Explanation of Environmental Checklist Responses

Aesthetics

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?			X	
b. Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c. Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

Environmental Setting

The project site is located on a large knoll in western Dublin, just north of I-580 and Dublin Boulevard. The site is characterized by steeply sloping hillsides facing Dublin Boulevard and I-580. Site elevations within the proposed development area on Parcel 3 range from approximately 550 feet above mean sea level near the Dublin Boulevard/Inspiration Drive intersection at the southwest corner of the site to 650 feet above mean sea level in the northeastern corner of the proposed development area.

Built features on the project site include the existing VCC campus, which consists of a church and a pre-school through grade 12 private school, with associated parking, landscaping, sports and play fields, lighting and other infrastructure. Although these facilities are located at the top of the knoll, they are generally screened from public vantage points (e.g., along I-580 and Dublin Boulevard) due to intervening topography and mature vegetation.

Parcels 2 and 3, which are located in the lower portion of the project site are more visible from adjacent roadways. These parcels are currently undeveloped. Parcel 2 generally consists of non-native annual grassland and ruderal vegetation with a small portion of riparian woodland in the northwestern portion of the parcel. Parcel 3 generally consists of non-native annual grassland and ruderal vegetation. Street trees line Inspiration Drive, which borders the project site.

No designated State scenic highways are located near the project site. However, I-580 located just south of the project is an eligible State scenic highway and a designated Alameda County scenic route.

The project site is located in a developed area. Streetlights, vehicle head and tail lights on area roadways, and lighting associated with adjacent development, including the VCC campus, are the existing sources of light and glare in the project area.

Regulatory Framework

State Regulations

State Scenic Highways Program

The California Department of Transportation's (Caltrans) Landscape Architecture Program administers the Scenic Highway Program contained in the Streets and Highways Code, Sections 260–263. The purpose of the program is to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special classifications. State Highways are classified as either Officially Listed or Eligible. A highway may be designated scenic based on the visibility of the natural landscape to travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. According to Caltrans' California Scenic Highway Mapping System, the closest officially designated State scenic highways to the project area and project site is I-680. I-580, located just south of the project site, is an eligible State scenic highway.

Local Regulations

Alameda County General Plan

The Scenic Route Element of the Alameda County General Plan includes a scenic routes plan that identifies a countywide scenic route system and ensures that new projects approved along a scenic route are reviewed to maintain their scenic potential. I-580, located just south of the project site, is designated as a "Scenic Freeway and Expressway." The Scenic Route Element identifies Scenic Route Corridor Development Standards to preserve and enhance views and vistas from designated scenic routes. Development Standards that apply to the proposed project include:

- Within the scenic corridors in residential areas, residential structures should have a setback of at least 50 feet from the right-of-way to provide sufficient open space to permit scenic views and to provide a space buffer from traffic above normal volumes using the scenic route.
- In corridors along scenic routes with outstanding distant views above the roadbed, no building structure of more than one story in height should be permitted where it would obstruct views, excepting within an immediately adjacent to central business district

locations. on lots where the building structure is higher than the roadbed in corridors along routes with outstanding distance views, the combined width of sideyards should equal or exceed the widths of the building structure as measured parallel to the roadbed.

City of Dublin General Plan

As described in the Circulation and Scenic Highways Element of the City of Dublin General Plan, I-580, I-680, and Tassajara Road were designated as scenic routes by Alameda County in 1966. Per the City of Dublin General Plan policies, design review would be required for all projects visible from a designated scenic route in order to enhance a positive image of Dublin as seen by through travelers. The following policies related to visual resources are applicable to the proposed project:

> **Implementing Policy 5.7.1.A.1.** Incorporate County-designated scenic routes, and the Fallon Road extension, in the General Plan as adopted City-designated scenic routes, and work to enhance a positive image of Dublin as seen by through travelers.
>
> **Implementing Policy 5.7.1.B.1.** Exercise design review of all projects visible from a designated scenic route.

In addition, the Community Design and Sustainability Element of the City of Dublin General Plan contains goals and policies that provide a framework for community development and guidelines for new construction and improvements. The following policies are applicable to the proposed project:

> **Policy 10.5.3.A.** Incorporate distinctive design features along regional corridors that reinforce a positive image of Dublin. Both within the right-of-way and on adjacent private development, utilize features such as gateway elements, street trees, median planting, special lighting, separated and ample sidewalks, crosswalks, seating, special signs, street names, landscape, decorative paving patterns, and public art. Consider undergrounding utilities along these roadways (reference: Streetscape Master Plan).
>
> **Policy 10.5.3.B.** Maintain views through development to distant vistas (i.e. foothills) and view corridors along regional corridors, wherever feasible (reference: East Dublin Scenic Corridor Policies and Standards).
>
> **Policy 10.5.3.C.** Incorporate visual screening techniques such as berms, dense and/or fast-growing landscaping, and appropriately designed fencing where feasible, to ensure that visually challenging features, such as parking lots, loading docks, storage areas, etc. are visually attractive as seen from regional corridors.

Policy 10.5.3.D. Provide landscaping and articulated design to soften the visual appearance of existing and new walls and fences that are adjacent to regional corridors, wherever feasible (reference: Streetscape Master Plan).

Policy 10.5.3.E. Encourage attractive and high-quality landscaping along the edge of the freeways and development surrounding on- and off-ramps to provide softer and more attractive views both to and from the freeways. Landscaping on private property should complement the buildings and overall site design.

Policy 10.7.3.1.A. Encourage diverse, high quality, attractive, and architecturally appealing buildings that create distinctive visual reference points, enrich the appearance of functional gathering spaces, and convey an excellence in architecture, workmanship, quality, and durability in building materials.

Policy 10.7.3.1.B. Encourage buildings with varied massing, heights, articulation techniques, and architectural and signage treatments to create visual interest and ensure compatibility with adjacent uses, in commercial, office, industrial, and mixed use areas.

Policy 10.7.3.1.C. Ensure that building height, scale and design are compatible with the character of the surrounding natural and built environment, and are varied in their massing, scale and articulation.

Policy 10.7.3.1.D. Encourage a variety of site and building designs that are compatible and consistent with surrounding development, especially where larger scale development is adjacent to smaller scale and/or more sensitive land uses (i.e. residential, schools, and churches) to the greatest extent feasible.

Policy 10.7.3.1.E. Avoid the use of long, continuous, straight (building) walls along roadways by designing appropriate articulation, massing, and architectural features.

Policy 10.7.3.1.F. Create distinctive neighborhoods that exemplify high-quality and varied design while reinforcing Dublin as one integrated community, in residential areas.

Policy 10.7.3.1.G. Encourage the diversity of garage orientation and setbacks, architectural styles, building materials, color and rooflines, and other design features, on all sides of all buildings, in residential areas.

Policy 10.7.3.1.H. Orient buildings toward major thoroughfares, sidewalks, pedestrian pathways, and gathering spaces, and incorporate clear and identifiable entries where feasible, in campus office areas.

Policy 10.7.3.1.I. Cluster and connect buildings through a series of pedestrian pathways designed to work with each other to form a unified design character and create larger functional spaces, in campus office and commercial areas.

Policy 10.7.3.1.K. Minimize the visual impacts of service/loading areas, storage areas, trash enclosures, and ground mounted mechanical equipment. When feasible, these elements should be located behind or to the sides of buildings and screened from views through a combination of walls/ fencing, and/or landscaping.

Policy 10.7.3.2.A. Utilize more formal landscaping treatments in more densely developed (urban) areas and utilize more natural landscaping treatments in less dense (suburban) areas, as appropriate.

Policy 10.7.3.2.C. Incorporate setbacks and landscaped buffers for development along collector and arterial roadways to minimize the impacts from roadway noise, where appropriate.

Policy 10.7.3.2.D. Ensure that landscaping along and adjacent to the public realm is well maintained and retains a natural appearance.

Policy 10.7.3.2.E. Encourage distinctive landscaping and signage that is aesthetically appealing from the public realm (reference: Streetscape Master Plan).

Policy 10.7.3.2.F. Encourage the use of landscaping on walls to soften and screen their visual appearance (reference: Streetscape Master Plan).

Policy 10.7.3.2.G. Increase the width of existing narrow parkway strips when the opportunity arises and encourage all new development and redevelopment projects to provide appropriately sized landscaped parkway strips (reference: Streetscape Master Plan).

Policy 10.7.3.2.H. Preserve mature trees and vegetation, with special consideration given to the protection of groups of trees and associated undergrowth and specimen trees (reference: Heritage Tree Ordinance).

Policy 10.7.3.2.I. Preserve views of creeks, hillsides, skylines, or other natural or man made landmarks during site planning of new developments, whenever feasible.

Policy 10.7.3.2.J. Integrate development with natural features and land forms.

City of Dublin Municipal Code

Chapter 8.104, Site Development Review, of the City of Dublin Municipal Code establishes the procedure for approving, conditionally approving, or denying Site Development Review Permits to promote orderly, attractive and harmonious development for new development projects that are compatible with surrounding properties and neighborhoods. Adopted Site Development Review Guidelines are used to guide Site Development Review Permit applications.

Previous CEQA Documents

VCC EIR

The VCC EIR concluded that construction of the VCC expansion would result in significant impacts with regard to views of the site from the I-580 freeway and from Dublin Boulevard, since new buildings on the periphery of the core complex would be out of scale with existing development in the western Dublin area. The VCC EIR also found that construction of new buildings and other uses within the VCC complex would increase the amount of light and glare due to additional parking lot and building lights, as well as potential future lighting of playing fields, which would spillover on surrounding residential areas.

The VCC EIR contains the following mitigation measures to reduce anticipated visual resource impacts from the VCC project:

> **Mitigation Measure 4.1-1 (aesthetics and views):** Consideration shall be given during the Site Development Review process to:
>
> a. The proposed senior center and chapel buildings should be restricted to one story construction, consistent with the County Scenic Route Element, and set back from the top of slope the distance of the building height to reduce visibility from the I-580 freeway. Consideration should also be given to reducing the apparent heights of the two buildings by designing low rooflines, using earth tone building colors, using non-reflective surfaces and appropriate landscape screening.
>
> b. For the residential component of the proposed project, consideration shall be given to providing a greater building setback from the Dublin Boulevard/Inspiration Drive intersection, limiting the buildings on the south side of the complex to a single story, using intensive landscaping on the comer to screen the residences and using earth tone colors and non-reflective surfaces.
>
> **Mitigation Measure 4.1-2 (light and glare):** The following measures shall be taken during the Site Development Review process to:

a. Ensure that all exterior light fixtures be equipped with cut-off lenses, directed downward, and limited in height to the maximum necessary for adequate illumination to minimize excess light and glare.

b. Require that any future proposals to light the playing fields be subject to Planning Commission approval following a notice public hearing.

The VCC EIR determined that with implementation of the mitigation measures identified above, visual impacts would be reduced to a less-than-significant level.

2018 Supplemental IS/MND

The 2018 Supplemental IS/MND determined that lighted playfields on the northeast portion of the main campus, which were not included in the VCC Expansion Project, could impact residences just east of the project site. Mitigation Measure AES-1, which would augment Mitigation Measure 4.1-2 identified in the VCC EIR was identified to reduce light and glare impacts to a less-than-significant level.

Mitigation Measure AES-1. In addition to the requirements contained in 2003 EIR Mitigation Measure 4.1-2 to equip all exterior lighting with cut-off lenses, directed downward, limited in height and that lighting of playfields, the following shall also apply:

a. Submittal of final playfield lighting plans to the City of Dublin Community Development Department prior to issuance of a building permit for the sports stadium to include detailed photometric drawings documenting that no spillover of light or glare would occur off the VCC project site. The photometric drawings shall be approved prior to the issuance of the building permit.

Project Impacts and Mitigation Measures

(a) Scenic vistas, views

Less Than Significant Impact. A scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Aesthetic components of a scenic vista generally include: 1) scenic quality; 2) sensitivity level; and 3) view access. The City of Dublin General Plan identifies the visually sensitive ridgelines located in the open space areas in the Western and Eastern Extended Planning Areas of the City as scenic resources. I-580 provides scenic views of these ridgeline areas and is an Alameda County-designated scenic route. Per the City of Dublin General Plan policies, design review would be required for all projects visible from a designated scenic route in order to enhance a positive image of Dublin as seen by through travelers.

Construction of the proposed project would include the construction of a two-story, approximately 35,000-square-foot building on Parcel 2, at the corner of Dublin Boulevard and

Inspiration Drive and a three-story, approximately 75,112-square-foot building further east on Inspiration Drive. Both of these facilities would be visible from public vantage points, including Inspiration Drive, Dublin Boulevard and I-580. To illustrate the degree of anticipated change that would result from the proposed project, photographs of existing conditions were taken from two representative viewpoints (Figures 11 and 12) along I-580 and photographic simulations were prepared to represent anticipated views from these locations.

In addition to the viewpoints from I-580 and Dublin Boulevard, the VCC EIR included a viewpoint and simulation of the VCC Expansion Project as seen from Downtown Dublin. While the sanctuary and other buildings would be visible, the VCC EIR determined that due to distance and intervening features, impacts from this view would be less than significant. As illustrated in Figure 13, due to the location of the memory care and assisted living facilities in the southern portion of the project site, these facilities would not be visible from Downtown Dublin; therefore, a photographic simulation was not prepared from this viewpoint and no impact to this view would occur as a result of the proposed project.

View from Eastbound I-580.Figure 11 shows the view from the perspective of a motorist traveling eastbound on I-580 from a location west of the project site. From this view, Inspiration Drive can be seen extending up from Dublin Boulevard to the top of the ridge, bisecting the project site. As shown in Figure 11 (existing view), existing foreground views are dominated by I-580. The upper stories/rooflines of the existing multi-family residential development located to the west of the project site and the sound wall along I-580 are also visible in the foreground. The middle ground view is comprised primarily of the undeveloped hillside/ridgeline and Inspiration Drive, lined with mature trees. Landscaping associated with existing development to the north and west can also be seen. Blue skies form the background view.

The visual simulation provided in Figure 11 shows the view condition following the completion of project construction. As shown, the roofline of the proposed memory care facility would be visible in the foreground view; however, because proposed architectural features (e.g., mass, height, color and materials) would be similar to and consistent with the adjacent multi-family residential development, the visual change to the foreground view would be minor. In addition, proposed landscaping, including mature trees around the perimeter of the facility, would provide additional screening.

Construction of the proposed assisted living facility would alter the middle ground view, replacing the undeveloped hillside to the south of Inspiration Drive with a three-story building. However, as shown in Figure 11, the building is designed to complement the existing site topography so that the roofline would not extend above the top of the existing knoll and the majority of the building would sit below an existing ridgeline/berm. In addition, earth-tone colors (e.g., tan, cream, light gold, and brown) would be used to complement the colors of the surrounding hillside and help the structure blend into the environment. Landscaping around the

perimeter would also provide additional screening. Background views would remain unchanged.

As shown in Figure 11, implementation of the proposed project would not significantly change the existing view from eastbound I-580. Although project elements would be visible from this viewpoint, proposed structures have been designed using natural materials and colors that blend into the existing visual environment. The mass and scale of proposed facilities would be consistent with adjacent development and site topography, so as not to obstruct or impair scenic vistas of the ridgelines and hillsides in the project area. Landscaping would provide further screening of proposed built features.

View from Westbound I-580. Figure 12 shows the view from the perspective of a motorist traveling westbound on I-580 from a location east of the project site. As shown in Figure 12 (existing view), existing foreground views are dominated by I-580 and the roadside berm that separates I-580 from Dublin Boulevard. The undeveloped hillsides of the project site, sloping down to Dublin Boulevard, as well as the undeveloped ridgeline associated with open space further to the west, are the prominent visual features in this view. The mature trees associated with existing development and riparian areas dot the landscape. Blue skies form the background view.

The visual simulation provided in Figure 12 shows the view condition following the completion of project construction. As shown, the roofline of the proposed memory care facility on Parcel 2 would be visible at the base of the hill; however, because proposed architectural features (e.g., mass, height, color and materials) would be similar to and consistent with the adjacent multi-family residential development, the visual change would be negligible.

As shown in Figure 12, from this view, the assisted living facility appears to sit atop the rise and would be visually prominent for motorists on I-580 and Dublin Boulevard. However, the building would be set back from I-580, features a low-slung roofline to minimize visual intrusion, uses earth tone colors and non-reflective surfaces to blend with the surrounding visual landscape, and provides perimeter landscaping to screen the building from public views. These design features are consistent with Mitigation Measure 4.2-1, identified in the VCC EIR. Scenic views of the hillsides and ridgelines to the west would be retained.

The VCC EIR determined that implementation of the VCC Expansion Project would result in significant impacts with regard to views of the site from the I-580 freeway and from Dublin Boulevard, since new buildings on the periphery of the core complex, including the residential development on Parcel 2, would be out of scale with existing development in the western Dublin area (Impact 4.1-1). With implementation of Mitigation Measure 4.1-1, which requires that the City give consideration during the Site Development Review process to establishing sufficient setbacks, designing low rooflines, using earth tone building colors, using non-reflective surfaces and appropriate landscape screening for the proposed VCC campus

development and the residential development on Parcel 2, this impact was reduced to a less-than-significant level.

As described further below, the VCC EIR did not evaluate any visual changes to Parcel 3, as no specific development was proposed for Parcel 3 at that time. Therefore, development of the assisted living facility on Parcel 3 would result in a change in visual conditions as compared to the project evaluated in the VCC EIR and would result in impacts that were not identified in the VCC EIR. However, the mitigation measures identified in the VCC EIR and the visual policies in the City of Dublin General Plan would apply to the proposed project, including development of Parcel 3. In addition, the proposed project would be required to undergo site-specific design review to ensure the project is consistent with City of Dublin design standards, property development regulations and performance standards related to aesthetics and to lessen the severity of visual changes resulting from the proposed project. Further, as described above, the assisted living facility proposed for Parcel 3 incorporates design features outlined in Mitigation Measure 4.2-1 to minimize visual impacts (e.g., setback from the roadway, use of earth tone colors and non-reflective surfaces) and would largely preserve existing scenic views to the west. Therefore, impacts associated with the proposed project would be less than significant. No additional mitigation is required.

(b) Scenic resources

Less Than Significant Impact. As described above, I-580 located just south of the project site, is an eligible State scenic highway and an Alameda County designated scenic route. The VCC EIR found that implementation of the VCC Expansion Project would result in significant impacts with regard to views of the site from I-580; however, with implementation of Mitigation Measure 4.1-1, this impact was reduced to a less-than-significant level.

Existing scenic resources on the project site include grassy hillside areas and some riparian woodland vegetation associated with the ephemeral drainage on Parcel 2. Parcel 3 generally consists of non-native annual grassland and ruderal vegetation and does not support any scenic resources (e.g., trees, rock outcroppings, and historic buildings). In order to accommodate proposed development, the natural terrain of Parcels 2 and 3 would be modified; however, to the extent feasible, the proposed project is designed to conform to existing site topography and retain existing ridgeline features and site vegetation. New landscaping would be provided as part of project improvements.

As described in Section 1.a, the proposed project would alter views from I-580 and result in a change in visual conditions on Parcel 3 as compared to the project evaluated in the VCC EIR, which would result in impacts that were not identified in the VCC EIR. However, development of the proposed project would not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings, as these resources are not currently present on the project site. Further, the mitigation measures identified in the VCC EIR and the

visual policies in the City of Dublin General Plan would apply to the proposed project, including development of Parcel 3, and the proposed project would be required to undergo site-specific design review to ensure the project is consistent with City of Dublin design standards. Therefore, impacts associated with the proposed project would not be significant. No additional mitigation is required.

(c) Substantially degrade the visual character of public views of the site or surrounding area

Less Than Significant Impact. Development of the proposed project would change the existing visual character of the project area and vicinity by developing the existing vacant land into a memory care facility and an assisted living facility. The proposed project would construct a two-story, approximately 35,000-square-foot building on Parcel 2, at the corner of Dublin Boulevard and Inspiration Drive and a three-story, approximately 75,112-square-foot building further east on Inspiration Drive. Both of these facilities would be visible from public vantage points, including Inspiration Drive, Dublin Boulevard and I-580.

As described in Section 1.a. above and shown in Figures 11 and 12, the proposed project is designed to be similar to and consistent with adjacent residential development. In addition, earth-toned colors are proposed to allow proposed structures to blend into the surrounding landscape. The assisted living facility on Parcel 3 would feature a low roofline to mimic site topography and soften the visual impact of the proposed structure. Perimeter landscaping would be provided around both buildings to provide additional visual screening from public vantage points. To the extent possible, the proposed project would preserve existing visual features on the project site, including the riparian woodland area on Parcel 2, and provide new visual elements (e.g., entries, landscaping) to enhance and complement project improvements.

As described above, the VCC EIR determined that implementation of the VCC Expansion Project would result in significant impacts with regard to views of the site from the I-580 freeway and from Dublin Boulevard, since new buildings on the periphery of the core complex, including the residential development proposed on Parcel 2, would be out of scale with existing development in the western Dublin area (Impact 4.1-1). With implementation of Mitigation Measure 4.1-1, which requires that new buildings be restricted to one story or that one story buildings be considered adjacent to the edge of the existing slope (VCC campus buildings on Parcel 1) and in the vicinity of the Dublin Boulevard/Inspiration Drive intersection (residential buildings on Parcel 2) and that intensive landscaping, earth tone colors and non-reflective surfaces be used, this impact was reduced to a less-than-significant level.

The mitigation measures identified in the VCC EIR and the visual policies in the City of Dublin General Plan would apply to the proposed project. However, these mitigations state that the proposed residential buildings on the south side of the complex should be limited to a single story, whereas the currently proposed buildings would be two- and three-stories. To minimize the visual impact of the increased building height, as seen from I-580, Dublin Boulevard, and

the Dublin Boulevard/Inspiration Drive intersection, the memory care facility building would be further set back from the corner, as compared to the prior residential development. In addition, the articulation of the façade at the corner is designed with the upper story further set back from the lower floor, which would provide visual interest and modulate the apparent size and scale of a building. Extensive landscaping at the corner and use of earth tone colors that complement the surrounding landscape further mitigate the visual impact of the building height and massing.

The VCC EIR did not evaluate any visual changes to Parcel 3, as no specific development was proposed for Parcel 3 at that time. Therefore, development of the assisted living facility on Parcel 3 would result in a change in visual conditions as compared to the project evaluated in the VCC EIR and would result in impacts that were not identified in the VCC EIR. However, like the memory care facility, the assisted living facility on Parcel 3 would be set back from Dublin Boulevard and I-580 to the extent possible and the upper floors stepped back from the lower floors, minimizing the visual bulk of the proposed building. As described above, the assisted living facility is designed to complement the existing site topography so that the roofline would not extend above the top of the existing knoll and the majority of the building would sit below an existing ridgeline/berm. Like the memory care facility, extensive landscaping between the building and Dublin Boulevard and use of earth tone colors that complement the surrounding landscape would further mitigate the visual impact of the building height and massing. Therefore, this impact would be less than significant.

In addition, the proposed project would be required to undergo site-specific design review to ensure the project is consistent with City of Dublin design standards, property development regulations and performance standards related to aesthetics and to lessen the severity of visual changes resulting from the proposed project. Therefore, impacts associated with the proposed project would be less than significant. No mitigation is required.

(d) Create a new source of substantial light or glare

No New Impact. The VCC EIR determined construction of new buildings and other uses, such as parking areas, associated with the VCC Expansion Project would add additional levels of exterior lighting for safety and security purposes. The VCC EIR also determined that future lighting of playing fields could result in spillover of unwanted lights on surrounding residential areas. As described above, implementation of Mitigation Measure 4.1-2, which requires that all exterior light fixtures be equipped with cut-off lenses, directed downward, and limited in height would reduce light and glare impacts to a less than significant level. This measure was modified in the 2018 Supplemental IS/MND to address additional lighting impacts associated with construction of lighted playfields at the VCC.

Similar to the development evaluated in the VCC EIR and 2018 Supplemental IS/MND, the proposed project would introduce new light sources to the project site, as necessary for

security, safety, and way finding. Proposed lighting for the memory care facility on Parcel 2 would include building lighting along the walkway to the west and the main entrance to the north, light standards at the site driveway and in the parking area, and floodlights to illuminate the relocated entry signage at the corner of Dublin Boulevard and Inspiration Drive. The assisted living facility would also provide perimeter building lighting and light standards in the proposed parking areas. Proposed lighting would be similar to existing lighting for buildings and parking areas at the VCC and the lighting proposed for the prior residential development.

At night, these new sources of light would be visible from a distance; however, the addition of new light sources associated with the proposed project would generally blend in with existing development on the project site and would represent a continuation of the existing development within this area of the City. Consistent with Mitigation Measure 4.1-2 and City requirements, exterior lighting would be shielded so that direct glare and reflections are confined within the boundaries of the project site. As confirmed by the photometric studies prepared for the proposed project (see Figure 14a and 14b), site lighting would be directed downward and away from adjoining properties and public rights-of-way such that no light spillover onto adjacent properties or streets would occur.

Glare is caused by light reflections from pavement, vehicles, and building materials such as reflective glass and polished surfaces. During daylight hours, the amount of glare depends on intensity and direction of sunlight. Glare can create hazards to motorists and can be a nuisance for pedestrians and other viewers. Proposed exterior building materials primarily include stucco with stone, wood, and painted aluminum. These non-reflective building materials would not result in potential glare impacts within the project site or surrounding areas, and notably at the street level. Low-reflective vinyl windows would be provided on each level of the proposed buildings.

Therefore, the proposed project would not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area. No new impacts or substantially more severe significant impacts would result with implementation of the proposed project. No additional analysis is required.

Source(s)

California Department of Transportation. 2018. California Scenic Highway Mapping System. Website: dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways (accessed February 16, 2021).

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Agricultural and Forestry Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
2. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Environmental Setting

The project site is not used for agricultural production and is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The surrounding area is characterized by institutional and residential uses.

The Farmland Mapping and Monitoring Program categorizes the project site as Urban and Built-Up Land and Grazing Land. Urban and Built-Up Land is defined as land that is occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel. Examples of Urban and Built-Up Land include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures. Grazing Land is defined as land on which the existing vegetation is suited to the grazing of livestock.

Regulatory Framework

State Regulations

California Department of Conservation Farmland Mapping and Monitoring Program

The California Department of Conservation (DOC) manages the Farmland Mapping and Monitoring Program to assess the location, quality, and quantity of agricultural lands and conversion of these lands over time. In each county, the land is analyzed for soil and irrigation quality, and the highest quality land is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Based on the results of these analyses, the DOC issues maps every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance.

Williamson Act

The Williamson Act, also known as the California Land Conservation Act of 1965, enables local governments and private landowners to enter into contracts that restrict specific parcels of land to agricultural or related open space use. As a result, landowners receive reduced property tax assessments because they are based upon farming and open space uses rather than market value.

Local Regulations

City of Dublin General Plan

Guiding Policy A.1. in the City of Dublin General Plan states that the City will prevent the premature urbanization of agricultural lands. Implementing Policy B.1. requires the City to make findings that the land is suitable for the proposed use and will have adequate urban services and that conversion to an urban use will not have significant adverse effects on adjoining lands remaining under Williamson Act contract. Due to the location of the project site and its proximity to existing development, existing policies aimed at preserving agricultural uses in the City are not applicable to the proposed project.

Previous CEQA Documents

The VCC EIR and Supplemental IS/MND determined that the project site is located in an urbanized area, has not been used for agricultural production and is not encumbered by a Williamson Act Land Conservation Agreement. Therefore, the project was deemed not to have a potential for significant impacts related to agricultural resources.

Project Impacts and Mitigation Measures

(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (farmland)

No New Impact. As described above, the project site is not used for agricultural production and is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance Therefore, the proposed project would not convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or any other type of farmland to non-agricultural uses. No new impacts or substantially more severe significant impacts to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would occur. No additional analysis is required.

(b) Conflict with existing zoning for agricultural use or a William Act contract

No New Impact. The project site is currently classified as Planned Development (PD) Ordinance No. 07-03 on the City's Zoning Map. The project site is not currently used for agricultural purposes, not zoned for agricultural uses, and is not protected by, or eligible for, a Williamson Act contract. Therefore, the proposed project would not conflict with existing zoning or Williamson Act contracts. No new or substantially more severe significant impacts to farmland or zoning beyond what has been analyzed in the prior environmental documents would occur. No additional analysis is required.

(c) Conversion of land from Farmland or forest use

No New Impact. As described above, the project site is currently classified as Planned Development (PD) Ordinance No. 07-03 on the City's Zoning Map. Neither the project site nor the surrounding area is zoned for agricultural use, forest land, timberland, or timberland production. Therefore, no new or substantially more severe significant impacts to farmland beyond what has been analyzed in the prior environmental documents would occur. No additional analysis is required.

(d) Result in loss of forest land or conversion of forest

No New Impact. The project site is located in an area of the City that is characterized by an urban setting. No forest or timberland exists on the project site or in the surrounding area. Therefore, the proposed project would not result in the loss of forest land or the conversion of forest land to non-forest use. Therefore, no new or substantially more severe significant impacts to forest land beyond what has been analyzed in the prior environmental documents would occur. No additional analysis is required.

(e) Conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use

No New Impact. A portion of the project site is currently developed with the existing VCC that includes church and school uses. None of the project parcels are currently used as farmland or forest land. The proposed project would not result in the conversion of farmland on or off the

project site to non-agricultural uses because there are no agricultural uses on or in the immediate vicinity of the project site. Likewise, the proposed project would not result in impacts related to changes in the existing environment that could result in the conversion of agricultural land to non-agricultural uses. Therefore, no new or substantially more severe significant impacts related to conversion of farmland or forest land beyond what has been analyzed in the prior environmental documents would occur. No additional analysis is required.

Source(s)

California Department of Conservation (DOC). California Farmland Conservancy. California Important Farmland Finder. Website: maps.conservation.ca.gov/dlrp/ciff/ (accessed February 16, 2021).

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Air Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?				X
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?				X
c. Expose sensitive receptors to substantial pollutant concentrations?		X		
d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?				X

Environmental Setting

The proposed project is located in the City of Dublin, and is within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which regulates air quality in the San Francisco Bay Area. Air quality conditions in the San Francisco Bay Area have improved significantly since BAAQMD was created in 1955. Ambient concentrations of air pollutants and the number of days during which the region exceeds air quality standards have fallen substantially. In Dublin, and the rest of the air basin, exceedances of air quality standards occur primarily during meteorological conditions conducive to high pollution levels, such as cold, windless winter nights or hot, sunny summer afternoons.

Within BAAQMD, ambient air quality standards for ozone, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter (PM_{10}, $PM_{2.5}$), and lead (Pb) have been set by both the State of California and the federal government. The State has also set standards for sulfate and visibility. BAAQMD is under State non-attainment status for ozone and particulate matter standards. BAAQMD is classified as non-attainment for the federal ozone 8-hour standard and non-attainment for the federal $PM_{2.5}$ 24-hour standard.

Regulatory Framework

Local and Regional Regulations

Bay Area Air Quality Management District

BAAQMD seeks to attain and maintain air quality conditions in the San Francisco Bay Area Air Basin through a comprehensive program of planning, regulation, enforcement, technical innovation, and education. The clean air strategy includes the preparation of plans for the attainment of ambient air quality standards, adoption and enforcement of rules and regulations, and issuance of permits for stationary sources. BAAQMD also inspects stationary sources and responds to citizen complaints, monitors ambient air quality and meteorological conditions, and implements programs and regulations required by law.

The BAAQMD *CEQA Air Quality Guidelines* were prepared to assist in the evaluation of air quality impacts of projects and plans proposed within the Bay Area. The guidelines provide recommended procedures for evaluating potential air impacts during the environmental review process, consistent with CEQA requirements, and include recommended thresholds of significance, mitigation measures, and background air quality information. They also include recommended assessment methodologies for air toxics, odors, and greenhouse gas (GHG) emissions.

BAAQMD's Clean Air Plan guides the region's air quality planning efforts to attain the California ambient air quality standards. The BAAQMD 2017 Clean Air Plan, which was adopted on April 19, 2017, by the BAAQMD Board of Directors, is the current Clean Air Plan, which contains district-wide control measures to reduce ozone precursor emissions (i.e., reactive organic gases [ROG] and nitrogen oxides [NO_x]), particulate matter, and greenhouse gas emissions.

City of Dublin General Plan

Section 7.5 of the General Plan outlines policies and programs related to air quality. The following policy related to air quality is applicable to the proposed project:

> **Implementing Policy 7.5.1.A.2.** Require an air quality analysis for new development projects that could generate significant air emissions on a project and cumulative level. Air quality analyses shall include specific feasible measures to reduce anticipated air quality emissions to a less-than-significant California Environmental Quality Act (CEQA) level.

Previous CEQA Documents

VCC EIR

The VCC EIR found that the effects of project construction activities would be increased dust fall and locally elevated levels of PM_{10} downwind of construction activity. The VCC EIR also found

that construction dust has the potential for creating a nuisance at nearby properties. As such, the VCC EIR identified Mitigation Measure 4.2-1 to reduce construction impacts to a less-than-significant level.

In addition, the VCC EIR identified that the project would generate additional traffic volumes, increasing local levels of carbon monoxide. The VCC EIR determined that incremental increases in air pollution could be anticipated with the construction of the proposed project, however, such increases would be below the standard of air quality significance through as established by BAAQMD since no major intensification of land use is proposed. The VCC EIR found that local long-term air quality impacts would be less than significant and no mitigation would be required.

The following mitigation measure from the VCC EIR would be applicable to the proposed project:

> **Mitigation Measure 4.2-1 (construction impacts):** The following measures are recommended, based on BAAQMD standards, to reduce construction impacts to a less-than-significant level. The following construction practices should be required during all phases of construction on the project site:
>
> a. Water all active construction areas as needed;
>
> b. Watering or covering of stockpiles of debris, soil, sand or other materials that can be blown by the wind;
>
> c. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
>
> d. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
>
> e. Sweep daily (preferably with water sweepers) all paved access road, parking areas and staging areas at construction sites;
>
> f. Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets;
>
> g. Hydroseed or apply non-toxic soil stabilizers to inactive construction areas
>
> h. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.);
>
> i. Limit traffic speeds on unpaved roads to 15 mph;

j. Install sandbags or other erosion control measures to prevent silt runoff to public roadways;

k. Replant vegetation in disturbed areas as quickly as possible.

2018 Supplemental IS/MND

No new or more significant impacts related to air quality were identified in the 2018 Supplemental IS/MND; however, the 2018 Supplemental IS/MND acknowledged that since certification of the VCC EIR in 2003, BAAQMD had adopted newer and more restrictive standards to reduce construction dust and construction vehicle emissions and identified an additional mitigation measure to reduce this construction impact to a less-than-significant level.

> **Mitigation Measure AIR-1.** The Applicant's grading contractor(s) shall adhere to the most current Bay Area Air Quality Management District's (BAAQMD) construction mitigation measures (Tables 8-1 and 8-2 or as may be updated at the time a grading permit is requested) as set forth in the May 2017 BAAQMD CEQA Guidelines, or as may be amended in the future and in effect at time of issuance of grading permit.

The proposed project would be required to comply with the above mitigation measure. Consistent with Mitigation Measure AIR-1 above, the project contractor shall be required to implement BAAQMD Basic Construction Mitigation Measures as set forth in the May 2017 BAAQMD CEQA Guidelines. The BAAQMD Basic Construction Mitigation Measures are detailed below.

Project Impacts and Mitigation Measures

(a) Consistent with air quality plans

No New Impact. BAAQMD's Clean Air Plan is a comprehensive plan to improve Bay Area air quality and protect public health. The Clean Air Plan defines control strategies to reduce emissions and ambient concentrations of air pollutants; safeguard public health by reducing exposure to air pollutants that pose the greatest heath risk, with an emphasis on protecting the communities most heavily affected by air pollution; and reduce greenhouse gas emissions to protect the climate. Consistency with the Clean Air Plan can be determined if the project: (1) supports the goals of the Clean Air Plan; (2) includes applicable control measures from the Clean Air Plan; and (3) would not disrupt or hinder implementation of any control measures from the Clean Air Plan.

Clean Air Plan Goals.The primary goals of the Bay Area Clean Air Plan are to: attain air quality standards; reduce population exposure and protect public health in the Bay Area; and reduce greenhouse gas emissions and protect climate.

BAAQMD has established significance thresholds for project construction and operational impacts at a level at which the cumulative impact of exceeding these thresholds would have an adverse impact on the region's attainment of air quality standards. The health and hazards thresholds were established to help protect public health. As discussed in Section 3.3.b, implementation of the proposed project would result in less-than-significant operation-period emissions and, with implementation of Mitigation Measure AIR-1, the project would result in less-than-significant construction-period emissions. Therefore, the project would not conflict with the Clean Air Plan goals.

Clean Air Plan Control Measures.The control strategies of the Clean Air Plan include measures in the following categories: Stationary Source Measures, Transportation Measures, Energy Measures, Building Measures, Agriculture Measures, Natural and Working Lands Measures, Waste Management Measures, Water Measures, and Super-Greenhouse Gas (GHG) Pollutants Measures.

*Stationary Source Control Measures.*The stationary source measures, which are designed to reduce emissions from stationary sources such as metal melting facilities, cement kilns, refineries, and glass furnaces, are incorporated into rules adopted by BAAQMD and then enforced by BAAQMD's Permit and Inspection programs. Since the project would not include any stationary sources of emissions, the Stationary Source Measures of the Clean Air Plan are not applicable to the project.

*Transportation Control Measures.*BAAQMD identifies Transportation Measures as part of the Clean Air Plan to decrease emissions of criteria pollutants, toxic air contaminants (TACs), and GHGs by reducing demand for motor vehicle travel, promoting efficient vehicles and transit service, decarbonizing transportation fuels, and electrifying motor vehicles and equipment. The proposed project would provide a memory care and assisted living facility near existing church, school, residential, and open space uses, reducing the demand for travel by single occupancy vehicles. The proposed project would also provide pedestrian and bicyclist amenities, including sidewalks, short-term and long-term bicycle parking, and landscaping which would help to reduce the demand for travel by single occupancy vehicles. In addition, the proposed project would provide two electric vehicle (EV) ready spaces and two clean air/vanpool spaces. Consistent with the Green Building Code. Therefore, the project would support the ability of employees, visitors, and residents to use alternative and cleaner modes of transportation and would be consistent with BAAQMD's initiatives to reduce vehicle trips and vehicle miles traveled and increase the use of alternate means of transportation.

*Energy Control Measures.*The Clean Air Plan also includes Energy Measures, which are designed to reduce emissions of criteria air pollutants, TACs, and GHGs by decreasing the amount of electricity consumed in the Bay Area, as well as decreasing the carbon intensity of the electricity used by switching to less GHG-intensive fuel sources for electricity

generation. Since these measures apply to electrical utility providers and local government agencies (and not individual projects), the energy control measures of the Clean Air Plan are not applicable to the project.

Building Control Measures. BAAQMD has authority to regulate emissions from certain sources in buildings such as boilers and water heaters, but has limited authority to regulate buildings themselves. Therefore, the strategies in the control measures for this sector focus on working with local governments that do have authority over local building codes, to facilitate adoption of best GHG control practices and policies. The proposed project would be required to comply with the latest California Green Building Standards Code (CALGreen) standards. Therefore, the Building Control Measures of the Clean Air Plan are not applicable to the project.

Agriculture Control Measures. The Agriculture Control Measures are designed to primarily reduce emissions of methane. Since the project does not include any agricultural activities, the Agriculture Control Measures of the Clean Air Plan are not applicable to the project.

Natural and Working Lands Control Measures. The Natural and Working Lands Control Measures focus on increasing carbon sequestration on rangelands and wetlands, as well as encouraging local governments to ordinances that promote urban-tree plantings. Since the project does not include the disturbance of any rangelands or wetlands, the Natural and Working Lands Control Measures of the Clean Air Plan are not applicable to the project.

Waste Management Control Measures. The Waste Management Measures focus on reducing or capturing methane emissions from landfills and composting facilities, diverting organic materials away from landfills, and increasing waste diversion rates through efforts to reduce, reuse, and recycle. The project would comply with local requirements for waste management (e.g., recycling and composting services). Therefore, the project would be consistent with the Waste Management Control Measures of the Clean Air Plan.

Water Control Measures. The Water Control Measures focus on reducing emissions of criteria pollutants, TACs, and GHGs by encouraging water conservation, limiting GHG emissions from publicly-owned treatment works (POTWs), and promoting the use of biogas recovery systems. Since these measures apply to POTWs and local government agencies (and not individual projects), the Water Control Measures are not applicable to the project.

Super GHG Control Measures. The Super-GHG Control Measures are designed to facilitate the adoption of best GHG control practices and policies through BAAQMD and local government agencies. Since these measures do not apply to individual projects, the Super-GHG Control Measures are not applicable to the project.

Clean Air Plan Implementation.As discussed above, the proposed project would generally implement the applicable measures outlined in the Clean Air Plan, including Transportation Control Measures. Therefore, the project would not disrupt or hinder implementation of a control measure from the Clean Air Plan. The VCC EIR did not evaluate consistency with the applicable clean air plan; however, because the proposed project would be consistent with the Clean Air Plan, the proposed project would not result in any new or more severe impacts compared to those previously identified in the VCC EIR, and no additional analysis would be required.

(b) Project emissions

No New Impact. Both State and federal governments have established health-based Ambient Air Quality Standards for six criteria air pollutants: CO, ozone (O_3), NO_2, SO_2, Pb, and suspended particulate matter (PM). These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety. As identified above, BAAQMD is under State non-attainment status for ozone, PM_{10}, and $PM_{2.5}$ standards. The Air Basin is also classified as non-attainment for both the federal ozone 8-hour standard and the federal $PM_{2.5}$ 24-hour standard.

Air quality standards for the proposed project are regulated by the BAAQMD *CEQA Air Quality Guidelines*. According to the BAAQMD *CEQA Air Quality Guidelines*, to meet air quality standards for operational-related criteria air pollutant and air precursor impacts, the project must not:

- Contribute to CO concentrations exceeding the State ambient air quality standards;
- Generate average daily construction emissions of ROG, NO_x, or $PM_{2.5}$ greater than 54 pounds per day or PM_{10} exhaust emissions greater than 82 pounds per day; or
- Generate average operational emissions of ROG, NO_x or $PM_{2.5}$ of greater than 10 tons per year or 54 pounds per day or PM_{10} emissions greater than 15 tons per year or 82 pounds per day.

The following sections describe the proposed project's construction- and operation-related air quality impacts and CO impacts.

Construction Emissions.The VCC EIR did not quantify construction emissions; however, the VCC EIR determined that construction period emissions would result from implementation of the proposed project. Similar to the VCC project, during construction of the proposed project, construction dust would affect local and regional air quality at various times during the build-out period of the project. The dry, windy climate of the area during the summer months combined with the fine, silty soils of the region create a high potential for dust generation. Emissions during the grading phase of construction are primarily associated with the exhaust of large earth moving equipment and the dust which is generated through grading activities.

Emissions in later stages of construction are primarily associated with construction employee commute vehicles, asphalt paving, mobile equipment, stationary equipment, and architectural coatings.

The effects of construction activities would be increased dust fall and locally elevated levels of PM_{10} near the construction activity. Depending on the weather, soil conditions, the amount of activity taking place, and nature of dust control efforts, these impacts could affect existing or future residential areas within or near the project.

Water or other soil stabilizers can be used to control dust, resulting in emission reductions of 50 percent or more. BAAQMD has established standard measures for reducing fugitive dust emissions (PM_{10}). With the implementation of these Basic Construction Mitigation Measures, fugitive dust emissions from construction activities would not result in adverse air quality impacts.

In addition to dust-related PM_{10} emissions, heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO_2, NO_x, ROGs and some soot particulate ($PM_{2.5}$ and PM_{10}) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles are delayed. These emissions would be temporary and limited to the immediate area surrounding the construction site.

Construction emissions were estimated for the project using the California Emissions Estimator Model (CalEEMod) version 2016.3.2, consistent with BAAQMD recommendations. Construction of the proposed project is anticipated to begin in late 2022 or early 2023 and would continue over an approximately 20-month period. The proposed project would require the off haul of approximately 15,600 cubic yards of soil, which was included in CalEEMod. This analysis also assumes the use of Tier 2 construction equipment. Construction-related emissions are presented in Table D. CalEEMod output sheets are included in Appendix B.

Table D: Project Construction Emissions in Pounds Per Day

Project Construction	**ROG**	**NO_x**	**Exhaust PM_{10}**	**Fugitive Dust PM_{10}**	**Exhaust $PM_{2.5}$**	**Fugitive Dust $PM_{2.5}$**
Average Daily Emissions	3.8	21.8	0.7	1.6	0.7	0.6
BAAQMD Thresholds	54.0	54.0	82.0	BMP	54.0	BMP
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: LSA (March 2021).
BMP = Best Management Practices

As shown in Table D, construction emissions associated with the project would be less than significant for ROG, NO_x, $PM_{2.5}$, and PM_{10} exhaust emissions. BAAQMD requires the implementation of BAAQMD's Basic Construction Mitigation Measures (best management practices) to minimize construction fugitive dust impacts. As identified in the VCC EIR, Mitigation Measure 4.2-1 reduced this impact to a less-than-significant level by requiring project contractors to comply with then-current BAAQMD's standards to minimize emission of dust and construction vehicle emission during grading operations. As described in the 2018 Supplemental IS/MND, BAAQMD has since adopted newer and more restrictive standards to reduce construction dust and construction vehicle emission. Consistent with Mitigation Measure AIR-1, identified in the 2018 IS/MND, the project would be required to implement the most current BAAQMD Basic Construction Mitigation Measures to reduce this construction impact to a less-than-significant level. The current BAAQMD Basic Construction Mitigation Measures are as follows:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt tracked-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- A publicly-visible sign shall be posted with the telephone number and person to contact at the City of Dublin regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

With implementation of Mitigation Measure AIR-1, identified in the 2018 Supplemental IS/MND, the proposed project would not result in any new or more severe impacts compared to those identified in the prior environmental documents. No additional analysis is required.

Operational Emissions. The VCC EIR did not quantify operational emissions; however, the VCC EIR determined that increase in long-term vehicular emissions generated by the VCC project would not exceed BAAQMD's operations threshold and would have a less than significant impact on local and regional air quality.

Long-term air pollutant emission impacts associated with the proposed project are those related to mobile sources (e.g., vehicle trips), energy sources (e.g., electricity and natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment).

PM_{10} emissions result from running exhaust, tire and brake wear, and the entrainment of dust into the atmosphere from vehicles traveling on paved roadways. Entrainment of PM_{10} occurs when vehicle tires pulverize small rocks and pavement and the vehicle wakes generate airborne dust. The contribution of tire and brake wear is small compared to the other PM emission processes. Gasoline-powered engines have small rates of particulate matter emissions compared with diesel-powered vehicles.

Energy source emissions result from activities in buildings for which electricity and natural gas are used. The quantity of emissions is the product of usage intensity (i.e., the amount of electricity or natural gas) and the emission factor of the fuel source. Major sources of energy demand include building mechanical systems, such as heating and air conditioning, lighting, and plug-in electronics, such as refrigerators or computers. Greater building or appliance efficiency reduces the amount of energy for a given activity and thus lowers the resultant emissions. The proposed project would comply with the 2019 CALGreen Code, which was accounted for in the analysis.

Typically, area source emissions consist of direct sources of air emissions located at the project site, including architectural coatings and the use of landscape maintenance equipment. Area source emissions associated with the project would include emissions from the use of landscaping equipment and the use of consumer products.

Emission estimates for operation of the project were calculated using CalEEMod. Model results are shown in Table E. Trip generation rates for the project were based on the project's trip generation estimate, as identified in the Transportation Section, which estimates that the proposed project would generate approximately 329 average daily trips.

The primary emissions associated with the project are regional in nature, meaning that air pollutants are rapidly dispersed on release or, in the case of vehicle emissions associated with the project; emissions are released in other areas of the Air Basin. The daily and annual

emissions associated with project operational trip generation, energy, and area sources are identified in Table E for ROG, NO_x, PM_{10}, and $PM_{2.5}$.

Table E: Project Operational Emissions

	ROG	NO_x	PM_{10}	$PM_{2.5}$
Pounds Per Day				
Area Source Emissions	3.2	1.0	0.1	0.1
Energy Source Emissions	<0.1	0.2	<0.1	<0.1
Mobile Source Emissions	0.5	1.8	1.6	0.4
Total Project Emissions	**3.8**	**3.1**	**1.8**	**0.6**
BAAQMD Thresholds	54.0	54.0	82.0	54.0
Exceed Threshold?	**No**	**No**	**No**	**No**
Tons Per Year				
Area Source Emissions	0.5	<0.1	<0.1	<0.1
Energy Source Emissions	<0.1	<0.1	<0.1	<0.1
Mobile Source Emissions	0.1	0.3	0.3	0.1
Total Project Emissions	**0.6**	**0.4**	**0.3**	**0.1**
BAAQMD Thresholds	10.0	10.0	15.0	10.0
Exceed Threshold?	**No**	**No**	**No**	**No**

Source: LSA (March 2021).

The results shown in Table E indicate the project would not exceed the significance criteria for daily ROG, NO_x, PM_{10} or $PM_{2.5}$ emissions; therefore, the proposed project would not have a significant effect on regional air quality. The proposed project would not result in any new or more severe impacts compared to those previously identified in the VCC EIR and 2018 Supplemental IS/MND. No additional analysis is required.

Localized CO Impacts. The VCC EIR found that the project would generate additional traffic volumes, increasing local levels of carbon monoxide. However, the VCC determined that such increases would be below the standard of air quality significance.

Emissions and ambient concentrations of CO have decreased dramatically in the Bay Area with the introduction of the catalytic converter in 1975. No exceedances of the State or federal CO standards have been recorded at Bay Area monitoring stations since 1991. The BAAQMD *Air Quality CEQA Guidelines* include recommended methodologies for quantifying concentrations

of localized CO levels for proposed transportation projects. A screening level analysis using guidance from the BAAQMD *Air Quality CEQA Guidelines* was performed to determine the impacts of the project. The screening methodology provides a conservative indication of whether the implementation of a proposed project would result in significant CO emissions. According to the BAAQMD *Air Quality CEQA Guidelines*, a proposed project would result in a less-than-significant impact to localized CO concentrations if the following screening criteria are met:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, and the regional transportation plan and local congestion management agency plans.
- Project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- The project would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, or below-grade roadway).

Implementation of the proposed project would not conflict with the Alameda County Transportation Commission's congestion management programs. The proposed project would generate approximately 20 AM peak hour trips and 32 PM peak hour trips; therefore, the project's contribution to peak hour traffic volumes at intersections in the vicinity of the project site would be well below 44,000 vehicles per hour. Therefore, the proposed project would not result in localized CO concentrations that exceed State or federal standards and impacts would be less than significant. The proposed project would not result in any new or substantially more severe impacts compared to those previously identified in the VCC EIR and 2018 Supplemental IS/MND. No additional analysis is required.

(c) Expose sensitive receptors to pollutant concentrations

Potentially Significant Impact Unless Mitigation Incorporated. Sensitive receptors are defined as residential uses, schools, daycare centers, nursing homes, and medical centers. Individuals particularly vulnerable to diesel particulate matter are children, whose lung tissue is still developing, and the elderly, who may have serious health problems that can be aggravated by exposure to diesel particulate matter. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks.

The VCC EIR did not evaluate the potential of the VCC to expose sensitive receptors to substantial pollutant concentrations; therefore, the exposure of sensitive receptors to pollutant concentrations would be a new impact as compared to the project evaluated in the VCC EIR. According to BAAQMD, a project would result in a significant impact if it would: individually

expose sensitive receptors to TACs resulting in an increased cancer risk greater than 10.0 in one million, increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or an annual average ambient $PM_{2.5}$ increase greater than 0.3 micrograms per cubic meter ($\mu g/m^3$).

A significant cumulative impact would occur if the project in combination with other projects located within a 1,000-foot radius of the project site would expose sensitive receptors to TACs resulting in an increased cancer risk greater than 100.0 in one million, an increased non-cancer risk of greater than 10.0 on the hazard index (chronic), or an ambient $PM_{2.5}$ increase greater than 0.8 $\mu g/m^3$ on an annual average basis. Impacts from substantial pollutant concentrations are discussed below.

Short-Term Exposure of Sensitive Receptors to Toxic Air Contaminants. The project site is located in close proximity to existing residential uses that could be exposed to diesel emission exhaust during the construction period. The closest sensitive receptors include the single-family residential uses located immediately north and east of Parcel 3, the multi-family residential uses located immediately west of Parcel 2, and Valley Christian Junior High and High School located immediately west of Parcel 3. To estimate the potential cancer risk from project construction equipment exhaust (including diesel particulate matter), a dispersion model was used to translate an emission rate from the source location to a concentration at the receptor location (i.e., a nearby residential land use). Dispersion modeling varies from a simpler, more conservative screening-level analysis to a more complex and refined detailed analysis. This refined assessment was conducted using CARB's exposure methodology, with the air dispersion modeling performed using the USEPA dispersion model AERMOD. The model provides a detailed estimate of exhaust concentrations based on site and source geometry, source emissions strength, distance from the source to the receptor, and site-specific meteorological data. Table F, below, identifies the results of the analysis utilizing the standard Tier 2 construction equipment. Model snap shots of the sources are provided in Appendix C.

Table F: Unmitigated Inhalation Health Risks from Project Construction to Off-Site Receptors

	Carcinogenic Inhalation Health Risk in One Million	**Chronic Inhalation Hazard Index**	**Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)**
Maximally Exposed Individual	42.10	0.04	0.19
BAAQMD Thresholds	10.0	1.0	0.30
Exceed Threshold?	**Yes**	**No**	**No**

Source: LSA (Marc 2021).

As shown in Table F, the risk associated with project construction at the maximally exposed individual (MEI) would be 42.10 in one million, which would exceed the BAAQMD cancer risk of 10 in one million. The total chronic hazard index would be 0.04, which would not exceed the threshold of 1.0. The results of the analysis indicate that the total PM2.5 concentration would be 0.19 µg/m3, which would also not exceed the BAAQMD significance threshold of 0.30 µg/m3. As indicated above, the unmitigated cancer risk of 42.10 in one million would exceed BAAQMD's thresholds, resulting in a new significant impact than was previously identified in the VCC EIR. Implementation of Mitigation Measure AIR-2 would be required to reduce pollutant concentrations during project construction.

> **Mitigation Measure AIR-2:** During construction of the proposed project, the project contractor shall ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project construction at a minimum meets the California Air Resources Board (CARB) Tier 2 emissions standards or equivalent equipped with Level 3 diesel particulate filters equipped with Level 3 diesel particulate filters.

Table G identifies the results of the analysis with implementation of Mitigation Measure AIR-2.

Table G: Mitigated Inhalation Health Risks from Project Construction to Off-Site Receptors

	Carcinogenic Inhalation Health Risk in One Million	**Chronic Inhalation Hazard Index**	**Annual $PM_{2.5}$ Concentration (µg/m^3)**
Maximally Exposed Individual	7.18	0.01	0.03
BAAQMD Thresholds	10.0	1.0	0.30
Exceed Threshold?	**No**	**No**	**No**

Source: LSA (March 2021).

As shown in Table G, the mitigated cancer risk at the MEI would be 7.18 in one million, which would not exceed the BAAQMD cancer risk of 10 in one million. Therefore, with implementation of Mitigation Measure AIR-2, construction of the proposed project would not exceed BAAQMD thresholds and would not expose nearby sensitive receptors to substantial pollutant concentrations. Therefore, with implementation of Mitigation Measure AIR-2, this impact would be reduced to a less-than-significant level.

(d) Odors

No New Impact. During construction, the various diesel-powered vehicles and equipment in use on the site would create localized odors. These odors would be temporary and are not likely to be noticeable for extended periods of time beyond the project site. The potential for diesel odor impacts is, therefore, considered to be less than significant. In addition, once the project is operational, it would not be a source of odors. Therefore, the proposed project would

not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people, and potential impacts would be considered less than significant. The proposed project would not result in any new or more severe impacts compared to those previously identified in the VCC EIR and 2018 Supplemental IS/MND. No additional analysis is required.

Source(s)

BAAQMD. 2017. Final 2017 Clean Air Plan. April 19. Website: www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en (accessed March 2021).

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Biological Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
4. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Environmental Setting

The following discussion of biological resources within the project site is based on the *Biological Resources Analysis for the Inspiration Drive Memory Care and Assisted Living Facilities in Dublin, California* (Biological Resources Analysis) prepared for the proposed project (Appendix D). As part of this supplemental study, a reconnaissance-level field survey conducted on February 18, 2021, and on-line biological resources databases and relevant documents, including the VCC EIR, the Biological Resources Assessment, and Biological Site Conditions Update were reviewed. A letter report from Jane Valerius Environmental Consulting that provided updated information on the drainage in Parcel 2 was also reviewed and confirmed.

The dominant cover type on the project site is non-native annual grassland dominated by grasses and forbs such as slender wild oat (*Avena barbata*), Italian rye grass (*Festuca perennis*), hare barley (*Hordeum murinum* ssp. *leporinum*), and longbeak stork's bill (*Erodium botrys*). The grassland includes dense stands of ruderal herbaceous species, including black mustard (*Brassica nigra*), short-podded mustard (*Hirschfeldia incana*), Italian thistle (*Carduus pycnocephalus*), milk thistle (*Silybum marianum*), and poison hemlock (*Conium maculatum*), all non-native weedy species. There is also a small patch of coyote brush (*Baccharis pilularis*), a native shrub, on Parcel 2. A constructed water detention basin with a standpipe drain is located in the center of Parcel 3, between Inspiration Drive and Dublin Boulevard, and supports similar but sparser non-native annual grassland habitat with patches of bare ground. This detention basin is approximately 0.2 acre (8,655 square feet) in area.

A small area of riparian woodland is located along a drainage near the northwestern corner of Parcel 2; this woodland is composed of coast live oak (*Quercus agrifolia*), valley oak (*Quercus lobata*), arroyo willow (*Salix lasiolepis*), and red willow (*Salix laevigata*). The woodland understory supports of a mixture and native and weedy non-native herbaceous species; natives include tall flatsedge (*Cyperus eragrostis*) and California bulrush (*Schoenoplectus californicus*), and non-natives include poison hemlock, Pampas grass (*Cortaderia selloana*), Himalayan blackberry (*Rubus armeniacus*), and fiddle dock (*Rumex pulcher*).

An ephemeral stream within the drainage feeds into a culvert near the western edge of Parcel 2. During the February 2021 field survey conducted as part of the Biological Resources Analysis (Appendix D), little surface water was present. This drainage appears to be fed by runoff from the adjacent hillslope between Parcel 2 and the VCC campus to the north. This drainage does not have a hydrological connection with Dublin Creek, which drains the hills to the northwest. The Dublin Creek drainage corridor is largely occupied by residential development. Dublin Creek drains into a detention basin at the northwestern edge of the residential development and appears to be underground downstream of this basin.

Wildlife observed on the project site during the February 2021 field survey included Say's phoebe (*Sayornis saya*), California scrub-jay (*Aphelocoma californica*), house finch (*Haemorhous mexicanus*), song sparrow (*Melospiza melodia*), and spotted towhee (*Pipilo maculatus*). The diggings of Botta's pocket gopher (*Thomomys bottae*) were also present in some grassy areas.

Regulatory Framework

Federal and State Regulations

Federal and State Special Status Species

Special status species are individual plant and animal species that are protected under federal and State Endangered Species Acts. These species are classified as rare, threatened, or endangered. The United States Fish and Wildlife Service (USFWS) and the California

Department of Fish and Wildlife (CDFW) have adopted a system to conserve and protect plant and animal species that are limited in distribution as well as species that have a low or declining population. If a proposed project or activities associated with a proposed project result in the "take" of a threatened or endangered species, the necessary permits must be obtained from the USFWS and CDFW. The State of California defines take as any action or attempt to "hunt, pursue, catch, capture, or kill" a listed species. Additionally, the Federal Endangered Species Act includes the "harm" of a listed species in the definition of take.

Section 15380(b) of the *State CEQA Guidelines* also considers all potential rare or sensitive species and habitats that are capable of supporting such species in addition to those species listed under the federal and state Endangered Species Acts. These additional species considered under CEQA may include California plant species of concern as listed by the California Native Plant Society as well as "Species of Special Concern" listed by CDFW.

Sensitive Habitats

Wetland and riparian habitats are considered to be sensitive habitats, and are protected under various Federal, State, and local regulations. These habitats are generally subject to regulation, protection, or consideration by the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS as per Sections 303, 304, and 404 of the Federal Clean Water Act and the State of California Porter-Cologne Water Quality Control Act. Wetland and riparian habitats are also subject to the National Pollutant Discharge Elimination System (NPDES) permit program under Section 402 of the Clean Water Act, which regulates discharge into waters of the United States.

Federal Migratory Bird Treaty Act

Under the federal Migratory Bird Treaty Act (MBTA), the killing, possessing, or trading of migratory birds is prohibited unless exempt by regulations prescribed by the Secretary of the Interior. The MBTA prohibits the possession of protected bird species and their nests, regardless of whether nests are active.[3]

Birds of prey, such as owls and hawks, are protected in California under provisions of the State Fish and Game Code. The code states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "taking" by the CDFW.

[3] *An active nest is defined as having eggs or young.*

California Department of Fish and Game Code 3503

California Department of Fish and Game Code 3503 stipulates that is unlawful to take, posses, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.

Regional and Local Regulations

East Alameda Conservation Strategy

The project site is located in the East Alameda Conservation Strategy (Conservation Strategy) Study Area. The Conservation Strategy is intended to provide an effective framework to protect, enhance, and restore natural resources in eastern Alameda County, while improving and streamlining the environmental permitting process for impacts resulting from infrastructure and development projects. The City of Dublin is a partner in the Conservation Strategy and uses the document to provide a baseline inventory of biological resources and conservation priorities during project-level planning and environmental permitting.

City of Dublin General Plan

Section 3.2 of the General Plan outlines policies for preservation of open space areas to protect natural resources, as well as public health and safety. Sections 7.2 and 7.4 of the General Plan outlines policies and programs related to stream corridors and riparian vegetation, and oak woodlands, respectively. The following policies related to biological resources are applicable to the proposed project:

> **Guiding Policy 3.2.1.A.1.** Preservation of oak woodlands, riparian vegetation, and natural creeks as open space for the natural resource value is of the highest importance. Limited modifications may be permitted on a case-by-case basis with adequate mitigation to replace disturbed resources.
>
> **Guiding Policy 3.2.1.A.2.** Generally, maintain slopes over thirty percent as permanent open space for public health and safety. Consider development in areas with slopes over 30 percent only if the area to be developed is: 1) less than three acres in size; 2) less than 20 percent of a large developable area; and, 3) surrounded by slopes less than 30 percent.
>
> **Implementing Policy 3.2.1.B.2.** Encourage an efficient and higher intensity use of the flat and gently sloping portions of the planning area as a means of minimizing grading requirements and potential impacts to environmental and aesthetic resources.
>
> **Guiding Policy 7.2.1.A.1.** Protect riparian vegetation as a protective buffer for stream quality and for its value as a habitat and aesthetic resource.

Guiding Policy 7.2.1.A.2. Promote access to stream corridors for passive recreational use and to allow stream maintenance and improvements as necessary, while respecting the privacy of owners of property abutting stream corridors.

Implementing Policy 7.2.1.B.1. Enforce Watercourse Ordinance 52-87 for developed areas of the city.

Implementing Policy 7.2.1.B.2. Require open stream corridors of adequate width to protect all riparian vegetation, improve access, and prevent flooding caused by blockage of streams.

Implementing Policy 7.2.1.B.3. Require revegetation of creek banks with species characteristic of local riparian vegetation, where construction requires creekbank alteration.

Guiding Policy 7.4.1.A.1. Protect oak woodlands.

Implementing Policy 7.4.1.B.1. Require preservation of oak woodlands. Where woodlands occupy slopes that otherwise could be graded and developed, permit allowable density to be transferred to another part of the site. Removal of an individual oak tree may be considered through the project review process.

Implementing Policy 7.4.1.B.2. Enact and enforce the Heritage Tree Ordinance.

City of Dublin Municipal Code

Heritage trees and approved street trees are protected under the Dublin Municipal Code, specifically Sections 7.56, Street Trees, and 5.60, Heritage Trees.

As defined in the Dublin Municipal Code, approved street trees include:

1. Any tree planted within any street right-of-way or adjacent easement, which conforms to the approved streetscape master plan;

2. Any existing tree within the right-of-way or adjacent easement, which conforms to the established species and location in any given area, and which was planted as a required street tree under the provisions of any improvement agreement, or as otherwise approved by the City; or

3. Any tree of the approved species and in an acceptable location, which was or may be planted as a replacement.

Heritage trees include any of the following:

4. Any oak, bay, cypress, maple, redwood, buckeye and sycamore tree having a trunk or main stem of twenty-four (24) inches or more in diameter measured at four (4) feet six (6) inches above natural grade.

5. A tree required to be preserved as part of an approved development plan, zoning permit, use permit, site development review, or subdivision map;

6. A tree required to be planted as a replacement for an unlawfully removed tree.

For private development projects, a permit is required from the City for the removal of any heritage tree and the removal/pruning of any approved street tree. In addition, for any property containing one or more heritage trees, a plan to protect heritage trees must be prepared and submitted to the City prior to the issuance of a demolition, grading, or building permit.

Previous CEQA Documents

VCC EIR

Based on a field reconnaissance conducted on the entire VCC EIR project site (Parcels 1-3), the VCC EIR found that development of the proposed residential component of the VCC Project on the southwest corner of the site (Parcel 2) would impact an existing wetland area. In addition, other wetland areas on the site could be affected by VCC Project development. As such, the VCC EIR identified Mitigation Measure 4.3-1 to reduce wetland impacts to a less-than-significant level.

The following mitigation measure from the VCC EIR would be applicable to the proposed project:

> **Mitigation Measure 4.3-1 (wetland and riparian habitat impacts):** A protocol-level wetlands delineation shall be performed on the project site. Based on the results of this analysis, the development plan should be modified to avoid all wetland areas. If avoidance is not possible, a wetland mitigation plan shall be prepared by a qualified biologist to include identification of replacement wetland area at a ratio of 2:1 on or near the project site. Necessary regulatory permits shall also be obtained from the U.S. Army Corps of Engineers, Fish and Wildlife Service, California Department of Fish and Game and Regional Water Quality Control Board.

As part of this supplemental study, a review of the ephemeral drainage channel located in the northwest corner of Parcel 2 was conducted to establish the approximate top of bank of the drainage and provide a recommended minimum setback to avoid any impacts to the channel. No wetlands were identified on Parcel 3 during the field survey conducted in 2021 (see

Biological Resources Analysis provided in Appendix D). Therefore, the proposed project is in compliance with Mitigation Measure 4.3-1 and no additional study is required.

2018 Supplemental IS/MND

The 2018 Supplemental IS/MND determined that construction of the project improvements could result in both direct and indirect impacts to sensitive on-site biological resources, including, nesting birds, coast live oak woodland, special-status plants, California red-legged frog, and wetland areas on Parcel 1. Mitigation measures were identified to reduce potential impacts to a less-than-significant level. The following mitigation measures are applicable to the proposed project:

> **Mitigation Measure BIO-1.** No more than 14 days prior to ground disturbance and vegetation removal during the nesting season (February 1-August 31), the project Applicant shall retain a qualified biologist to perform pre-construction breeding bird surveys. If nests are found, they shall be flagged and protected with a suitable buffer. Buffer distance would vary based on species and conditions at the project site, but would usually be at least 50 feet and up to 250 feet for raptors. This measure shall not apply to ground disturbance of vegetation removal outside of the nesting season (September 1 to January 31).
>
> **Mitigation Measure BIO-2.** Any on-site coast live oak lost or impacted as a result of project construction shall be replaced on site or in the immediate vicinity at a 2:1 (replacement: impacted) ratio. A Replacement Plan shall be prepared by a qualified biologist identifying the location of replacement habitat, replanting plans and long-term monitoring to ensure the success of the replacement habitat area. Necessary permits shall be obtained from local, state and federal biological resource agencies prior to commencement of replanting.
>
> **Mitigation Measure BIO-3.** The project Applicant shall retain a qualified botanist to conduct rare plant surveys within construction zones on the site for Congdon's Tarplant or for other species within the project site during the appropriate time of year in accordance with agency protocols. Impacts to special-status plants shall be avoided to the fullest extent feasible and habitat that supports special-status plant species shall be preserved. Rare plant surveys shall be conducted at the proper time of year when rare or endangered species are both evident and identifiable. Field surveys shall be scheduled to coincide with known blooming periods and/or during periods of physiological development that are necessary to identify the plant species of concern. If no special-status plant species are found, the proposed project would not have a significant impact to species and no additional mitigation is needed.

If any of the species are found on-site and cannot be avoided, the following measures shall be required:

a. Where surveys determine that special-status plant species are present within or adjacent to the proposed project site, direct and indirect impacts of the project on the species (e.g., Congdon's tarplant and/or San Joaquin spearscale) shall be avoided where feasible through the establishment of activity exclusion zones, where no ground-disturbing activities shall take place, including construction of new facilities, construction staging, or other temporary work areas. Activity exclusion zones for special-status plant species shall be established prior to construction activities around each occupied habitat site, the boundaries of which shall be clearly marked with standard orange plastic construction exclusion fencing or its equivalent. The establishment of activity exclusion zones shall not be required if no construction related disturbances would occur within 250 feet of the occupied habitat site. The size of activity exclusion zones may be reduced through consultation with a qualified biologist and with concurrence from California Department of Fish & Wildlife (CDFW) based on site-specific conditions.

b. If exclusion zones and avoidance of impacts on a special-status plant species are not feasible, then the loss of individuals or occupied habitat of a special-status plant species shall be compensated for through the acquisition, protection, and subsequent management of other existing occurrences. Before the implementation of compensation measures, the project's Applicant shall provide detailed information to the CDFW and lead agency on the quality of preserved habitat, location of the preserved occurrences, provisions for protecting and managing the areas, the responsible parties involved, and the other pertinent information that demonstrates the feasibility of the compensation. A mitigation plan identifying appropriate mitigation ratios shall be developed in consultation with, and approved by, the CDFW and the City prior to the commencement of any activities that would impact any special status plants.

Mitigation Measure BIO-4. For any development near on-site riparian areas, the project Applicant shall conduct pre-construction surveys for CRLF species. The survey shall be completed no more than 30 days prior to work within 200 feet of potential wetland/wet areas on the site. If no species are found, no mitigation shall be required.

If CRLF are found on the project site then the project Applicant shall provide information to support Section 7 consultation with the U.S. Fish & Wildlife Service (USFWS) and the project Applicant shall ensure no net loss of habitat that shall be achieved through avoidance, preservation, creation and/or purchase of credits. The final selected measures may be part of the Section 7 permitting process.

The project Applicant shall obtain a biological opinion from the USFWS and comply with the conditions and mitigation requirements under the opinion to ensure that no net loss of habitat occurs. Mitigation may include, but would not be limited to on-site and off-site preservation and creation of CRLF habitat, purchase of credits at mitigation banks, payment of in-lieu fees approved by the agencies, or other agency approved and required mitigation measures.

Avoidance measures may include the following or equivalent protective measures:

a. To minimize disturbance of breeding and dispersing CRLF construction activity within CRLF upland habitat shall be conducted during the dry season between April 15 and October 15 or before the onset of the rainy season, whichever occurs first. If construction activities are necessary in CRLF upland habitat between October 15 and April 15, the project Applicant would contact the USFWS for approval to extend the work period.

b. To minimize disturbance and mortality of adult and juvenile CRLF in aquatic habitat and underground burrows, the project Applicants should minimize the extent of ground-disturbing activities within these habitats by requiring the contractor to limit the work area to the minimum necessary for construction. In addition, the project Applicant should ensure that the contractor installs temporary exclusion fence between the construction work area and potential aquatic habitat for all construction within grasslands near aquatic habitat. A minimum buffer zone of 150 feet shall be maintained around CRLF aquatic habitat during construction. No staging, parking, material storage or ground disturbance shall be allowed in the buffer zone. The buffer zone will be clearly defined with construction fencing prior to the initiation of construction activities and shall be maintained until completion of construction.

c. The project Applicant should ensure that a qualified wildlife biologist monitors all construction activities within CRLF upland habitat to ensure no take of individual CRLF occurs during project construction. If a CRLF is found, then the monitor would immediately stop construction in that area and contact USFWS for development of a plan for how to proceed with construction.

Because the proposed project would not include development on Parcel 1, Mitigation Measure BIO-5, identified in the 2018 Supplemental IS/MND would not apply to the proposed project.

Project Impacts and Mitigation Measures

(a) Substantial adverse effect on candidate, sensitive, or special status species

A total of 77 (42 plants and 35 animals) special-status species were evaluated for the VCC project. Of these only two, Congdon's tarplant and California red-legged frog, have the potential to occur on the site and could be impacted by the proposed project. These species are further described below.

Congdon's Tarplant.Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*) is a CNPS Rank 1B.1 species (i.e., rare, threatened, or endangered in California and elsewhere). Congdon's tarplant is also considered a focal species under the East Alameda County Conservation Strategy (EACCS). This plant is an annual forb that blooms from June to November and occurs in grasslands and disturbed sites, generally on alkaline soils, at elevations ranging from sea level to about 990 feet.

During surveys conducted in 2018, approximately five individuals of Congdon's tarplant were observed in the constructed stormwater detention basin in Parcel 3.[4] This basin would be impacted by the proposed project, resulting in the potential loss of individuals or occupied habitat of this special-status plant species. Implementation of Mitigation Measure BIO-3, identified in the 2018 Supplemental IS/MND, as modified below, would reduce potential impacts to Congdon's tarplant to a less-than-significant level.

> **Mitigation Measure BIO-3: Congdon's Tarplant.** The project Applicant shall retain a qualified botanist to conduct rare plant surveys within construction zones on the site for Congdon's Tarplant or for other species within the project site during the appropriate time of year in accordance with agency protocols. The survey shall be conducted during the blooming period of Condon's tarplant (June to November) to determine the presence/absence of this species within the site. The field survey shall follow standard protocols for rare plant surveys, which may require multiple site visits and checking a reference site(s) where the species is known to occur. The survey shall include Parcels 2 and 3 as well as the entire conservation easement portion of Parcel 3.
>
> Impacts to special-status plants shall be avoided to the fullest extent feasible and habitat that supports special-status plant species shall be preserved. Rare plant surveys shall be conducted at the proper time of year when rare or endangered species are both evident and identifiable. Field surveys shall be scheduled to coincide with known blooming periods and/or during periods of physiological development that are necessary to identify the plant species of concern. ~~If no special-status plant species are~~

[4] *A positive identification of this species was made by collecting a portion of one of the senesced (e.g., deteriorated with age) annual plants for examination under laboratory conditions.*

~~found, the proposed project would not have a significant impact to species and no additional mitigation is needed.~~

If any of the species are found on-site and cannot be avoided, the following measures shall be required:

a. Where surveys determine that special-status plant species are present within or adjacent to the proposed project site, direct and indirect impacts of the project on the species (e.g., Congdon's tarplant and/or San Joaquin spearscale) shall be avoided where feasible through the establishment of activity exclusion zones, where no ground-disturbing activities shall take place, including construction of new facilities, construction staging, or other temporary work areas. Activity exclusion zones for special-status plant species shall be established prior to construction activities around each occupied habitat site, the boundaries of which shall be clearly marked with standard orange plastic construction exclusion fencing or its equivalent. The establishment of activity exclusion zones shall not be required if no construction related disturbances would occur within 250 feet of the occupied habitat site. The size of activity exclusion zones may be reduced through consultation with a qualified biologist and with concurrence from California Department of Fish & Wildlife (CDFW) based on site-specific conditions.

b. If exclusion zones and avoidance of impacts on a special-status plant species are not feasible, then the loss of individuals or occupied habitat of a special-status plant species shall be compensated for through the acquisition, protection, and subsequent management of other existing occurrences. Mature seeds shall be collected from all the plants that are present and planted in a suitable mitigation area within the Parcel 3 conservation easement. The mitigation area for replanting shall be identified by a qualified botanist before the start of work on the project. The conservation easement portion of Parcel 3 supports the same soil type (Diablo clay 15-30 percent) as the detention basin within the proposed assisted living facility area, so mitigation for Condon's tarplant is feasible within the easement.

c. Before the start of work~~implementation of compensation measures~~, the project's Applicant shall provide detailed information to the CDFW and lead agency on the quality of preserved habitat, location of the preserved occurrences, provisions for protecting and managing the areas, the responsible parties involved, and the other pertinent information that demonstrates the feasibility of the compensation. A qualified botanist shall prepare a mitigation and monitoring plan for the Condon's tarplant mitigation area. The plan shall include, at a minimum, a discussion of the methods of seed collection and sources of seeds, the location and size of the mitigation area within the conservation easement, and mitigation site preparation, monitoring, and criteria for determining a successful mitigation effort. Mitigation

sites are typically monitored for five years; however, provisions for maintaining a viable population of Condon's tarplant in the conservation easement after the five year monitoring period shall be included in the plan.~~A mitigation plan identifying appropriate mitigation ratios shall be developed in consultation with, and approved by, the CDFW and the City prior to the commencement of any activities that would impact any special status plants.~~

If Condon's tarplants are not found within the project site during the rare plant survey, this may not indicate absence. If adverse environmental conditions for germination occur during the year the survey is conducted, Condon's tarplant may not have geminated; however, a persistent long-term seed bank could still be present. If flowering plants are not found on the project site during the initial rare plant survey, the project site shall be resurveyed during the next Condon's tarplant blooming season and, if plants are present, mature seeds for replanting shall be collected. If a second season plant survey is not feasible, viable seeds from another source shall be collected or purchased from a reliable native plant nursery for replanting.

With implementation of Mitigation Measure BIO-3, as modified above, no new impacts or substantially more severe impacts to special-status plant species would occur. No additional analysis is required.

California Red-legged Frog.The California red-legged frog (*Rana draytonii*), a federally listed threatened species, is known to occur in the hills west of the project site. Critical habitat has been designated for this species, and critical habitat unit ALA-1B is located in the hills west of the project site; however, the project site is not within designated critical habitat for California red-legged frog.

A pond where California red-legged frogs are known to breed is located approximately 4,600 feet (0.87 mile) to the northwest of Parcel 2 (in the upper reaches of the Dublin Creek watershed); this pond is within the range of documented overland dispersal of this frog. However, approximately 2,000 feet (0.37 mile) of the intervening area within the Dublin Creek drainage between the pond and Parcel 2 is occupied by residential development and the creek appears to terminate in a detention basin at the western edge of this development. This developed area would likely be a considerable barrier to frogs originating from this pond and potentially moving down the Dublin Creek drainage toward the project site. In addition, there are no pools or suitable breeding habitat for California red-legged frogs in the drainage adjacent to Parcel 2 and, therefore, this amphibian would not be expected to be present in this drainage. Most of Parcel 2, outside the drainage, has been previously graded and is flat with only sparse ruderal vegetation and a few coyote brush; this flat area does not provide suitable upland shelter habitat for California red-legged frogs.

Nonetheless, a corridor of undeveloped upland habitat, approximately 2,300 feet wide, is located between the detention basin at the western end of the residential area and the drainage on Parcel 2; therefore, the presence of a dispersing frog in the drainage, though unlikely, cannot be completely ruled out. If present, construction of project improvements near riparian areas and adjacent uplands could impact this special-status species. Implementation of Mitigation Measure BIO-4, as modified below, would reduce potential impact to a less-than-significant level.

> **Mitigation Measure BIO-4.** For any development near on-site riparian areas, ~~the project Applicant~~ a qualified biologist shall conduct pre-construction surveys for CRLF species within 24 hours of initial ground disturbance. If individuals are found, work shall not begin until they are moved out of the construction zone to a U.S. Fish and Wildlife Service/California Department of Fish and Wildlife approved relocation site. ~~The survey shall be completed no more than 30 days prior to work within 200 feet of potential wetland/wet areas on the site.~~ If no species are found, no mitigation shall be required.
>
> If CRLF are found on the project site then the project Applicant shall provide information to support Section 7 consultation with the U.S. Fish & Wildlife Service (USFWS) and the project Applicant shall ensure no net loss of habitat that shall be achieved through avoidance, preservation, creation and/or purchase of credits. The final selected measures may be part of the Section 7 permitting process.
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> The project Applicant shall obtain a biological opinion from the USFWS and comply with the conditions and mitigation requirements under the opinion to ensure that no net loss of habitat occurs. Mitigation may include, but would not be limited to on-site and off-site preservation and creation of CRLF habitat, purchase of credits at mitigation banks, payment of in-lieu fees approved by the agencies, or other agency approved and required mitigation measures.
>
> Avoidance measures may include the following or equivalent protective measures:
>
> a. To minimize disturbance of breeding and dispersing CRLF construction activity within CRLF upland habitat shall be conducted during the dry season between April 15 and October 15 or before the onset of the rainy season, whichever occurs first. If construction activities are necessary in CRLF upland habitat between October 15 and April 15, the project Applicant would contact the USFWS for approval to extend the work period.
>
> b. To minimize disturbance and mortality of adult and juvenile CRLF in aquatic habitat and underground burrows, the project Applicants should minimize the extent of ground-disturbing activities within these habitats by requiring the contractor to limit

the work area to the minimum necessary for construction. In addition, the project Applicant should ensure that the contractor installs temporary exclusion fence between the construction work area and potential aquatic habitat for all construction within grasslands near aquatic habitat. The fence shall be at least three feet high, buried six inches underground, and have one-way exit funnels. The exclusion fence shall be made of an opaque material that California red-legged frogs cannot see through, to prevent frogs from trying to push through the fencing. Wooden cover board shall be placed every 50 feet along the outside edge of the fence to give California red-legged frogs a place to shelter until they can find their way around the work area without desiccating or being preyed upon. The integrity of the exclusion fencing shall be inspected daily, and any needed repairs shall be made immediately. A minimum buffer zone of 150 feet shall be maintained around CRLF aquatic habitat during construction. No staging, parking, material storage or ground disturbance shall be allowed in the buffer zone. The buffer zone will be clearly defined with construction fencing prior to the initiation of construction activities and shall be maintained until completion of construction.

c. The project Applicant should ensure that a qualified wildlife biologist monitors all construction activities within CRLF upland habitat to ensure no take of individual CRLF occurs during project construction. If a CRLF is found, then the monitor would immediately stop construction in that area and contact USFWS for development of a plan for how to proceed with construction.

d. No work shall occur at night.

e. For on-site storage of pipes, conduits, and other materials that could provide shelter for California red-legged frogs, an open-top trailer shall be used to elevate the materials above ground (unless the materials are inside the wildlife exclusion fencing). This is intended to reduce the potential for animals to climb into the conduits and other materials.

f. The wildlife exclusion fencing shall be removed within 72 hours of completion of work.

g. A qualified biologist shall be present during initial ground-disturbing activities.

h. No monofilament plastic shall be used for erosion control.

i. Any open trenches shall be provided with an escape ramp(s), such as a board that allows trapped frogs or other small animals to exit the trenches. Construction personnel shall inspect any open trenches in the morning before work begins for trapped amphibians.

j. A qualified biologist possessing a valid federal Endangered Species Act Section 10(a)(1)(A) permit or approved by the U.S. Fish and Wildlife Service under an active biological opinion shall be contracted to relocate amphibians to nearby suitable habitat if amphibians are found inside fenced areas.

k. Work shall stop at least an hour prior to a predicted rain event of 0.1 inch or greater and then shall not begin until at least 24 hours after the rain event. Work could continue within the wildlife exclusion fencing within 24 hours of the rain event if a qualified biologist has performed a clearance survey. However, no work or mobilization of vehicles or equipment outside of the wildlife exclusion fencing shall occur within 24 hours of the rain event.

With implementation of Mitigation Measure BIO-4, as modified above, no new impacts or substantially more severe impacts to special-status wildlife species would occur. No additional analysis is required.

(b) Substantial adverse effect on any riparian habitat or other natural community

No New Impact. As described above, a small area of riparian woodland is located along a drainage near the northwestern corner of Parcel 2. Riparian woodland is considered a sensitive natural community. As described above, a review of the ephemeral drainage channel located in the northwest corner of Parcel 2 was conducted to establish the approximate top of bank of the drainage and provide a recommended minimum setback to avoid any impacts to the channel. As shown on the project plans and consistent with the recommendations included in the drainage review prepared by Jane Valerius, a setback would be established and no development would occur within the established setback. Therefore, no new impacts or substantially more severe significant impacts related to riparian habitat would occur. No additional analysis is required.

(c) Substantial adverse effect on wetlands

No New Impact. As described above, the drainage located along the western edge of Parcel 2 is a potential wetland under the jurisdiction of the Clean Water Act. As described above, as shown on the project plans and consistent with the established setback recommended by Jane Valerius, this wetland feature would be avoided by the proposed development, including a proposed wetland setback around the drainage area. No other state or federally protected wetlands were identified on the project site during field survey conducted in 2021. Therefore, no new impacts or substantially more severe significant impacts related to wetlands would occur. No additional analysis is required.

(d) Interfere or impede the movement of migratory fish or wildlife

No New Impact. During the field survey, no nursery sites such as heron rookeries or raptor nests were observed in any of the large trees that are on or near the project site. No structures

or large hollow trees are present on the project parcels that could support bat maternity roosts. The short drainage on Parcel 2 does not form a connection with any areas of natural habitat because it runs into a culvert, and Dublin Boulevard and I-580 form a major barrier to wildlife movement to the south.

Vegetation on or adjacent to the parcels could provide nesting habitat for some species of native birds (e.g., northern mockingbird and house finch) protected under the federal Migratory Bird Treaty Act and the California Fish and Game Code. If the project requires removal and/or trimming of trees and/or shrubs during the nesting bird season (February 15 to August 31), impacts to the active nests of protected bird species could occur. Implementation of Mitigation Measure BIO-1, identified in the 2018 Supplemental IS/MND would reduce the potential project impacts to protected nesting birds to a less-than-significant level. With implementation of Mitigation Measure BIO-1, no new or substantially more severe impacts related to wildlife movement would occur than have been analyzed in the prior environmental documents. No additional analysis is required.

(e) Conflict with local policies or ordinance include tree preservation

No New Impact. The project would not conflict with any local policies or ordinances protecting biological resources. No trees are located within or adjacent to the areas proposed for development; therefore, the project would not conflict with the City's Tree Preservation Ordinance. No new impacts or substantially more severe significant impacts would occur. No additional analysis is required.

(f) Conflict with adopted habitat conservation or natural community conservation plans

No New Impact. The project site is located in Conservation Zone 1 of the East Alameda County Conservation Strategy (EACCS). The City of Dublin utilizes the EACCS as guidance for environmental permitting for public projects, and private development projects are encouraged to use the EACCS as a resource. However, the EACCS is neither a Habitat Conservation Plan nor a Natural Community Conservation Plan, but is a document intended to provide guidance during the project planning and permitting process to ensure that impacts are offset in a biologically effective manner. With implementation of the mitigation measures identified above, the project would be consistent with the EACCS. Therefore, the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or State habitat conservation plan. No new impacts or substantially more severe significant impacts would occur. No additional analysis is required.

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Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines section 15064.5?				X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?				X
c. Disturb any human remains, including those interred outside of dedicated cemeteries?				X

Environmental Setting

Section 4.4 of the VCC EIR analyzed impacts to cultural resources associated with implementation of the VCC expansion project. As described in the VCC EIR, the project site is located on moderate slopes adjacent to Dublin Creek. According to the cultural resources study conducted for the VCC EIR, a Native American archaeological site was recorded south of the project site. Given the environmental setting of and the archaeological sensitive nature of the project area, there is a moderate potential for finding Native American sites in the project area.

Based on a review of historical literature and maps on file with the Northwest Information Center conducted for the VCC EIR, no historic structures or sites were identified on the project site.

Regulatory Framework

Federal and State Regulations

National Register of Historic Places

The National Register lists the historic significance and the eligibility for qualifying for such significance for a building, structure, or other site. Significance eligibility is determined based on the quality and integrity of the resource and its association to American history, architecture, and culture. The resources must also possess one or more of the following characteristics:

1. It is associated with events that have made a significant contribution to the broad pattern of our history; or

2. It is associated with the lives of persons significant to our past; or

3. It embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

4. It yields, or may be likely to yield, information important in prehistory or history.

California Register of Historical Resources California Register

The California Register operates similarly to the National Register with almost the same structure for determining significance eligibility for potential historical resources. Generally, a resource is eligible for historical status under California Register if it is greater than 50 years old as well as meets one or more of the following criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

2. It is associated with the lives of persons important to local, California, or national history.

3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or important creative individual, or possesses high artistic values.

California Historical LandmarksCalifornia Historical Landmarks are sites, buildings, features, or events that are of statewide significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. To be eligible for designation as a California Historic Landmark, a resource must meet at least one of the following criteria:

1. The first, last, only, or most significant of its type in the State or within a large geographic region (Northern, Central, or Southern California).

2. Associated with an individual or group having a profound influence on the history of California.

3. A prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer or master builder.

California Environmental Quality ActHistorical resources are recognized as part of the environment under CEQA. The California Register is the authoritative guide to the state's historical resources and to which properties are considered significant for the purposes of CEQA, including resources listed in or formally determined eligible for listing in the National Register of Historic Places, as well as some, California State Landmarks and Points of Historical Interest. Properties of local significance that have been designed under a local preservation ordinance (local landmarks or landmark district) or that have been identified in a local historical resources inventory may be eligible for listing in the California Register and are presumed to be significant resources for the purposes of CEQA unless a preponderance of evidence indicates otherwise. However, a resources does not need to have been identified previously either through listing or survey to be considered significant under CEQA. In addition to assessing whether historical resources potentially impacted by a project are listed or have been identified in a survey process, lead agencies have a responsibility to evaluate them against the California Register criteria prior to making a finding as to a proposed project's impacts to historical resources.

Public Resources Code Section 5097.5California PRC Section 5097.5(a) mandates that one cannot, "knowingly and willfully" excavate, remove, or destroy any "historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site," or "any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands." PRC Section 5097.5(b) defines public lands as those that are owned by or under the jurisdiction of any state or public authority or agency.

Local Regulations

City of Dublin General Plan

The City of Dublin General Plan establishes the following guiding policy associated with cultural resources that is relevant to the proposed project:

> **Guiding Policy 7.7.1.A.2:** Follow State regulations as set forth in Public Resources Code Section 21083.2 regarding discovery of archaeological sites, and Historical Resources, as defined in Section 5020.1 of the Public Resources Code.

Previous CEQA Documents

VCC EIR The VCC EIR concluded that although no prehistoric or archaeologically significant resources were identified in the project area, construction of new buildings, underground utility lines and similar facilities could result in disturbance to archaeological and/or Native American

underground resources. No historic resources were identified on the project site; therefore, no impacts to historic resources would occur.

The VCC EIR identified one mitigation measure to reduce impacts related to archaeological and/or Native American resources from the VCC project:

> **Mitigation Measure 4.4-1 (archaeological and Native American resources):** If an archeological or Native American artifact is identified, work on the project shall cease immediately until a resource protection plan conforming to CEQA Guideline Section 15064.5 (e) is prepared by a qualified archeologist and approved by the Dublin Community Development Director. Project work may be resumed in compliance with such plan. If human remains are encountered, the County Coroner shall be contacted immediately.

2018 Supplemental IS/MND No new or more significant impacts related to cultural resources were identified in the 2018 Supplemental IS/MND.

Project Impacts and Mitigation Measures

(a) Historic resources

No New Impact. For a cultural resource to be considered a historical resource (i.e., eligible for listing in the California Register of Historical Resources), it generally must be 50 years or older. Under CEQA, historical resources can include precontact (i.e., Native American) archaeological deposits, historic-period archaeological deposits, historic buildings, and historic districts. CEQA requires agencies considering projects that are subject to discretionary action to consider the potential impacts on cultural resources that may occur from project implementation (see CEQA Guidelines Section 15064.5).

Parcels 2 and 3, which are proposed for development, are currently undeveloped; therefore, no built historic resources are located on the project site. As described in the prior environmental documents, it cannot be entirely be ruled out that archaeological cultural resources could be encountered during construction at the project site. Should archaeological deposits be encountered during project ground disturbance, a substantial adverse change in the significance of a historical resource would occur from its demolition, destruction, relocation, or alteration such that the significance of the resource would be materially impaired (CEQA Guidelines Section 15064.5(b)(1)). If such resources are encountered, implementation of Mitigation Measure 4.4-1, identified in the VCC EIR would reduce any potential impacts to archaeological and/or Native American resources to a less-than-significant level. With adherence to Mitigation Measure 4.4-1, there would be no new or substantially more severe significant impacts to historic resources beyond what has been analyzed in the prior environmental documents. No additional analysis is required.

(b) Archaeological resources

No New Impact. Pursuant to CEQA Guidelines Section 15064.5(c)(1), "When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource." Those archaeological sites that do not qualify as historical resources shall be assessed to determine if they qualify as "unique archaeological resources" pursuant to California Public Resource Code Section 21083.2.

Although no archaeological resources have been identified at the project site, it cannot be entirely be ruled out that archaeological cultural resources could be encountered during project construction at the project site. Should archaeological deposits be encountered during project ground disturbance, a substantial adverse change in the significance of a historical resource would occur from its demolition, destruction, relocation, or alteration such that the significance of the resource would be materially impaired (CEQA Guidelines Section 15064.5(b)(1)). If such resources are encountered, implementation of Mitigation Measure 4.4-1 from the VCC EIR would reduce any potential impacts to archaeological and/or Native American resources to a less-than-significant level.

With adherence to previous Mitigation Measure 4.4-1, no new or substantially more severe significant impacts to archaeological resources would occur beyond what has been analyzed in the prior environmental documents. No additional analysis is required.

(c) Human remains

No New Impact. Based on previous archaeological investigation and analysis, there is a low potential for the disturbance of archaeological cultural resources or human remains. However, if human remains are encountered at the project areas, State Health and Safety Code Section 7050.5 and State CEQA Guidelines Section 15064.5(e)(1) state that no further disturbance shall occur to the area of the find until the County Coroner has made a determination of origin and disposition of the human bone pursuant to PRC Section 5097.98. The County Coroner must be notified of the find immediately and shall make a determination within two working days of being notified. If the remains are determined to be Native American, the County Coroner shall notify the NAHC by phone within 24 hours, and the NAHC shall then immediately determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection and make recommendations or preferences for treatment of the remains within 48 hours of being granted access to the site. The MLD's recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials, preservation of Native American human remains and associated items in place, relinquishment of Native American human remains and associated items to the descendants for treatment, or any other culturally appropriate treatment.

Compliance with Section 7050.5 of the California Health and Safety Code and Public Resources Code Section 5097.98 regarding the treatment of human remains would ensure that potential

impacts to human remains would be less than significant. No new or substantially more severe significant impacts to human remains would occur beyond what has been analyzed in the prior environmental documents. No additional analysis is required.

Source(s)

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City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Energy

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
13. ENERGY. Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				X
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

Environmental Setting

Electricity

Electricity is a man-made resource. The production of electricity requires the consumption or conversion of energy resources (including water, wind, oil, gas, coal, solar, geothermal, or nuclear resources) into energy. Electricity is used for a variety of purposes (e.g., lighting, heating, cooling, and refrigeration, and for operating appliances, computers, electronics, machinery, and public transportation systems).[5] According to the most recent data available, in 2019, California consumed approximately 279,401 gigawatt-hours (GWh) or 279,401,879,875 kilowatt-hours (kWh).[6] Of this total, Alameda County consumed 10,684 GWh or 10,684,085,867 kWh.[7]

Natural Gas

Natural gas is a non-renewable fossil fuel. Fossil fuels are formed when layers of decomposing plant and animal matter are exposed to intense heat and pressure under the surface of the Earth over many years. Natural gas is a combustible mixture of hydrocarbon compounds (primarily methane) that is used as a fuel source. Natural gas is found in naturally occurring reservoirs in deep underground rock formations. Natural gas is used for a variety of uses (e.g., heating buildings, generating electricity, and powering appliances such as stoves, washing machines and dryers, gas fireplaces, and gas grills). In 2019, California consumed approximately

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[5] *California Energy Commission. 2018. 2018 Total System Electric Generation. Website: https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2019-total-system-electric-generation/2018 (accessed March 2021).*

[6] *California Energy Commission. 2021. Energy Consumption Data Management Service. Electricity Consumption by County. Website: www.ecdms.energy.ca.gov/elecbycounty.aspx (accessed March 2021).*

[7] *Ibid.*

13,158 million therms or 13,158,207,489 therms, while Alameda County consumed approximately 384 million therms or approximately 384,150,529 therms.

Fuel

Petroleum is also a non-renewable fossil fuel. Petroleum is a thick, flammable, yellow-to-black mixture of gaseous, liquid, and solid hydrocarbons that occurs naturally beneath the earth's surface. Petroleum is primarily recovered by oil drilling. It is refined into a large number of consumer products, primarily fuel oil and gasoline. Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline being consumed by light-duty cars, pickup trucks, and sport utility vehicles. Based on fuel consumption obtained from EMFAC2017, vehicle trips in Alameda County in 2020 consumed 160,542,514 gallons of diesel fuel and 559,515,714 gallons of gasoline.

Regulatory Framework

Federal and State Regulations

Senate Bill 1389, Energy: Planning and Forecasting

In 2002, the State Legislature passed Senate Bill (SB) 1389, which required the CEC to develop an integrated energy plan every two years for electricity, natural gas, and transportation fuels for the California Energy Policy Report. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero emission vehicles and their infrastructure needs, and encouragement of urban designs that reduce vehicle miles traveled and accommodate pedestrian and bicycle access.

In compliance with the requirements of SB 1389, the CEC adopts an *Integrated Energy Policy Report* every two years and an update every other year. The CEC approved the *2019 Integrated Energy Policy Report* in February 2020. The *2019 Integrated Energy Policy Report* covers a broad range of topics, including decarbonizing buildings, integrating renewables, energy efficiency, energy equity, integrating renewable energy, updates on Southern California electricity reliability, climate adaptation activities for the energy sector, natural gas assessment, transportation energy demand forecast, and the California Energy Demand Forecast.

Renewable Portfolio Standard

SB 1078 established the California Renewable Portfolio Standards program in 2002. SB 1078 initially required that 20 percent of electricity retail sales be served by renewable resources by 2017; however, this standard has become more stringent over time. In 2006, SB 107 accelerated the standard by requiring that the 20 percent mandate be met by 2010. In April

2011, SB 2 required that 33 percent of electricity retail sales be served by renewable resources by 2020. In 2015, SB 350 established tiered increases to the Renewable Portfolio Standards of 40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. In 2018, SB 100 increased the requirement to 60 percent by 2030 and required that all State's electricity to come from carbon-free resources by 2045. SB 100 took effect on January 1, 2019.

California Energy Efficiency Strategic Plan

On September 18, 2008, the CPUC adopted California's first Long-Term Energy Efficiency Strategic Plan, presenting a roadmap for energy efficiency in California. The Plan articulates a long-term vision and goals for each economic sector and identifies specific near-term, mid-term, and long-term strategies to assist in achieving those goals. The Plan also reiterates the following four specific programmatic goals known as the "Big Bold Energy Efficiency Strategies" that were established by the CPUC in Decisions D.07-10-032 and D.07-12-051:

- All new residential construction will be zero net energy (ZNE) by 2020.
- All new commercial construction will be ZNE by 2030.
- 50 percent of commercial buildings will be retrofit to ZNE by 2030.
- 50 percent of new major renovations of State buildings will be ZNE by 2025.

Previous CEQA Documents

The VCC EIR found that the VCC would indirectly result in irretrievable commitment and use of energy and non-renewable resources for construction and operation of future residential and non-residential uses. However, the VCC EIR determined that the level and amount of commitment of such resources is commensurate with similar development projects undertaken in the Bay Area and throughout California and the nation.

Project Impacts and Mitigation Measures

(a) Wasteful consumption of energy resources

Similar to the VCC project, the proposed project would increase the demand for electricity, natural gas, and gasoline. The discussion and analysis provided below is based on data included in the CalEEMod output, which is included in Appendix B.

Construction-Period Energy Use. The anticipated construction schedule assumes that the proposed project would be built over 20 months. The proposed project would require grading, site preparation, and building activities during construction.

Construction of the proposed project would require energy for the manufacture and transportation of construction materials, preparation of the site for grading activities, and construction of the proposed facilities. Petroleum fuels (e.g., diesel and gasoline) would be the

primary sources of energy for these activities. In order to increase energy efficiency on the site during project construction, the project would restrict equipment idling times to five minutes or less and would require construction workers to shut off idle equipment, as required by Mitigation Measure AIR-1. In addition, construction activities are not anticipated to result in an inefficient use of energy as gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs on the project. Energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the State's available energy sources. Therefore, construction energy impacts would be less than significant. The proposed project would not result in any new or more severe impacts compared to those previously identified in the VCC EIR, and no new mitigation would be required.

Operational Energy Use. Energy use consumed by the proposed project would be associated primarily with electricity consumption and fuel used for vehicle trips associated with the project. With adoption of the new Construction All Electric Reach Code, installation of natural gas infrastructure in new construction will be restricted. However, to be conservative, it is assumed that natural gas could be used during project operation.

Energy and natural gas consumption was estimated for the project using default energy intensities by building type in CalEEMod. In addition, the proposed buildings would be constructed to CALGreen standards, which was included in CalEEMod inputs. Electricity and natural gas usage estimates associated with the proposed project are shown in Table H. In addition, the proposed project would result in energy usage associated with gasoline to fuel project-related trips. Based on the CalEEMod analysis, the proposed project would result in approximately 745,637 vehicle miles traveled (VMT) per year. The average fuel economy for light-duty vehicles (autos, pickups, vans, and SUVs) in the United States has steadily increased from about 14.9 miles per gallon (mpg) in 1980 to 22.0 mpg in 2015. Therefore, using the USEPA fuel economy estimates for 2015, the proposed project would result in the consumption of approximately 33,893 gallons of gasoline per year. Table H, below, shows the estimated potential increased electricity and natural gas demand associated with the proposed project.

Table H: Estimated Annual Energy Use of Proposed Project

Electricity Use (kWh per year)	Natural Gas Use (therms per year)	Gasoline (gallons per year)
568,642	9,724	33,893

Source: LSA (March 2021).

As shown in Table H, the estimated potential increased electricity demand associated with the proposed project is 568,642 kWh per year. As identified above, in 2019, Alameda County

consumed 10,684,085,867 kWh; therefore, electricity demand associated with the proposed project would be less than 0.1 percent of Alameda County's total electricity demand.

The estimated potential increased natural gas demand associated with the proposed project is 9,724 therms per year, as shown in Table H. In 2019, Alameda County consumed approximately 384,150,529 therms; therefore, natural gas demand associated with the proposed project would be less than 0.1 percent of Alameda County's total natural gas demand.

In addition, the proposed project would result in energy usage associated with gasoline to fuel project-related trips. As shown above in Table H, vehicle trips associated with the proposed project would consume approximately 33,893 gallons of gasoline per year. In 2015, vehicles in California consumed approximately 15.1 billion gallons of gasoline. Therefore, gasoline demand generated by vehicle trips associated with the proposed project would be a minimal fraction of gasoline and diesel fuel consumption in California.

East Bay Community Energy (EBCE) would supply the proposed project's electricity, which is delivered by PG&E. The basic EBCE plan, Bright Choice, provides 40 percent of delivered electricity from renewable sources, including wind, solar, and hydropower. EBCE also provides a Renewable 100 plan, which provides 100 percent of delivered electricity from renewable sources, including wind and solar. Natural gas, if used, would be supplied and provided by PG&E. EBCE and PG&E will continue to provide reliable service to their customers and upgrade their distribution systems as necessary to meet future demand. In addition, the proposed project would be constructed to CALGreen standards, which would help to reduce energy and natural gas consumption.

Therefore, the proposed project would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy. Construction and operation period impacts related to consumption of energy resources would be less than significant. The proposed project would not result in any new or more severe impacts compared to those previously identified in the VCC EIR, and no new mitigation would be required.

(b) Conflict with local plan for renewable energy

As indicated above, energy usage on the project site during construction would be temporary in nature. In addition, energy usage associated with operation of the proposed project would be relatively small in comparison to the State's available energy sources and energy impacts would be negligible at the regional level. Because California's energy conservation planning actions are conducted at a regional level, and because the project's total impact to regional energy supplies would be minor, the proposed project would not conflict with California's energy conservation plans as described in the CEC's 2019 Integrated Energy Policy Report. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and this impact would be less than significant. The proposed project would not result

in any new or more severe impacts compared to those previously identified in the VCC EIR, and no new mitigation would be required.

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Geology and Soils

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
6. GEOLOGY AND SOILS. Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?				X
ii. Strong seismic ground shaking?				X
iii. Seismic-related ground failure, including liquefaction?				X
iv. Landslides?				X
b. Result in substantial soil erosion or the loss of topsoil?				X
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				X
e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

Environmental Setting

The project site is located within the Coast Ranges geomorphic province, generally characterized by northwest-southeast trending valleys and ridges. Bedrock in the vicinity consists of Miocene- to Pliocene-age marine and non-marine sedimentary rocks. The project site is primarily underlain by Miocene-age sedimentary bedrock, which has been cut to develop the building pads and parking area for the VCC, and by areas of thick fill, including portions of the driveway and play fields. Thick fill occupies the northeast, east, and south portions of the project site, as well as the large drainage swale at the west central portion of the project site.

Subsurface investigations of the site typically encountered up to four feet of colluvium overlying the bedrock on steeper slopes, with as much as 14 feet of colluvium observed on the southeast comer of the site. Colluvium generally thickens in drainage swale areas and predominantly consist of dark brown to dark gray silty clay and sandy clay, with low to high plasticity and moderate to high expansion potential. Previous mass grading of the site resulted in removal of colluvium in cut areas; however, remnants of colluvium may still exist, particularly beneath fill at former drainage swales.

The project site is located approximately 26 miles northeast of the San Andreas fault, approximately seven miles northeast of the Hayward fault, approximately 0.7 mile southwest of the Calaveras fault, and approximately 42 miles southeast of the Rodgers Creek fault. The Dublin fault is located within 700 feet of the western property boundary; however, according to the Geotechnical Feasibility Study prepared for the VCC expansion project, it is unlikely that the Dublin fault would be capable of an earthquake exceeding magnitude 5-5.5. The project site is not located within a State-designated Alquist-Priolo Earthquake Fault Zone.

The Geotechnical Feasibility Study also noted that portions of the project site exhibited characteristics of a large landslide. Grading was performed to mitigate the landslide during grading for adjacent residential development and Inspiration Drive, as well as existing improvements associated with the VCC. However, the extent of landslide mitigation has not been confirmed. Two small, shallow landslides were identified in the southwest portion of the project site.

Regulatory Framework

Federal and State Regulations

Alquist-Priolo Earthquake Fault Zoning Act Following the 1971 San Fernando earthquake, the State legislature passed the Alquist-Priolo Earthquake Fault Zoning (AP) Act, requiring the State Geologist to delineate Earthquake Fault Zones (EFZ) along known active faults that have high potential for fault rupture. Active faults are defined as a fault that has surface displacement within the last 11,000 years. The AP Act also regulates developments near known active faults due to hazards associated with surface ruptures. As per the AP Act, development areas in or near the Alquist-Priolo Earthquake Fault Zone require evaluation for potential surface ruptures in order to ensure public safety. State regulations prohibit habitable structures from being sited within 50 feet of an active fault.

Seismic Hazards Mapping Act

The State legislature passed the Seismic Hazards Mapping Act (SHMA) to ensure public safety in regards to the effects of strong ground shaking, liquefaction, landslides, and other seismic hazards. Per the SHMA, the California Geological Survey (CGS) has established a Statewide mapping program for cities and counties to aid in identifying areas subject to these seismic hazards, which includes the central San Francisco Bay Area.

California Building Code

The State of California provides a minimum standard for building design and construction standards through Title 24 of the California Code of Regulations (CCR), known as the California Building Code (CBC). The CBC is updated every three years, and the current 2019 CBC went into effect in January 2020. Generally, the CBC is adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. The CBC defines the requirements for seismic safety, excavation, and construction activities relating to foundations, retaining walls, and site demolition. It also regulates grading activities such as drainage and erosion control.

California Public Resources Code Section 5097.5

Section 5097.5 of the California Public Resources Code prohibits the excavation, removal, destruction, or tampering with any paleontological resources situated on public lands, except with the express permission of a public agency with jurisdiction over the lands.

Local Regulations

City of Dublin General Plan

Chapter 8.0 of the General Plan outlines policies and programs related to seismic safety, safety and emergency preparedness. The following policies related to geology and soils are applicable to the proposed project:

Guiding Policy 8.2.1.A.1. Geologic hazards shall be mitigated or development shall be located away from geologic hazards in order to preserve life, protect property, and reasonably limit the financial risks to the City of Dublin and other public agencies that would result from damage to poorly located public facilities.

Implementing Policy 8.2.1.B.1. Structural and Grading Requirements

a. All structures shall be designed to the standards delineated in the Dublin Building Code and Dublin's Grading Ordinance. A "design earthquake" shall be established by an engineering geologist for each structure for which ground shaking is a significant design factor.

b. Structures intended for human occupancy shall be at least 50 feet from any active fault trace; freestanding garages and storage structures may be as close as 25 feet. These distances may be reduced based on adequate exploration to accurately locate the fault trace.

Generally, facilities should not be built astride potential rupture zones, although certain low-risk facilities may be considered. Critical facilities that must cross a fault, such as oil, gas, and water lines, shall be designed to accommodate the maximum expected offset from fault rupture. Site specific evaluations shall determine the maximum credible offset.

Previous CEQA Documents

VCC EIR The VCC EIR determined that implementation of the VCC expansion project could result in potentially significant impacts related to seismic ground shaking, landslide, and expansive soils. Other impacts were determined to be less than significant. The VCC EIR identified one mitigation measure to reduce impacts related to geology and soils:

Mitigation Measure 4.5-1 (seismic hazard, expansive soils and landslides): A site-specific geotechnical investigation shall be required for each building constructed as part of the proposed expansion by a California-registered geologist or California registered engineering geologist. The report(s) shall address the potential for extension of the Dublin fault on the site, expansive soils and the potential for future landslides on the site. Specific measures to reduce seismic hazards, expansive soils and landslide hazards to a less-than-significant level shall be included in the report(s).

2018 Supplemental IS/MND No new or more significant impacts related to geology and soils were identified in the 2018 Supplemental IS/MND.

Project Impacts and Mitigation Measures

(a) Seismic hazards

No New Impact. Potential impacts related to seismic hazards are described below.

Fault Rupture. The project site is not located within or adjacent to an Alquist-Priolo Earthquake Fault Zone. Therefore, the project would have no impact related to fault rupture.

Ground Shaking. The project site and the entire San Francisco Bay Area are located in a seismically active region subject to strong seismic ground shaking. Ground shaking is a general term referring to all aspects of motion of the earth's surface resulting from an earthquake, and is normally the major cause of damage in seismic events. The extent of ground-shaking is controlled by the magnitude and intensity of the earthquake, distance from the epicenter, and local geologic conditions. The magnitude of a seismic event is a measure of the energy released by an earthquake; it is assessed by seismographs that measure the amplitude of seismic waves. The intensity of an earthquake is a subjective measure of the perceptible effects of a seismic event at a given point. The Modified Mercalli Intensity (MMI) scale is the most commonly used scale to measure the subjective effects of earthquake intensity. It uses values ranging from I to XII.

Mapping has been compiled by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) for the likely shaking intensities in the Bay Area that would have a 10 percent chance of occurring in any 50-year period. A large earthquake (magnitude 6.7 or greater) on one of the major active faults in the region would generate severe (MMI 8) ground shaking at the project site.

The most significant adverse impact associated with strong seismic shaking is potential damage to structures and improvements. The risk of ground shaking impacts is reduced through adherence to the design and materials standards set forth in building codes. The City of Dublin has adopted the 2019 CBC (Title 24, Part 2 of the California Code of Regulations), which provides for stringent construction requirements on projects in areas of high seismic risk. The design and construction for the proposed project would be required to conform with, or exceed, current best standards for earthquake resistant construction in accordance with the most recent CBC adopted by the City and with the generally accepted standards of geotechnical practice for seismic design in Northern California. In addition, implementation of Mitigation Measure 4.5-1, identified in the VCC EIR, which requires the preparation and implementation of a site-specific geotechnical investigation for each building constructed at the project site, would ensure this impact would be reduced to a less than significant level. With adherence to Mitigation Measure 4.5-1, identified in the VCC EIR, there would be no new or substantially

more severe significant impacts related to ground shaking beyond what has been analyzed in the prior environmental documents. No additional analysis is required.

Liquefaction. Liquefaction is the transformation of loose, fine-grained sediment to a fluid-like state similar to quicksand. This phenomenon occurs due to strong seismic activity, and lessens the soil's ability to support a structural foundation. The primary factors affecting the possibility of liquefaction in soil are: (1) intensity and duration of earthquake shaking; (2) soil type and relative density; (3) overburden pressures; and (4) depth to groundwater. Soil most susceptible to liquefaction is clean, loose, fine-grained sands and non-plastic silts that are saturated.

The California Geological Survey (CGS) has mapped Seismic Hazard Zones that delineate areas susceptible to liquefaction and/or landslides that require proposed new developments in these areas to conduct additional investigation to determine the extent and magnitude of potential ground failure. According to mapping by CGS, the project site is not located in an area mapped as a liquefaction hazard zone. Therefore, impacts related to liquefaction would be less than significant.

Landslide. As described above, the project site contains known landslides and areas of the project site are steeply sloped. Implementation of Mitigation Measure 4.5-1, identified in the VCC EIR, which requires the preparation and implementation of a site-specific geotechnical investigation for each building constructed at the project site, would ensure impacts related to landslide would be reduced to a less than significant level. With adherence to Mitigation Measure 4.5-1, identified in the VCC EIR, there would be no new or substantially more severe significant impacts related to landslide beyond what has been analyzed in the prior environmental documents. No additional analysis is required.

(b) Erosion/topsoil loss

No New Impact. The potential for soil erosion exists during the period of earthwork activities and between the time when earthwork is completed and new vegetation is established or hardscape is installed. Exposed soils could be entrained in stormwater runoff and transported off the project site. Construction specifications require the preparation of a Stormwater Pollution and Prevention Plan (SWPPP) prior to any ground disturbance activities as required by the National Pollutant Discharge Elimination System (NPDES) General Permit (GP) for Construction (Order 2009-009-DWQ). The SWPPP would provide the details of the erosion control measures to be applied on the project site during the construction period, including Best Management Practices (BMPs) for erosion control that are recognized by the RWQCB. Additional details regarding the SWPPP are provided in Section 9, Hydrology and Water Quality. In addition, the proposed project would be required to comply with Mitigation Measures 4.6-1 and 4.6-2, identified in the VCC EIR and described in Section 9 below, to reduce short- and long-term erosion and sedimentation associated with project construction and operation.

With adherence to the mitigation measures identified in the prior environmental documents and compliance with regulatory requirements, there would be no new or substantially more severe significant impacts related to erosion beyond what has been analyzed in the prior environmental documents. No additional analysis is required.

(c-d) Soil stability

No New Impact. Expansive soils are characterized by the potential for shrinking and swelling as the moisture content of the soil decreases and increases, respectively. Shrink-swell potential is influenced by the amount and type of clay minerals present and can be measured by the percent change of the soil volume. Soils underlying the project site are primarily composed of Diablo clay, 15 to 30 percent slopes, according to the United States Department of Agriculture (USDA) Natural Resources Conservation Service Web Soil Survey. Diablo clay is a deep, well drained soil type, with high shrink-swell potential.

The proposed project would be designed and constructed consistent with the most current earthquake resistance standards for Seismic Zone 4 in the CBC, which includes specifications for site preparation, such as compaction requirements for foundations. Therefore, the project site is not anticipated to become unstable as a result of the proposed project, or potentially result in on- or off-site landslides, liquefaction, lateral spreading or settlement. In addition, implementation of Mitigation Measure 4.5-1 identified in the VCC EIR and described above would reduce potential impacts associated with unstable soils to a less-than-significant level. With adherence to the mitigation measures identified in the VCC EIR and compliance with standard City development requirements, there would be no new or substantially more severe significant impacts related to soil stability beyond what has been analyzed in the prior environmental documents. No additional analysis is required.

(e) Soil capability to support waste water disposal, including septic

No New Impact. The proposed project would connect to the existing wastewater conveyance system. On-site treatment and disposal of wastewater is not proposed for the project; therefore, the proposed project would have no impacts associated with soils incapable of supporting alternative wastewater disposal systems. No new impacts or substantially more severe significant impacts would occur. No additional analysis is required.

(f) Paleontological/unique geological resources

No New Impact. No paleontological resources or unique geologic features are known to exist within the project site and ground disturbance for the proposed project is not expected to extend deep enough to affect native soils or to impact scientifically important paleontological resources. If such resources are encountered during ground-disturbing activities, implementation of Mitigation Measure 4.4-1, identified in the VCC EIR would reduce any potential impacts to paleontological resources to a less-than-significant level. With adherence to Mitigation Measure 4.4-1, there would be no new or substantially more severe significant

impacts to paleontological resources beyond what has been analyzed in the prior environmental documents. No additional analysis is required.

Source(s)

California Geological Survey. 2019. California Earthquake Hazards Zone Application. Website: maps.conservation.ca.gov/cgs/EQZApp/app/ (accessed August 18, 2021).

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Metropolitan Transportation Commission and Association of Bay Area Governments. 2018. Probabilistic Earthquake Shaking Hazard Map. Website: mtc.maps.arcgis.com/apps/ webappviewer/index.html?id=4a6f3f1259df42eab29b35dfcd086fc8 (accessed August 18, 2021).

United States Department of Agriculture. Natural Resources Conservation Service. Web Soil Survey. Website: websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx (accessed August 18, 2021).

United States Department of Agriculture Soil Conservation Service. 1975. Soil Survey of Alameda County, Western Part. Available online at: www.nrcs.usda.gov/Internet/ FSE_MANUSCRIPTS/california/CA610/0/alameda.pdf (accessed August 18, 2021).

Greenhouse Gas Emissions

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
7. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b. Conflict with applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

Project Impacts and Mitigation Measures

Since the VCC EIR was certified before greenhouse gas (GHG) emission analysis became a CEQA requirement in 2006, the determination of whether GHG emissions and climate change need to be analyzed for this proposed project is governed by the law on supplemental or subsequent EIRs (Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163).

The topic of the project's contribution to GHG emissions was not analyzed in the VCC EIR. However, these impacts are not required to be analyzed unless they constitute new information of substantial importance that was not known and could not have been known at the time the previous EIR was certified as complete (Public Resources Code Section 21166 and the CEQA Guidelines Sections 15162 and 15163). The impact of GHG emissions was known at the time of the certification of the VCC EIR. Under CEQA standards, it is not new information that requires analysis in a supplemental EIR or negative declaration. Therefore, no supplemental environmental analysis of the project's impacts on this issue is required under CEQA.

(a-b) Generate greenhouse gas (GHG) emissions or conflict with GHG plans or regulations

As discussed above, no additional environmental analysis is required under Public Resources Code Section 21166.

Hazards and Hazardous Materials

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Environmental Setting

The project site includes development of Parcels 2 and 3 within the larger VCC site. Both Parcels 2 and 3 are currently undeveloped. Parcel 1 is developed with the existing VCC complex, which consists of a church and a pre-school through grade 12 private school, with associated parking, landscaping, sports and play fields, lighting and other infrastructure. Further north of the VCC complex and portions of Parcel 3 is a single-family residential neighborhood with two-story homes. Parcel 3 is bordered to the east by a single-family residential neighborhood with one- and two-story homes. Further east are residential uses and commercial development along Dublin Boulevard. To the south of both parcels is I-580, across which are residential uses and

two churches, Pleasant View Church of Christ and Kingdom Hall of Jehovah's Witnesses. Parcel 2 is bound to the west by multi-family residential development and undeveloped open space.

Regulatory Framework

Federal and State Regulations

Federal Aviation Administration (FAA)

Notification to the FAA is required for the construction of any tower or the alteration of an antenna structure that is registered with the Commission's Antenna Structure Registration (ASR) system. Generally, towers that meet certain height and location requirements (e.g., are more than 200 feet above ground level and/or are located within proximity of an airport) require notice with the FAA and ASR system and must register with the Federal Communications Commission (FCC). A final determination of "no hazard" is required from the FAA prior to any construction or alteration of facilities.

California Environmental Protection Agency

The California Environmental Protection Agency (CalEPA) was formed in 1991 to preserve and protect the environment and to ensure public health and safety in relation to environmental laws and regulations. The CalEPA manages the State's natural resources in a cohesive, cabinet-based system. Additionally, the CalEPA implements the Unified Program, which ensures consistency in the administrative and enforcement actions taken in regard to hazardous waste and materials.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) of 1976 authorized the USEPA to control hazardous waste from "cradle-to-grave," which includes the generation, transportation, treatment, storage, and disposal of hazardous waste. Additionally, RCRA established regulations for managing non-hazardous solid wastes. In 1986, amendments to RCRA provided authority to the USEPA to manage environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

Comprehensive Environmental Response, Compensation, and Liability Act

Commonly known as Superfund, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 established regulations concerning closed and abandoned hazardous waste sites. Additionally, it provided regulations regarding liability for closed and abandoned hazardous waste sites and established a trust fund for cleanup when no liability is found.

California Department of Toxic Substances and Control

The California Department of Toxic Substances Control (DTSC) is a sub-department under the CalEPA and manages the federal hazardous waste program within the State. The department regulates the lifecycle of hazardous waste and sets goals for reducing hazardous waste

production. The program follows federal and State law to ensure hazardous waste managers correctly handle, store, transport, dispose, reduce, and clean waste, and are equipped in the event of an emergency.

Government Code Section 65962.5

CalEPA is required by Section 65962.5 of the Government Code to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The SWRCB and DTSC identify hazardous substance release sites included on the Cortese List, which is used by State and local agencies to ensure CEQA compliance.

California Building Code

The State of California provides a minimum standard for building design construction through Title 24 of the California Code of Regulations (CCR) through the CBC, which is located in Part 2 of Title 24. The CBC is updated every three years, and the current 2019 CBC went into effect in January 2020. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. City building officials monitor commercial and residential building plans to ensure compliance with fire safety standards within the CBC.

California Fire Code

The California Fire Code includes regulations for emergency planning, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Several fire safety requirements include: installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas. Chapter 5.08 of the City's Municipal Code adopts the California Fire Code by reference, which is updated every three years.

California Emergency Management Agency

The California Emergency Management Agency (CalEMA) was consolidated as part of the Governor's Office on January 1, 2009, merging the former Governor's Office of Emergency Services with the existing Governor's Office of Homeland Security. CalEMA coordinates all State agency response to major disasters to provide support and hazard mitigation efforts for local governments. The agency also ensures the State has the appropriate resources and plans in order to respond in the event of all natural and human-induced emergencies and disasters.

California Department of Forestry and Fire Protection

The California Department of Forestry and Fire Protection (CALFIRE) maps the predicted threat of fire within all of California. CALFIRE categorizes this threat based on factors including fuel availability, topography, fire history, and climate. These threats are ranked on a threshold from no fire threat, moderate, high, and very high fire threat. The 2012 Strategic Fire Plan for

California was generated by CALFIRE to provide guidelines and objectives in order to account for associated fire impacts. The Strategic Plan was recently updated in January 2019.

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond property boundaries. Facilities that are required to participate in the CalARP Program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. A Risk Management Plan (RMP) is required for such facilities. The intent of the RMP is to provide basic information that may be used by first responders in order to prevent or mitigate damage to the public health and safety and to the environment from a release or threatened release of a hazardous material, and to satisfy federal and state Community Right-to-Know laws. The Alameda County Department of Environmental Health reviews CalARP risk management plans as the Certified Unified Program Agency (CUPA).

Regional and Local Regulations

San Francisco Bay Regional Water Quality Control Board

The Porter-Cologne Water Quality Control Act established the State Water Resources Control Board (SWRCB) and nine regional water boards including the San Francisco Bay Regional Water Quality Control Board (RWQCB). The San Francisco Bay RWQCB oversees the regulation of waterways within the City of Dublin, and can order groundwater investigations and remediation actions in the event that either groundwater or State surface waters are susceptible to threat.

City of Dublin General Plan

Section 8.3.4 of the General Plan outlines policies and programs related to hazards and hazardous materials. The following policies related to hazardous materials are applicable to the proposed project:

> **Guiding Policy 8.3.4.1.A.1.** Maintain and enhance the ability to regulate the use, transport, and storage of hazardous materials and to quickly identify substances and take appropriate action during emergencies.
>
> **Guiding Policy 8.3.4.1.A.2.** Minimize the risk of exposure to hazardous materials from contaminated sites.
>
> **Implementing Policy 8.3.4.1.B.4**. Require site-specific hazardous materials studies for new development projects where there is a potential for the presence of hazardous materials from previous uses on the site. If hazardous materials are found, require the clean-up of sites to acceptable regulatory standards prior to development.

City of Dublin Wildfire Management Plan

In 1996, the City adopted the City of Dublin Wildfire Management Plan to reduce the risk of open land wildfire while protecting wildlife habitat and other open space values. The Wildfire Management Plan outline responsibilities for the maintenance of open space, funding source for open space maintenance, submittal requirements for review and approval, construction requirements for buildings adjacent to open space or other undeveloped land, emergency access to open space area, and vegetation standards.

Previous CEQA Documents

VCC EIR The VCC EIR did not evaluate hazards and hazardous materials as part of the environmental analysis.

2018 Supplemental IS/MND No significant impacts related to hazards and hazardous materials were identified in the 2018 Supplemental IS/MND.

Project Impacts and Mitigation Measures

(a) Exposure to hazardous materials

No New Impact. The proposed project would result in the construction of a memory care facility and an assisted living facility. These land uses typically do not involve transport, use, or disposal of significant quantities of hazardous materials. However, operation of the proposed project could involve the use, handling, and storage of small quantities of commercially-available hazardous materials associated with facilities operation and maintenance (e.g., paint, cleaning supplies, pesticides, and herbicides), as well as, biohazardous materials and medical wastes, including needle disposal bins for diabetic residents and pharmaceuticals. Needle disposal bins would be taken by staff to a nearby hospital for disposal on a scheduled basis. Hazardous materials stored and used at the site would be required to be managed in accordance with applicable local, State, and federal hazardous materials regulations that would reduce risks associated with leakage, explosions, fires, or the escape of harmful gases. Therefore, a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials would not occur and potential impacts related to operational use of hazardous materials would be less than significant.

During project construction, hazardous materials such as fuel, lubricants, paint, sealants, and adhesives would be transported and used at the project site. The proposed project would be required to comply with federal, State, and local regulations regarding the transportation, use, and disposal of hazardous materials, including preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) that requires implementation of control measures for hazardous material storage and soil stockpiles, inspections, maintenance, and training, and containment of releases to prevent runoff into existing storm collection systems or waterways. Compliance with existing regulations and implementation of the SWPPP during construction

would ensure that potential impacts associated with hazardous material use, transport, and disposal are considered less than significant. Therefore, no new significant impacts would occur. No additional analysis is required.

(b) Upset/accident

No New Impact. The proposed project would not involve storage or use of hazardous materials (except for small quantities for routine maintenance and limited biohazardous materials and medical wastes as described above) or generation of significant hazardous wastes. As such, potential significant impacts related to a foreseeable upset would not be expected.

During construction, hazardous materials such as fuel, lubricants, paint, sealants, and adhesives would be transported and used at the project site. Management of these materials at the project site would be subject to the requirements of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. Compliance with the Construction General Permit would require preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) designed to reduce the risk of spills or leaks from the reaching the environment. The SWPPP would also include a Spill Response Plan to address minor spills of hazardous materials. Compliance with SWPPP requirements would ensure that potential significant hazards associated with routine transport, use, or disposal of hazardous materials during and after construction would be less than significant. No new significant impacts would occur. No additional analysis is required.

(c) Near school

No New Impact. As described above, the existing VCC facility on the project site includes a school. No other schools are located within 0.25 mile of the project site. As described in Sections 8.a and 8.b, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Operation of the proposed project could involve the use, handling, and storage of small quantities of commercially-available hazardous materials associated with facilities operation and maintenance (e.g., paint, cleaning supplies, pesticides, and herbicides), as well as biohazardous materials and medical wastes, including needle disposal bins for diabetic residents and pharmaceuticals. However, these materials would be required to be managed in accordance with applicable local, State, and federal hazardous materials regulations. Therefore, no new significant impacts would occur. No additional analysis is required.

(d) Hazardous materials list

No New Impact. Government Code Section 65962.5 states that the California Department of Toxic Substances shall compile and maintain annually a list of hazardous waste facilities subject to corrective action as part of the Health and Safety Code. This list is commonly referred to as the Cortese List. The project site is not located on the Regional Water Quality Control Board's Leaking Underground Tank Cleanup Site (LUST) or any other Cleanup Program Sites (formerly

known as spills, leaks, investigations, and cleanups or SLIC). These two components comprise the State Cortese List of known hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no significant impact related to being located on a list of hazardous materials site compiled pursuant to Government Code Section 65962.5 would occur. No additional analysis is required.

(e) Proximity to a public airport

No New Impact. The project site is not located within an airport land use plan, or within two miles of a public airport or public use airport. The closest airports to the project site are the Livermore Municipal Airport, located approximately seven miles east of the project site and the Hayward Executive Airport, located approximately 9.5 miles southwest. The proposed project would include development of a memory care facility and an assisted living facility. The proposed project would not be an incompatible land use, would not add structures of a height such that it would create a hazard or obstruction, and would not result in the addition of a characteristic that would create a hazard to air navigation. Therefore, the proposed project would not result in new significant impacts. No additional analysis is required.

(f) Impair implementation of an emergency response plan or emergency evacuation plan

No New Impact. The Tri-Valley Local Hazard Mitigation Plan was developed in compliance with State requirements and also meets the requirements of the Federal Emergency Management Agency (FEMA) as the City's local hazard mitigation plan. The Tri-Valley Local Hazard Mitigation Plan provides a uniform hazard mitigation strategy for the Tri-Valley area, addressing a range of hazards including, but not limited to, earthquakes, floods and wildland fire. The City of Dublin also has an adopted Comprehensive Emergency Management Plan and a Local Hazard Mitigation Plan to assess hazards and mitigate risks prior to a disaster event.

The proposed project would construct a memory care facility and an assisted living facility along Inspiration Drive. It is not located along an identified evacuation route, nor would it affect local roadways. The proposed project would not interfere with an adopted emergency response plan or emergency evacuation plan. Because the proposed project would not substantially alter or block the adjacent roadways, the proposed project would not be expected to impair the function of nearby emergency evacuation routes, including Dublin Boulevard. Therefore, the proposed project would not result in new significant impacts related to implementation of an adopted emergency response plan or emergency evacuation plan. No additional analysis is required.

(g) Expose people or structures to wildland fires

No New Impact. A wildland fire is a fire occurring in a suburban or rural area which contains uncultivated land, timber, range, brush, or grasslands. Wildland fires are primarily a concern in areas where there is a mix of developed and undeveloped lands. The project site is located in a largely urbanized area. It does not contain areas of moderate, high, or very high Fire Hazard

Severity Zones for the Local Responsibility Area, nor does it contain any areas of moderate, high, or very high Fire Hazard Severity for the State Responsibility Area, as mapped by the California Department of Forestry and Fire Protection (CAL FIRE). The proposed project would be constructed in accordance with the requirements of the CBC, California Fire Code, and the City's Wildfire Management Plan. In addition, consistent with the City's entitlement process, project plans would be reviewed by the Alameda County Fire Department to ensure that required fire protection elements are incorporated into final building plans, including provision of adequate water supply and pressure, and use of appropriate landscape and building materials. Therefore no new significant impacts related to wildland fires would occur. No additional analysis is required.

Source(s)

CAL FIRE. 2020. California Fire Hazard Severity Zone Viewer. Website: egis.fire.ca.gov/FHSZ/ (accessed June 25, 2021).

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2010. City of Dublin Wildfire Management Plan, Adopted July 9, 1996, Revised March 5, 2002 and November 2, 2010.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Hydrology and Water Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
9. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?				X
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				X
i. Result in substantial erosion or siltation on- or off-site;				X
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;				X
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				X
iv. Impede or redirect flood flows?				X
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

Environmental Setting

The project site is located within the Alamo Canal watershed, which drains an approximately 44 square mile basin including the northern Amador Valley and a portion of the hills south of Mount Diablo. The Alamo Canal ends at its junction with Arroyo Mocho, where both flow into Arroyo de la Laguna, which eventually flows into Alameda Creek. The Alamo Canal watershed includes the Alamo Canal, Alamo Creek, South San Ramon Creek, Dublin Creek and others.

Local drainage facilities are owned and maintained by the City of Dublin. Regional drainage facilities are maintained by Zone 7 Flood Control and Water Conservation District.

As described in Section 4, Biological Resources, an ephemeral stream feeds into a culvert near the western edge of Parcel 2. This drainage appears to be fed by runoff from the adjacent hillslope between Parcel 2 and the VCC campus to the north. This drainage does not have a hydrological connection with Dublin Creek, which drains the hills to the northwest. Dublin Creek is not currently listed as impaired on the current Clean Water Act Section 303(d) List of Impaired Waters; however, Arroyo Mocho is listed as impaired due to diazinon associated with urban-related runoff and water temperature.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map Panel 06001C0304G (August 3, 2009), the project site is not located within a special flood hazard area.

Regulatory Framework

Federal and State Regulations

Clean Water Act

The USEPA adopted the Clean Water Act (CWA) in 1977 to set a framework for establishing regulations to protect the chemical, physical, and biological integrity of the nation's waters. The National Pollutant Discharge Elimination System (NPDES) under section 402(p) of the CWA aims to reduce the direct discharge of pollutants into waterways and manage additional pollution runoff. The San Francisco Bay RWQCB has the authority to administer permits within its jurisdiction including the City of Dublin. Section 303(d) of the CWA requires that each state identify "impaired" water bodies or segments of water bodies that do not meet at least one of the listed state water-quality standards. When the water body or segment is listed as impaired, the state institutes a Total Maximum Daily Load (TMDL) for the pollutant found to be creating the impairment. The TMDL is the maximum amount of a pollutant that a water body can receive and still meet water-quality standards, and is usually calculated based on the total amount of allowable loads generated by a single pollutant deriving from all of its originating point and non-point sources. The 303(d) list identifies water bodies that will need to establish a TMDL in the future in order to abide by water-quality standards. As per 303(d), the RWQCB has identified impaired water bodies within its authority as well as the associated pollutants causing the impairment.

National Pollutant Discharge Elimination System

As described above, the NPDES was established under the CWA to regulate municipal, industrial and stormwater discharges to the surface waters of the United States, including discharges from municipal separate storm sewer systems (MS4s). All entities that discharge pollutants into an identified waterbody of the United States are required to obtain a NPDES permit.

The proposed project is subject to the conditions of the Municipal Regional Permit (MRP) (Order No. R2-2015-0049 NPDES Permit No. CAS612008). The C.3 Stormwater Technical Guidance updated in February 2021 as per the Alameda County Clean Water Program, outlines low impact development provisions that the MS4 permit holders can use during planning of development activities to manage and reduce occurrences of stormwater runoff pollutant discharges. These low impact development methods aim to preserve existing natural landscapes to minimize imperviousness and water quality impacts.

National Flood Insurance Program

The National Flood Insurance Program exists under the Federal Emergency Management Agency (FEMA) to distinguish and evaluate flood hazards. FEMA generated Flood Insurance Rate Maps (FIRMs) identify the location of these potential flooding hazards and help plan for the correct land use and floodplain development within those locations. Information for FIRMs is generated by Flood Insurance Studies (FISs). Special Flood Hazard Areas (SFHAs) are distinguished via FIRMs.

Porter-Cologne Water Quality Control Act

California adopted the Porter-Cologne Water Quality Act in 1969, giving the SWRCB and regional water quality control boards authority over State water rights and policies in relation to managing and enforcing water quality. The regional boards adopt Water Quality Control Plans (Basin Plans) that outline their region's water quality conditions and standards as well as beneficial uses of the region's ground and surface water. The City of Dublin lies within the boundaries Region 2 governed by the San Francisco Bay RWQCB. The most recent Basin Plan for the San Francisco Bay Watershed was updated by the RWQCB in 2015 and is revised periodically to reflect relevant ecological, technological, and political changes. The Basin also includes water quality standards for groundwater.

Statewide Construction General Permit

Construction projects or activities that are one acre or more must obtain a General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, or a Construction General Permit from the SWRCB. Prior to construction, the Project Applicant must submit online Permit Registration Document (PRDs) to the Stormwater Multiple Application and Report Tracking System (SMARTS) website. The PRDs include a Notice of Intent (NOI), Risk Assessment, Post-Construction Calculations, a Site Map, the Stormwater Pollution Prevention Plan (SWPPP), a signed certification by the project applicant, and the first annual fee. Applicants are also required develop BMPs in accordance with the development of a SWPPP. The SWPPP maps the boundaries of the project site, identifying the existing and proposed structures and roads within the vicinity of the site, as well as stormwater collection and discharge points and drainage patterns. These BMPs should address strategies to prevent soil erosion and the proper treatment and discharge of other pollutants generated by construction, which could

contaminate waterways on or nearby the site. A SWPPP must also include a visual chemical monitoring program of nonvisible pollutants and a sediment-monitoring program. As the Project site is larger than one acre, it is subject to these listed requirements.

Sustainable Groundwater Management Act

The Sustainable Groundwater Management Act of 2014 (SGMA) is a comprehensive three-bill package that was signed into California State law in September 2014. The SGMA that provides a framework for sustainable management of groundwater supplies by local authorities, with a limited role for State intervention only if necessary to protect the resource. The plan is intended to ensure a reliable groundwater water supply for California for years to come.

The SGMA requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally based management plans. The act requires that GSAs implement plans and achieve long-term groundwater sustainability within 20 years of implementation of the SGMA.

Local Regulations

City of Dublin General Plan

Sections 7.2 and 7.3 of the General Plan outlines policies and programs related to stream corridors and riparian areas and erosion and siltation control. The following policies related to hydrology and water quality are applicable to the proposed project:

> **Guiding Policy 7.2.1.A.1.** Protect riparian vegetation as a protective buffer for stream quality and for its value as a habitat and aesthetic resource.
>
> **Guiding Policy 7.2.1.A.2.** Promote access to stream corridors for passive recreational use and to allow stream maintenance and improvements as necessary, while respecting the privacy of owners of property abutting stream corridors.
>
> **Implementing Policy 7.2.1.B.1.** Enforce Watercourse Ordinance 52-87 for developed areas of the city.
>
> **Implementing Policy 7.2.1.B.2.** Require open stream corridors of adequate width to protect all riparian vegetation, improve access, and prevent flooding caused by blockage of streams.
>
> **Implementing Policy 7.2.1.B.3.** Require revegetation of creek banks with species characteristic of local riparian vegetation, where construction requires creekbank alteration.
>
> **Guiding Policy 7.3.1.A.1.** Maintain natural hydrologic systems.

Guiding Policy 7.3.1.A.2. Regulate grading and development on steep slopes.

Implementing Policy 7.3.1.B.1. Enforce the requirements of the Municipal Regional Permit for stormwater issued by the San Francisco Bay Regional Water Quality Control Board or any subsequent permit as well as Chapter 7 (Public Works) and Chapter 9 (Subdivisions) of the Dublin Municipal Code for maintenance of water quality and protection of stream courses.

Implementing Policy 7.3.1.B.2. Review development proposals to insure site design that minimizes soil erosion and volume and velocity of surface runoff.

Implementing Policy 7.3.1.B.3. Restrict development on slopes over 30 percent.

Previous CEQA Documents

VCC EIR The VCC EIR identified potentially significant impacts related to soil erosion, potential degradation of water quality from nonpoint source pollution, and potentially increased quantities of stormwater runoff from the site. Mitigation measures were identified to reduce potential impacts to a less-than-significant level. The following mitigation measures would apply to the proposed project:

Mitigation Measure 4.6-1 (soil erosion): An erosion and sedimentation control plan shall be prepared by a California-registered civil engineer for implementation throughout all phases of project construction. The plan should be prepared in accordance with City of Dublin and RWQCB design standards and shall be approved by the Dublin Public Works Director prior to issuance of a grading permit. It is recommended that this plan, at a minimum, include the following provisions:

a. Existing vegetated areas should be left undisturbed until construction of improvements on each portion of the development site is actually ready to commence;

b. All disturbed areas should be immediately revegetated or otherwise protected from both wind and water erosion upon the completion of grading activities;

c. Stormwater runoff should be collected into stable drainage channels, from small drainage basins, to prevent the buildup of large, potentially erosive stormwater flows;

d. Specific measures should be implemented to control erosion from stockpiled earth and exposed soil;

e. Runoff should be directed away from all areas disturbed by construction;

f. Sediment ponds or siltation basins should be used to trap eroded soils before runoff is discharged into on-site or offsite drainage culverts and channels;

g. To the extent possible, major site development work involving excavation and earth moving shall be scheduled during the dry season.

Mitigation Measure 4.6-2 (non-point source pollution): A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared by a California-registered civil engineer to RWQCB and City of Dublin standards to ensure Best Management Practices will be employed to reduce surface water pollution to a less-than-significant level. The SWPPP shall be approved by the Dublin Public Works Director prior to issuance of a grading permit.

Mitigation Measure 4.6-3 (stormwater runoff): The project sponsor shall submit a hydrology study for the proposed project, prepared by a California-registered civil engineer, documenting the amount of current stormwater runoff from the site, estimated future quantities of runoff, and the ability of downstream facilities to accommodate increased stormwater quantities. The report shall also identify needed downstream improvements needed to accommodate increased storm flows and the applicant's financial participation in funding needed improvements, if required.

2018 Supplemental IS/MND No new or more significant impacts related to hydrology and water quality were identified in the 2018 Supplemental IS/MND.

Project Impacts and Mitigation Measures

(a) Violate water quality or waste discharge requirements or degrade surface or groundwater quality

No New Impact. Construction activities associated with the proposed project would cause disturbance of soil during excavation work, which could adversely impact water quality. Contaminants from construction vehicles and equipment and sediment from soil erosion could increase the pollutant load in runoff being transported to receiving waters during development. Although surface runoff from the site would likely decrease with the proposed project (due to proposed stormwater treatment measures), runoff from the proposed landscaped areas may contain residual pesticides and nutrients (associated with landscaping) and sediment and trace metals (associated with atmospheric deposition) during operation of the project. Implementation of Mitigation Measures 4.6-1 and 4.6-2, identified in the VCC EIR, would ensure that potential water quality impacts associated with construction are reduced to a less-than-significant level. The project would be required to comply with these mitigation measures.

In addition, because the project would result in the disturbance of greater than one acre of soil, project implementation is required to comply with the Construction General Permit, which requires preparation of a SWPPP and implementation of BMPs to reduce the discharge of construction-related stormwater pollutants. A SWPPP must include a detailed description of controls to reduce pollutants and outline maintenance and inspection procedures. Typical sediment and erosion BMPs include protecting storm drain inlets, establishing and maintaining construction exits and perimeter controls to avoid tracking sediment off-site onto adjacent roadways. A SWPPP also defines proper building material staging and storage areas, paint and concrete washout areas, describes proper equipment/vehicle fueling and maintenance practices, measures to control equipment/vehicle washing and allowable non-stormwater discharges, and includes a spill prevention and response plan. Compliance with the requirements of the Construction General Permit and implementation of Mitigation Measures 4.6-1 and 4.6-2 would ensure that the proposed project would result in less-than-significant impacts to water quality during construction.

As the site is currently largely undeveloped, the proposed project would increase the total amount of impervious surface on the project site. The increase in impervious surface could result in increased stormwater runoff (both flow rate and volume) from the project site relative to pre-project conditions, which may result in hydromodification impacts (i.e., increased potential for erosion of creek beds and banks, silt pollution generation, or other adverse impacts on beneficial uses due to increased erosive force). Hydromodification is the alteration of the natural flow of water through a landscape, and often takes the form of creek channel erosion. Hydromodification is one of the leading sources of impairment in streams, lakes, and estuaries. The MRP also requires implementation of LID Standards.

The proposed project would be considered a “regulated project” under the MRP. Provision C.3 of the MRP requires new development and redevelopment projects that would replace more than 10,000 square feet of existing impervious surfaces to include post-construction stormwater control in project designs, including measures for site design, source control, runoff reduction, stormwater treatment, and baseline hydromodification management. Under the C.3 requirements, the preparation and submittal of a Stormwater Control Plan (SCP) would be required for the project site. The purpose of a SCP is to detail the design elements and implementation measures necessary to meet the post-construction stormwater control requirements of the MRP. In particular, SCPs must include Low Impact Development (LID) design measures, which reduce water quality impacts by preserving and recreating natural landscape features, minimizing imperviousness, and using stormwater as a resource, rather than a waste product. The proposed project would also be required to prepare a Stormwater Facility Operation and Maintenance Plan to ensure that stormwater control measures are inspected, maintained, and funded for the life of the project. Compliance with the C.3 requirements of the MRP would ensure that operation-period impacts to water quality would be less than significant.

In addition, Mitigation Measure 4.6-3, identified in the VCC EIR, which requires preparation of a hydrology study for the proposed project, would ensure that potential impacts associated with stormwater runoff would be reduced to a less-than-significant level. Because the proposed project would be required to comply with applicable State and local regulations and mitigation measures identified in the VCC EIR, no new impacts or substantially more severe significant impacts related to water quality violations, wastewater discharges, or water quality degradation would occur. No additional analysis is required.

(b) Substantially decrease or interfere with groundwater supplies

No New Impact. Although the proposed project would result in a net increase in impervious surface coverage compared to the existing condition, the proposed project would include the use of LID features that would retain and clean stormwater onsite before discharging it into the municipal stormwater system, consistent with Provision C.3 of the MRP.

The proposed project would connect to the existing water lines within the vicinity of the project site and would not require the use of groundwater. Due to the depth of groundwater and the shallow excavations required for project construction, dewatering is not anticipated during construction activities. Therefore, no new impacts or substantially more severe significant impacts related to groundwater supplies would occur. No additional analysis is required.

(c) Substantially alter existing drainage patterns re: erosion/siltation, re: flooding, or degrade water quality

No New Impact. The proposed project would create new landscaped areas and impermeable pavement surfaces, which would alter the existing drainage pattern of the project site. However, as discussed above, the proposed project would be required to comply with the C.3 requirements of the MRP, standard City development requirements related to stormwater, and Mitigation Measure 4.6-3, identified in the VCC EIR, which requires preparation of a hydrology study for the proposed project.

As noted in Section 8.b and 9.a, the proposed project would be required to prepare a SWPPP as required by the Construction General Permit and consistent with Mitigation Measures 4.6-1 and 4.6-2, identified in the VCC EIR, to reduce short- and long-term erosion and sedimentation associated with project construction and operation.

Required compliance with applicable regulations, implementation of City policies, and the mitigation measures identified in the VCC EIR, would reduce potential impacts of the project related to changes in drainage patterns to a less-than-significant level. Therefore, no new impacts or substantially more severe significant impacts related to drainage patterns would occur. No additional analysis is required.

(d) Flood hazard, seiche, or tsunami

No New Impact. As described above, the project site is not located within a flood hazard area mapped by FEMA, or a mapped tsunami inundation area for Alameda County, and no seismically induced seiche waves have ever been documented in the San Francisco Bay area. Additionally, the proposed project would implement various design features to ensure contaminants would be contained. Therefore, no new impacts or substantially more severe significant impacts related to flood hazard, seiche or tsunami would occur. No additional analysis is required.

(e) Water Quality

No New Impact. As noted above, the proposed project would implement various design features to ensure the proposed project would have a less-than-significant impact related to water quality. Additionally, the proposed project would not include the use of groundwater and would not substantially increase the amount of impervious surfaces on the project site and, therefore, would not interfere with groundwater recharge in the vicinity of the project site. Therefore, no new impacts or substantially more severe significant impacts related to water quality would occur. No additional analysis is required.

Source(s)

California, State of. 2019. California Official Tsunami Inundation Maps. Website: www.conservation.ca.gov/cgs/tsunami/maps (accessed August 18, 2021).

California Water Boards San Francisco Bay R2. 2021. The 303(d) List of Impaired Water Bodies website: www.waterboards.ca.gov/rwqcb2/water_issues/programs/TMDLs/303dlist.html (accessed August 18, 2021).

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Federal Emergency Management Agency. 2021. FEMA Flood Map Service Center (map). Website: msc.fema.gov/portal/search?AddressQuery=6363%20Tassajara%20Road%2C%20Dublin%2C%20CA#searchresultsanchor (accessed June 27, 2021).

Land Use and Planning

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
10. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?				X
b. Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

Environmental Setting

The project site includes development of Parcels 2 and 3 within the larger VCC site. Parcel 2 (APN 941-0022-005) is located on the northwest corner of Inspiration Drive and Dublin Boulevard and contains 1.4 acres of land. Parcel 3 (APN 941-0022-006) contains approximately 12.7 acres of land located east of Inspiration Drive. This parcel includes approximately 8.02 acres of land that has been dedicated as a conservation easement that precludes development. Both Parcels 2 and 3 are currently undeveloped.

Parcel 1 is developed with the existing VCC complex, which consists of a church and a pre-school through grade 12 private school, with associated parking, landscaping, sports and play fields, lighting and other infrastructure. Surrounding land uses includes single-family residential development to the north and east, I-580 to the south, and multi-family residential development and undeveloped open space to the west.

The project site has General Plan land use designations of Public/Semi-Public and Open Space. The Public/Semi-Public designation allows a combination of public facilities land uses and semi-public facilities land uses, including public schools; libraries; city office buildings; State, County and other public agency facilities; post offices; fire stations; utilities; and, the Dublin Civic Center. Semi-public facilities are quasi-public uses, such as child care centers, youth centers, senior centers, special needs program facilities, religious institutions, clubhouses, community centers, community theatres, hospitals, private schools, and other facilities that provide cultural, educational, or other similar services and benefit the community. The Open Space designation includes areas dedicated as open space on subdivision maps, slopes greater than 30 percent, stream protection corridors, woodlands, and grazing lands.

Regulatory Framework

Local Regulations

City of Dublin General Plan

The City of Dublin General Plan is a policy document guiding future development within the City and is a comprehensive plan intended to guide growth and development. The Land Use Element is considered the framework for the General Plan because it establishes development and land use patterns that enhance the City's character. Chapter 3 of the Land Use Element outlines policies and programs to provide open space both within and apart from development projects. The following goals and policies related to land use are applicable to the proposed project.

Guiding Policy 2.6.1.A.1. Encourage housing of varied types, sizes, and prices within the Primary Planning Area.

Guiding Policy 2.6.5.A.1. Any development in the Western Extended Planning Area shall be integrated with the natural setting. Development shall be clustered in areas with fewer constraints.

a. An Urban Limit Line was adopted by initiative on November 7, 2000 for the majority of the Western Extended Planning Area. The Urban Limit Line is located along the City limit line as of the effective date of the initiative. Pursuant to the initiative, land west of the Urban Limit Line are designated as Rural Residential/Agriculture on the General Plan Land Use Map (Figure 1-1). The location of the Urban Limit Line may be changed only by a vote of the people of Dublin, and only following review and approval of a General Plan Amendment by the City Council. Any request to change the Urban Limit Line must be accompanied by a request to amend the land use designation to an urban designation.

b. The Dublin Open Space Initiative was adopted by the Dublin City Council on June 3, 2014. Pursuant to the initiative, lands west of the Urban Limit Line must adhere to the policies, regulations and development standards contained in the Initiative and subsequently incorporated into the General Plan (see Section 2.8).

Implementing Policy 2.6.1.B.1. The location, extent and density of residential development will be determined when municipal services can be provided and through General Plan refinement studies.

Implementing Policy 2.6.1.B.2. Approval of residential development in the Western Extended Planning Area will require determination that:

a. Utilities and public safety services will be provided at approved standards without financial burden to Dublin residents and businesses outside of the Western Extended Planning Area.

b. Proposed site grading and means of access will not disfigure the ridgelands as viewed from areas of existing development in Dublin. Any necessary grading and construction shall be planned so as to protect visual qualities.

c. Timing of development will not result in premature termination of viable agricultural operations on adjoining lands.

d. The fiscal impact of new residential development in the Western Extended Planning Area supports itself and does not draw upon and dilute the fiscal base of the remainder of the city.

Guiding Policy 3.2.2A.1. East of the Urban Limit Line development generally shall be confined to areas where slopes are under thirty percent, as part of an overall cluster development concept on approved development plans. Within projects proposing clustered development and ancillary facilities east of the Urban Limit Line in the Western Extended Planning Area, land alteration on slopes over thirty percent may be considered where the following conditions are present:

a. Public health and safety risks can be reduced to an acceptable level.

b. Proposed land alteration would be necessary to achieve a basic public need, such as housing, recreation, street access, or public facilities.

c. Long-term visual qualities can be maintained for residents of Dublin and nearby communities.

Guiding Policy 3.2.2A.2. Existing large stands of woodland and coastal scrub in the Western Extended Planning Area shall be protected wherever possible. Grassland sites shall be considered for development in preference to native shrub and woodland areas.

Implementing Policy 3.2.B.1. As conditions of development project approval, require detailed tree surveys, protection measures for existing trees to remain, and replanting of native vegetation.

City of Dublin Zoning Ordinance

Title 8 of the City's Municipal Code establishes the City of Dublin Zoning Ordinance, which sets cohesive zoning rules for the City and designates land use types. The City's Zoning Ordinance is the primary implementation tool for the goals and policies contained in the Land Use Element.

For this reason, the Zoning Map must be consistent with the General Plan Land Use Map. The City's Land Use Map indicates the general location and extent of future development in the City. The City's Zoning Ordinance contains more specific information related to permitted land uses, building intensities, and development standards.

The project site is designated as Planned Development (PD) Ordinance No. 07-03. The intent of the PD designation is to create a more desirable use of the land, a more coherent and coordinated development, and a better physical environment than would otherwise be possible under a single zoning district or combination of zoning districts. A PD Zoning District is established by the adoption of an Ordinance reclassifying the property to such district and adopting a Development Plan, which establishes regulations for the use, development, improvement, and maintenance of the property within the PD district.

Previous CEQA Documents

VCC EIR

The VCC EIR identified less than significant impacts related to on-site land uses, surrounding land uses and consistency with applicable land use and planning requirements.

2018 Supplemental IS/MND

No new or more significant impacts related to land use and planning were identified in the 2018 Supplemental IS/MND.

Project Impacts and Mitigation Measures

(a) Physically divide an established community

No New Impact. The physical division of an established community typically refers to the construction of a feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. For instance, the construction of an interstate highway through an existing community may constrain travel from one side of the community to another; similarly, such construction may also impair travel to areas outside of the community.

The proposed project would result in the construction of a memory care facility and assisted living facility on undeveloped parcels within the larger VCC site. Access to the project site would be via Inspiration Drive. The proposed project would not result in the realignment or closure of any existing roads. Therefore, the proposed project would not result in the physical division of an established community or adversely affect the continuity of land uses in the vicinity nor result in new significant or substantially more severe significant impacts beyond those analyzed in the prior environmental documents. No additional analysis is required.

(b) Conflict with land use plan, policy, or regulation

No New Impact. It should be noted that according to CEQA, policy conflicts do not, in and of themselves, constitute a significant environmental impact. Policy conflicts are considered to be environmental impacts only when they would result in direct physical impacts or where those conflicts relate to avoiding or mitigating environmental impacts. As such, associated physical environmental impacts are discussed in this Initial Study under specific topical sections (e.g., cultural resources, hazardous materials, noise, etc.). The proposed project would not result in any direct physical impacts that cannot be mitigated to a less-than-significant level.

The project proposes development of a 55-bed memory care facility on Parcel 2 and an 84-bed assisted living facility on Parcel 3, with associated landscaping, parking, and utility improvements. Both facilities are considered Residential Care Facilities for the Elderly (RCFE). As part of the proposed project entitlements, the boundary of the conservation easement on Parcel 3 would be adjusted and the development of the assisted living facility on approximately 4.7 acres of Parcel 3 would require a General Plan Amendment to change the land use designation from Open Space to Public Semi-Public. In addition, a General Plan Amendment is requested to convert a portion of Parcel 1 from the Public/Semi-Public land use designation to Open Space**.**

The proposed project, as a memory care facility and an assisted living facility, would be consistent with the Public/Semi-Public land use designation in that they would be considered quasi-public facilities that provide a service that benefits the community. The proposed memory care and assisted living facilities would be compatible with the mix and intensity of uses located within the vicinity of the site, which generally consist of residential and public uses. Implementation of the proposed project would amend the City's General Plan and the General Plan Land Use Map to reflect the change in land use on Parcels 1 and 3. As a result of the proposed General Plan Amendment, the proposed project would not conflict with any applicable land use plans, policies, or regulations. Therefore, the proposed project would not result in new significant or substantially more severe significant impacts related to conformity with land use plans beyond those already analyzed in the prior environmental documents. No additional analysis is required.

Source(s)

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Mineral Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
11. MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

Environmental Setting

Minerals are any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances including, but not limited to, coal, peat and oil bearing rock, but excluding geothermal resources, natural gas and petroleum. Rock, sand, gravel and earth are also considered minerals by the Department of Conservation when extracted by surface mining operations.

Neither the State Geologist nor the California Department of Mines and Geology (CDMG) have classified any areas in the City as containing mineral deposits that are either of Statewide significance or the significance of which requires further evaluation.

Regulatory Framework

State Regulations

Surface Mining and Reclamation Act of 1974

The California Department of Conservation, Geological Survey (CGS) and the California State Mining and Geology Board are required by the Surface Mining and Reclamation Act of 1974 (SMARA) to categorize lands into four Aggregate and Mineral Resource Zones (MRZs), described below. These MRZs classify lands that contain significant regional or Statewide mineral deposits. Lead Agencies are mandated by the State to incorporate MRZs into their General Plans.

MRZs are classified on the basis of geologic factors without regard to existing land use and land ownership. The four MRZs are categorized as follows:

- **MRZ-1:** An area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.

- **MRZ-2:** An area where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.
- **MRZ-3:** An area containing mineral deposits, the significance of which cannot be evaluated.
- **MRZ-4:** An area where available information is inadequate for assignment to any other MRZ zone.

Of the four categories, lands classified as MRZ-2 are of the greatest importance because such areas are underlain by demonstrated mineral resources or are located where geologic data indicate that significant measured or indicated resources are present. MRZ-2 areas are designated by the State Mining and Geology Board as being "regionally significant." Such designations require that a Lead Agency make land use decisions involving designated areas in accordance with its mineral resource management policies and that it consider the importance of the mineral resource to the region or the State as a whole, not just to the Lead Agency's jurisdiction.

Previous CEQA Documents

None of the prior environmental documents indicate that significant mineral resource deposits exist on the project site. Therefore, no impacts related to mineral resources were identified.

Project Impacts and Mitigation Measures

(a-b) Loss of known or identified mineral resource

No New Impact. The project site is not located in a designated mineral resource area. Therefore, the proposed project would not result in the loss of available of a known mineral resource that would be of value of the region and residents of the state or the loss of availability of any known locally important mineral resource recovery site. Therefore, no new or substantially more severe significant impacts related to mineral resources would occur. No additional analyses is required.

Source(s)

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Noise

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
12. NOISE. Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?				X
b. Generation of excessive ground borne vibration or ground borne noise levels?				X
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

Environmental Setting

Noise Background

Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a 10-fold increase in acoustic energy, while 20 dB is 100 times more intense and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness; and similarly, each 10 dB decrease in sound level is perceived as half as loud. Sound intensity is normally measured through the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for 24-hour sound measurements that better represent human sensitivity to sound at night.

As noise spreads from a source, it loses energy so that the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dB reduction in the noise level for each doubling of distance from a single point source of noise to the noise sensitive receptor of concern.

Vibration Background

Vibration refers to ground-borne noise and perceptible motion. Ground-borne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem where the motion may be discernible, but there is less adverse reaction without the effects associated with the shaking of a building. Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Building vibration may be perceived by occupants as motion of building surfaces, the rattling of items on shelves or hanging on walls, or a low-frequency rumbling noise, otherwise referred to as ground-borne noise. Typically, sources that have the potential to generate ground-borne noise are likely to produce airborne noise impacts that mask the radiated ground-borne noise. The rumbling noise is caused by the vibrating walls, floors, and ceilings radiating sound waves. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by 10 dB or less. This is an order of magnitude below the damage threshold for normal buildings.

Typical sources of ground-borne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment) and occasional traffic on rough roads. Problems with ground-borne vibration and noise from these sources are usually localized to areas within approximately 100 feet of the vibration source, although there are examples of ground-borne vibration causing interference out to distances greater than 200 feet. When roadways are smooth, vibration from traffic, even heavy trucks, is rarely perceptible. For most projects, it is assumed that the roadway surface will be smooth enough that ground-borne vibration from street traffic will not exceed the impact criteria; however, construction of the project could result in ground-borne vibration that could be perceptible and annoying.

Existing Noise Levels

Major sources of noise on and adjacent to the project site include noise generated by vehicles on I-580, traffic sources on Dublin Boulevard and Inspiration Drive, and from aircraft flyovers.

To assess the existing noise conditions in the area, two long-term and one short-term noise measurements were conducted at the project site. The two long-term, 24-hour measurements were taken from February 25, 2021, to February 26, 2021. The short-term, 20-minute measurement was taken on February 25, 2021. The locations of the noise measurements are shown on Figure 15 and the results are summarized in Table I. Noise measurement data information is provided in Appendix E of this analysis.

Table I: Existing Noise Level Measurements

Location Number	Location Description	Daytime Noise Levels[1] (dBA L_{eq})	Evening Noise Levels[2] (dBA L_{eq})	Nighttime Noise Levels[3] (dBA L_{eq})	Average Daily Noise Levels (dBA CNEL)	Primary Noise Sources
LT-1	Southwest corner of the project site. Approximately 25 feet from the outer edge of Dublin Boulevard, 70 feet from 18-foot sound wall, 120 feet from center of westbound I-580 lanes.	68.7–70.9	66.5–68.7	61.0–70.1	73.6	Traffic on I-580 and Dublin Boulevard.
LT-2	East of Inspiration Drive. Approximately 130 feet from the outer edge of Dublin Boulevard, 170 feet from 16-foot sound wall, 230 feet from center of westbound I-580 lanes.	70.2–75.1	70.9–72.1	66.4–74.8	78.1	Traffic on I-580 and Dublin Boulevard.
ST-1[4]	Terminus of McPeak Lane, northwest of proposed memory care facility.	52.1-54.3	49.9-52.1	44.4-53.5	57.0	Traffic on I-580 and Dublin Boulevard.

Source: Compiled by LSA (March 2021).
[1] Daytime Noise Levels = noise levels during the hours of 7:00 a.m. to 7:00 p.m.
[2] Evening Noise Levels = noise levels during the hours of 7:00 p.m. to 10:00 p.m.
[3] Nighttime Noise Levels = noise levels during the hours of 10:00 p.m. to 7:00 a.m.
[4] Short-term measurement data estimated based on corresponding long-term measurement intervals.
CNEL = Community Noise Equivalent Level
dBA = A-weighted decibels
ft = foot/feet

Surrounding Noise Sensitive Land Uses

Certain land uses are considered more sensitive to noise than others are. Examples of these include residential areas, educational facilities, hospitals, childcare facilities, and senior housing The nearest noise sensitive uses are the multifamily residential buildings approximately 15 feet to the west of Parcel 2 of the project site (proposed memory care facility site), and single-family residences located approximately 30 feet east of Parcel 3 of the project site (proposed assisted living facility site). Parcel 1 of the VCC EIR includes a church and associated schools. The school land uses are approximately 500 feet north of Parcel 3 and 600 feet north of Parcel 2.

Regulatory Framework

Federal Regulations

Federal Transit Administration

The criteria for environmental impacts resulting from ground-borne vibration are based on the maximum levels for a single event. The guidelines within the *FTA Manual* have been used to determine vibration impacts (refer to Table J, below).

Table J: Construction Vibration Damage Criteria

Building Category	PPV (in/sec)
Reinforced concrete, steel, or timber (no plaster)	0.50
Engineered concrete and masonry (no plaster)	0.30
Non-engineered timber and masonry buildings	0.20
Buildings extremely susceptible to vibration damage	0.12

Source: *Transit Noise and Vibration Impact Assessment Manual* (FTA 2018), Table 12-3.
FTA = Federal Transit Administration PPV = peak particle velocity
in/sec = inches per second

The *FTA Manual* guidelines show that a vibration level of up to 0.2 in/sec PPV is considered safe for non-engineered timber and masonry buildings and would not result in any construction vibration damage. Therefore, in order to be conservative, the 0.2 in/sec PPV threshold has been used when evaluating vibration impacts at the nearest structures to the site.

Local Regulations

City of Dublin General Plan

The Noise Element of the City of Dublin General Plan establishes residential, commercial, and industrial land use compatibility standards for noise measured at the property line of the receiving land use. The land use compatibility noise criteria, as shown in Table K, provide the basis for decisions on location of land uses in relation to noise sources and for determining noise mitigation requirements.

The Noise Element of the Dublin General Plan identifies "normally acceptable" noise levels for all schools, churches and nursing home uses as 60 dBA CNEL or less. Noise levels from 61-70 CNEL are considered “conditionally acceptable,” while noise levels between 71-80 CNEL are considered “normally unacceptable.” Noise levels over 80 dBA CNEL are considered clearly unacceptable for new development of these types of land uses.

Table K: City of Dublin Land Use/Noise Compatibility Standards (dBA CNEL)

Land Use Category	Normally Acceptable	Conditionally Acceptable[1]	Normally Unacceptable	Clearly Unacceptable
Residential	60 or less	61-70	71-75	Over 75
Motels, hotels	60 or less	61-70	71-80	Over 80
Schools, churches, nursing homes	60 or less	61-70	71-80	Over 80
Neighborhood parks	60 or less	61-65	66-70	Over 70
Offices: retail commercial	70 or less	71-75	76-80	Over 80
Industrial	70 or less	71-75	Over 75	-

Source: Dublin General Plan Noise Element, Table 9-1, 2012
CNEL = Community Noise Equivalent Level
[1] Conditionally acceptable exposure requires noise insulation features in building design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

City of Dublin Municipal Code

The City of Dublin's Municipal Code (Section 5.28.020) prohibits any person within the City from making any loud, or disturbing, or unnecessary, or unusual or habitual noise or any noise which annoys or disturbs or injures or endangers the health, repose, peace, or safety of any reasonable person of normal sensitivity present in the area.

Dublin Municipal Code Section 8.36.060(C)(3) states that for lots 5,000 square feet or larger, mechanical equipment that generates noise when located within a required setback as allowed by this subsection, and within 10 feet of an existing or potential residence, or an existing paved patio area on adjoining property, shall be enclosed as necessary to reduce noise at the property line to a maximum of 50 dBA at any time.

Previous CEQA Documents

VCC EIR

The VCC EIR found that residents of dwellings surrounding the project site would be subject to short-term but potentially significant noise due to construction of new buildings, parking areas and associated improvements. The VCC EIR determined that existing residents west of the project site along Dublin Boulevard would be the most impacted. As such, the VCC EIR identified Mitigation Measure 4.8-1 to reduce construction noise impacts to a less-than-significant level.

The VCC EIR also found that upper floors of residential dwellings proposed at the northwest corner of Dublin Boulevard and Inspiration Drive would be subject to noise levels ranging from

71 to 74 dBA CNEL, which is considered an unacceptable noise level. The VCC EIR identified Mitigation Measure 4.8-2 to reduce future residential noise impacts to a less than significant level. In addition, the VCC EIR found that the main VCC campus would be exposed to future significant noise levels from I-580. As such, the VCC EIR identified Mitigation Measure 4.8-3 to reduce non-residential noise impacts, specifically at the proposed chapel, to a less-than-significant level.

The VCC EIR also evaluated impacts of future evening activities and found that commencement of these activities could generate significant noise on surrounding residential neighborhoods. The VCC EIR determined that implementation of Mitigation Measure 4.8-4 would reduce impacts of future evening activities to less than significant.

In addition, the VCC EIR determined that additional traffic added to local streets near the project site would increase noise on adjacent properties less than 1 dB CNEL at full build out. Therefore, impacts of project traffic were found to be less than significant and no mitigation was required.

The following mitigation measures from the VCC EIR would be applicable to the proposed project:

Mitigation Measure 4.8-1 (construction noise impacts): The following construction noise reduction measures shall be implemented as part of all construction.

a. Limit construction time to be 8:00 a.m. to 6:00 p.m. Monday-Saturday, except state and federal holidays. Exceptions may be granted in writing by the City Building Official for emergency or extenuating circumstances

b. Noisy stationary equipment should be located away from the homes.

c. All construction equipment should be in good working order and the mufflers should be inspected for proper functioning.

d. Designate a construction noise coordinator. This coordinator shall be available to respond to complaints from neighbors and take appropriate measures to reduce noise.

Mitigation Measure 4.8-2 (residential noise impacts): As part of Site Development Review applications for the housing portion of the project, a detailed acoustic study shall be completed by a qualified consultant to identify specific noise exposure of the dwellings and recommend specific measures to ensure that City interior and exterior noise exposure limits are met.

The analysis necessary to comply with Mitigation Measure 4.8-2 is being completed within a separate Land Use Compatibility Noise Report.

Mitigation Measures 4.8-3 and 4.8-4 would not be applicable to the proposed project, as the chapel and associated evening outdoor activities are not part of the currently proposed project. The proposed project will be required to comply with applicable noise mitigation measures contained in the VCC EIR.

2018 Supplemental IS/MND

The 2018 Supplemental IS/MND identified a new potentially significant impact associated with the proposed sound amplification system for the sports fields and amphitheater proposed to be located in the northwestern corner of the campus. Mitigation Measure NOISE-1, which establishes a noise performance standard for the proposed Public Address (PA) systems, was identified to reduce this impact to a less than significant level. As the proposed project does not include a PA system, this mitigation measure would not apply to the proposed project.

The 2018 Supplemental IS/MND also determined that construction impacts would be considered a more severe impact than was included in the VCC EIR since the 2018 project included an increase of up to 1,300 square feet of floor space over the approved VCC Master Plan and a football stadium. Mitigation Measure NOISE-2 was identified to reduce this impact to less than significant. Mitigation Measure NOISE-2 would apply to the proposed project:

> **Mitigation Measure NOISE-2**. In addition to the measures required by 2003 EIR 4.9-1, the project Applicant shall prepare a construction noise management plan that identifies measures to be taken to minimize construction noise on surrounding sensitive receptors (e.g., residential uses and schools) and includes specific noise management measures to be included into project plans and specifications subject to review and approval by the City. These measures shall include, but not be limited to the following:
>
> a. All construction equipment shall be equipped with mufflers and sound control devices (e.g., intake silencers and noise shrouds) no less effective than those provided on the original equipment and no equipment shall have an un-muffled exhaust.
>
> b. The contractor shall maintain and tune-up all construction equipment to minimize noise emissions.
>
> c. Stationary equipment shall be placed so as to maintain the greatest possible distance to the sensitive receptors.
>
> d. All equipment servicing shall be performed so as to maintain the greatest possible distance to the sensitive receptors.

e. The project Applicant(s) shall provide, to the satisfaction of the City of Dublin Planning Department, a qualified "Noise Disturbance Coordinator." The Noise Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Noise Disturbance Coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, malfunctioning muffler, etc.) and shall implement reasonable measures to resolve the compliant, as deemed acceptable by the Dublin Planning Department. If any notices are sent to residential units immediately surrounding the construction site by the City and all signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator.

f. Select demolition method to minimize vibration, where possible (e.g. sawing masonry into sections rather than demolishing it by pavement breakers).

g. The construction contractor shall limit all on-site noise producing construction activities, including deliveries and warming up of equipment, to the daytime hours of 7:30 am to 5:00 pm, Monday through Friday (excluding holidays) unless otherwise approved by the City Engineer.

Project Impacts and Mitigation Measures

(a) Generate noise exceeding standards

No New Impact. The short-term construction and long-term noise impacts associated with the proposed project are described below.

Short-Term Construction Noise Impacts. Project construction would result in short-term noise impacts on the nearby sensitive receptors. Maximum construction noise would be short-term, generally intermittent depending on the construction phase, and variable depending on receiver distance from the active construction zone. The duration of noise impacts generally would be from one day to several days depending on the phase of construction. The level and types of noise impacts that would occur during construction are described below.

Table L lists typical construction equipment noise levels (L_{max}) recommended for noise impact assessments, based on a distance of 50 feet between the equipment and a noise receptor, obtained from the Federal Highway Administration (FHWA) Roadway Construction Noise Model. Construction-related short-term noise levels would be higher than existing ambient noise levels currently in the project area but would no longer occur once construction of the project is completed.

Two types of short-term noise impacts could occur during construction of the proposed project. The first type involves construction crew commutes and the transport of construction

equipment and materials to the site, which would incrementally raise noise levels on Inspiration Drive and Dublin Boulevard leading to the project site. Two main categories of trips would be generated by construction activities: (1) worker commute trips; and (2) haul/delivery truck trips. Heavy equipment would not be hauled to/from the project site daily; it would be hauled in at the beginning of construction and hauled out upon completion of construction. Construction trips would occur throughout the day, but because the hauling trucks do not pass sensitive uses, there would be no impacts to sensitive uses.

The second type of short-term noise impact is related to noise generated during site preparation and the construction of the two proposed facilities, associated parking, and site improvements. The project would be constructed in five phases over a period of 455 days. Construction would be undertaken in discrete steps, each of which would have its own mix of equipment, and consequently its own noise characteristics. These various sequential phases would change the character of the noise generated on the project site. Therefore, the noise levels would vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

Table L lists the maximum noise levels from the Highway Construction Noise Handbook recommended for noise impact assessments for the loudest anticipated construction that would be used for the project based on a distance of 50 feet between the equipment and a noise receptor. Typical operating cycles for these types of construction equipment may involve one to two minutes of full power operation followed by three to four minutes at lower power settings.

In addition to the reference maximum noise level, the usage factor provided in Table L is utilized to calculate the hourly noise level impact for each piece of equipment based on the following equation:

$$L_{eq}(equip) = E.L. + 10\log(U.F.) - 20\log\left(\frac{D}{50}\right)$$

where: $L_{eq}(equip)$ = L_{eq} at a receiver resulting from the operation of a single piece of equipment over a specified time period

E.L. = noise emission level of the particular piece of equipment at a reference distance of 50 ft

U.F. = usage factor that accounts for the fraction of time that the equipment is in use over the specified period of time

D = distance from the receiver to the piece of equipment

Table L: Typical Maximum Construction Equipment Noise Levels (Lmax)

Type of Equipment	Acoustical Usage Factor	Suggested Maximum Sound Levels for Analysis (dBA L_{max} at 50 ft)
Air Compressor	40	80
Backhoe	40	80
Crane	16	85
Excavator	40	85
Forklift	20	85
Generator	50	80
Grader	40	85
Loader	40	80
Paver	50	85
Roller	20	85
Scraper	40	85
Skid Steer Loader	40	80
Tractor	40	84
Trencher	50	82
Water Truck	40	84

Source: *Highway Construction Noise Handbook* (FHWA 2006).
dBA = A-weighted decibel
FHWA = Federal Highway Administration
ft = foot/feet
HP = horsepower
L_{max} = maximum noise level

Each piece of construction equipment operates as an individual point source. Utilizing the following equation, a composite noise level can be calculated when multiple sources of noise operate simultaneously:

$$Leq\ (composite) = 10 * \log_{10}\left(\sum_{1}^{n} 10^{\frac{Ln}{10}}\right)$$

Table L shows the composite noise levels of the two loudest pieces of equipment for each construction phase, at a distance of 50 feet from the construction area.

Once composite noise levels are calculated, reference noise levels can then be adjusted for distance using the following equation:

$$Leq\ (at\ distance\ X) = Leq\ (at\ 50\ feet) - 20 * \log_{10}\left(\frac{X}{50}\right)$$

In general, this equation shows that doubling the distance would decrease noise levels by 6 dBA while halving the distance would increase noise levels by 6 dBA.

Table M: Equipment Noise by Construction Phase

Construction Phase	Loudest Equipment	Composite Noise Level at (dBA L_{eq} at 50 ft)
Site preparation, Grading	Excavator	88
	Grader	
Building Construction	Crane	88
	Forklift	
Paving	Paver	88
	Roller	
Architectural Coating	Air Compressor	80

Sources: Compiled by LSA Associates, Inc. (2021). *Construction Noise Handbook* (FHWA 2006).
dBA = A-weighted decibel
FHWA = Federal Highway Administration
ft = foot/feet
L_{max} = maximum noise level

According to the construction schedule provided by the applicant, the phases of construction include: (1) site preparation; (2) grading; (3) building construction; (4) paving; and (5) architectural coating. To provide a conservative estimate, the noise levels were calculated from the edge of the project site, whereas the construction activities would cover the entire site and often be further from sensitive receptors. Based on the typical construction equipment noise levels shown in Table M, noise levels associated with these pieces of construction equipment operating simultaneously would be approximately 88 dBA L_{eq} at 50 feet.

The closest sensitive receptors include multi-family residences located west of the project site, approximately 110 feet from the center of Parcel 2, resulting in short-term construction noise levels associated approaching 81 dBA L_{eq}. Single-family residences located east of the project site, approximately 500 feet from the acoustical center of Parcel 3, resulting in short-term construction noise levels approaching 68 dBA L_{max}.

Construction equipment would operate at various locations throughout project site and construction activities at any one receptor location would occur for a limited duration. While construction-related short-term noise levels have the potential to be higher than existing ambient noise levels in the project area, the noise impacts would no longer occur once project construction is completed.

As compared to the previous VCC EIR, the proposed project would generate similar noise levels during construction and would implement the previously required mitigation measures, Mitigation Measure 4.8-1and Mitigation Measure NOISE-2, to reduce construction related impacts to a less-than-significant level. Mitigation Measure 4.8-1, identified in the VCC EIR, and Mitigation Measure NOISE-2, identified in the 2018 Supplemental IS/MND, would reduce construction noise impacts to a less-than-significant level by limiting construction to the

daytime hours. With implementation of these mitigation measures, the proposed project would not result in any new or more severe impacts compared to those identified in the prior environmental documents. No additional analysis is required.

Long-Term Off-Site Traffic Noise Impacts

The proposed project is estimated to generate an average daily traffic (ADT) volume of 329. The existing ADT volume on Inspiration Drive north of Dublin Boulevard is 1,557.[8] It takes a doubling of traffic to increase traffic noise levels by 3 dBA per the following equation that was used to determine potential traffic noise increases:

$$\text{Change in CNEL} = 10 \log_{10} [V_{e+pt}/V_{existing}]$$

where: $V_{existing}$ = the existing daily volume
V_{e+pt} = existing daily volumes plus project trips
Change in CNEL = the increase in noise level due to project trips

The project-related traffic would increase traffic noise on Inspiration Drive north of Dublin Boulevard by up to 0.8 dBA. This noise level increase would not be perceptible to the human ear in an outdoor environment. Therefore, traffic noise impacts from project-related traffic on off-site sensitive receptors would be less than significant. The proposed project would not result in any new or more severe impacts compared to those previously identified in the prior environmental documents. No additional analysis is required.

Long-term Off-Site Operation-Related Noise Impacts**.** Noise impacts associated with the long--term operation of the project must comply with the 50 dBA L_{eq} standard for residential land uses as outlined in the City's Municipal Code above.

Adjacent off-site land uses would be potentially exposed to stationary-source noise impacts from heating, ventilation, and air conditioning (HVAC) equipment proposed with the project.

The project is expected to have HVAC units serving each facility of the project site. The HVAC equipment could operate 24 hours per day. One HVAC unit would generate a noise level of 72 dBA L_{eq} at 3.3 feet, based on manufacturer testing of typical equipment for such uses. Table N shows the exterior noise levels from on-site HVAC units at land uses nearest to the project along with the approximate distance from the closest HVAC unit and distance attenuation.

[8] *Collected by National Data & Surveying Services, compiled by LSA, 2021*

Table N: Summary of HVAC Noise Levels

Land Use (Direction)	Reference Noise Level (dBA L_{eq})	Reference Distance (ft)	Distance[1] (ft)	Distance Attenuation (dBA)	Exterior Noise Level (dBA L_{eq})
Multi-family Residences (west)	72	3.3	150	33	39
Single-family Residences (east)			300	39	33
School (north)			500	44	28

Source: Compiled by LSA Associates, Inc. (2021)
[1] Distance from HVAC sources to outdoor activity area at the nearest sensitive receptor.
dBA = A-weighted decibels
ft = feet
L_{eq} = equivalent continuous sound level

As stated in Table N, hourly noise levels associated with the operation of the proposed HVAC equipment would be below the City's 50 dBA L_{eq} exterior noise standard for mechanical equipment. Therefore, no mitigation is required to reduce operational noise levels.

Furthermore, the previous project included multi-family uses at the same location of the proposed memory care facility. Both uses would include similar sources of noise including parking lot activities and HVAC equipment. It is expected that the potential impacts would be the same or less at the memory care facility due to fewer trips associated with this institutional use (i.e., facility residents are patients that would not be driving).

As described above, the project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or any other applicable standards. As such, the proposed project would not result in any new or more severe impacts compared to those previously identified in the VCC EIR and 2018 Supplemental IS/MND. No additional analysis is required.

(b) Generate excessive ground borne vibration or ground borne noise

No New Impact. Construction of the proposed project could result in the generation of groundborne vibration. This construction vibration impact analysis assesses the potential for building damages using vibration levels in peak particle velocity (in/sec PPV). The FTA Manual guidelines indicate that a vibration level up to 0.2 in/sec PPV is considered safe for non-engineered timber and masonry buildings.Table O shows the PPV values at 25 feet from a construction vibration source. Bulldozers and other heavy-tracked construction equipment (except for vibratory rollers) generate approximately 0.089 in/sec PPV of groundborne vibration when measured at 25 feet.

Table O: Vibration Source Amplitudes for Construction Equipment

Equipment	Reference PPV (in/sec) at 25 feet
Vibratory Roller	0.210
Hoe Ram	0.089
Large Bulldozer	**0.089**
Caisson Drilling	0.089
Loaded Trucks	0.076
Jackhammer	0.035
Small Bulldozer	0.003

Sources: *Transit Noise and Vibration Impact Assessment* (FTA 2018).
in/sec = inches per second PPV = peak particle velocity

Construction vibration, similar to vibration from other sources, would not have any significant effects on outdoor activities (e.g., those outside of residential buildings in the project vicinity). While vibration from construction activity was not assessed in the VCC EIR, the proposed project is expected to include the use of heavy equipment similar to a large bulldozer. The distance to the nearest buildings for vibration impact analysis is measured between the nearest off-site buildings and the project disturbance areas because vibration impacts occur normally within the buildings. The formula for vibration transmission is provided below.

$$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$$

As identified above, multifamily residential structures are located as close as 15 feet away from the project site and would experience vibration levels approaching 0.156 in/sec PPV with the use of heavy equipment at western property line of Parcel 2. Based on this analysis, vibration levels would not exceed any of the established guidelines considered for damage potential.

Short-term construction impacts related to ground-borne vibration or ground-borne noise would be minimal and temporary in nature and would cease upon construction. Therefore, construction vibration impact areas would be considered less than significant. As such, the proposed project would not result in any new or more severe impacts compared to those previously identified in the prior environmental documents. No additional analysis is required.

(c) Excessive noise level near a private airport

No New Impact. The project site is not located within two miles of a public or public use airport. Aircraft noise is occasionally audible at the project site; however, no portion of the project site lies within the 60 dBA CNEL noise contours of any public airport nor does any portion of the project site lie within two miles of any private airfield or heliport. Therefore, the proposed project would not result in the exposure of people residing or working in the project area to excessive noise levels. No additional analysis is required.

Source(s)

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Population and Housing

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
13. POPULATION AND HOUSING. Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Environmental Setting

According to the City of Dublin General Plan, in 2010, Dublin's total population was estimated at 46,036 and represented 17 percent of the 269,437 residents in the Tri-Valley area. Data from the 2020 United States Census indicates that Dublin's total population has grown to 72,589 and 24,426 housing units. The project site consists of approximately 32.8 acres of school uses and 14.1 acres of undeveloped land. No residential units currently exist at the project site.

Regulatory Framework

Regional and Local Regulations

Association of Bay Area Governments Projections 2040

The Association of Bay Area Governments (ABAG) is the regional planning agency for the San Francisco Bay Area. ABAG Projections 2040 (2018) is a growth forecast, which informs agencies such as MTC and BAAQMD for the purpose of project funding and regulatory decisions. The data for the projections were prepared in connection with Plan Bay Area 2040, adopted by ABAG and MTC in the summer of 2017. Data for this forecast are provided from collective regional General Plans, zoning codes, and growth management programs. This growth forecast is produced every four years with the Projections 2040 report being the most recent projection. These periodic updates include developing impacts of "smart growth" policies and incentives to improve future development trends in the region, such as a more balanced ratio of the number of jobs to houses.

Plan Bay Area 2040

Plan Bay Area 2040 is the Bay Area's Regional Transportation Plan and Sustainable Communities Strategy as mandated by Senate Bill 375, the Sustainable Communities and

Climate Protection Act. Plan Bay Area 2040 is a limited and focused update to the 2013 Plan Bay Area and includes key economic, demographic, and financial trends from the last several years. Plan Bay Area 2040 was adopted by ABAG and the MTC in 2017. Plan Bay Area aims to concentrate new population and employment growth in the region to areas with pre-existing transportation infrastructure to ensure greenhouse gas reductions are met.

Previous CEQA Documents

VCC EIR

The VCC EIR concluded that approval of the VCC Project would facilitate the addition of 22 new dwelling units and approximately 59 residents. The VCC EIR determined that since proposed land uses and construction of the dwellings would generally be consistent with regional housing and population projections used for planning purposes, this impact would be less-than-significant. In addition, the VCC EIR determined that on-site employment would increase from 145 to 165 staff with implementation of the VCC Project. It was determined that this increase would not be significant. No mitigation measures were identified.

The VCC EIR identified less than significant impacts related to population and housing.

2018 Supplemental IS/MND

No new or more significant impacts related to land use and planning were identified in the 2018 Supplemental IS/MND.

Project Impacts and Mitigation Measures

(a) Population growth

No New Impact. As described above, the VCC Expansion Project proposed to develop 22 multi-family residential units on Parcel 2, resulting in a population increase of 59 residents. The proposed project would provide residential care for approximately 139 elderly individuals (139 beds), which represents about 0.19 percent of the City's 2020 population (72,589). The estimated population served by the proposed project (139 elderly individuals) would represent approximately 0.17 percent of the City's projected 2040 population (83,595), as identified in Plan Bay Area 2040. The population growth anticipated between 2020 and 2040 is expected to be 11,006; population associated with the project would represent 1.26 percent of the anticipated growth. As described in Section 10, Land Use, the proposed project, as a memory care facility and an assisted living facility, would be considered quasi-public facilities, and is not a residential use. Elderly individuals who would be served by these two facilities would likely come from within the City and surrounding communities. Therefore, the proposed project would not induce substantial unplanned population growth.

As described above, the VCC EIR determined that implementation of the VCC Expansion Project would increase employment at the project site by approximately 20 employees in order to

serve the expanded school and church facilities. Since the proposed VCC campus improvements have been constructed, it is assumed that some or all of these additional staff are currently working at the project site. The proposed project would provide employment opportunities for up to 77 staff to serve the project residents. A fraction of these employees may move to the City solely for reasons of employment, although employees would likely commute from various communities throughout the Bay Area, due to the proximity of the I-580 corridor. Therefore, the proposed Project would not directly or indirectly induce substantial population growth on the site or in the surrounding area through the increase in employment on the site.

The extension of infrastructure onto the project site, including roadways and utilities that would only serve the proposed development, would not contribute to or cause additional growth to occur outside of the City boundaries or elsewhere within the vicinity of the project site, as the project site is surrounded by existing development.

As described above, patients and employees associated with the memory care and assisted living facilities would come from within the City and surrounding communities. Therefore, the proposed project would not directly or indirectly induce substantial unanticipated population growth in the City. Further, the proposed project is consistent with the General Plan's Public/Semi-Public land use designation and would not generate growth beyond that anticipated in the General Plan. Therefore, the proposed project would not result in new or more significant population growth than was analyzed and described in the prior environmental documents. No additional analysis is required.

(b) Housing and resident displacement

No New Impact. The proposed project would not displace substantial numbers of existing housing or people, such that replacement housing would need to be constructed elsewhere, as the site is currently vacant. This potential impact would be considered less than significant. Therefore, the proposed project would not result in new significant or substantially more severe significant housing impacts than were analyzed in the prior environmental documents. No additional analysis is required.

Source(s)

Association of Bay Area Governments and Metropolitan Transportation Commission. 2018. Plan Bay Area Projections 2040 - A Companion to Plan Bay Area 2040. November. Available online at: http://mtcmedia.s3.amazonaws.com/files/Projections_2040-ABAG-MTC-web.pdf (accessed June 25, 2021).

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

U.S. Census Bureau. 2021. Quick Facts Dublin City, California website: www.census.gov/quickfacts/dublincitycalifornia (Accessed October 11, 2021).

Public Services

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
14. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
a. Fire protection?				X
b. Police protection?				X
c. Schools?				X
d. Parks?				X
e. Other public facilities?				X

Environmental Setting

The proposed project is located within the City of Dublin and is served by the following existing public services.

Fire Protection

Fire suppression, emergency medical and rescue services, and other life safety services are provided to the project area and site by the Alameda County Fire Department (ACFD). There are three fire stations in Dublin, with the closest to the project site being Fire Station No. 16 at 7494 Donohue Drive, approximately 1.25 miles northeast.

Police Protection

The Alameda County Sherriff's Office provides contracted police protection to the project area and project site. The Dublin Police Services headquarters are located at 6361 Clark Avenue, east of the project site.

Schools

The project site is served by the Dublin Unified School District, which operates seven elementary, two middle, one K-8, one comprehensive high school, and one continuation high school, within the City of Dublin.

Parks

The City's Public Works Department oversees the maintenance of parks and recreational facilities throughout the City.

Library Services

The Dublin Library is operated by Alameda County Library, with additional funding from the City of Dublin. The Dublin Public Library is located at 200 Civic Plaza, southwest of the project site.

Regulatory Framework

Federal and State Regulations

California Fire Code

The California Fire Code exists within Part 9 of the CBC and includes measures for emergency planning preparation and safety. Examples of fire safety requirements include: installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas.

California Government Code Sections 65995 to 65998 (School Facilities)

California Government Code Section 65996 exists to offset the impacts of certain types of development on school facilities by requiring payment of fees to the associated school district prior to receiving a building permit. The school district is therefore responsible for implementing specific methods for mitigating school impacts under the Government Code. Pursuant to California Government Code Section 65995, payment of school impact fees is considered to be full mitigation for reducing impacts on school facilities that would result from implementation of a project.

Local Regulations

City of Dublin General Plan

Chapter 3 of the Land Use Element outlines policies and programs to provide open space both within and apart from development projects, which relate to the provision of park facilities in the City. Those policies are listed in Section 15, Recreation.

Section 8.3.2 of the City of Dublin outlines the following policies and programs related to fire hazards and fire protection:

> **Guiding Policy 8.3.2.1.A.1.** Require special precautions against fire as a condition of development approval in the western hills and elsewhere in the Extended planning Areas where proposed development would interface with open space.

Implementing Policy 8.3.2.1.B.1. Continue to enforce the City's wild land urban interface regulations.

Section 4.2 of the City of Dublin outlines the following policies and programs related to public schools:

Guiding Policy 4.2.1.A.1. Cooperate with the Dublin Unified School District to ensure preservation of surplus sites compatible with surrounding land uses and Housing Element objectives.

Guiding Policy 4.2.1.A.2. Cooperate with the Dublin Unified School District to ensure provision of school facilities in the Extended Planning Areas.

Implementing Policy 4.2.1.B.1. Initiate preparation of site plans or specific plans jointly with the Dublin Unified School District prior to sale of surplus sites.

Implementing Policy 4.2.1.B.2. As a condition of project approval in the Extended Planning Area, it is required that logical and buildable school sites be offered for dedication according to the State's Board of Education guidelines and acceptable to the Dublin Unified School District. This type of cooperation will achieve harmonious relationships between new development and existing residential areas and new park sites (See Open Space Element).

Previous CEQA Documents

VCC EIR The VCC EIR determined that impacts related to fire and police protection services would be less than significant. However, a potentially significant impact related to schools was identified, as the proposed multi-family residential development originally proposed on Parcel 2 would generate an estimated two new elementary school students, one middle school student and four high school students, which had not been planned for the Dublin Unified School District. Mitigation Measure 4.11-1 (schools) was identified to reduce this impact to a less-than-significant level.

Mitigation Measure 4.11-1 (schools): Prior to issuance of the first residential building permit, the project applicant shall enter into a school mitigation program with the Dublin Unified School District to ensure that a fair share fee towards off-setting costs to provide educational services to the District is provided.

2018 Supplemental IS/MND No significant impacts related to public services were identified in the 2018 Supplemental IS/MND.

Project Impacts and Mitigation Measures

(a) Fire protection

No New Impact. The construction of a 55-bed memory care facility on Parcel 2 and an 84-bed assisted living facility on Parcel 3 would serve approximately 139 elderly individuals and result in 77 additional staff at the project site. Development of the existing vacant site with an institutional use could incrementally increase demand for fire protection services. However, the proposed project is required to adhere to the CBC, the California Fire Code and City of Dublin codes, ordinance and regulations to minimize fire hazards, including fire prevention and suppression measures; fire hydrants and sprinkler systems; emergency access; and other similar requirements. ACFD would continue to provide services to the project site and would not require additional firefighters to serve the proposed project. The demand for fire protection services resulting from the proposed project would not require the construction of new or alteration of existing fire protection facilities to maintain an adequate level of fire protection service. No physical impacts associated with the provision of fire protection services would occur. Therefore, the proposed project would not result in new significant or substantially more severe significant impacts related to fire protection than were analyzed and described in the prior environmental documents. No additional analysis is required.

(b) Police protection, police, schools, parks and other public facilities

No New Impact. The construction of a 55-bed memory care facility on Parcel 2 and an 84-bed assisted living facility on Parcel 3 would serve approximately 139 elderly individuals and result in 77 additional staff at the project site. Development of the existing vacant site with an institutional use could incrementally increase demand for police protection services. However, the proposed project would incorporate safety features such as setbacks from the street and well-lit exterior spaces with visual exposure, would have a continual presence of staff members 24 hours per day, and would have a steady presence of residents and visitors during daytime hours. The increased demand for police protection services resulting from the proposed project would not be substantial compared to existing conditions, and would not require the construction of new or alteration of existing police protection facilities to maintain an adequate level of police protection service. No physical impacts associated with the provision of police protection services would occur. Therefore, the proposed project would not result in new significant or substantially more severe significant impacts related to police protection than were analyzed and described in the prior environmental documents. No additional analysis is required.

(c) Schools

No New Impact. The proposed project would develop a memory care facility and assisted living facility for senior citizens and would not generate additional students in the Dublin Unified School District. Additionally, as previously discussed, it is expected that new jobs that would be created by the proposed project would be filled by existing residents in the area. Appropriate developer impact fees, as required by State law, would be assessed and paid by the project applicant to offset any impact to school facilities, consistent with Mitigation Measure 4.11-1 identified in the VCC EIR. Therefore, the proposed project would not result in new significant or substantially more severe significant impacts related to schools than were analyzed and described in the prior environmental documents. No additional analysis is required.

(d) Parks

No New Impact. The construction of a 55-bed memory care facility on Parcel 2 and an 84-bed assisted living facility on Parcel 3 would serve approximately 139 elderly individuals and result in 77 additional staff at the project site. The assisted living and memory care facilities would provide amenities for patients and staff, including courtyards with turf area, patio, plantings and a fountain; and walkways around the perimeter of the facilities, which would allow for secure outdoor recreational activities for the residents. The proposed project would not contribute to a substantial increase in the population necessitating either construction of new or alteration of existing park facilities to maintain an adequate level of service. No physical impacts associated with the provision of park services would occur. Therefore, the proposed project would not result in new significant or substantially more severe significant impacts related to parks than were analyzed and described in the prior environmental documents. No additional analysis is required.

(e) Other public facilities

No New Impact. A portion of the patients and staff served by the proposed project would likely patronize public facilities such as local library branches operated by the Alameda County Library. However, as described above patients and staff are likely to come from within the City and surrounding communities; therefore, the proposed project is not anticipated to increase the number of library patrons utilizing public facilities. Therefore, the proposed project would not result in new significant or substantially more severe significant impacts related to other public facilities than were analyzed and described in the prior environmental documents. No additional analysis is required.

Source(s)

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Recreation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
15. RECREATION. Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Environmental Setting

The City of Dublin has a variety of recreational facilities including neighborhood parks, community parks, community facilities, a senior center, open space areas and a series of trail networks. According to the City of Dublin Parks and Recreation Master Plan, the City of Dublin currently has 18 parks, five deeded park sites, and six school parks and City-owned open space areas that account for nearly 233 acres of dedicated open space and developed park land. In addition, the City has over 59 acres of undeveloped parkland that has either been offered for dedication by landowners or acquired by the City. In addition, the East Bay Regional Park District (EBRPD) operates the Dublin Hills Regional Park, a large open space park with regional trail connections. The Iron Horse Trail runs along the Union Pacific/Southern Pacific Railroad right-of-way, connecting Dublin, the Dublin/Pleasanton BART station and the City of Pleasanton.

Regulatory Framework

Local Regulations

City of Dublin General Plan

Chapter 3 of the Land Use Element outlines policies and programs to provide open space both within and apart from development projects. The following goals and policies related to parks and recreation that are applicable to the proposed project:

> **Guiding Policy 3.4.1.A.1.** Expand park area throughout the Primary and Extended Planning Areas to serve new development.
>
> **Guiding Policy 3.4.1.A.3.** Restrict structures on the hillsides that appear to project above major ridgelines. The present undisturbed natural ridgelines as seen from the Primary

Planning Area and key travel corridors are an essential component of Dublin's appearance as a freestanding city ringed by open hills.

Implementing Policy 3.4.1.B.1. Acquire and improve parklands in conformance with the standards and policies in the City's Parks and Recreation Master Plan.

Implementing Policy 3.4.1B.2. Continue to maintain and periodically update the Citywide Parks and Recreation Master Plan. The Master Plan shall provide specific standards for acquiring parkland to support growth planned in the Land Use Element.

Implementing Policy 3.4.1.B.3. The policies set forth below, as implemented through the Parks and Recreation Master Plan and development approvals, constitute the action program for preserving and providing open space for outdoor recreation.

Guiding Policy 3.4.3.A.1. Provide a north-south trail link across the Planning Area, as part of a regional trail network.

Guiding Policy 3.4.3.A.2. Create a local trail network, which links large areas of permanent open space, while providing convenient access from nearby residential areas. Maximize visual exposure to open space, and provide multiple local physical access points to increase public enjoyment of open space.

Implementing Policy 3.4.3.B.1. In conjunction with development approvals, promote land dedication or reservation, and improvements for a ridgeline regional trail and other trail links.

Previous CEQA Documents

VCC EIR

The VCC EIR determined that impacts related to parks and recreation would be less than significant. No mitigation measure were identified for this environmental topic.

2018 Supplemental IS/MND

No significant impacts related to recreation were identified in the 2018 Supplemental IS/MND.

Project Impacts and Mitigation Measures

(a) Increase the use of existing recreation facilities causing deterioration

No New Impact. As discussed in Section 14.d, implementation of the proposed project, which would provide 139 beds for senior citizen residents, would not substantially increase the demand for park and recreation facilities. Similarly, the proposed project would not increase

the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. Therefore, no new significant or substantially more severe significant impacts related to existing recreation facilities would result from the proposed project. No additional analysis is required.

(b) Propose, require new facilities that cause physical effect

No New Impact. The proposed project would not include construction of recreational facilities nor is it required to construct or expand recreational facilities. As shown on Figures 7 and 8, the proposed facilities would include private courtyards for the exclusive use of future residents. The courtyards would be provided at the ground level, in the central portion of each of the proposed buildings. The courtyard for the memory care facility would include an artificial turf area, plantings and a patio with a water feature. The courtyard for the assisted living facility would include a patio area with seating. The physical impacts resulting from the construction of these facilities have been evaluated in this Initial Study checklist. No new significant or substantially more severe significant impacts related to new recreation facilities would result from the proposed project. No additional analysis is required.

Source(s)

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Transportation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
16. TRANSPORTATION/TRAFFIC. Would the project:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?				X
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d. Result in inadequate emergency access?				X

Environmental Setting

Key roadways in the vicinity of the proposed project are as follows:

- **Inspiration Drive:** According to the City of Dublin General Plan Circulation and Scenic Highways Element, Inspiration Drive is classified as a Local Residential roadway. Inspiration Drive is a two-lane divided, north-south roadway that provides access to the proposed assisted living facility and memory care facility. The posted speed limit within the vicinity of the project site is 25 miles per hour (mph). Sidewalks are provided on the western side of the roadway. On-street bicycle lanes are not provided on either side of the street. On-street parking is prohibited.

- **Dublin Boulevard:** According to the City of Dublin General Plan Circulation and Scenic Highways Element, Dublin Boulevard is classified as an Arterial roadway. In the vicinity of the project, Dublin Boulevard is a two-lane divided, east-west roadway that provides regional access within the City. The posted speed limit is 40 mph. Sidewalks are provided on the northern side of the roadway. On-street bicycle lanes are not provided on either side of the street. On-street parking is prohibited.

Peak-hour traffic volume data were collected on Tuesday, February 2, 2021, and adjusted to approximate non-pandemic conditions (see Traffic Analysis in Appendix F). Table P summarizes the results of the Existing a.m. and p.m. peak-hour level of service (LOS) analysis for the study area intersections. Table P indicates that all study area intersections operate at acceptable LOS (LOS D or better) in the a.m. and p.m. peak hours.

Table P: Existing Intersection Level of Service Summary

Study Area No.	Intersection	AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
1	Inspiration Drive/Dublin Boulevard	13.3	B	12.7	B
2	Inspiration Drive/Memory Care Driveway	Future Driveway			
3	Inspiration Drive/Assisted Living Driveway	Future Driveway			

Source: LSA 2021
LOS = level of service
sec = seconds

Table Q summarizes the results of the Existing and Existing (non-pandemic) a.m. and p.m. peak-hour LOS analysis for the study area intersections. Table Q indicates that all study area intersections operate at acceptable LOS (LOS D or better) in the a.m. and p.m. peak hours.

Table Q: Estimated Non-Pandemic Existing Intersection Level of Service Summary

Study Area No.	Intersection	AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
1	Inspiration Drive/Dublin Boulevard	45.3	D	12.5	B
2	Inspiration Drive/Memory Care Driveway	Future Driveway			
3	Inspiration Drive/Assisted Living Driveway	Future Driveway			

Source: LSA 2021
LOS = level of service
sec = seconds

Regulatory Framework

Regional and Local Regulations

Metropolitan Transportation Commission

The Metropolitan Transportation Commission (MTC) conducts transportation planning, financing, and coordination for the San Francisco Bay Area, including Alameda County. MTC periodically updates the Regional Transportation Plan, which plans for the development of mass transit, highway, airport, seaport, railroad, bike, and pedestrian facilities. The most current Regional Transportation Plan, *Transportation 2035*, budgets funding for transportation-related projects. In addition, MTC and ABAG adopted Plan Bay Area 2040 in 2017, which is a State-mandated transportation and land use plan. The Sustainable Communities Strategy outlines a sustainable communities strategy for the region, which aims to integrate transportation, land use, and housing to meet GHG reduction targets established by the California Air Resources Board.

Alameda County Congestion Management Program

The Alameda County Transportation Commission (Alameda CTC) is an independent special district that aims to provide sustainable, accessible, and community-focused transportation opportunities. The Alameda CTC is the county's congestion management agency, providing countywide transportation planning, design and construction of specific highway, pedestrian, and bicycle improvement projects, as well as the promotion of transit-oriented development. In accordance with California Statute, Government code 65088, the Alameda CTC prepares the Alameda County Congestion Management Program (CMP), which measures the performance of the county's multi-modal transportation system, addresses roadway congestion, and connects transportation and land use. Alameda CTC also maintains a countywide travel mode in compliance with Plan Bay Area 2040 and CMP legislation.

The Alameda County CMP contains the following five mandatory elements: (1) level of service monitoring; (2) performance; (3) travel demand management; (4) land use analysis program; and (5) capital improvements. The Alameda CTC has also developed information related to Senate Bill 743 and tools for measuring and reducing vehicle miles travelled.

City of Dublin General Plan

Chapter 5.0, Land Use and Circulation: Circulation and Scenic Highways Element, identifies the City's transportation and roadway policies. As described in the City of Dublin General Plan, the City aims to provide a comprehensive circulation network that supports multiple modes of transportation including private vehicles, transit, cycling, and walking. The proposed project would be accessed by existing roadways in the project area and would not modify any existing roadways. The following policies from the City of Dublin General Plan relate to the proposed project:

> **Implementing Policy 5.2.2.B.2.** Design and construct all roads in the City's circulation network as defined in Figure 5-1 as well as bicycle and pedestrian networks as defined in the City of Dublin Bicycle and Pedestrian Master Plan.
>
> **Guiding Policy 5.2.3.A.1.** Provide an integrated multi-modal circulation system that provides efficient vehicular circulation while providing a design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, persons with disabilities, seniors, children, youth, and families; and encourages pedestrian, bicycle, transit, and other non-automobile transportation alternatives.
>
> **Guiding Policy 5.4.3.A.1.** Plan for all users by creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets (including streets, roads, highways, bridges, and other portions of the transportation system) through a comprehensive, integrated transportation network that meets the

requirements of currently adopted transportation plans and serves all categories of users.

Guiding Policy 5.5.1.A.1. Provide safe, continuous, comfortable and convenient bikeways throughout the City.

Guiding Policy 5.5.1.A.2. Improve and maintain bikeways and pedestrian facilities and support facilities in conformance with the recommendations in the Dublin Bicycle and Pedestrian Master Plan.

Guiding Policy 5.5.1.A.4. Provide comfortable, safe, and convenient walking routes throughout the City and, in particular, to key destinations such as Downtown Dublin, the BART Stations, schools, parks, and commercial centers.

Implementing Policy 5.5.1.B.1. Complete the bikeways systems illustrated on Figures 5-3a and 5-3b (in the General Plan).

Implementing Policy 5.5.1.B.2. Improve bikeways, bicycle support facilities, and pedestrian facilities in accordance with the Dublin Bicycle and Pedestrian Master Plan in conjunction with development proposals.

Implementing Policy 5.5.1.B.3. Ensure on-going maintenance of bikeways, bicycle support facilities and pedestrian facilities that are intended for public use and located on private property in conjunction with development proposals.

Implementing Policy 5.75.1.B.2. Implement the Eastern Dublin Scenic Corridors Policies and Standards for projects within the Eastern Extended Planning Area.

City of Dublin Bicycle and Pedestrian Master Plan

The City of Dublin Bicycle and Pedestrian Master Plan provides policies, network plans, prioritized project lists, support programs, and best practice design guidelines for bicycling and walking in Dublin. As shown in Figure 5-2 of the Plan, Dublin Existing & Proposed Bikeways, Class IIA Bicycle Lanes are proposed along Dublin Boulevard adjacent to the project site. However, Dublin Boulevard currently consists of approximately 30-feet of paved roadway with 12-foot travel lanes; therefore, there is limited available width within the existing right-of-way to accommodate bicycle lanes in both directions.

Previous CEQA Documents

VCC EIR

The VCC EIR identified potentially significant impacts related to increased traffic associated with implementation of the VCC expansion project, including impacts to intersections, local roadway, and cumulative traffic impacts. Mitigation measures were identified to reduce these transportation impacts to a less than significant level. No impacts related to parking or transit service were identified. The following mitigation measures were included in the VCC EIR:

> **Mitigation Measure 4.10-1 (intersection impacts)** The project sponsor shall contribute a fair-share contribution to the funding of traffic signals at the Dublin Boulevard/Silvergate Drive and Dublin Boulevard/Inspiration Drive.
>
> **Mitigation Measure 4.10-2 (local street impacts).** Monitoring of the peak hour turning movements at project driveways be conducted on one typical school day every six months following the completion of the school expansion and reported to the City, to demonstrate that the expansion does not increase the rate of vehicles violating these restrictions. If the number of violators increases after the expansion, more stringent enforcement or other measures may be required by the school administration to limit the number of vehicles accessing the project site to or from Bay Laurel Street, as determined by the City of Dublin Public Works Director.
>
> **Mitigation Measure 4.10-3 (cumulative traffic).** The project sponsor shall make a fair share contribution toward the funding of the future widening of Dublin Boulevard between Hansen Drive and Silvergate Drive from two to four lanes.

These mitigation measures have already been implemented as part of the VCC Project approvals and, as described further below, the proposed project would not result in transportation impacts to intersections or roadways in the project vicinity. Therefore, Mitigation Measures 4.10-1 through 4.10-3 would not apply to the proposed project.

2018 Supplemental IS/MND

The 2018 Supplemental IS/MND identified potentially significant impacts associated with an increase in cut-through traffic from school operations and insufficient parking supply for the proposed football stadium. Mitigation Measures TRA-1 and TRA-2 were identified to reduce these transportation impacts to a less-than-significant level. Neither of these mitigation measures would apply to the proposed project, as the proposed project would not generate significant vehicle trips that would increase cut-through traffic or result in inadequate parking supply. All other transportation impacts were determined to be less than significant.

Project Impacts and Mitigation Measures

(a) Conflict with applicable transportation plans standards, including bicycle and pedestrian facilities

No New Impact. The consistency of the proposed project with applicable transportation plan standards, including bicycle and pedestrian facilities is described below.

Roadways and Intersections. A Traffic Analysis was prepared to review the trip generation and trip distribution of the proposed project to local area roadways. The Traffic Analysis is included as Appendix F of this IS/MND and its findings are summarized below.

Trip generation represents the amount of traffic that is attracted to and produced by a development project. The daily and peak-hour trips for the proposed project were generated using trip rates contained in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (2017). The project trip generation is presented in Table R. As Table R indicates, the proposed 55-bed memory care facility would generate 111 trips per day, including four trips (two inbound and two outbound) in the a.m. peak hour and 10 (six inbound and four outbound) trips in the p.m. peak hour. Additionally, the proposed 84-bed assisted living facility would generate 218 trips per day, including 16 trips (10 inbound and six outbound) in the a.m. peak hour and 22 (eight inbound and 13 outbound) trips in the p.m. peak hour. As such, the proposed project is anticipated to generate a total of 329 trips per day, including 20 trips (12 inbound and eight outbound) in the a.m. peak hour and 32 trips (14 inbound and 17 outbound) in the p.m. peak hour. This trip generation is higher than the previously analyzed trip generation for these development areas as identified in the VCC EIR, which was 15 trips in the a.m. peak hour (2 inbound and 13 outbound) and 19 trips in the p.m. peak hour (13 inbound and 6 outbound).

Table R: Project Trip Generation Summary

Land Use (Land Use Code)	Size	Unit	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Trip Rates[1]									
Congregate Care Facility (253)		DU	2.02	0.04	0.03	0.07	0.10	0.08	0.18
Assisted Living (254)		Bed	2.60	0.12	0.07	0.19	0.10	0.16	0.26
Trip Generation									
Memory Care (Parcel 2)	55	DU	111	2	2	4	6	4	10
Assisted Living (Parcel 3)	84	Bed	218	10	6	16	8	13	22
Total			329	12	8	20	14	17	32

Source: LSA 2021
[1] Trip rates referenced from the ITE *Trip Generation Manual*, 10th Edition, and supplement
ADT = average daily trips
DU = dwelling unit
ITE = Institute of Transportation Engineers

Based on the current observed travel patterns, traffic to and from the project site was distributed south towards the Inspiration Drive/Dublin Boulevard intersection. At the intersection with Dublin Boulevard, 15 percent of trips were distributed to and from the west along Dublin Boulevard, and 85 percent of trips were distributed to and from the east along Dublin Boulevard towards the I-580 freeway access.

To demonstrate the effect that the project would have on the study area intersections in the Existing condition, an Existing Plus Project LOS analysis was prepared. This analysis assumes the operation of the 55-bed memory care facility and 84-bed assisted living facility during Non-Pandemic (Modified Existing) conditions.

Table S summarizes the results of the estimated Non-Pandemic Existing Plus Project peak-hour LOS analysis for the three study area intersections. Table S indicates that all study area intersections operate at acceptable LOS (LOS D or better) in the a.m. and p.m. peak hours. Therefore, the project can be implemented in an existing setting with no peak hour LOS impacts to the surrounding intersections. The proposed project would not result in new significant or substantially more severe impacts related to traffic beyond those analyzed in the prior environmental documents. No additional analysis is required.

Table S: Estimated Non-Pandemic Existing Plus Project Level of Service Summary

Study Area No.	Intersections	Baseline				Plus Project			
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
1	Inspiration Drive/Dublin Boulevard	45.3	D	12.5	B	49.1	D	12.5	B
2	Inspiration Drive/Memory Care Driveway	Future Driveway				11.1	B	9.4	A
3	Inspiration Drive/Assisted Living Driveway	Future Driveway				21.9	C	10.5	B

Source: LSA 2021
LOS = level of service
sec = seconds

Transit, Bicycle and Pedestrian Facilities.Transit service in Dublin and throughout the Tri-Valley area is provided by the Livermore/Amador Valley Transit Authority (LAVTA). At present, no LAVTA bus routes provide service to the project site. School Route 503 provides service along Dublin Boulevard from Schafer Ranch Park to Dublin High School and Wells Middle School.

As described above, sidewalks are provided on the western side of Inspiration Drive and on the northern side of Dublin Boulevard. No bicycle facilities are currently provided. According to the City of Dublin Bicycle and Pedestrian Master Plan, Class IIA Bicycle Lanes are proposed along Dublin Boulevard adjacent to the project site. However, as described above, Dublin Boulevard currently consists of approximately 30-feet of paved roadway with 12-foot travel lanes; therefore, there is limited available width within the existing right-of-way to accommodate

bicycle lanes in both directions. Dublin Boulevard would likely need to be widened to provide the eventual bicycle lanes with adequate separation given the roadway speed on Dublin Boulevard. Completion of the proposed project would not affect existing conditions on Dublin Boulevard.

The proposed project would not interfere with existing transit, bicycle or pedestrian facilities. The proposed project would maintain existing sidewalks along Dublin Boulevard and Inspiration Drive and install new sidewalk along the project frontage of Parcel 3 on the east side of Inspiration Drive. Pathways within the project site would provide pedestrian connections to existing sidewalk. Both facilities would provide long- and short-term bicycle parking. Impacts to bicyclists, pedestrians, and transit service providers resulting from implementation of the proposed project would remain less than significant and the proposed project would not result in new significant or substantially more severe impacts related to alternative forms of transportation beyond those analyzed in the prior environmental documents. No additional analysis is required.

(b) Conflict with CEQA Section 15064.3 (b)

No New Impact. The topic of the project's contribution to vehicle miles traveled (VMT) was not analyzed in the VCC EIR or 2018 Supplemental IS/MND. This impact is not required to be analyzed unless it constitutes new information of substantial importance that was not known and could not have been known at the time the previous environmental documents were certified as complete (Public Resources Code Section 21166 and CEQA Guidelines Section 15162 and 15163). VMT was known at the time of the certification of these prior CEQA documents and could have been analyzed. A change in regulations for impact analysis under CEQA is not a trigger for further environmental review under supplemental review standards. The impact of increased traffic was analyzed using other methods (LOS) at the time of certification of the VCC EIR and 2018 Supplemental IS/MND. Under CEQA standards, it is not considered new information that requires analysis in a Supplemental EIR or negative declaration. Therefore, no supplemental environmental analysis of the project's impacts on this issue is required under CEQA.

(c) Substantially increase hazards due to a design feature

No New Impact. Access to the memory care and assisted living facilities would be provided via two new driveways off of Inspiration Drive. Proposed vehicular access would not change the layout of the roadways in the project vicinity. As described in the Traffic Analysis, the design, construction, and maintenance of project site access locations would be in compliance with the City's Municipal Code. Therefore, the proposed project would not result in new significant or substantially more severe significant impacts beyond those already analyzed in the prior environmental documents. No additional analysis is required.

(d) Result in inadequate emergency access

No New Impact. The proposed project would not result in inadequate emergency access. Emergency vehicle access to the project site would continue to be provided via Inspiration Drive and Dublin Boulevard. The design, construction, and maintenance of project site access locations would be in compliance with the City's Municipal Code and would be required to meet all emergency access standards. In addition, through Site Development Review, emergency services would review proposed plans to ensure that emergency vehicle access and circulation is adequate. Therefore, the proposed project would not result in new significant or substantially more severe significant impacts beyond those already analyzed in the prior environmental documents. No additional analysis is required.

Source(s)

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Tribal Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
17. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				X
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				X

Environmental Setting

Assembly Bill 52, which became law on January 1, 2015, provides for consultation with California Native American tribes during the CEQA environmental review process, and equates significant impacts to “tribal cultural resources” with significant environmental impacts. Public Resources Code (PRC) Section 21074 states that “tribal cultural resources” are:

> Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe and are one of the following:

- Included or determined to be eligible for inclusion in the California Register of Historical Resources.
- Included in a local register of historical resources as defined in subdivision (k) of PRC Section 5020.1.
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

A “historical resource” (PRC Section 21084.1), a “unique archaeological resource” (PRC Section 21083.2(g)), or a “nonunique archaeological resource” (PRC Section 21083.2 (h)) may also be a tribal cultural resource if it is included or determined to be eligible for inclusion in the California Register.

The consultation provisions of the law require that a public agency consult with local Native American tribes that have requested placement on that agency’s notification list for CEQA projects. Within 14 days of determining that a project application is complete, or a decision by a public agency to undertake a project, the lead agency must notify tribes of the opportunity to consult on the project, should a tribe have previously requested to be on the agency’s notification list. California Native American tribes must be recognized by the California Native American Heritage Commission as traditionally and culturally affiliated with the project site and must have previously requested that the lead agency notify them of projects. Tribes have 30 days following notification of a project to request consultation with the lead agency.

The purpose of consultation is to inform the lead agency in its identification and determination of the significance of tribal cultural resources. If a project is determined to result in a significant impact on an identified tribal cultural resource, the consultation process must occur and conclude prior to adoption of a Negative Declaration or Mitigated Negative Declaration, or certification of an Environmental Impact Report (PRC Sections 21080.3.1, 21080.3.2, 21082.3).

In January 2021, the City provided formal notification to the California Native American tribe that has requested notification under Assembly Bill 52 and under Senate Bill 18 related to the proposed General Plan Amendment. In response to the notifications, two responses were received. Ms. Katherine Perez, Chairperson of the Northern Valley Yokut/Ohlone/Bay Mewuk Tribe, responded via email on January 27, 2021, requesting additional information related to the proposed project. Corrina Gould, Chairperson of the Confederated Villages of Lisjan Tribe requested information on the Sacred Lands Files and requested to be kept informed with any new details as it pertains to the Confederated Villages of Lisjan Tribe. No formal tribal consultation was requested.

Regulatory Framework

Federal and State Regulations

Native American Heritage Commission

In 1976, the California State Government passed AB 4239, creating the Native American Heritage Commission (NAHC). The NAHC is responsible for identifying and categorizing Native American cultural resources as well as preventing damages to designated sacred sites and associated artifacts and remains. Legislation passed in 1982 authorized the NAHC to identify a Most Likely Descendant (MLD) when Native American remains are found outside of any place

other than a designated cemetery. A MLD has the authority to make recommendations regarding the treatment and disposition of the discovered remains.

The Native American Historic Resource Protection Act

The Native American Historic Resource Protection Act, or Assembly Bill (AB 52) defines guidelines for reducing conflicts between Native Americans and development projects and activities. Projects are subject to AB 52 if a notice of preparation for an EIR is filed or a notice of intent to adopt a Negative or Mitigated Negative Declaration is filed on or after July 1, 2016. "Tribal cultural resources" (TCR) are protected under CEQA and are defined as a site, feature, place, cultural landscape (must include the size and scope of landscape), sacred place, and object with a cultural value to a California Native American tribe that is either included or eligible for inclusion in the California Register, or included in a local register of historical resources. At the lead agency's discretion, a resource can be treated as a TCR if a Native American Tribe provides substantial evidence. Additionally, AB 52 allows tribes to engage in consultation with lead agencies and sets guidelines for such consultation.

Health and Safety Code Section 7050.5

Section 7050.5 of the California Health and Safety Code protects Native American burials, remains, and associated grave artifacts in the event that they are discovered in any location other than a designated cemetery. The Code mandates the immediate suspension of excavation in the site as well as any adjacent or overlying area where the remains or associated item is found, and provides for the sensitive disposition of those remains. Should remains be discovered, the County Coroner must determine that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or designee, in the manner provided in Section 5097.98 of the Public Resources Code. The County Coroner shall make the determination within two working days from the time the person responsible for the excavation, or designee, notifies the County Coroner of the discovery or recognition of the human remains. If the County Coroner identifies the remains to be of Native American origin, or has reason to believe that the remains are those of Native American origin, the County Coroner must contact the California NAHC within 24 hours. The NAHC representative will then alert a Native American MLD to conduct an inspection of the site and to determine the following course of treatment and action. Additionally, *State CEQA Guidelines* Section 15064.5 sets forth a procedure if human remains are found on land outside of federal jurisdiction.

Local Regulations

City of Dublin General Plan

The City of Dublin General Plan establishes the following guiding policy associated with cultural resources that is relevant to the proposed project:

> **Guiding Policy 7.7.1.A.2:** Follow State regulations as set forth in Public Resources Code Section 21083.2 regarding discovery of archaeological sites, and Historical Resources, as defined in Section 5020.1 of the Public Resources Code.

Previous CEQA Documents

The topic of the project's potential impacts to tribal cultural resources was not specifically analyzed in the VCC EIR or the 2018 Supplemental IS/MND. Since certification of the VCC EIR, the topic of Tribal Cultural Resources has been added as a new category in the CEQA checklist. However, the VCC EIR and the 2018 Supplemental IS/MND analyzed prehistoric and historic resources and included mitigation measures related to historical and archaeological resources and human remains. These measures are listed in the cultural resources section of this Initial Study Checklist.

Because the VCC EIR has been certified, the determination of whether tribal cultural resources need to be analyzed for this proposed project is governed by the law on supplemental or subsequent EIRs (Public Resources Code section 21166 and CEQA Guidelines, Sections 15162 and 15163). Tribal cultural resources are not required to be analyzed under those standards unless it constitutes "new information of substantial importance, which was not known and could not have been known at the time the previous EIR was certified as complete" (CEQA Guidelines Sec. 15162 (a) (3)).

Project Impacts and Mitigation Measures

(a) Listed or eligible for listing in the California Register of Historical Resources

No New Impact. Native American consultation was conducted in compliance with Senate Bill 18, which requires tribal consultation for a proposed General Plan amendment. As described above, one tribal contact requested consultation regarding the proposed project; however, no information regarding specific known tribal cultural resources within the project site was provided by the tribe.

Parcels 2 and 3, which are proposed for development, are currently undeveloped; therefore, no built historic resources are located on the project site. As described in the prior environmental documents, a known archaeological deposit was identified south of the project site and there is a moderate potential for finding Native American sites in the project area, which could include tribal cultural resources that are eligible for listing in the California Register. If encountered during project-related ground disturbing activities, the proposed project could result in the

demolition, destruction, or alteration of unknown buried tribal cultural resources, which would result in a substantial adverse change in the significance of these resources. If such resources are encountered, implementation of Mitigation Measure 4.4-1, identified in the VCC EIR would reduce any potential impacts to archaeological and/or Native American resources to a less-than-significant level. With implementation of Mitigation Measure 4.4-1, as identified in Section 5, Cultural Resources, the project would not substantially increase the severity of the previously identified tribal cultural resource impacts, nor result in new significant impacts. No additional analysis is required.

(b) Significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1

No New Impact. As described above, no archaeological resources were identified on the site in the prior environmental documents. Therefore, the City, in its role as lead agency, has determined that the project site is not a resource significant to a California Native American tribe.

As described in the prior environmental documents and in Section 5, Cultural Resources, the proposed project could result in the demolition, destruction, or alteration of unknown buried tribal cultural resources. If such resources are encountered, implementation of Mitigation Measure 4.4-1, identified in the VCC EIR, would reduce any potential impacts to archaeological and/or Native American resources to a less-than-significant level. With implementation of Mitigation Measure 4.4-1, as identified in Section 5, Cultural Resources, the project would not substantially increase the severity of the previously identified tribal cultural resource impacts, nor result in new significant impacts. No additional analysis is required.

Source(s)

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Utilities and Service Systems

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
18. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects?				X
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project projected demand in addition to the provider's existing commitments?				X
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				X
e. Comply with federal, state, and local statutes and regulations related to solid waste?				X

Environmental Setting

A variety of local and regional providers in this area operate and maintain utility and service system facilities associated with electricity, water, stormwater, wastewater, solid waste, communications and natural gas.

Water

The Dublin San Ramon Services District (DSRSD) provides water service at the project site. DSRSD is responsible for providing both potable and recycled water to the City of Dublin, and the Dougherty Valley area of the City of San Ramon in Contra Costa County. DSRSD's water service area also includes Camp Parks, the Federal Correctional Institution (FCI), and Alameda County's Santa Rita Jail. Zone 7 supplies treated potable water to DSRSD. Treated potable water enters DSRSD's distribution system from five metered turnouts from the Zone 7 transmission system.

To reduce the demand for potable water, DSRSD promotes water recycling and is a member of the WaterReuse Association. In 1995, DSRSD and EBMUD, through a joint powers agreement,

formed the DSRSD-EBMUD Recycled Water Authority (DERWA). DERWA serves as a wholesaler to deliver recycled water to DSRSD and EBMUD, who in turn deliver the recycled water to their respective service areas. DERWA's San Ramon Valley Recycled Water Project (SRVRWP) provides a backbone distribution system that delivers recycled water to both DSRSD and EBMUD distribution systems. DSRSD's recycled water treatment facilities delivers recycled water to the SRVRWP. Recycled water is produced at DSRSD's wastewater treatment plant at the Recycled Water Treatment Facility (RWTF). The RWTF produces recycled water that meets the California Title 22 requirements for unrestricted reuse.

Wastewater

Wastewater collection and treatment services are also provided by DSRSD for the City of Dublin, City of Pleasanton, Camp Parks, FCI, Santa Rita Jail, and the southern portion of San Ramon. DSRSD owns and operates a wastewater treatment plant in Pleasanton that has a capacity of 17 million gallons per day (MGD). The existing wastewater service area encompasses approximately 13,340 acres, or 20.85 square miles. Within the wastewater service area there are currently 207 miles of gravity mains, one permanent lift station, and one temporary lift station. The permanent lift station has 26 feet of force main.

Stormwater

Drainage and flood control in the Eastern Dublin area is the responsibility of the City of Dublin and Zone 7. Zone 7 is responsible for master planning, overseeing construction coordination and maintaining major storm drain channels and culverts in Eastern Dublin. The City has jurisdiction and maintenance responsibility for local storm drains that discharge to the Zone 7 flood control system. Runoff from the project area drains to underground pipes and open culverts to Dublin Creek, south of the project site. Dublin Creek ultimately discharges into Las Positas Creek and flows south to San Francisco Bay.

Electricity

The East Bay Community Energy provides electricity to Dublin over PG&E's distribution system. PG&E provides natural gas service to the San Francisco Bay region and serves the project site.

Solid Waste

The City of Dublin has a Collection Services Agreement with a private solid waste collection company for residential and commercial garbage collection. The City also has comprehensive recycling and organics collection programs. All single-family residences are provided with three stream collection containers (landfill, recycle, organics) and most commercial and multi-family residences subscribe to three-stream collection service. Beginning January 1, 2022, all service accounts (with a few exceptions) will be required to subscribe to three-stream collection services due to State legislation (SB 1383).

Solid waste generated within the City is deposited at the Altamont Landfill which has a total estimated permitted capacity of 62 million cubic yards. The Altamont Landfill is approximately 26 percent full and is estimated to reach capacity in January 2029.

Regulatory Framework

Federal and State Regulations

California Urban Water Management Planning Act

Under the California Water Code and Urban Water Management Planning Act of 1983, all California urban water suppliers are required to prepare and adopt an Urban Water Management Plan (UWMP) every five years, which promotes water conservation and efficiency measures. Urban water suppliers that serve more than 3,000 customers or are supplying more than 3,000 acre-feet of water annually are subject to this Act. This Act requires that the total project water use be compared to water supply sources over the next 20 years in five-year increments. Planning must occur for all drought years and must include a water recycling analysis that incorporates a description of the wastewater collection and treatment system, outlining existing and potential recycled water uses. In September 2014, the Act was amended by SB 1420, which now requires urban water suppliers to provide descriptions of their water demand management measures and similar information.

Water Conservation Act of 2009

The Water Conservation Act of 2009 (SB X7-7) requires all water suppliers to increase water use efficiency by reducing per capita urban water use by 20 percent by December 31, 2020. This bill also set a goal for the state of reducing per capita water use by at least 10 percent by December 31, 2015.

California Integrated Waste Management Act (AB 939)

AB 939 established the California Integrated Waste Management Board under CalRecycle, which required all counties within California to prepare integrated waste management plans. Additionally, it changed the focus of solid waste management from landfill to diversion strategies (e.g., source reduction, recycling, and composting), and required all municipalities to divert 25 percent of their solid waste from landfill disposal by January 1, 1995, and 5 percent by the year 2000.

California Mandatory Commercial Recycling Law (AB 341)

AB 341 was enacted to help meet California's recycling goal of 75 percent by the year 2020. AB 341 requires all commercial businesses and public entities that generate four cubic yards or more of waste per week to have a recycling program in place. In addition, multi-family apartments with five or more units are also required to form a recycling program. In addition, each local government jurisdiction will implement a commercial solid waste recycling program

that consists of education, outreach and monitoring of businesses, designed to divert commercial solid waste from businesses. Each jurisdiction will report the progress achieved in implementing its commercial recycling program, including education, outreach and monitoring, and if applicable, enforcement efforts and exemptions, by providing updates in its electronic annual report. CalRecycle will review each jurisdiction's commercial recycling program that consists of education, outreach and monitoring.

Mandatory Organics Recycling AB 1826

In October 2014, Governor Brown signed AB 1826, requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. This law phases in the mandatory recycling of commercial organics over time, while also offering an exemption process for rural counties. In particular, the minimum threshold of organic waste generation by businesses decreases over time, which means an increasingly greater proportion of the commercial sector will be required to comply.

CALGreen Building Code

CALGreen requires mandatory green standards that all buildings in California must abide by, including: reducing indoor water use, reducing wastewater, recycling and/or salvaging nonhazardous construction and demolition debris, and providing readily accessible areas for recycling by the occupant. The code includes different categories such as energy, water, material, and resource efficiency. These standards include a mandatory set of minimum guidelines, as well as more stringent voluntary measures for new construction projects that local communities can opt into.

Local Regulations

2015 Urban Water Management Plan (UWMP)

Water is provided to the project site by DSRSD. The DSRSD adopted a UWMP in 2016 as per SB X7-7 and the Urban Water Management Planning Act (Section 10610 of Division 6 of the California Water Code). These plans are prepared every five years and must address the reliability of water sources within the following 20 years as well as other demand management measures and water shortage contingency plans. Additionally, the UWMP identifies strategies to meet requirements under SB X7-7 by reporting on progress towards meeting a 20 percent reduction for per-capita urban water use by the year 2020. The UWMP also plans for emergencies and times of water shortage. DSRSD is currently in the process of updating the UWMP.

City of Dublin General Plan

Chapter 4.0, Land Use and Circulation: Schools, Public Lands, and Utilities Element, identifies the City's policies related to the provision of public services and utilities in the City. The following policies from the City of Dublin General Plan relate to the proposed project:

> **Guiding Policy 4.4.1.A.1.** Ensure that adequate solid waste disposal capacity is available, to avoid constraining development, consistent with the Dublin General Plan.
>
> **Implementing Policy 4.4.1.B.3.** Prior to project approval, the applicant shall demonstrate that capacity will exist in solid waste disposal facilities for their project prior to the issuance of building permits.
>
> **Guiding Policy 4.5.1.A.1.** Expand sewage treatment and disposal capacity to avoid constraining development consistent with the Dublin General Plan.
>
> **Implementing Policy 4.5.1.B.1.** Prior to project approval, developers shall demonstrate that adequate capacity will exist in sewage treatment and disposal facilities for their projects prior to the issuance of building permits.
>
> **Guiding Policy 4.6.1.A.1.** Base General Plan proposals on the assumption that water supplies will be sufficient and that local wells could be used to supplement imported water if necessary.
>
> **Implementing Policy 4.6.1.B.1.** Consider obtaining water service from the East Bay Municipal Utility District and other sources.

Previous CEQA Documents

VCC EIR

The VCC EIR determined that approval of the VCC Expansion Project would increase demand for water, wastewater, solid waste disposal, electrical power and natural gas. However, impacts related to utilities and service systems were determined to be less than significant, as existing service providers could meet anticipated demand. No mitigation measure were identified for this environmental topic.

2018 Supplemental IS/MND

No significant impacts related to utilities and service systems were identified in the 2018 Supplemental IS/MND.

Project Impacts and Mitigation Measures

(a) Require relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities

No New Impact. The nature and scope of the proposed project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities. While the proposed project would likely generate greater demand for utility services than the multi-family residential development proposed as part of the VCC Expansion Project and evaluated in the VCC EIR, the increased demand associated with the memory care and assisted living facilities would not be substantial in the context of current demand and capacity, as described further below.

DSRSD maintains existing sanitary sewer lines within the vicinity of the project site, including the existing sanitary sewer main located within Dublin Boulevard, just south of the project site. As outlined in the Project Description, the proposed project would install new lines within the project site and would tie into the existing sanitary sewer main. A new sanitary sewer manhole would be installed within Dublin Boulevard at the sewer main connection. The new sanitary sewer lines installed within the project site would be constructed in conformance with City and DSRSD standards, and their construction would not cause significant environmental effects.

As described below, DSRSD provides potable water to the project site through an existing water main in Inspiration Drive. DSRSD's 2020 Urban Water Management Plan (UWMP) describes the existing and planned sources of water available in the water system service area through the year 2040. The UWMP has determined that water supplies would be adequate during normal year, single-dry year, and multiple-dry year scenarios through 2040 based on the development of the land uses within the DSRSD's service area, including the City of Dublin. The proposed project would not substantially increase demand for water and would therefore not exceed the capacity of existing water treatment facilities. The proposed project would not require the construction of new water treatment facilities, or the expansion of existing facilities, other than those already planned as part of the UWMP. The proposed project would include the installation of new water lines connecting to the existing water line located within Inspiration Drive. The proposed project would connect directly to existing mains, which have sufficient capacity to accommodate the proposed project.

The proposed storm water drainage system on the project site would be composed of catch basins and storm drains throughout the project site, which would connect and convey storm water to proposed bioretention basins on the project site and existing stormwater pipelines. The bioretention basins would be developed to accommodate approximately 4,600 square feet of water, which exceeds the estimated amount of storm water the proposed project would generate. The bioretention basins would provide appropriate vegetation and water quality

treatment to prevent discharge of untreated storm water from the project site. In addition, on-site drainage systems would be designed to be consistent with the Alameda County National Pollutant Discharge Elimination System (NPDES) C.3 requirements for Low Impact Development (LID).

The proposed project would include connections to the existing electricity and natural gas lines that run adjacent to the project site, which could include the lines within Dublin Boulevard and Inspiration Drive. These connections would not be considered "major" lines because these improvements would be made as additions to the existing infrastructure. Further, these connections would be conducted in accordance with each utility purveyor's specification and accordance with City guidelines.

On-site utility infrastructure necessary to serve the proposed project—including water, sanitary sewer, drainage, water quality treatment, and dry utilities (e.g., electricity, natural gas, cable)—would be installed within the project site and would connect to the existing utility lines within the adjacent roadways. No new or expanded utility lines or facilities are required off-site, except as needed for the utility connections.

Therefore, no new significant or substantially more severe significant impacts related to expanded water, wastewater, stormwater, electric power natural gas, or telecommunication facilities would occur beyond those analyzed in the prior environmental documents. No additional analysis is required.

(b) Sufficient water supply

No New Impact. The senior assisted living and memory care facilities and associated improvements would provide 139 beds and accommodate approximately 77 employees. The proposed project would connect to existing water mains that are serviced by the DSRSD, the water service provider for the City. Based on the DSRSD's 2020 Urban Water Management Plan (UWMP), which reported a baseline water use of 211 gallons per capita per day (GPCD) and a target of 169 GPCD in 2020. Based on an estimated 211 GPCD, water demand for the proposed project would be approximately 45,576 GPCD or 51 acre feet per year (afy). Under normal conditions, the 2020 UWMP predicts total water demand of 11,993 afy in 2025 and 13,820 in 2040. The estimated water demand for the senior assisted living and memory care would be nominal compared to the projected supply (95 gallons per minute and 160 gallon per minute at peak times, respectively); therefore, the DSRSD would have enough water supply to serve the project site. Additionally, consistent with the DSRSD District Code, the project applicant would be required obtain a certificate of capacity rights from DSRSD, prior to issuance of a building permit. The certificate of capacity rights, which is part of the entitlement review process, ensures the DSRSD can adequately serve the proposed project.

Currently, DSRSD's primary water supply source is purchased potable water from Zone 7, augmented by recycled water produced at DSRSD's RWTF. DSRSD also has a groundwater

pumping quota (GPQ) from the local groundwater basin, pumped on its behalf by Zone 7, the local groundwater basin manager. Imported water from the State Water Project, which is owned and operated by the Department of Water Resources, is by far Zone 7's largest water source, providing approximately 90 percent of the treated water supplied to its customers on an annual average basis. The proposed project would be served by these systems. DSRSD anticipates the same water supply mix to be available through 2040. With the projects and programs implemented by DSRSD and Zone 7, water supplies are projected to meet demands.

The senior assisted living and memory care facilities would use a relatively nominal percentage of the projected water supply available to DSRSD in future year scenarios. The proposed project would be consistent with the type and intensity of development assumed for the project site in in the City's General Plan and accounted for in the UWMP. As stated in the UWMP, DSRSD can meet its water demand under multiple dry years with diversified supply and conservation measures. Therefore, potential impacts associated with water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years would be less than significant. Therefore, the proposed project would not result in any new significant or substantially more severe significant impacts as compared to those impacts analyzed in the prior environmental documents. No additional analysis is required.

(c) Sufficient wastewater capacity

No New Impact. Wastewater generated by the senior assisted living and memory care facilities would be treated at DSRSD's Regional Wastewater Treatment Facility located at 7399 Johnson Drive in the City of Pleasanton. The wastewater treatment facilities have a capacity of approximately 17.0 million gallons per day (MGD), and the current average dry weather flow is approximately 9.7 MGD. The development at the project site would generate a nominal number of gallons of wastewater per day and would be within the average daily capacity amount of wastewater treated by DSRSD's Regional Wastewater Treatment Facility. Further, the proposed project would be consistent with the type and intensity of development assumed for the project site in the City's General Plan and accounted for in DSRSD's Wastewater Collection System Master Plan. Therefore, the proposed project would not result in any new significant or substantially more severe significant impacts as compared to those impacts analyzed in the prior environmental documents. No additional analysis is required.

(d-e) Adequate landfill and compliance

No New Impact. Operation of the proposed project is not anticipated to generate a significant amount of solid waste. The senior assisted living and memory care facility development would provide a total of 139 beds, resulting in an estimated 139 patients and 77 employees at the project site. The proposed project is estimated to generate approximately 127 tons of solid waste per year (0.35 tons per day) based on the CalEEMod data. Solid waste would be collected by Amador Valley Industries (AVI) and transferred to Altamont Landfill. According to Cal Recycle, Altamont Landfill (01-AA-0009), has a max permitted capacity of 11,150 tons per day.

The waste the senior assisted living and memory care facilities would generate would be nominal would not be significant in the context of the Landfill's operating permit. Disposal of solid waste would be required to comply with all federal state, and local statutes and regulations associated with solid waste. This would include providing receptacles for green waste, recyclables, and garbage. Therefore, the proposed project would not result in any new significant or substantially more severe significant impacts as compared to those impacts analyzed in the prior environmental documents. No additional analysis is required.

Source(s)

CalRecycle, 2019. Facility/Site Summary Details: Altamont Landfill and Resource Recovery (01-AA-0009). Website: www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/7?siteID=7 (accessed August 23, 2021).

Cal Recycle. 2021. 2019 State of Disposal and Recycling and Exports in California. February. Available online at: www2.calrecycle.ca.gov/Publications/Details/1697 (accessed August 23, 2021)

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Wildfire

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
18. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

Existing Setting

As described in Section 8, Hazards and Hazardous Materials, the project site is located in a largely urbanized area. It is not identified as an area of moderate, high, or very high fire hazard severity for the Local Responsibility Area, nor is it identified as an area of moderate, high, or very high fire hazard severity for the State Responsibility Area, as mapped by the California Department of Forestry and Fire Protection (CAL FIRE).

Regulatory Framework

Federal and State Regulations

California Department of Forestry and Fire Protection

CALFIRE publishes maps that predict the threat of fire for each county within the State. Local Responsibility Areas and State or Federal Responsibility Areas are classified as either very high fire hazard severity zones (VHFHSZ) or non-VHFHSZ based on factors including fuel availability, topography, fire history, and climate. The 2012 Strategic Fire Plan for California was generated by CALFIRE to provide guidelines and objectives in order to account for associated fire impacts.

California Fire Code

Chapter 17.12 of the City of San José Municipal Code adopts the California Fire Code by reference, which is updated every three years. The California Fire Code includes regulations for emergency planning, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Several fire safety requirements include: installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas.

California Emergency Management Agency

CalEMA was consolidated as part of the Governor's Office on January 1, 2009, merging the former Governor's Office of Emergency Services with the existing Governor's Office of Homeland Security. CalEMA coordinates all State agency response to major disasters to provide support and hazard mitigation efforts for local governments. The agency also ensures the State has the appropriate resources and plans in order to respond in the event of all natural and human-induced emergencies and disasters.

Executive Order N-05-19

On January 9, 2019, Governor Gavin Newsom announced an Executive Order that requires CALFIRE and other State agencies to compile policy and regulatory recommendations concerning wildfire mitigation, emphasizing environmental sustainability and public health. The Executive Order requires the incorporation of socioeconomic analysis when conducting risk management of wildfires and mandates that agencies identify geographic areas with populations that are more vulnerable to the impacts of wildfires.

Local Regulations

City of Dublin General Plan

Section 8.3.2 of the City of Dublin outlines the following policies and programs related to fire hazards and fire protection:

> **Guiding Policy 8.3.2.1.A.1.** Require special precautions against fire as a condition of development approval in the western hills and elsewhere in the Extended planning Areas where proposed development would interface with open space.
>
> **Implementing Policy 8.3.2.1.B.1.** Continue to enforce the City's wild land urban interface regulations.

City of Dublin Wildfire Management Plan

The City of Dublin has adopted a Wildfire Management Plan to reduce the risk of open land wildfire to the lowest practical level consistent with reasonable protection of wildlife habitat and other open space values. The Wildfire Management Plan is implemented in conjunction with Chapter 7.32 of the City of Dublin Municipal Code, "Materials and Construction Methods for Exterior Wildfire Exposure," which provides for acceptable methods of compliance inspection and documentation for vegetation management. The Wildfire Management Plan requires compliance with State defensible space guidelines and brush control in designated wildland-urban interface fire areas.

Previous CEQA Documents

The previous CEQA documents did not specifically analyze impacts for wildfires as it was not a separate topic for analysis when the VCC EIR and Supplemental IS/MND were completed. Public services impacts and mitigation measures, some of which relate to the provision of fire services pertain to wildfires, were identified and are discussed in the public services section.

Project Impacts and Mitigation Measures

(a) Impair emergency response plan

No New Impact. As described above, the project site is located outside of a very high fire hazard severity (VHFHS) zone as identified by CALFIRE. The nearest VHFHS zone is located approximately 2.2 miles south of the project site. The proposed project would be designed to provide adequate access to the site for fire/police/emergency medical service personnel in the event of an emergency at the project site. In the event of an emergency on the site, employees and residents could exit the site via proposed site driveways connecting to Inspiration Drive. Once off the project site, employees and residents could exit the area via Dublin Boulevard and accessing I-580 to exit the City and region. As the proposed project would be site specific with no improvements occurring to the local roadway system, it would not substantially impair an adopted emergency response plan or emergency evacuation plan. Therefore, there would be no new or substantially more severe significant impacts to emergency response plan or emergency evacuation plan beyond what has been analyzed in the previous environmental documents. No additional analysis is required.

(b) Pollutants or uncontrolled spread

No New Impact. The proposed project is located in an area of Dublin that is predominantly occupied by residential and public/semi-public uses. The parcels proposed for development are bordered by existing residential development to the west and east, by the existing VCC campus to the north and I-580 to the south. As described in Section 6, Geology and Soils, portions of the project site are steeply sloped; however, the project design would include retaining walls to manage slopes on site. Prevailing winds are typically from the west between February and

November and from the north from November to February in the City. Finally, the proposed project would not include any design features that would increase the potential for a wildfire. The proposed project would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Therefore, the project would not result in any pollutant concentrations or wildfire risk as a result of slope, prevailing winds, or other factors that exacerbate wildfire risks beyond what was analyzed in the prior environmental documents. No additional analysis is required.

(c) Infrastructure

No New Impact. As discussed above, the project site is located outside of a VHFHS zone as identified by CALFIRE. All proposed project components including infrastructure, would be located within the boundaries of the project site and impacts associated with the development of the proposed project within the project site have been analyzed herein. Additionally, through Site Development Review, emergency services would review proposed plans to ensure that emergency vehicle access and circulation is adequate. With adherence to applicable regulatory requirements, there would be no new or substantially more severe significant impacts to installation or maintenance of infrastructure beyond what has been analyzed in the prior environmental documents. No additional analysis is required.

(d) Slope instability resulting in post-fire slope instability

No New Impact. As described in Section 6, Geology and Soils, portions of the project site are steeply sloped; however, the project design would include retaining walls to manage slopes on site. In addition, Implementation of Mitigation Measure 4.5-1, identified in the VCC EIR, which requires the preparation and implementation of a site-specific geotechnical investigation for each building constructed at the project site, would ensure impacts related to slopes would be reduced to a less than significant level. Further, as discussed in Section 9, Hydrology and Water Quality, the project would be required to implement erosion control measures during and post-construction. The proposed on-site detention basins would limit the release of stormwater from the site; therefore, the project site would not expose people to flooding or landslides as a result of runoff, post-fire slope instability or drainage changes. With adherence to required mitigation measures and applicable regulatory requirements, there would be no new or substantially more severe significant impacts to exposure of people or structures to flooding or landslides beyond what has been analyzed in the prior environmental documents. No additional analysis is required.

Source(s)

CAL FIRE. 2020. California Fire Hazard Severity Zone Viewer. Website: egis.fire.ca.gov/FHSZ/ (accessed June 25, 2021).

City of Dublin. 1985. City of Dublin General Plan. February 11. (Amended November 21, 2017).

City of Dublin. 2003. Final Environmental Impact Report Valley Christian Center Expansion Project, State Clearinghouse Number 200212070. March.

City of Dublin. 2018. Valley Christian Center Supplemental Mitigated Negative Declaration/ Initial Study, Planning Application Number: PLPA-2014-00052. June 8.

Mandatory Findings of Significance

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No New Impact
18. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:				
a. Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)				X
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

Significant Impacts

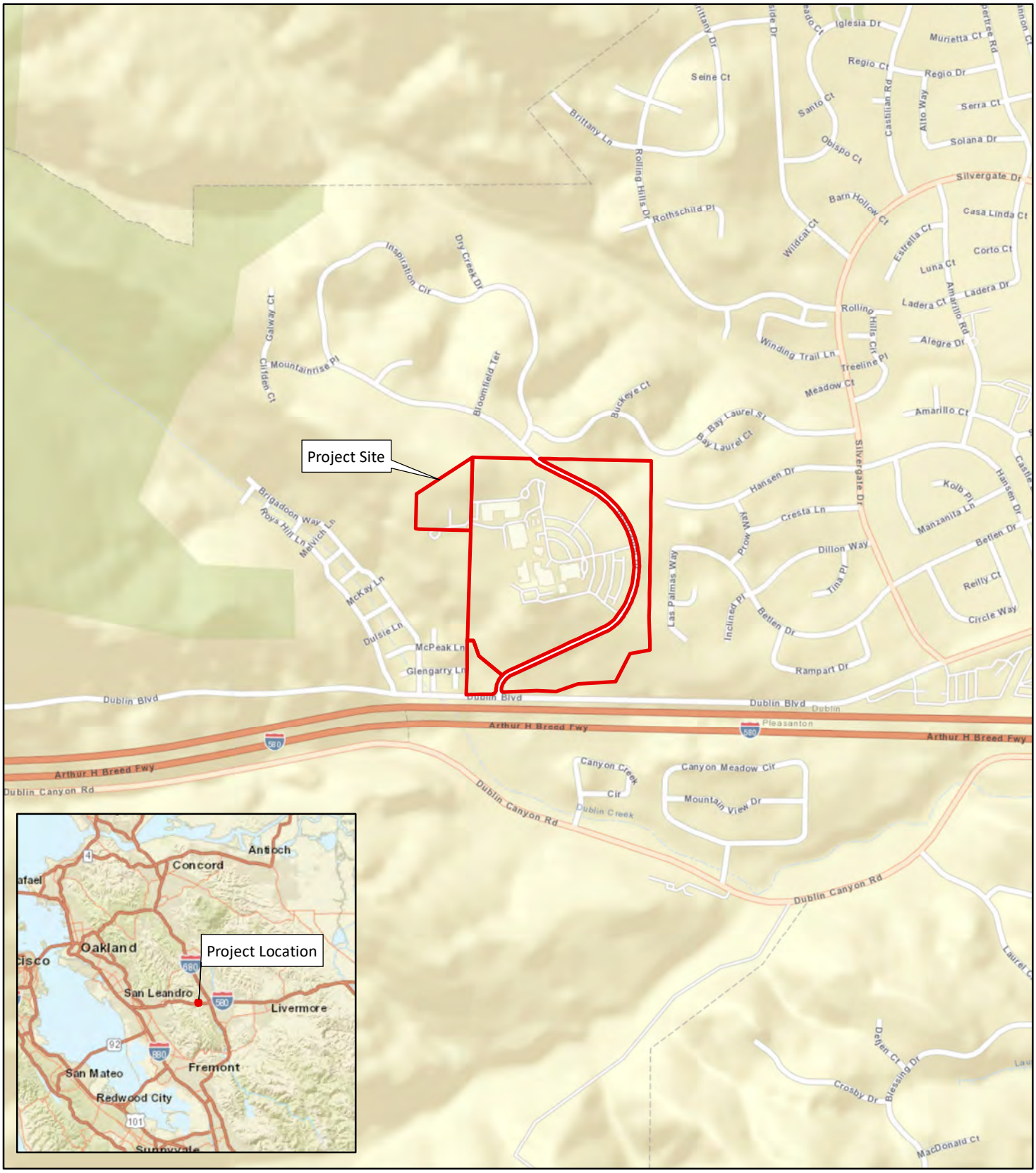
No New Impact. Construction and operation of the proposed project would not substantially degrade the quality of the environment; reduce the habitat, population, or range of a plant or animal species; or eliminate important examples of California history or prehistory. Potential impacts to biological and cultural resources, including special-status species, sensitive habitat, riparian areas and wetlands, nesting birds, historic and pre-historic resources were analyzed in the VCC EIR and the 2018 Supplemental IS/MND and are described herein. Implementation of Mitigation Measure 4.4-1, identified in the VCC EIR would ensure that potential impacts to historic, archaeological, tribal, and paleontological resources that could be uncovered during construction activities would be reduced to a less than significant level. Implementation of **Mitigation Measures BIO-1 through BIO-4** would ensure that potential impacts to nesting birds, coast live oak trees, Congdon's tarplant and CRLF are reduced to a less than significant level. With implementation of these mitigation measures, no new impacts or substantially more severe significant impacts to the quality of the environment would occur. No additional analysis is required.

Cumulative Impacts

No New Impact. Cumulative impacts associated with implementation of the proposed project were considered and evaluated in the VCC EIR and the 2018 Supplemental IS/MND. No new cumulative impacts or substantially more severe significant cumulative impacts were identified as a result of implementing the proposed project.

Substantial Adverse Effects on Human Beings

No New Impact. As described herein, environmental impacts (including those that may have a direct or indirect adverse effect on humans [i.e., air quality, noise]) that are associated with the proposed project can be reduced to less than significant through implementation of mitigation measures identified in the prior environmental documents or project-specific measures recommended in this document. Therefore, the proposed project would not result in environmental effects that would cause a substantial adverse effect on human beings either directly or indirectly. Therefore, implementation of the proposed project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed. No additional analysis is required.



LSA

FIGURE 1

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SOURCE: ESRI World Street Map (03/20).

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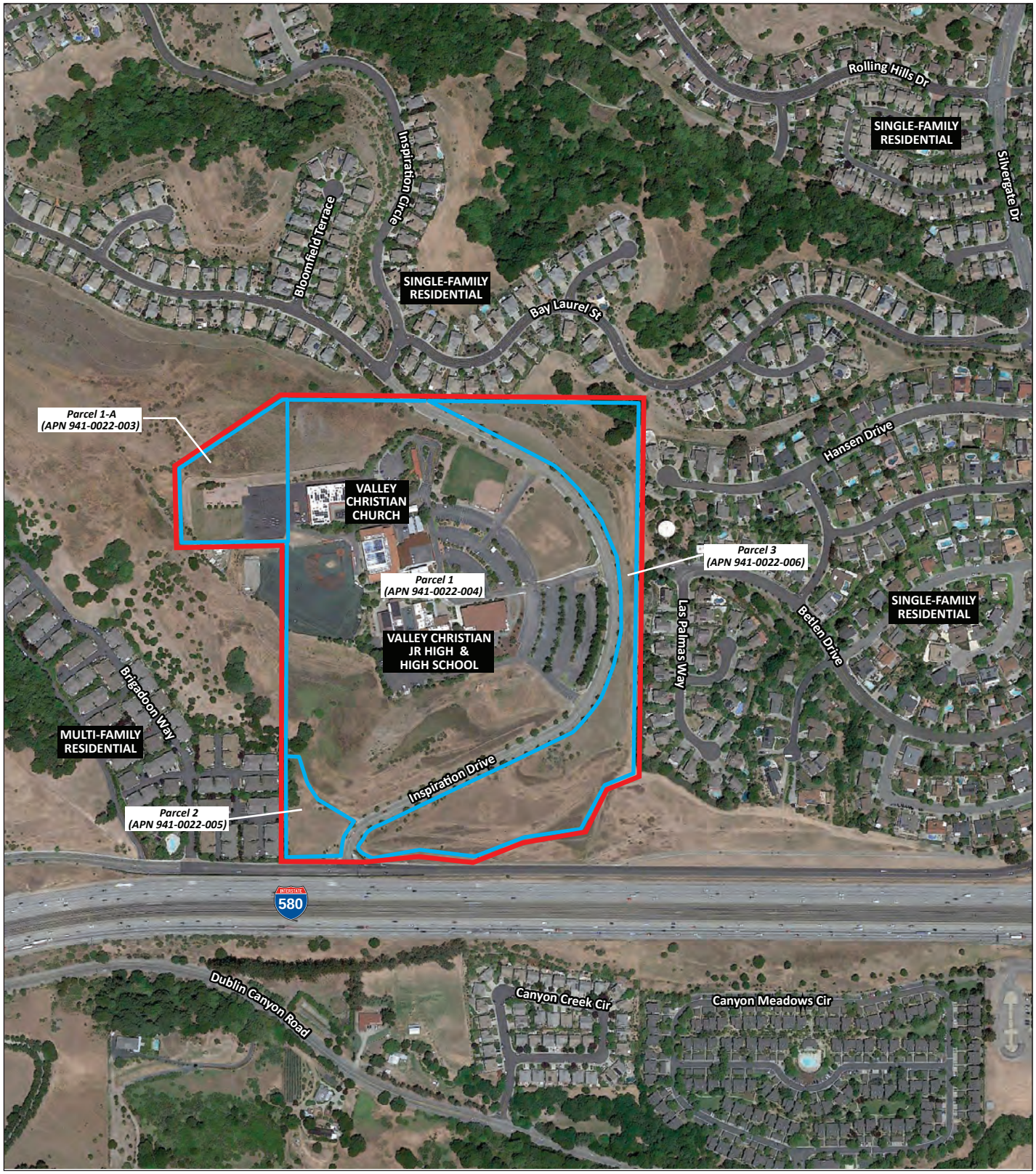
Inspiration Drive Memory Care and Assisted Living Facility Project

Regional Location



LSA

FIGURE 2

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FEET

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Project Site Boundary

Parcel Boundaries

Inspiration Drive Memory Care and Assisted Living Facility Project

Aerial Photograph of Project Site and Surrounding Land Uses

SOURCES: Google Earth, 6/20/2019; LSA, 2021

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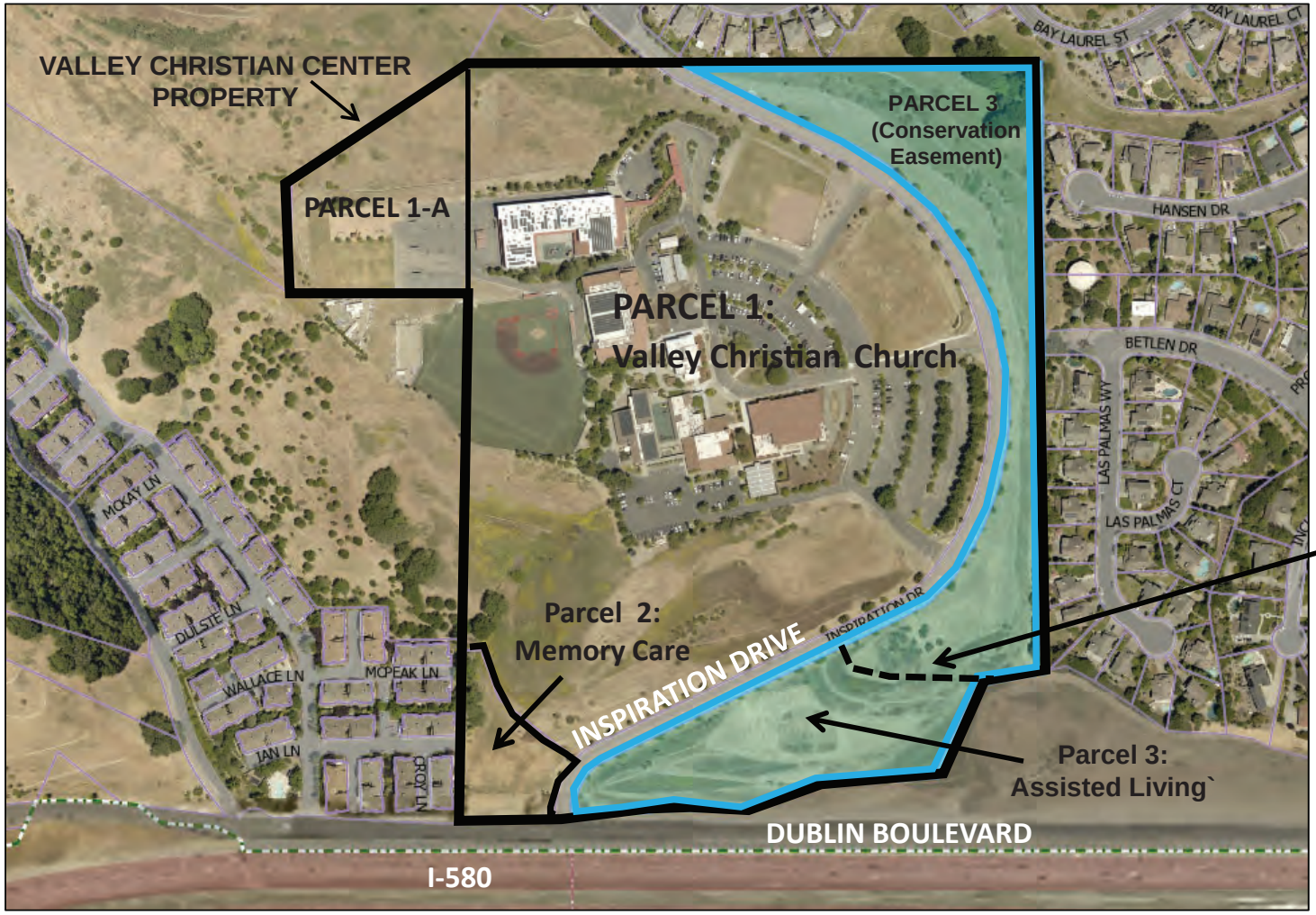

New Conservation Easement Boundary

7500 Inspiration Drive

LSA

FIGURE 3

NOT TO SCALE

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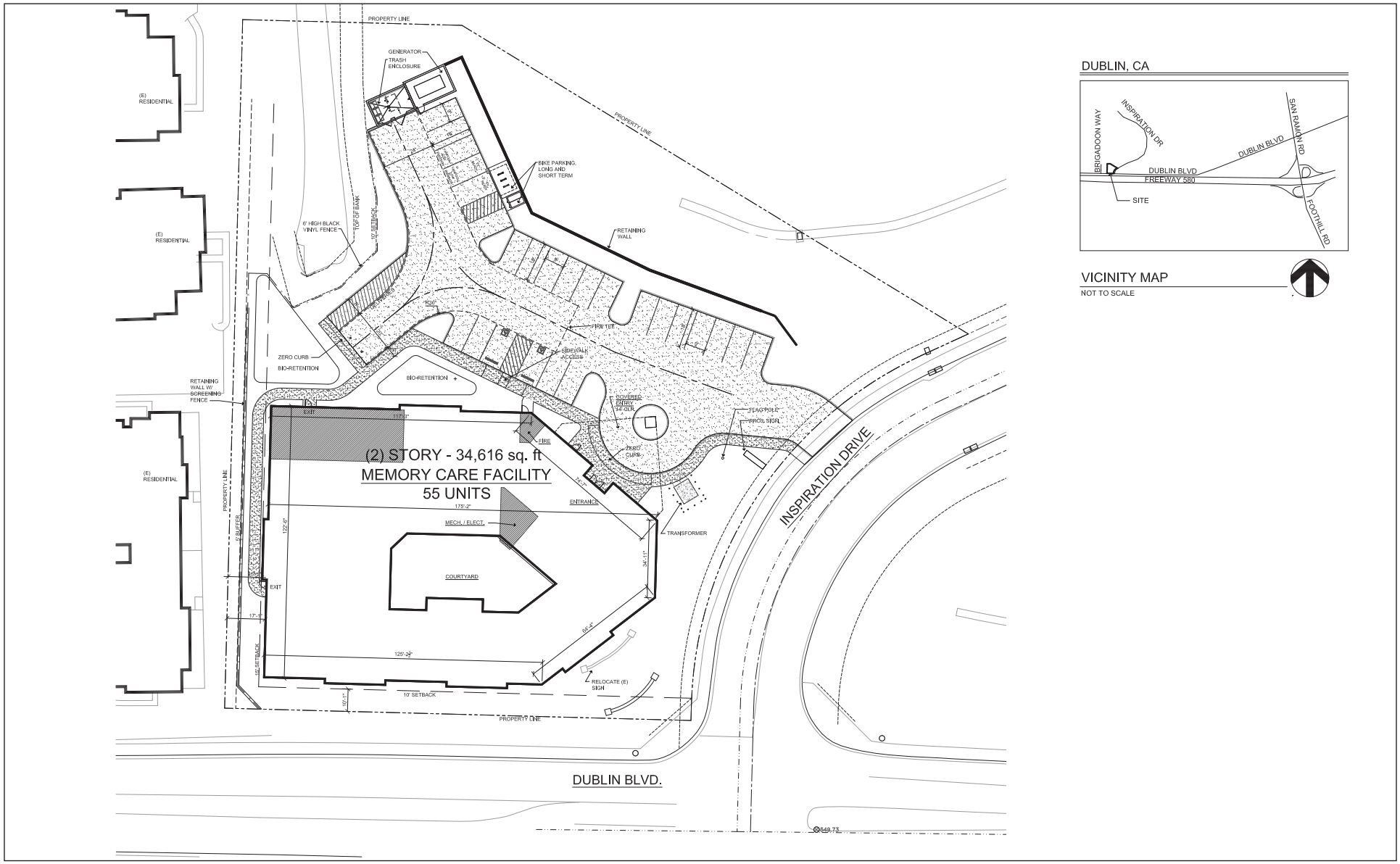
Inspiration Drive Memory Care and Assisted Living Facility Project
Proposed Parcel Layout

SOURCE: xxx

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 3.ai (1/8/2021)



LSA

0 30 60
FEET

N

FIGURE 4

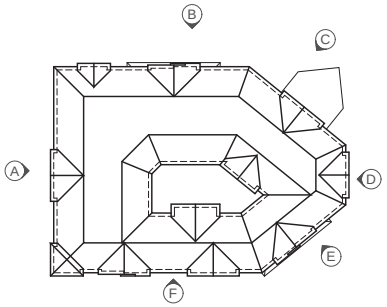
Inspiration Drive Memory Care and Assisted Living Facility Project

Memory Care Facility - Proposed Site Plan

SOURCES: Lenity Architecture, Inc.; FULCRM, 2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 4.ai (7/27/2021)

A ELEVATION (EAST)



KEY PLAN

B ELEVATION (NORTH)

C ELEVATION (NORTHWEST)

LSA

FIGURE 5

NOT TO SCALE

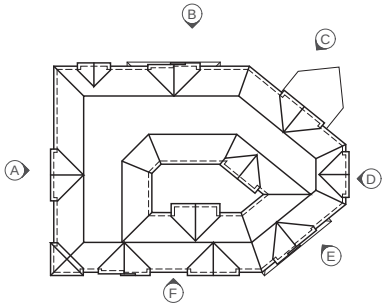
Inspiration Drive Memory Care and Assisted Living Facility Project

Memory Care Facility - Proposed Elevations

SOURCE: Lenity Architecture, Inc.; FULCRUM, 2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 5.ai (7/28/2021)

D ELEVATION (EAST)



KEY PLAN

E ELEVATION (NORTH)

F ELEVATION (NORTHWEST)

LSA

FIGURE 6

NOT TO SCALE

Inspiration Drive Memory Care and Assisted Living Facility Project

Memory Care Facility - Proposed Elevations

SOURCE: Lenity Architecture, Inc.; FULCRUM, 2021

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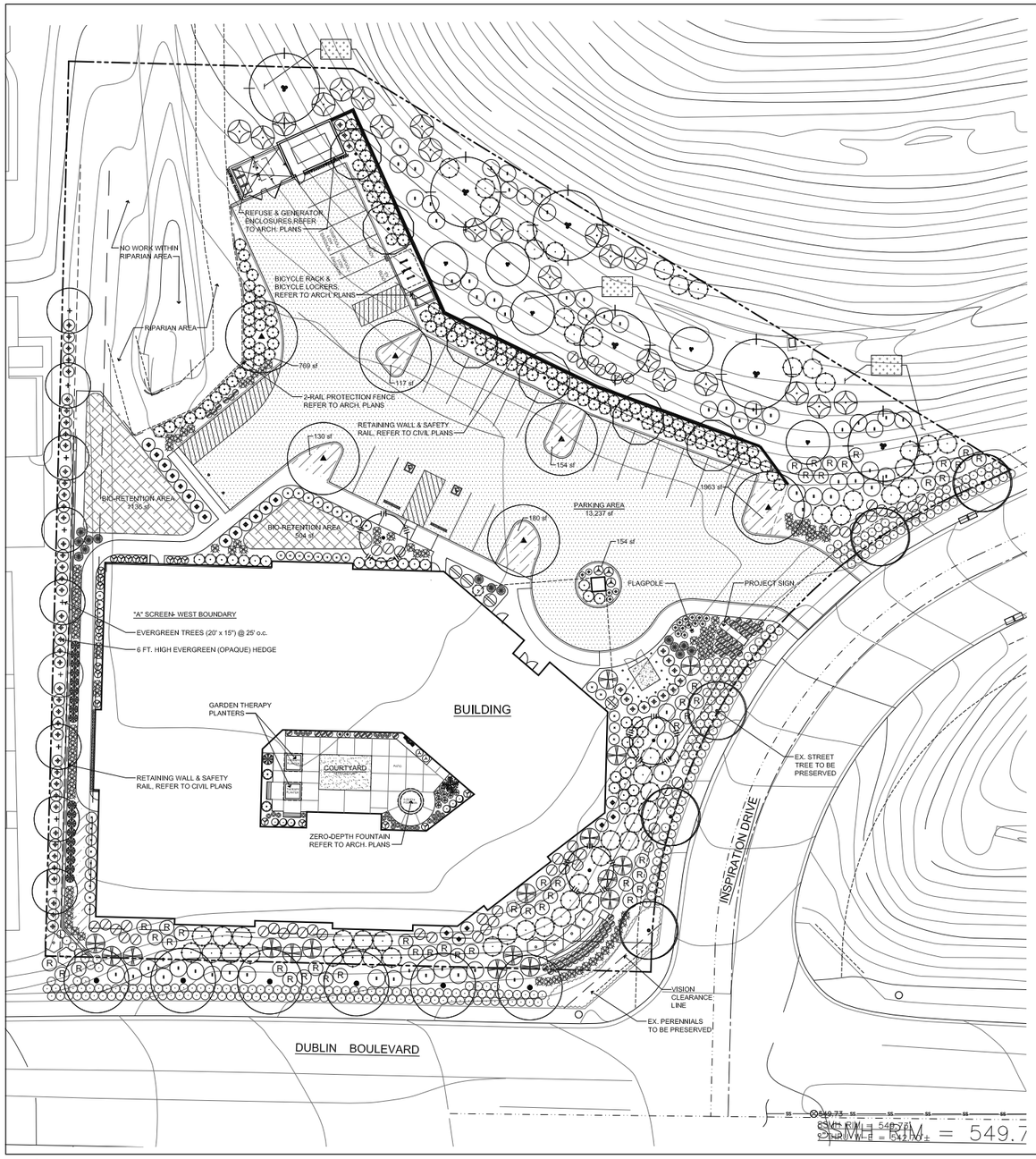
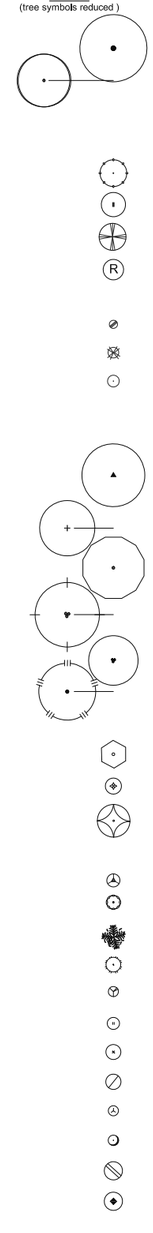


SYMBOL
(tree symbols reduced)



PLANTING LEGEND:

BOTANICAL / COMMON NAMES	QUANTITY	SIZE / FORM	MATURE HT. x WD.	WUCOLS REGION 1
STREET TREES				
Platanus x acerifolia 'Columbia' Columbia London Plane Tree (Dublin Blvd.)	6	15 gal. Standard	70' x 40'	Moderate
Match existing species (Inspiration Dr.) existing spacing approximately 45-50' o.c.	4	15 gal. Standard	NA	NA

STREETSCAPE PLANTING BOTANICAL / COMMON NAMES	QUANTITY	SIZE / FORM	SPACING	WUCOLS REGION 2
SHRUBS				
Ceanothus gloriosis 'Anchor Bay' Point Reyes Wild Lilac	54	5 gal.	7' o.c.	Very Low
Cistus 'Sunset' Magenta Rockrose	65	5 gal.	5' o.c.	Low
Phormium 'Sea Jade' Sea Jade New Zealand Flax	17	5 gal.	as shown	Low
Rosa rugosa 'Alba' White Rugosa Rose	49	5 gal.	5' o.c.	Low
GRASSES / GROUND COVERS / PERENNIALS				
Coreopsis lanceolata 'Early Sunrise' Double Flowered Yellow Tickseed	70	1 gal.	24" o.c.	Low
Pennisetum alopecuroides 'Little Bunny' Little Bunny Fountain Grass	85	1 gal.	30" o.c.	Low
Rosmarinus officinalis 'Prostratus' Rosemary	283	1 gal.	36" o.c.	Low

PROJECT SITE PLANTING BOTANICAL / COMMON NAMES	QUANTITY	SIZE / FORM	MATURE HT. x WD.	WUCOLS REGION 2
SHADE TREE				
Gleditsia tricanthos inermis 'Shademaster' Shademaster Honey Locust	6	24" box Standard	45' x 35'	Low
EVERGREEN BUFFER TREES				
Callistemon citrinus Lemon Bottlebrush	9	15 gal. Standard	20' x 15'	Low
Olea europaea 'Wilsonii' Wilson Fruitless Olive Tree	6	15 gal. Standard	30' x 30'	Very Low
Quercus agrifolia Coast Live Oak	6	15 gal. Multi-trunk	30' x 40'	Very Low
ORNAMENTAL TREES				
Cercis occidentalis Western Redbud	5	15 gal. Multi-trunk	20' x 15'	Very Low
Lagerstroemia indica x fauriei 'Muskogee' Muskogee Hybrid Crape Myrtle	3	15 gal. Standard	24' x 20'	Low

BACKGROUND / TALL SHRUBS	QUANTITY	SIZE / FORM	SPACING	WUCOLS REGION 2
Leonotis leonurus Lion's Tail	7	5 gal.	as shown	Low
Myrsine africana African Boxwood	57	5 gal.	4' o.c.	Low
Rhus integrifolia Lemonade Berry	21	5 gal.	as shown	Low
SHRUBS				
Aloe striata Coral Aloe	3	5 gal.	as shown	Low
Gardenia jasminoides 'August Beauty' August Beauty Gardenia	2	5 gal.	as shown	Moderate
Mahonia eurybracteata 'Soft Caress' Soft Caress Mahonia	1	5 gal.	as shown	Moderate
Mahonia repens Creeping Oregon Grape	34	5 gal.	4' o.c.	Low
Nandina domestica 'Gulf Stream' Heavenly Bamboo	22	5 gal.	3' o.c.	Low
Pittosporum tobira 'Dwarf Variegata' Dwarf Variegated Tobira	11	5 gal.	4' o.c.	Low
Rhaphiolepis indica 'Pinkie' India Hawthorn	23	5 gal.	4' o.c.	Low
Salvia greggii (Salmon) Autumn Sage	51	5 gal.	4' o.c.	Low
Salvia microphylla 'Hot Lips' Hot Lips Sage	2	5 gal.	as shown	Moderate
Sarcococca hookeriana humilis Sweet Sarcococca	6	5 gal.	as shown	Low
Sarcococca ruscifolia Sweet Box	4	5 gal.	as shown	Low
Westringia fruticosa 'Blue Gem' Blue Gem Coast Rosemary	20	5 gal.	5' o.c.	Low

PLANTING LEGEND CONTINUED:

VINES				
Jasminum floridum Showy Jasmine- train onto enclosure	5	5 gal.	as shown	Low
Trachelospermum jasminoides Star Jasmine- on trellis (Courtyard)	1	15 gal.	as shown	Moderate
GRASSES / PERENNIALS				
Calamagrostis x acutifolia 'Karl Foerster' Feather Reed Grass	19	1 gal.	as shown	Moderate
Dietes vegeta Fortnight Lily	14	1 gal.	as shown	Low
Hakonechloa macra 'Aureola' Japanese Forest Grass	8	1 gal.	as shown	Moderate
Lavandula angustifolia 'Munstead' Dwarf English Lavender	19	1 gal.	as shown	Low
Liriope muscari Big Blue Lily Turf	20	1 gal.	as shown	Moderate
Sisyrinchium bellum 'E.K.Balls' Blue-Eyed Grass	40	1 gal.	as shown	Low
GROUND COVER				
Coprosma petriei 'Verde Vista' Creeping Coprosma	116	1 gal.	4' o.c.	Low
Erodium reichardii Cranesbill (Building Area, Parking lot)	100% coverage	Cuttings	18" o.c.	Low
Myoporum parvifolium Creeping Myoporum (Slopes, Perimeter)	100% coverage	Cuttings	36" o.c.	Low
Artificial Turf- Courtyard DuPont Forever Lawn or equal	216 s.f.			Very Low
BIO-RETENTION PLANTING				
Plant grass species in natural masses of 24 minimum by quantity- triangular spacing	1640 s.f.			
Deschampsia caespitosa Tufted Hair Grass	164	1 gal.	24" o.c.	Low
Elymus tritichoides Creeping Wild Rye	164	1 gal.	24" o.c.	Low
Festuca rubra 'Molate' Molate Creeping Red Fescue	328	1 gal.	12" o.c.	Low

NOTES:

1. Soil Preparation for planting areas, excluding bio-swales (per 1000 s.f.):
   4 cu. yds. organic compost free of biosolids & harmful pathogens
   100 lbs. Gro-Power Plus w/M (mycorrhizae) organic fertilizer
   Spread evenly and rototill into soil in two directions to a depth of 6-8".
   Adjust materials based upon Soil Analysis recommendations after completed.
2. Install a 3" minimum layer of Shredded Redwood Bark in all planted areas unless noted otherwise. Mulch available:Redi-Gro Corporation, (800) 654-4358
3. Landscaping shall be served by an automated irrigation system utilizing SMART Technology in compliance with the California Water Efficient Landscape Ordinance.

PARKING LOT LANDSCAPING:

Parking Lot Area-	13,237 sq. ft.
15% Parking Area Landscape Requirement-	1986 sq. ft.
Parking Area Landscape provided-	3697 sq. ft. (27.9%)
Trees Required (1 / 4 stalls)	6 trees
Shade trees provided- 25 stalls / 4=	6 trees

WATER USE CALCULATIONS

TOTAL SITE LANDSCAPE AREA* = 38,508 s.f.

TOTAL IRRIGATED LANDSCAPE AREA* = 31,254 s.f.

*Includes 3352 s.f. in Public right-of-way

MAXIMUM ANNUAL APPLIED WATER ALLOWANCE (MAAWA)

MAAWA (gallons)= (ETo) x (.62) x ((0.45 x LA) + (0.3 x SLA))

(46.2) x (.62) x ((0.45 x 38,508) + (0.3 x 0)) = MAAWA 496,360 gals.

ESTIMATED ANNUAL APPLIED WATER USE

(ETo) x (PF-Kc) x (HA) x (.62) / (IE)= EAAWU (HYDROZONE)

HIGH WATER USE (RECIRCULATING FOUNTAIN): (46.2) x (1.0) x (42) x (.62) = 1203 gals. EAAWU

MODERATE HYDROZONE AREA (DRIP): (46.2) x (0.5) x (501) x (.62) / (.81) = 8858 gals. EAAWU

LOW HYDROZONE AREA (DRIP): (46.2) x (0.2) x (6941) x (.62) / (.81) = 49,091 gals. EAAWU

LOW HYDROZONE AREA (OVERHEAD): (46.2) x (0.2) x (24,082) x (.62) / (.75) = 183,948 gals. EAAWU

VERY LOW WATER USE (ARTIFICIAL TURF): (46.2) x (0.1) x (216) x (.62) = 619 gals. EAAWU

NON-IRRIGATED AREAS: (46.2) x (0.0) x (6726) x (.62) = 0 gals. EAAWU

EAAWU TOTAL (EATAWU): 243,719 gals.

EATAWU 243,719 gals. is less than MAAWA 496,360 gals.

NOTE- ETo for Dublin, CA = 46.2

LSA

FIGURE 7

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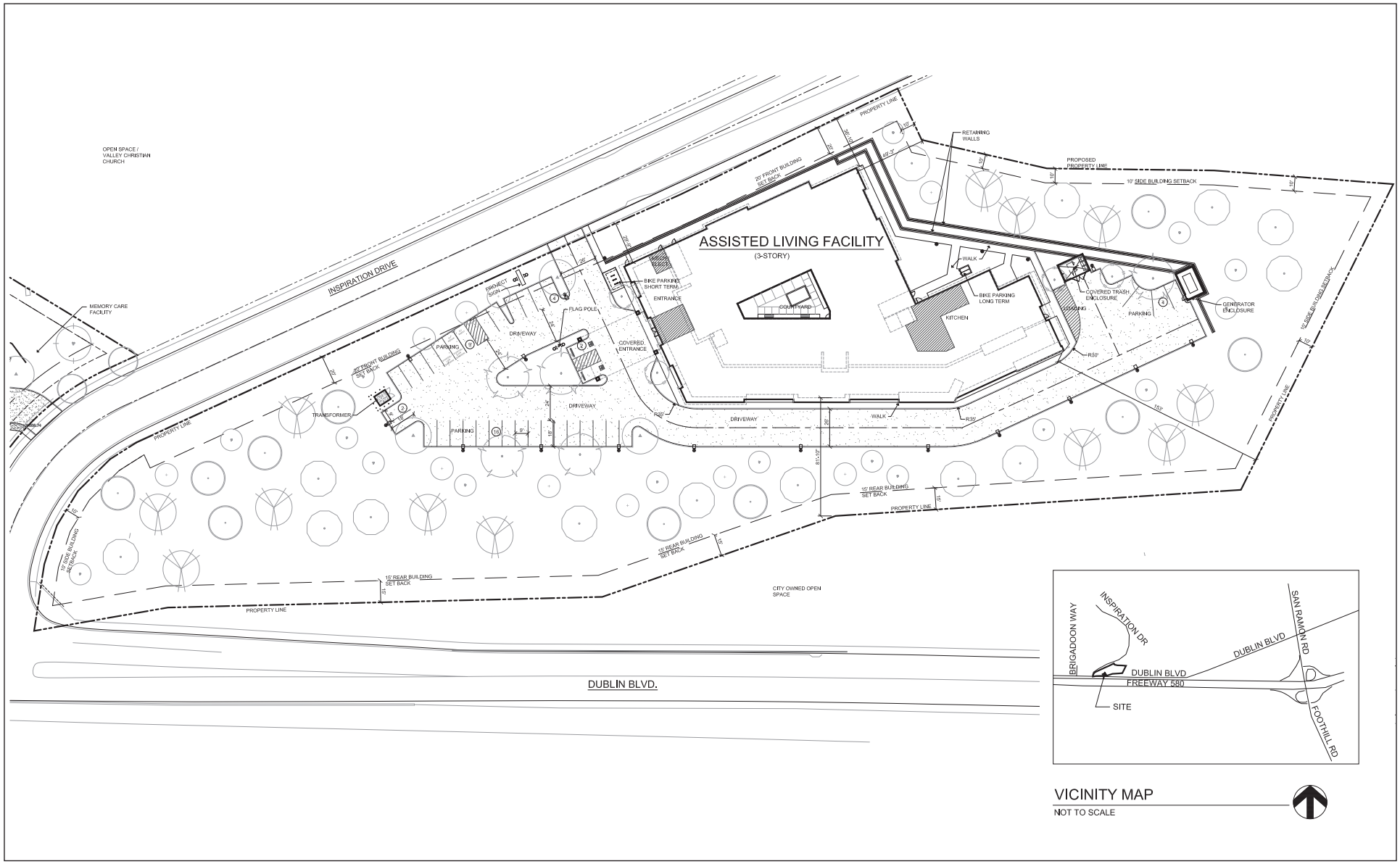
Inspiration Drive Memory Care and Assisted Living Facility Project

Memory Care Facility - Proposed Landscape Plan

SOURCES: Lenity Architecture, Inc.; FULCRUM, 2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 7.ai (8/31/2021)



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0 45 90
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FIGURE 8

Inspiration Drive Memory Care and Assisted Living Facility Project

Assisted Living Facility - Proposed Site Plan

SOURCES: Lenity Architecture, Inc.; FULCRUM, 2021

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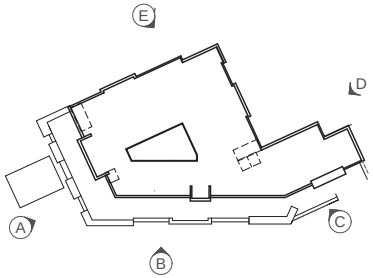
B ELEVATION - CONT. (SOUTH)

B ELEVATION - CONT. (SOUTH)

A ELEVATION (WEST)



KEY PLAN

LSA

FIGURE 9a

NOT TO SCALE

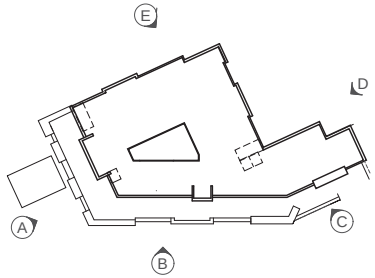
Inspiration Drive Memory Care and Assisted Living Facility Project

Assisted Living Facility - Proposed Elevations

SOURCE: Lenity Architecture, Inc.; FULCRUM, 2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 9a.ai (7/27/2021)

C ELEVATION



KEY PLAN

C ELEVATION - CONT.

D ELEVATION (EAST)

LSA

FIGURE 9b

NOT TO SCALE

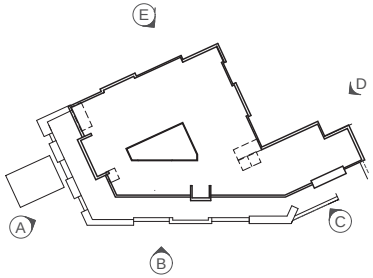
Inspiration Drive Memory Care and Assisted Living Facility Project

Assisted Living Facility - Proposed Elevations

SOURCE: Lenity Architecture, Inc.; FULCRUM, 2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 9b.ai (7/27/2021)

E ELEVATION (NORTH)



KEY PLAN

E ELEVATION - CONT. (NORTH)

LSA

FIGURE 9c

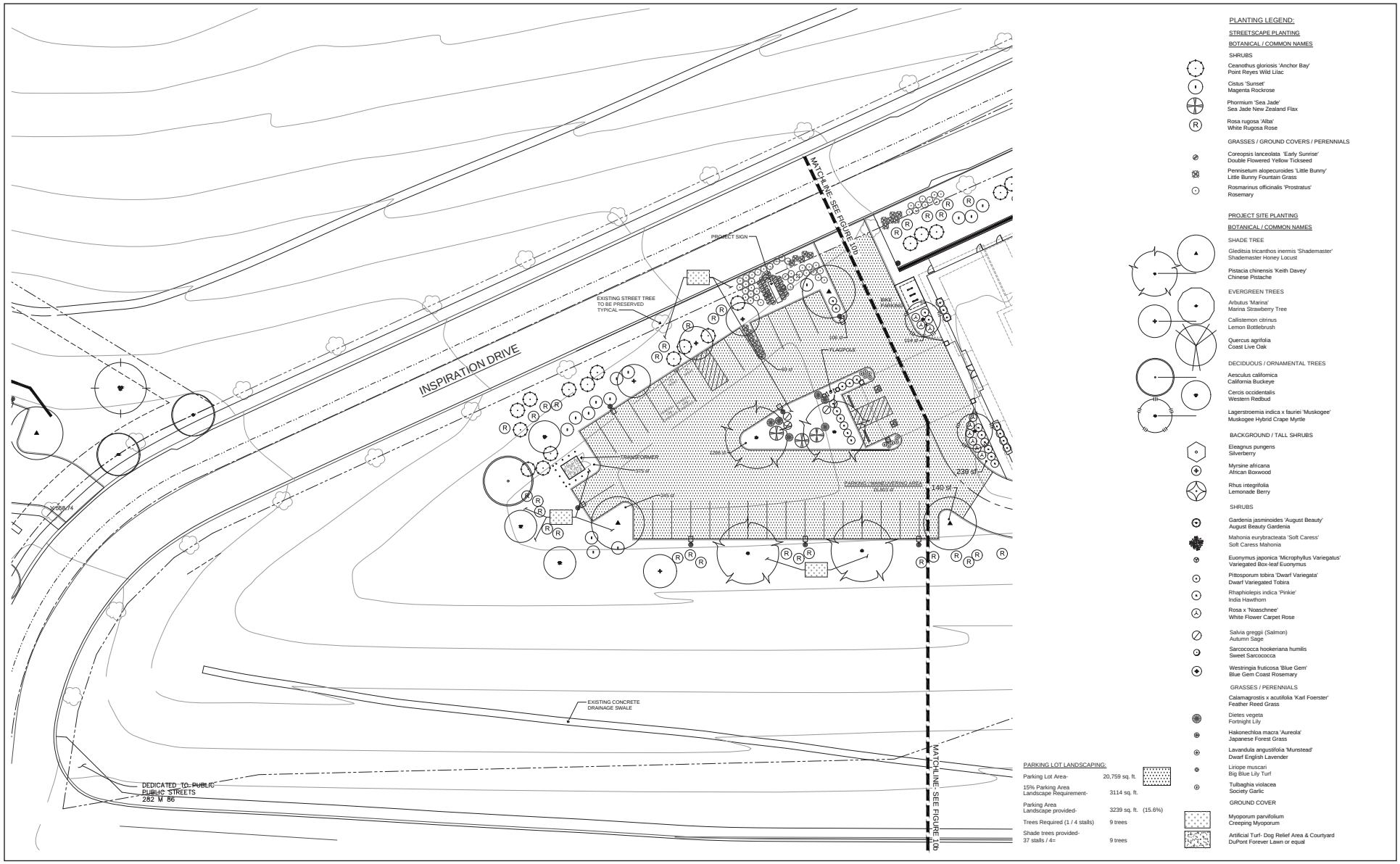
NOT TO SCALE

Inspiration Drive Memory Care and Assisted Living Facility Project

Assisted Living Facility - Proposed Elevations

SOURCE: Lenity Architecture, Inc.; FULCRUM, 2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 9c.ai (7/27/2021)



LSA

FIGURE 10a

0 30 60
FEET

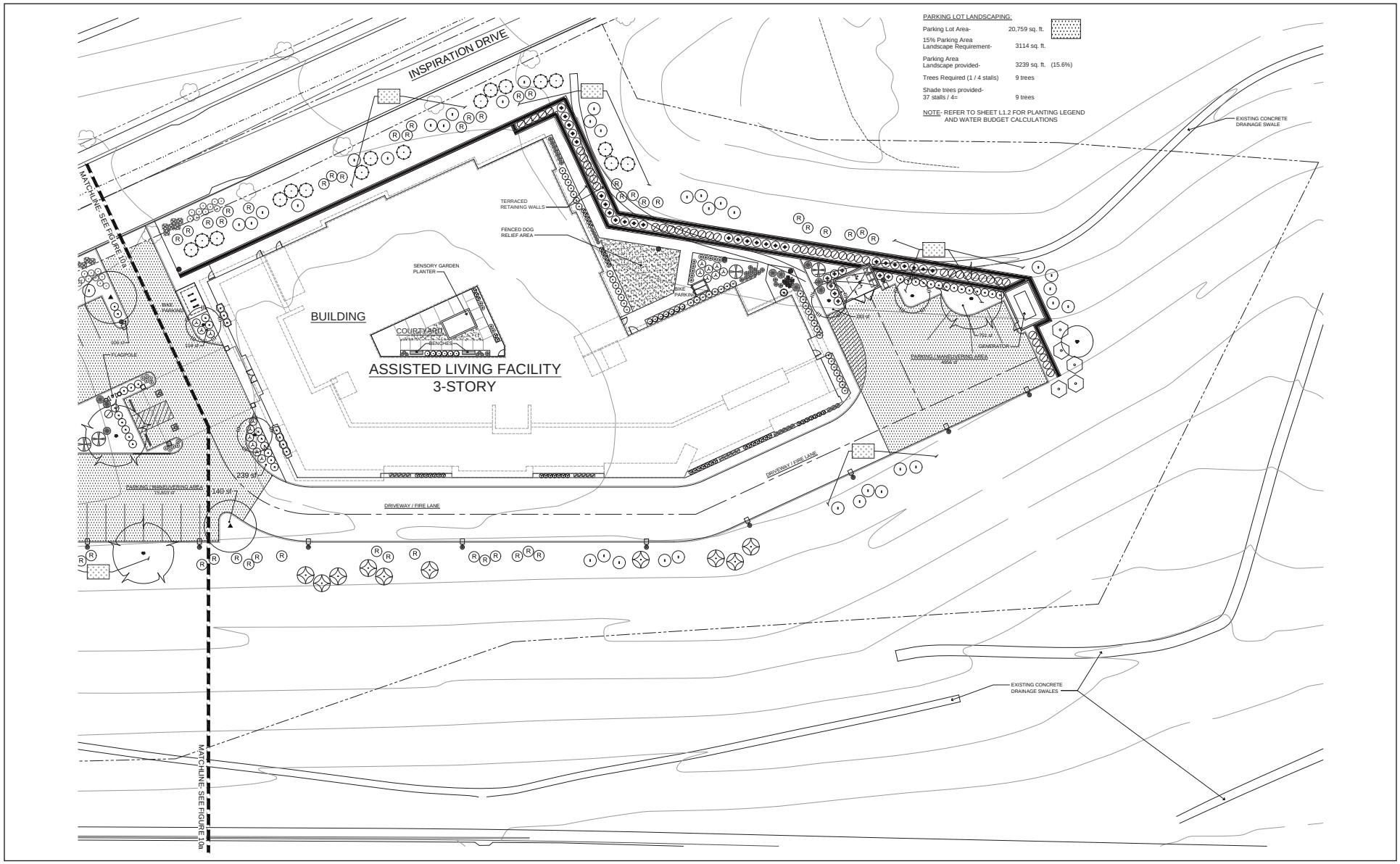
N

Inspiration Drive Memory Care and Assisted Living Facility Project

Assisted Living Facility - Proposed Landscape Plan

SOURCES: Lenity Architecture, Inc.; FULCRUM, 6/4/2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 10a.ai (8/25/2021)



LSA

FIGURE 10b

0 30 60
FEET

N

Inspiration Drive Memory Care and Assisted Living Facility Project

Assisted Living Facility - Proposed Landscape Plan

SOURCES: Lenity Architecture, Inc.; FULCRUM, 6/4/2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 10b.ai (8/25/2021)

Existing view from eastbound I-580 looking northeast

Visual simulation of proposed project

LSA

FIGURE 11

Inspiration Drive Memory Care and Assisted Living Facility Project

Visual Simulation - Eastbound I-580

SOURCE: Environmental Vision, 09/10/2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 11.ai (10/25/2021)

Existing view from westbound I-580 looking northwest

Visual simulation of proposed project

LSA

FIGURE 12

Inspiration Drive Memory Care and Assisted Living Facility Project

Visual Simulation - Westbound I-580

SOURCE: Environmental Vision, 9/10/2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 12.ai (10/25/2021)

LSA

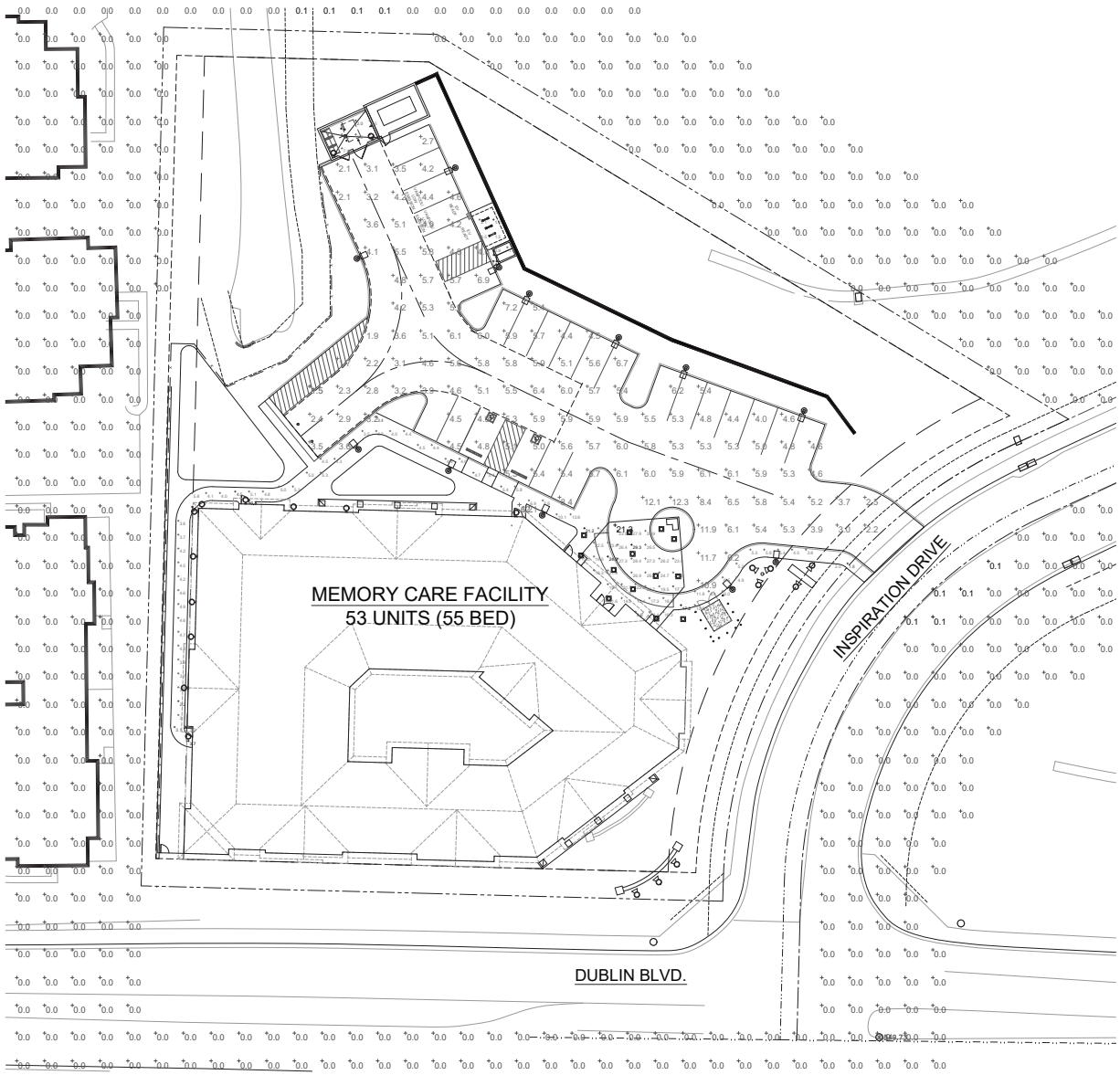
FIGURE 13

Inspiration Drive Memory Care and Assisted Living Facility Project

Existing Viewpoint From Downtown Dublin

SOURCE: Environmental Vision, 2021.

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 13.ai (10/25/2021)



Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Bike Parking	+	2.4 fc	4.4 fc	1.1 fc	4.0:1	2.2:1
Entry 1	+	6.2 fc	6.2 fc	6.2 fc	1.0:1	1.0:1
Entry 1 (+6)	+	12.1 fc	12.1 fc	12.1 fc	1.0:1	1.0:1
Entry 2	+	5.2 fc	6.3 fc	4.5 fc	1.4:1	1.2:1
Entry 2 (+6)	+	13.1 fc	37.9 fc	4.3 fc	8.8:1	3.0:1
Entry 3	+	3.3 fc	3.7 fc	3.1 fc	1.2:1	1.1:1
Entry 3 (+6)	+	18.2 fc	29.8 fc	5.5 fc	5.4:1	3.3:1
Loading Area	+	25.0 fc	29.3 fc	17.7 fc	1.7:1	1.4:1
Loading Area (+6)	+	28.2 fc	41.6 fc	15.2 fc	2.7:1	1.9:1
Main Entry	+	17.3 fc	24.3 fc	8.0 fc	3.0:1	2.2:1
Main Entry (+6)	+	22.3 fc	37.1 fc	7.1 fc	5.2:1	3.1:1
Parking and Drive	+	5.3 fc	21.3 fc	1.5 fc	14.2:1	3.5:1
Side Walk 1	+	6.8 fc	17.2 fc	1.8 fc	9.6:1	3.8:1
Side Walk 1 (+6)	+	9.4 fc	28.1 fc	1.7 fc	16.5:1	5.5:1
Sidewalk 2	+	6.6 fc	21.2 fc	3.4 fc	6.2:1	1.9:1
Sidewalk 2 (+6)	+	8.3 fc	39.9 fc	2.3 fc	17.3:1	3.6:1
Sidewalk 3	+	4.3 fc	8.4 fc	2.2 fc	3.8:1	2.0:1
Sidewalk 3 (+6)	+	9.1 fc	46.1 fc	2.7 fc	17.1:1	3.4:1
Spill Light	+	0.0 fc	0.1 fc	0.0 fc	N/A	N/A
Trash Enclosure	+	4.9 fc	11.3 fc	2.0 fc	5.7:1	2.5:1

NOTE:
+6' LIGHT LEVELS NOT SHOWN ON SITE PLAN FOR PURPOSES OF CLARITY.

LSA

FIGURE 14a

0 30 60
FEET

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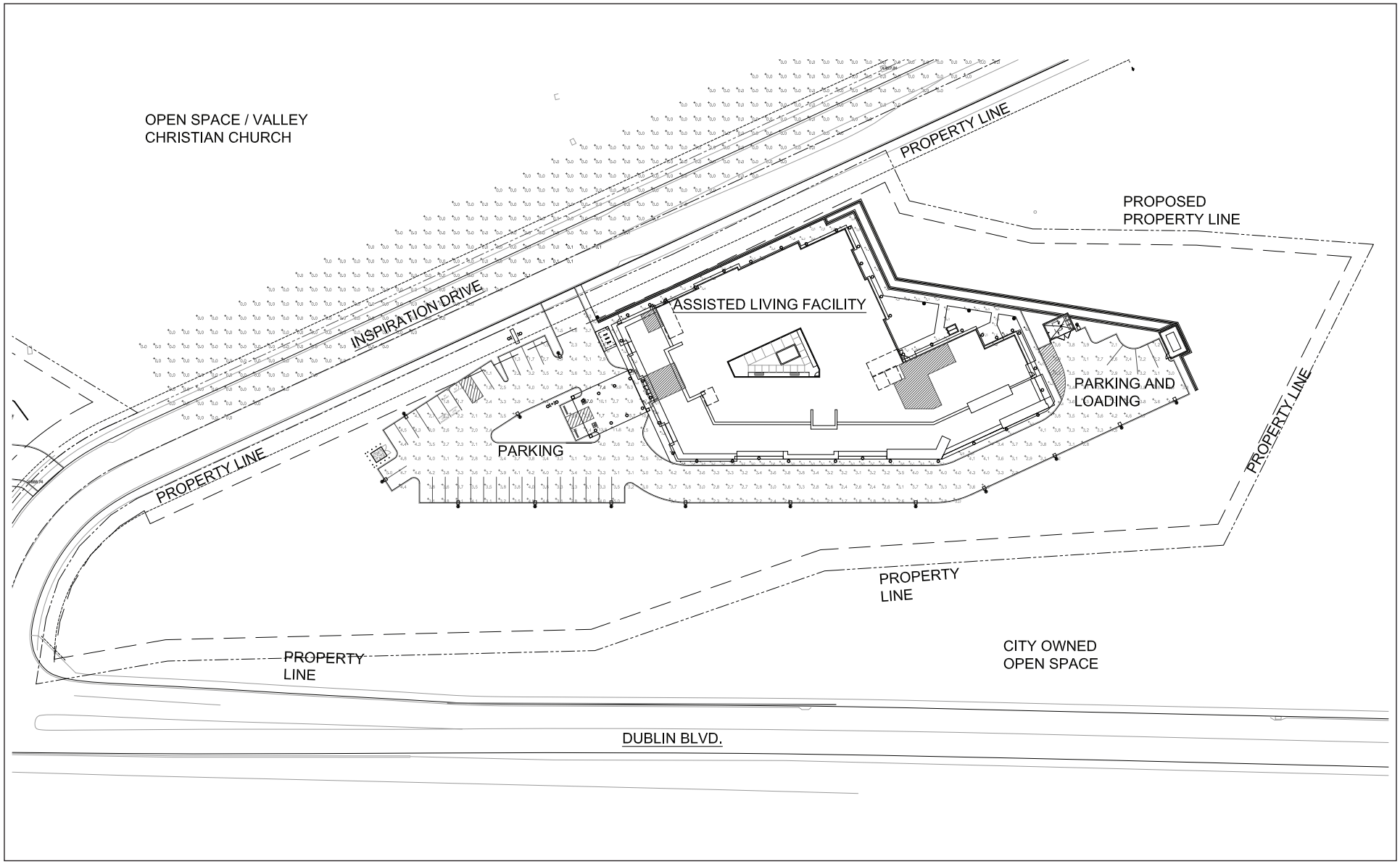
Inspiration Drive Memory Care and Assisted Living Facility Project

Memory Care Facility - Photometric Analysis

SOURCES: Lenity Architecture, Inc.; FULCRUM, 2020

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 14a.ai (11/4/2021)



LSA

FIGURE 14b

0 45 90
FEET

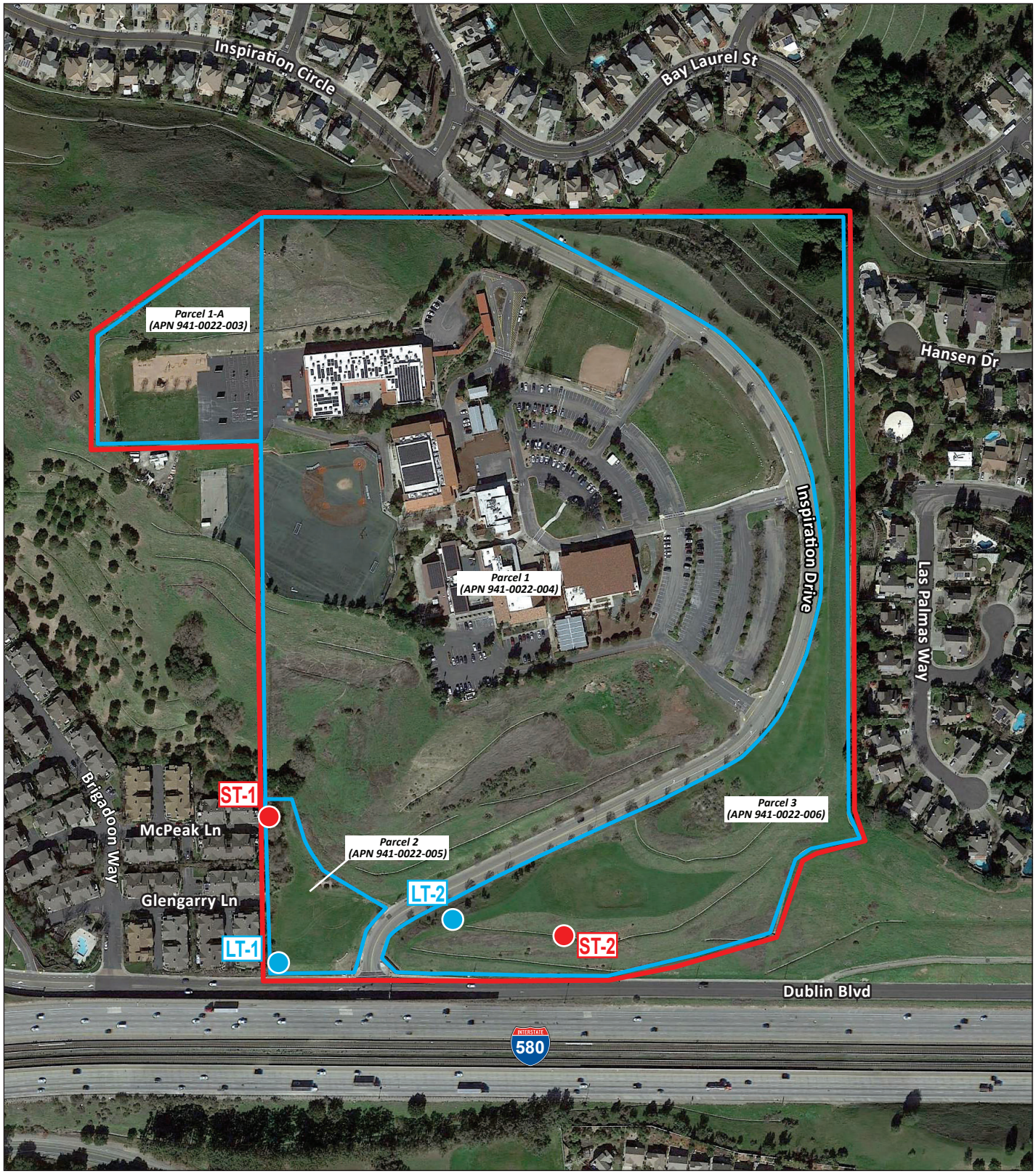
N

Inspiration Drive Memory Care and Assisted Living Facility Project

Assisted Living Facility - Photometric Analysis

SOURCES: Lenity Architecture, Inc.; FULCRUM, 2020

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 14b.ai (11/4/2021)



LSA

FIGURE 15

0 200 400
FEET

N

LT# Long-term Noise Monitoring Location (24 hours)

ST# Short-term Noise Monitoring Location (15 minutes)

Project Site Boundary

Parcel Boundaries

Inspiration Drive Memory Care and Assisted Living Facility Project

Noise Monitoring Locations

SOURCES: Google Earth, 2/10/2020; LSA, 2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 15.ai (11/4/2021)

Appendix A

VCC EIR Mitigation Monitoring and Reporting Program

Inspiration Drive Memory Care and Assisted Living Facility Project

Mitigation Monitoring or Reporting Program

Date	January 12, 2022
Project Name	**Inspiration Drive Memory Care and Assisted Living Facility Project (PLPA-2020-00044 and PLPA-2020-00045)**
Project Location	The project site is located at 7500 Inspiration Drive (APNs 941-0022-003, 941-0022-004, 941-0022-005 and 941-0022-006) in the City of Dublin.
Project Applicant	Steven Ring Fulcrum Real Estate Development
State Clearinghouse Number	2021110251
Contact	Amy Million Principal Planner City of Dublin Community Development Department 100 Civic Plaza Dublin, CA 94568 Phone: 925/833-6610 amy.million@dublin.ca.gov

Mitigation Monitoring or Reporting Program

The California Environmental Quality Act (CEQA) requires that all public agencies establish monitoring and/or reporting procedures for mitigation measures (MMs) adopted as part of the project approval in order to mitigate or avoid significant project impacts.

The MMRP identifies the following for each MM:

***Timing*.** In each case, a timeframe for performance of the mitigation measure, or review of evidence that mitigation has taken place, is provided. The measures are designed to ensure that impact-related components of Project implementation do not proceed without establishing that the mitigation is implemented or assured. All activities are subject to the approval of all required permits from local, State, and federal agencies with permitting authority over the specific activity.

***Responsible Party or Designated Representative*.** In each case, unless otherwise indicated, the applicant is the Responsible Party for implementing the mitigation. The City or a Designated Representative will also monitor the performance and implementation of the mitigation measures. To guarantee that the mitigation measure will not be inadvertently overlooked, a supervising public official acting as the Designated Representative is the official who grants the permit or authorization called for in the performance. Where more than one official is identified, permits or authorization from all officials shall be required.

The numbering system corresponds with the numbering system used in the VCC EIR, the 2008 Supplemental IS/MND and the Project IS/MND. The last column of the MMRP table will be used by the parties responsible for documenting when implementation of the MM has been completed. The ongoing documentation and monitoring of mitigation compliance will be completed by the City of Dublin. The completed MMRP will be kept on file at the City of Dublin Community Development Department.

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
Aesthetics				
During Site Development Review	**Mitigation Measure 4.1-1 (aesthetics and views):** Consideration shall be given during the Site Development Review process to: a. The proposed senior center and chapel buildings should be restricted to one story construction, consistent with the County Scenic Route Element, and set back from the top of slope the distance of the building height to reduce visibility from the I-580 freeway. Consideration should also be given to reducing the apparent heights of the two buildings by designing low rooflines, using earth tone building colors, using non-reflective surfaces and appropriate landscape screening. b. For the residential component of the proposed project, consideration shall be given to providing a greater building setback from the Dublin Boulevard/Inspiration Drive intersection, limiting the buildings on the south side of the complex to a single story, using intensive landscaping on the comer to screen the residences and using earth tone colors and non-reflective surfaces.	▪ Dublin Planning Division ▪ Project Applicant		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
During Site Development Review	**Mitigation Measure 4.1-2 (light and glare):** The following measures shall be taken during the Site Development Review process to: a. Ensure that all exterior light fixtures be equipped with cut-off lenses, directed downward, and limited in height to the maximum necessary for adequate illumination to minimize excess light and glare. b. Require that any future proposals to light the playing fields be subject to Planning Commission approval following a notice public hearing.	▪ Dublin Planning Division ▪ Project Applicant		
Air Quality				
During construction	**Mitigation Measure 4.2-1 (construction impacts):** The following measures are recommended, based on BAAQMD standards, to reduce construction impacts to a less-than-significant level. The following construction practices should be required during all phases of construction on the project site: a. Water all active construction areas as needed; b. Watering or covering of stockpiles of debris, soil, sand or other materials that can be blown by the wind; c. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;	▪ Dublin Planning Division ▪ Project Applicant/Project Contractor		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	d. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites; e. Sweep daily (preferably with water sweepers) all paved access road, parking areas and staging areas at construction sites; f. Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets; g. Hydroseed or apply non-toxic soil stabilizers to inactive construction areas h. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.); i. Limit traffic speeds on unpaved roads to 15 mph; j. Install sandbags or other erosion control measures to prevent silt runoff to public roadways; k. Replant vegetation in disturbed areas as quickly as possible.			
During construction	**Mitigation Measure AIR-1.** The Applicant's grading contractor(s) shall adhere to the most current Bay Area Air Quality Management District's (BAAQMD) construction mitigation measures (Tables 8-1 and 8-2 or as may be updated at the time a grading permit is requested) as set	▪ Dublin Planning Division ▪ Project Applicant/Project Contractor		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	forth in the May 2017 BAAQMD CEQA Guidelines, or as may be amended in the future and in effect at time of issuance of grading permit.			
During construction	**Mitigation Measure AIR-2:** During construction of the proposed project, the project contractor shall ensure all off-road diesel-powered construction equipment of 50 horsepower or more used for the project construction at a minimum meets the California Air Resources Board (CARB) Tier 2 emissions standards or equivalent equipped with Level 3 diesel particulate filters equipped with Level 3 diesel particulate filters.	▪ Dublin Planning Division ▪ Project Applicant/Project Contractor		
Biological Resources				
Prior to construction	**Mitigation Measure 4.3-1 (wetland and riparian habitat impacts):** A protocol-level wetlands delineation shall be performed on the project site. Based on the results of this analysis, the development plan should be modified to avoid all wetland areas. If avoidance is not possible, a wetland mitigation plan shall be prepared by a qualified biologist to include identification of replacement wetland area at a ratio of 2:1 on or near the project site. Necessary regulatory permits shall also be obtained from the U.S. Army Corps of Engineers, Fish and Wildlife Service, California Department of Fish and Game and Regional Water Quality Control Board.	▪ Dublin Planning Division ▪ Project Applicant/Project Contractor		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
No more than 14 days prior to ground disturbance occurring between February 1 and August 31	**Mitigation Measure BIO-1.** No more than 14 days prior to ground disturbance and vegetation removal during the nesting season (February 1-August 31), the project Applicant shall retain a qualified biologist to perform pre-construction breeding bird surveys. If nests are found, they shall be flagged and protected with a suitable buffer. Buffer distance would vary based on species and conditions at the project site, but would usually be at least 50 feet and up to 250 feet for raptors. This measure shall not apply to ground disturbance of vegetation removal outside of the nesting season (September 1 to January 31).	▪ Dublin Planning Division ▪ Project Applicant/Project Contractor		
Following project construction	**Mitigation Measure BIO-2.** Any on-site coast live oak lost or impacted as a result of project construction shall be replaced on site or in the immediate vicinity at a 2:1 (replacement: impacted) ratio. A Replacement Plan shall be prepared by a qualified biologist identifying the location of replacement habitat, replanting plans and long-term monitoring to ensure the success of the replacement habitat area. Necessary permits shall be obtained from local, state and federal biological resource agencies prior to commencement of replanting.	▪ Dublin Planning Division ▪ Qualified Biologist/Project Applicant/Project Contractor		
Prior to ground disturbance and within the blooming period	**Mitigation Measure BIO-3: Congdon's Tarplant.** The project Applicant shall retain a qualified botanist to conduct rare plant surveys within construction zones on the site for Congdon's Tarplant or for other species within the project site during the appropriate time of year in	▪ Dublin Planning Division ▪ Qualified Botanist/Project		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
(June to November)	accordance with agency protocols. The survey shall be conducted during the blooming period of Condon's tarplant (June to November) to determine the presence/absence of this species within the site. The field survey shall follow standard protocols for rare plant surveys, which may require multiple site visits and checking a reference site(s) where the species is known to occur. The survey shall include Parcels 2 and 3 as well as the entire conservation easement portion of Parcel 3. Impacts to special-status plants shall be avoided to the fullest extent feasible and habitat that supports special-status plant species shall be preserved. Rare plant surveys shall be conducted at the proper time of year when rare or endangered species are both evident and identifiable. Field surveys shall be scheduled to coincide with known blooming periods and/or during periods of physiological development that are necessary to identify the plant species of concern. ~~If no special-status plant species are found, the proposed project would not have a significant impact to species and no additional mitigation is needed.~~ If any of the species are found on-site and cannot be avoided, the following measures shall be required: a. Where surveys determine that special-status plant species are present within or adjacent to the proposed	Applicant/Project Contractor		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	project site, direct and indirect impacts of the project on the species (e.g., Congdon's tarplant and/or San Joaquin spearscale) shall be avoided where feasible through the establishment of activity exclusion zones, where no ground-disturbing activities shall take place, including construction of new facilities, construction staging, or other temporary work areas. Activity exclusion zones for special-status plant species shall be established prior to construction activities around each occupied habitat site, the boundaries of which shall be clearly marked with standard orange plastic construction exclusion fencing or its equivalent. The establishment of activity exclusion zones shall not be required if no construction related disturbances would occur within 250 feet of the occupied habitat site. The size of activity exclusion zones may be reduced through consultation with a qualified biologist and with concurrence from California Department of Fish & Wildlife (CDFW) based on site-specific conditions. b. If exclusion zones and avoidance of impacts on a special-status plant species are not feasible, then the loss of individuals or occupied habitat of a special-status plant species shall be compensated for through the acquisition, protection, and subsequent management of other existing occurrences. Mature seeds shall be collected from all the plants that are			

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	present and planted in a suitable mitigation area within the Parcel 3 conservation easement. The mitigation area for replanting shall be identified by a qualified botanist before the start of work on the project. The conservation easement portion of Parcel 3 supports the same soil type (Diablo clay 15-30 percent) as the detention basin within the proposed assisted living facility area, so mitigation for Condon's tarplant is feasible within the easement. c. Before the start of work~~implementation of compensation measures~~, the project's Applicant shall provide detailed information to the CDFW and lead agency on the quality of preserved habitat, location of the preserved occurrences, provisions for protecting and managing the areas, the responsible parties involved, and the other pertinent information that demonstrates the feasibility of the compensation. A qualified botanist shall prepare a mitigation and monitoring plan for the Condon's tarplant mitigation area. The plan shall include, at a minimum, a discussion of the methods of seed collection and sources of seeds, the location and size of the mitigation area within the conservation easement, and mitigation site preparation, monitoring, and criteria for determining a successful mitigation effort. Mitigation sites are typically monitored for five years; however,			

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	provisions for maintaining a viable population of Condon's tarplant in the conservation easement after the five year monitoring period shall be included in the plan.~~A mitigation plan identifying appropriate mitigation ratios shall be developed in consultation with, and approved by, the CDFW and the City prior to the commencement of any activities that would impact any special status plants.~~ If Condon's tarplants are not found within the project site during the rare plant survey, this may not indicate absence. If adverse environmental conditions for germination occur during the year the survey is conducted, Condon's tarplant may not have geminated; however, a persistent long-term seed bank could still be present. If flowering plants are not found on the project site during the initial rare plant survey, the project site shall be resurveyed during the next Condon's tarplant blooming season and, if plants are present, mature seeds for replanting shall be collected. If a second season plant survey is not feasible, viable seeds from another source shall be collected or purchased from a reliable native plant nursery for replanting.			
Within 24 hours of ground disturbance and	**Mitigation Measure BIO-4.** For any development near on-site riparian areas, ~~the project Applicant~~ a qualified biologist shall conduct pre-construction surveys for CRLF species within 24 hours of initial ground disturbance. If	▪ Dublin Planning Division		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
throughout the construction period	individuals are found, work shall not begin until they are moved out of the construction zone to a U.S. Fish and Wildlife Service/California Department of Fish and Wildlife approved relocation site. ~~The survey shall be completed no more than 30 days prior to work within 200 feet of potential wetland/wet areas on the site.~~ If no species are found, no mitigation shall be required. If CRLF are found on the project site then the project Applicant shall provide information to support Section 7 consultation with the U.S. Fish & Wildlife Service (USFWS) and the project Applicant shall ensure no net loss of habitat that shall be achieved through avoidance, preservation, creation and/or purchase of credits. The final selected measures may be part of the Section 7 permitting process. The project Applicant shall obtain a biological opinion from the USFWS and comply with the conditions and mitigation requirements under the opinion to ensure that no net loss of habitat occurs. Mitigation may include, but would not be limited to on-site and off-site preservation and creation of CRLF habitat, purchase of credits at mitigation banks, payment of in-lieu fees approved by the agencies, or other agency approved and required mitigation measures.	▪ Qualified Biologistt/Project Applicant/Project Contractor		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	Avoidance measures may include the following or equivalent protective measures: a. To minimize disturbance of breeding and dispersing CRLF construction activity within CRLF upland habitat shall be conducted during the dry season between April 15 and October 15 or before the onset of the rainy season, whichever occurs first. If construction activities are necessary in CRLF upland habitat between October 15 and April 15, the project Applicant would contact the USFWS for approval to extend the work period. b. To minimize disturbance and mortality of adult and juvenile CRLF in aquatic habitat and underground burrows, the project Applicants should minimize the extent of ground-disturbing activities within these habitats by requiring the contractor to limit the work area to the minimum necessary for construction. In addition, the project Applicant should ensure that the contractor installs temporary exclusion fence between the construction work area and potential aquatic habitat for all construction within grasslands near aquatic habitat. The fence shall be at least three feet high, buried six inches underground, and have one-way exit funnels. The exclusion fence shall be made of an opaque material that California red-legged frogs cannot see through, to prevent frogs from trying to			

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	push through the fencing. Wooden cover board shall be placed every 50 feet along the outside edge of the fence to give California red-legged frogs a place to shelter until they can find their way around the work area without desiccating or being preyed upon. The integrity of the exclusion fencing shall be inspected daily, and any needed repairs shall be made immediately. A minimum buffer zone of 150 feet shall be maintained around CRLF aquatic habitat during construction. No staging, parking, material storage or ground disturbance shall be allowed in the buffer zone. The buffer zone will be clearly defined with construction fencing prior to the initiation of construction activities and shall be maintained until completion of construction. c. The project Applicant should ensure that a qualified wildlife biologist monitors all construction activities within CRLF upland habitat to ensure no take of individual CRLF occurs during project construction. If a CRLF is found, then the monitor would immediately stop construction in that area and contact USFWS for development of a plan for how to proceed with construction. d. No work shall occur at night. e. For on-site storage of pipes, conduits, and other materials that could provide shelter for California red-			

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	legged frogs, an open-top trailer shall be used to elevate the materials above ground (unless the materials are inside the wildlife exclusion fencing). This is intended to reduce the potential for animals to climb into the conduits and other materials. f. The wildlife exclusion fencing shall be removed within 72 hours of completion of work. g. A qualified biologist shall be present during initial ground-disturbing activities. h. No monofilament plastic shall be used for erosion control. i. Any open trenches shall be provided with an escape ramp(s), such as a board that allows trapped frogs or other small animals to exit the trenches. Construction personnel shall inspect any open trenches in the morning before work begins for trapped amphibians. j. A qualified biologist possessing a valid federal Endangered Species Act Section 10(a)(1)(A) permit or approved by the U.S. Fish and Wildlife Service under an active biological opinion shall be contracted to relocate amphibians to nearby suitable habitat if amphibians are found inside fenced areas. k. Work shall stop at least an hour prior to a predicted rain event of 0.1 inch or greater and then shall not			

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	begin until at least 24 hours after the rain event. Work could continue within the wildlife exclusion fencing within 24 hours of the rain event if a qualified biologist has performed a clearance survey. However, no work or mobilization of vehicles or equipment outside of the wildlife exclusion fencing shall occur within 24 hours of the rain event.			
Cultural Resources				
During construction	**Mitigation Measure 4.4-1 (archaeological and Native American resources):** If an archeological or Native American artifact is identified, work on the project shall cease immediately until a resource protection plan conforming to CEQA Guideline Section 15064.5 (e) is prepared by a qualified archeologist and approved by the Dublin Community Development Director. Project work may be resumed in compliance with such plan. If human remains are encountered, the County Coroner shall be contacted immediately.	▪ Dublin Planning Division ▪ Qualified Archaeologist/ Project Applicant/Project Contractor		
Geology and Soils				
Prior to construction	**Mitigation Measure 4.5-1 (seismic hazard, expansive soils and landslides):** A site-specific geotechnical investigation shall be required for each building constructed as part of the proposed expansion by a California-registered geologist or California registered engineering geologist.	▪ Dublin Planning Division ▪ Project Applicant		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	The report(s) shall address the potential for extension of the Dublin fault on the site, expansive soils and the potential for future landslides on the site. Specific measures to reduce seismic hazards, expansive soils and landslide hazards to a less-than-significant level shall be included in the report(s).			
Hydrology and Water Quality				
Prior to and during project construction	**Mitigation Measure 4.6-1 (soil erosion):** An erosion and sedimentation control plan shall be prepared by a California-registered civil engineer for implementation throughout all phases of project construction. The plan should be prepared in accordance with City of Dublin and RWQCB design standards and shall be approved by the Dublin Public Works Director prior to issuance of a grading permit. It is recommended that this plan, at a minimum, include the following provisions: a. Existing vegetated areas should be left undisturbed until construction of improvements on each portion of the development site is actually ready to commence; b. All disturbed areas should be immediately revegetated or otherwise protected from both wind and water erosion upon the completion of grading activities; c. Stormwater runoff should be collected into stable drainage channels, from small drainage basins, to	▪ Dublin Planning Division ▪ Project Applicant/Project Contractor		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	prevent the buildup of large, potentially erosive stormwater flows; d. Specific measures should be implemented to control erosion from stockpiled earth and exposed soil; e. Runoff should be directed away from all areas disturbed by construction; f. Sediment ponds or siltation basins should be used to trap eroded soils before runoff is discharged into on-site or offsite drainage culverts and channels; g. To the extent possible, major site development work involving excavation and earth moving shall be scheduled during the dry season.			
Prior to and during project construction	**Mitigation Measure 4.6-2 (non-point source pollution):** A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared by a California-registered civil engineer to RWQCB and City of Dublin standards to ensure Best Management Practices will be employed to reduce surface water pollution to a less-than-significant level. The SWPPP shall be approved by the Dublin Public Works Director prior to issuance of a grading permit.	▪ Dublin Planning Division ▪ Project Applicant/Project Contractor		
Prior to and during project construction	**Mitigation Measure 4.6-3 (stormwater runoff):** The project sponsor shall submit a hydrology study for the proposed project, prepared by a California-registered civil engineer, documenting the amount of current stormwater	▪ Dublin Planning Division		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	runoff from the site, estimated future quantities of runoff, and the ability of downstream facilities to accommodate increased stormwater quantities. The report shall also identify needed downstream improvements needed to accommodate increased storm flows and the applicant's financial participation in funding needed improvements, if required.	▪ Project Applicant/Project Contractor		
Noise and Vibration				
During project construction	**Mitigation Measure 4.8-1 (construction noise impacts):** The following construction noise reduction measures shall be implemented as part of all construction. a. Limit construction time to be 8:00 a.m. to 6:00 p.m. Monday-Saturday, except state and federal holidays. Exceptions may be granted in writing by the City Building Official for emergency or extenuating circumstances b. Noisy stationary equipment should be located away from the homes. c. All construction equipment should be in good working order and the mufflers should be inspected for proper functioning. d. Designate a construction noise coordinator. This coordinator shall be available to respond to complaints	▪ Dublin Planning Division ▪ Project Applicant/Project Contractor		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	from neighbors and take appropriate measures to reduce noise.			
During Site Development Review	**Mitigation Measure 4.8-2 (residential noise impacts):** As part of Site Development Review applications for the housing portion of the project, a detailed acoustic study shall be completed by a qualified consultant to identify specific noise exposure of the dwellings and recommend specific measures to ensure that City interior and exterior noise exposure limits are met.	▪ Dublin Planning Division ▪ Project Applicant/Project Contractor		
Prior to and during project construction	**Mitigation Measure NOISE-2**. In addition to the measures required by 2003 EIR 4.9-1, the project Applicant shall prepare a construction noise management plan that identifies measures to be taken to minimize construction noise on surrounding sensitive receptors (e.g., residential uses and schools) and includes specific noise management measures to be included into project plans and specifications subject to review and approval by the City. These measures shall include, but not be limited to the following: a. All construction equipment shall be equipped with mufflers and sound control devices (e.g., intake silencers and noise shrouds) no less effective than those provided on the original equipment and no equipment shall have an un-muffled exhaust.	▪ Dublin Planning Division ▪ Project Applicant/Project Contractor		

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	b. The contractor shall maintain and tune-up all construction equipment to minimize noise emissions. c. Stationary equipment shall be placed so as to maintain the greatest possible distance to the sensitive receptors. d. All equipment servicing shall be performed so as to maintain the greatest possible distance to the sensitive receptors. e. The project Applicant(s) shall provide, to the satisfaction of the City of Dublin Planning Department, a qualified "Noise Disturbance Coordinator." The Noise Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Noise Disturbance Coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, malfunctioning muffler, etc.) and shall implement reasonable measures to resolve the compliant, as deemed acceptable by the Dublin Planning Department. If any notices are sent to residential units immediately surrounding the construction site by the City and all signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator.			

Timing	Project Design Feature / Condition of Approval / Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	f. Select demolition method to minimize vibration, where possible (e.g. sawing masonry into sections rather than demolishing it by pavement breakers). g. The construction contractor shall limit all on-site noise producing construction activities, including deliveries and warming up of equipment, to the daytime hours of 7:30 am to 5:00 pm, Monday through Friday (excluding holidays) unless otherwise approved by the City Engineer.			

Appendix B

CalEEMod Output Sheets

Inspiration Drive Memory Care and Assisted Living Facility Project

Bay Area AQMD Air District, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Parking Lot	62.00	Space	0.56	24,800.00	0
City Park	3.60	Acre	3.60	158,089.00	0
Congregate Care (Assisted Living)	139.00	Dwelling Unit	10.24	110,112.00	398

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	64
Climate Zone	4			**Operational Year**	2023
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	310	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics - CO2 intensity factor based on 5-year average (PG&E 2019).

Land Use - The proposed project would include a 55-bed memory care facility on Parcel 2 and an 84-bed assisted living facility on Parcel 3, with landscaping, parking, and utilities.

Construction Phase - Construction of the proposed project is anticipated to begin in early 2022 and would occur over an approximately 20-month period.

Grading - The proposed project would require the offhaul of 15,600 cubic yards of soil.

Vehicle Trips - Trip rates based on trip generation prepared for the proposed project.

Construction Off-road Equipment Mitigation - Assuming compliance with BAAQMD Basic Construction Mitigation Measures and use of Tier 2 construction equipment

Mobile Land Use Mitigation -

Area Mitigation - Assuming only natural gas hearth.

Energy Mitigation - Assuming compliance with the 2019 CALGreen Code.

Waste Mitigation - Consistent with the CalRecycle Waste Diversion and Recycling Mandate which will reduce solid waste production by 75 percent.

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	15
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	4.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	9.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00

tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
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tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstructionPhase	NumDays	20.00	30.00
tblConstructionPhase	NumDays	300.00	335.00
tblConstructionPhase	NumDays	20.00	30.00
tblConstructionPhase	NumDays	10.00	30.00
tblGrading	MaterialExported	0.00	15,600.00
tblLandUse	LandUseSquareFeet	156,816.00	158,089.00
tblLandUse	LandUseSquareFeet	139,000.00	110,112.00
tblLandUse	LotAcreage	8.69	10.24
tblProjectCharacteristics	CO2IntensityFactor	641.35	310
tblVehicleTrips	ST_TR	22.75	0.00
tblVehicleTrips	ST_TR	2.20	2.37
tblVehicleTrips	SU_TR	16.74	0.00
tblVehicleTrips	SU_TR	2.44	2.37
tblVehicleTrips	WD_TR	1.89	0.00

tblVehicleTrips	WD_TR	2.74	2.37

2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.3454	3.3621	2.9094	7.4400e-003	0.5923	0.1321	0.7244	0.2545	0.1233	0.3778	0.0000	669.5726	669.5726	0.1098	0.0000	672.3177
2023	0.9463	1.3967	1.6498	3.8600e-003	0.1203	0.0568	0.1771	0.0325	0.0534	0.0858	0.0000	344.7348	344.7348	0.0519	0.0000	346.0311
Maximum	**0.9463**	**3.3621**	**2.9094**	**7.4400e-003**	**0.5923**	**0.1321**	**0.7244**	**0.2545**	**0.1233**	**0.3778**	**0.0000**	**669.5726**	**669.5726**	**0.1098**	**0.0000**	**672.3177**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.2262	4.3515	3.2246	7.4400e-003	0.3712	0.1271	0.4983	0.1428	0.1269	0.2698	0.0000	669.5721	669.5721	0.1098	0.0000	672.3173
2023	0.9104	2.1803	1.8008	3.8600e-003	0.1203	0.0733	0.1936	0.0325	0.0733	0.1057	0.0000	344.7346	344.7346	0.0519	0.0000	346.0308
Maximum	**0.9104**	**4.3515**	**3.2246**	**7.4400e-003**	**0.3712**	**0.1271**	**0.4983**	**0.1428**	**0.1269**	**0.2698**	**0.0000**	**669.5721**	**669.5721**	**0.1098**	**0.0000**	**672.3173**

Inspiration Drive Memory Care and Assisted Living Facility Project - Bay Area AQMD Air District, Annual

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**12.00**	**-37.25**	**-10.23**	**0.00**	**31.03**	**-6.03**	**23.26**	**38.91**	**-13.29**	**19.02**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	**1-3-2022**	**4-2-2022**	1.4143	1.5622
2	**4-3-2022**	**7-2-2022**	0.7373	0.9750
3	**7-3-2022**	**10-2-2022**	0.7455	0.9858
4	**10-3-2022**	**1-2-2023**	0.7484	0.9897
5	**1-3-2023**	**4-2-2023**	0.6538	0.9327
6	**4-3-2023**	**7-2-2023**	0.6573	0.9393
7	**7-3-2023**	**9-30-2023**	0.9647	1.1344
		Highest	1.4143	1.5622

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.8630	0.0193	1.4746	9.3000e-004		0.0689	0.0689		0.0689	0.0689	6.3370	4.2900	10.6269	0.0118	4.2000e-004	11.0460
Energy	6.4800e-003	0.0553	0.0236	3.5000e-004		4.4700e-003	4.4700e-003		4.4700e-003	4.4700e-003	0.0000	145.9941	145.9941	8.8900e-003	2.7600e-003	147.0389
Mobile	0.0749	0.3318	0.8511	3.1700e-003	0.2832	2.5900e-003	0.2857	0.0760	2.4200e-003	0.0784	0.0000	290.8445	290.8445	0.0101	0.0000	291.0970
Waste						0.0000	0.0000		0.0000	0.0000	25.8103	0.0000	25.8103	1.5254	0.0000	63.9439
Water						0.0000	0.0000		0.0000	0.0000	2.8732	11.8116	14.6847	0.2962	7.2000e-003	24.2345
Total	**0.9444**	**0.4064**	**2.3492**	**4.4500e-003**	**0.2832**	**0.0759**	**0.3591**	**0.0760**	**0.0757**	**0.1517**	**35.0205**	**452.9401**	**487.9606**	**1.8524**	**0.0104**	**537.3604**

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.5429	0.0167	1.0350	9.0000e-005		6.1000e-003	6.1000e-003		6.1000e-003	6.1000e-003	0.0000	7.2399	7.2399	1.7300e-003	1.0000e-004	7.3135
Energy	5.2400e-003	0.0448	0.0191	2.9000e-004		3.6200e-003	3.6200e-003		3.6200e-003	3.6200e-003	0.0000	131.8382	131.8382	8.4700e-003	2.5000e-003	132.7947
Mobile	0.0744	0.3286	0.8386	3.1100e-003	0.2775	2.5500e-003	0.2800	0.0745	2.3800e-003	0.0769	0.0000	285.4653	285.4653	9.9500e-003	0.0000	285.7141
Waste						0.0000	0.0000		0.0000	0.0000	6.4526	0.0000	6.4526	0.3813	0.0000	15.9860
Water						0.0000	0.0000		0.0000	0.0000	2.8732	11.8116	14.6847	0.2962	7.2000e-003	24.2345
Total	**0.6225**	**0.3901**	**1.8927**	**3.4900e-003**	**0.2775**	**0.0123**	**0.2898**	**0.0745**	**0.0121**	**0.0866**	**9.3258**	**436.3550**	**445.6807**	**0.6977**	**9.8000e-003**	**466.0428**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**34.09**	**4.03**	**19.43**	**21.57**	**2.00**	**83.84**	**19.30**	**2.00**	**84.02**	**42.94**	**73.37**	**3.66**	**8.66**	**62.33**	**5.59**	**13.27**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	1/3/2022	2/11/2022	5	30	
2	Grading	Grading	2/14/2022	3/25/2022	5	30	
3	Building Construction	Building Construction	3/28/2022	7/7/2023	5	335	
4	Paving	Paving	7/10/2023	8/18/2023	5	30	
5	Architectural Coating	Architectural Coating	8/21/2023	9/29/2023	5	30	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 75

Acres of Paving: 0.56

Residential Indoor: 222,977; Residential Outdoor: 74,326; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 1,488 (Architectural Coating – sqft)

<u>OffRoad Equipment</u>

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Excavators	2	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	1,950.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	177.00	45.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	35.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Use Cleaner Engines for Construction Equipment

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

3.2 Site Preparation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.2710	0.0000	0.2710	0.1490	0.0000	0.1490	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0476	0.4963	0.2955	5.7000e-004		0.0242	0.0242		0.0223	0.0223	0.0000	50.1591	50.1591	0.0162	0.0000	50.5647
Total	**0.0476**	**0.4963**	**0.2955**	**5.7000e-004**	**0.2710**	**0.0242**	**0.2952**	**0.1490**	**0.0223**	**0.1712**	**0.0000**	**50.1591**	**50.1591**	**0.0162**	**0.0000**	**50.5647**

3.2 Site Preparation - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.7000e-004	5.1000e-004	5.5700e-003	2.0000e-005	2.1300e-003	1.0000e-005	2.1500e-003	5.7000e-004	1.0000e-005	5.8000e-004	0.0000	1.7375	1.7375	4.0000e-005	0.0000	1.7384
Total	**7.7000e-004**	**5.1000e-004**	**5.5700e-003**	**2.0000e-005**	**2.1300e-003**	**1.0000e-005**	**2.1500e-003**	**5.7000e-004**	**1.0000e-005**	**5.8000e-004**	**0.0000**	**1.7375**	**1.7375**	**4.0000e-005**	**0.0000**	**1.7384**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1220	0.0000	0.1220	0.0670	0.0000	0.0670	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0181	0.5058	0.3444	5.7000e-004		0.0142	0.0142		0.0142	0.0142	0.0000	50.1590	50.1590	0.0162	0.0000	50.5646
Total	**0.0181**	**0.5058**	**0.3444**	**5.7000e-004**	**0.1220**	**0.0142**	**0.1361**	**0.0670**	**0.0142**	**0.0812**	**0.0000**	**50.1590**	**50.1590**	**0.0162**	**0.0000**	**50.5646**

3.2 Site Preparation - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	7.7000e-004	5.1000e-004	5.5700e-003	2.0000e-005	2.1300e-003	1.0000e-005	2.1500e-003	5.7000e-004	1.0000e-005	5.8000e-004	0.0000	1.7375	1.7375	4.0000e-005	0.0000	1.7384
Total	**7.7000e-004**	**5.1000e-004**	**5.5700e-003**	**2.0000e-005**	**2.1300e-003**	**1.0000e-005**	**2.1500e-003**	**5.7000e-004**	**1.0000e-005**	**5.8000e-004**	**0.0000**	**1.7375**	**1.7375**	**4.0000e-005**	**0.0000**	**1.7384**

3.3 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.1310	0.0000	0.1310	0.0541	0.0000	0.0541	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0544	0.5827	0.4356	9.3000e-004		0.0245	0.0245		0.0226	0.0226	0.0000	81.8019	81.8019	0.0265	0.0000	82.4633
Total	**0.0544**	**0.5827**	**0.4356**	**9.3000e-004**	**0.1310**	**0.0245**	**0.1555**	**0.0541**	**0.0226**	**0.0766**	**0.0000**	**81.8019**	**81.8019**	**0.0265**	**0.0000**	**82.4633**

3.3 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	7.2400e-003	0.2418	0.0550	7.5000e-004	0.0165	7.0000e-004	0.0172	4.5300e-003	6.7000e-004	5.2000e-003	0.0000	72.7584	72.7584	3.6800e-003	0.0000	72.8503
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	8.6000e-004	5.7000e-004	6.1800e-003	2.0000e-005	2.3700e-003	2.0000e-005	2.3900e-003	6.3000e-004	1.0000e-005	6.4000e-004	0.0000	1.9305	1.9305	4.0000e-005	0.0000	1.9315
Total	**8.1000e-003**	**0.2424**	**0.0612**	**7.7000e-004**	**0.0188**	**7.2000e-004**	**0.0196**	**5.1600e-003**	**6.8000e-004**	**5.8400e-003**	**0.0000**	**74.6889**	**74.6889**	**3.7200e-003**	**0.0000**	**74.7818**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0589	0.0000	0.0589	0.0243	0.0000	0.0243	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0272	0.7686	0.5508	9.3000e-004		0.0200	0.0200		0.0200	0.0200	0.0000	81.8018	81.8018	0.0265	0.0000	82.4632
Total	**0.0272**	**0.7686**	**0.5508**	**9.3000e-004**	**0.0589**	**0.0200**	**0.0789**	**0.0243**	**0.0200**	**0.0443**	**0.0000**	**81.8018**	**81.8018**	**0.0265**	**0.0000**	**82.4632**

3.3 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	7.2400e-003	0.2418	0.0550	7.5000e-004	0.0165	7.0000e-004	0.0172	4.5300e-003	6.7000e-004	5.2000e-003	0.0000	72.7584	72.7584	3.6800e-003	0.0000	72.8503
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	8.6000e-004	5.7000e-004	6.1800e-003	2.0000e-005	2.3700e-003	2.0000e-005	2.3900e-003	6.3000e-004	1.0000e-005	6.4000e-004	0.0000	1.9305	1.9305	4.0000e-005	0.0000	1.9315
Total	**8.1000e-003**	**0.2424**	**0.0612**	**7.7000e-004**	**0.0188**	**7.2000e-004**	**0.0196**	**5.1600e-003**	**6.8000e-004**	**5.8400e-003**	**0.0000**	**74.6889**	**74.6889**	**3.7200e-003**	**0.0000**	**74.7818**

3.4 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1706	1.5616	1.6363	2.6900e-003		0.0809	0.0809		0.0761	0.0761	0.0000	231.7252	231.7252	0.0555	0.0000	233.1131
Total	**0.1706**	**1.5616**	**1.6363**	**2.6900e-003**		**0.0809**	**0.0809**		**0.0761**	**0.0761**	**0.0000**	**231.7252**	**231.7252**	**0.0555**	**0.0000**	**233.1131**

3.4 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0133	0.4451	0.1103	1.2000e-003	0.0295	8.9000e-004	0.0304	8.5400e-003	8.5000e-004	9.3800e-003	0.0000	115.5604	115.5604	5.4800e-003	0.0000	115.6975
Worker	0.0506	0.0336	0.3648	1.2600e-003	0.1399	8.9000e-004	0.1408	0.0372	8.2000e-004	0.0380	0.0000	113.8996	113.8996	2.3800e-003	0.0000	113.9590
Total	**0.0640**	**0.4787**	**0.4751**	**2.4600e-003**	**0.1694**	**1.7800e-003**	**0.1712**	**0.0458**	**1.6700e-003**	**0.0474**	**0.0000**	**229.4600**	**229.4600**	**7.8600e-003**	**0.0000**	**229.6565**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1081	2.3554	1.7874	2.6900e-003		0.0904	0.0904		0.0904	0.0904	0.0000	231.7250	231.7250	0.0555	0.0000	233.1128
Total	**0.1081**	**2.3554**	**1.7874**	**2.6900e-003**		**0.0904**	**0.0904**		**0.0904**	**0.0904**	**0.0000**	**231.7250**	**231.7250**	**0.0555**	**0.0000**	**233.1128**

3.4 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0133	0.4451	0.1103	1.2000e-003	0.0295	8.9000e-004	0.0304	8.5400e-003	8.5000e-004	9.3800e-003	0.0000	115.5604	115.5604	5.4800e-003	0.0000	115.6975
Worker	0.0506	0.0336	0.3648	1.2600e-003	0.1399	8.9000e-004	0.1408	0.0372	8.2000e-004	0.0380	0.0000	113.8996	113.8996	2.3800e-003	0.0000	113.9590
Total	**0.0640**	**0.4787**	**0.4751**	**2.4600e-003**	**0.1694**	**1.7800e-003**	**0.1712**	**0.0458**	**1.6700e-003**	**0.0474**	**0.0000**	**229.4600**	**229.4600**	**7.8600e-003**	**0.0000**	**229.6565**

3.4 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1062	0.9710	1.0965	1.8200e-003		0.0472	0.0472		0.0444	0.0444	0.0000	156.4682	156.4682	0.0372	0.0000	157.3987
Total	**0.1062**	**0.9710**	**1.0965**	**1.8200e-003**		**0.0472**	**0.0472**		**0.0444**	**0.0444**	**0.0000**	**156.4682**	**156.4682**	**0.0372**	**0.0000**	**157.3987**

3.4 Building Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.7500e-003	0.2317	0.0667	7.9000e-004	0.0199	2.7000e-004	0.0202	5.7600e-003	2.5000e-004	6.0200e-003	0.0000	75.8172	75.8172	3.1500e-003	0.0000	75.8961
Worker	0.0320	0.0204	0.2265	8.2000e-004	0.0944	5.9000e-004	0.0950	0.0251	5.4000e-004	0.0257	0.0000	73.9378	73.9378	1.4400e-003	0.0000	73.9738
Total	**0.0387**	**0.2521**	**0.2932**	**1.6100e-003**	**0.1143**	**8.6000e-004**	**0.1152**	**0.0309**	**7.9000e-004**	**0.0317**	**0.0000**	**149.7550**	**149.7550**	**4.5900e-003**	**0.0000**	**149.8699**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0730	1.5899	1.2065	1.8200e-003		0.0610	0.0610		0.0610	0.0610	0.0000	156.4680	156.4680	0.0372	0.0000	157.3986
Total	**0.0730**	**1.5899**	**1.2065**	**1.8200e-003**		**0.0610**	**0.0610**		**0.0610**	**0.0610**	**0.0000**	**156.4680**	**156.4680**	**0.0372**	**0.0000**	**157.3986**

3.4 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	6.7500e-003	0.2317	0.0667	7.9000e-004	0.0199	2.7000e-004	0.0202	5.7600e-003	2.5000e-004	6.0200e-003	0.0000	75.8172	75.8172	3.1500e-003	0.0000	75.8961
Worker	0.0320	0.0204	0.2265	8.2000e-004	0.0944	5.9000e-004	0.0950	0.0251	5.4000e-004	0.0257	0.0000	73.9378	73.9378	1.4400e-003	0.0000	73.9738
Total	**0.0387**	**0.2521**	**0.2932**	**1.6100e-003**	**0.1143**	**8.6000e-004**	**0.1152**	**0.0309**	**7.9000e-004**	**0.0317**	**0.0000**	**149.7550**	**149.7550**	**4.5900e-003**	**0.0000**	**149.8699**

3.5 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0155	0.1529	0.2188	3.4000e-004		7.6500e-003	7.6500e-003		7.0400e-003	7.0400e-003	0.0000	30.0403	30.0403	9.7200e-003	0.0000	30.2832
Paving	7.3000e-004					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0162**	**0.1529**	**0.2188**	**3.4000e-004**		**7.6500e-003**	**7.6500e-003**		**7.0400e-003**	**7.0400e-003**	**0.0000**	**30.0403**	**30.0403**	**9.7200e-003**	**0.0000**	**30.2832**

3.5 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	6.0000e-004	3.8000e-004	4.2700e-003	2.0000e-005	1.7800e-003	1.0000e-005	1.7900e-003	4.7000e-004	1.0000e-005	4.8000e-004	0.0000	1.3924	1.3924	3.0000e-005	0.0000	1.3931
Total	**6.0000e-004**	**3.8000e-004**	**4.2700e-003**	**2.0000e-005**	**1.7800e-003**	**1.0000e-005**	**1.7900e-003**	**4.7000e-004**	**1.0000e-005**	**4.8000e-004**	**0.0000**	**1.3924**	**1.3924**	**3.0000e-005**	**0.0000**	**1.3931**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0140	0.3017	0.2594	3.4000e-004		0.0100	0.0100		0.0100	0.0100	0.0000	30.0403	30.0403	9.7200e-003	0.0000	30.2832
Paving	7.3000e-004					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**0.0147**	**0.3017**	**0.2594**	**3.4000e-004**		**0.0100**	**0.0100**		**0.0100**	**0.0100**	**0.0000**	**30.0403**	**30.0403**	**9.7200e-003**	**0.0000**	**30.2832**

3.5 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	6.0000e-004	3.8000e-004	4.2700e-003	2.0000e-005	1.7800e-003	1.0000e-005	1.7900e-003	4.7000e-004	1.0000e-005	4.8000e-004	0.0000	1.3924	1.3924	3.0000e-005	0.0000	1.3931
Total	**6.0000e-004**	**3.8000e-004**	**4.2700e-003**	**2.0000e-005**	**1.7800e-003**	**1.0000e-005**	**1.7900e-003**	**4.7000e-004**	**1.0000e-005**	**4.8000e-004**	**0.0000**	**1.3924**	**1.3924**	**3.0000e-005**	**0.0000**	**1.3931**

3.6 Architectural Coating - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.7803					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.8700e-003	0.0195	0.0272	4.0000e-005		1.0600e-003	1.0600e-003		1.0600e-003	1.0600e-003	0.0000	3.8299	3.8299	2.3000e-004	0.0000	3.8356
Total	**0.7832**	**0.0195**	**0.0272**	**4.0000e-005**		**1.0600e-003**	**1.0600e-003**		**1.0600e-003**	**1.0600e-003**	**0.0000**	**3.8299**	**3.8299**	**2.3000e-004**	**0.0000**	**3.8356**

3.6 Architectural Coating - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.4000e-003	9.0000e-004	9.9500e-003	4.0000e-005	4.1500e-003	3.0000e-005	4.1700e-003	1.1000e-003	2.0000e-005	1.1300e-003	0.0000	3.2490	3.2490	6.0000e-005	0.0000	3.2506
Total	**1.4000e-003**	**9.0000e-004**	**9.9500e-003**	**4.0000e-005**	**4.1500e-003**	**3.0000e-005**	**4.1700e-003**	**1.1000e-003**	**2.0000e-005**	**1.1300e-003**	**0.0000**	**3.2490**	**3.2490**	**6.0000e-005**	**0.0000**	**3.2506**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.7803					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.7100e-003	0.0353	0.0275	4.0000e-005		1.4300e-003	1.4300e-003		1.4300e-003	1.4300e-003	0.0000	3.8299	3.8299	2.3000e-004	0.0000	3.8356
Total	**0.7820**	**0.0353**	**0.0275**	**4.0000e-005**		**1.4300e-003**	**1.4300e-003**		**1.4300e-003**	**1.4300e-003**	**0.0000**	**3.8299**	**3.8299**	**2.3000e-004**	**0.0000**	**3.8356**

3.6 Architectural Coating - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.4000e-003	9.0000e-004	9.9500e-003	4.0000e-005	4.1500e-003	3.0000e-005	4.1700e-003	1.1000e-003	2.0000e-005	1.1300e-003	0.0000	3.2490	3.2490	6.0000e-005	0.0000	3.2506
Total	**1.4000e-003**	**9.0000e-004**	**9.9500e-003**	**4.0000e-005**	**4.1500e-003**	**3.0000e-005**	**4.1700e-003**	**1.1000e-003**	**2.0000e-005**	**1.1300e-003**	**0.0000**	**3.2490**	**3.2490**	**6.0000e-005**	**0.0000**	**3.2506**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.0744	0.3286	0.8386	3.1100e-003	0.2775	2.5500e-003	0.2800	0.0745	2.3800e-003	0.0769	0.0000	285.4653	285.4653	9.9500e-003	0.0000	285.7141
Unmitigated	0.0749	0.3318	0.8511	3.1700e-003	0.2832	2.5900e-003	0.2857	0.0760	2.4200e-003	0.0784	0.0000	290.8445	290.8445	0.0101	0.0000	291.0970

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
City Park	0.00	0.00	0.00		
Congregate Care (Assisted Living)	329.43	329.43	329.43	760,854	745,637
Parking Lot	0.00	0.00	0.00		
Total	329.43	329.43	329.43	760,854	745,637

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
City Park	9.50	7.30	7.30	33.00	48.00	19.00	66	28	6
Congregate Care (Assisted	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
City Park	0.578638	0.038775	0.193686	0.110919	0.015677	0.005341	0.018293	0.026358	0.002641	0.002200	0.005832	0.000891	0.000749
Congregate Care (Assisted Living)	0.578638	0.038775	0.193686	0.110919	0.015677	0.005341	0.018293	0.026358	0.002641	0.002200	0.005832	0.000891	0.000749
Parking Lot	0.578638	0.038775	0.193686	0.110919	0.015677	0.005341	0.018293	0.026358	0.002641	0.002200	0.005832	0.000891	0.000749

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Exceed Title 24

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	79.9589	79.9589	7.4800e-003	1.5500e-003	80.6071
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	81.9104	81.9104	7.6600e-003	1.5900e-003	82.5744
NaturalGas Mitigated	5.2400e-003	0.0448	0.0191	2.9000e-004		3.6200e-003	3.6200e-003		3.6200e-003	3.6200e-003	0.0000	51.8793	51.8793	9.9000e-004	9.5000e-004	52.1876
NaturalGas Unmitigated	6.4800e-003	0.0553	0.0236	3.5000e-004		4.4700e-003	4.4700e-003		4.4700e-003	4.4700e-003	0.0000	64.0837	64.0837	1.2300e-003	1.1700e-003	64.4645

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Congregate Care (Assisted Living)	1.20088e+006	6.4800e-003	0.0553	0.0236	3.5000e-004		4.4700e-003	4.4700e-003		4.4700e-003	4.4700e-003	0.0000	64.0837	64.0837	1.2300e-003	1.1700e-003	64.4645
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		**6.4800e-003**	**0.0553**	**0.0236**	**3.5000e-004**		**4.4700e-003**	**4.4700e-003**		**4.4700e-003**	**4.4700e-003**	**0.0000**	**64.0837**	**64.0837**	**1.2300e-003**	**1.1700e-003**	**64.4645**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Congregate Care (Assisted Living)	972182	5.2400e-003	0.0448	0.0191	2.9000e-004		3.6200e-003	3.6200e-003		3.6200e-003	3.6200e-003	0.0000	51.8793	51.8793	9.9000e-004	9.5000e-004	52.1876
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		**5.2400e-003**	**0.0448**	**0.0191**	**2.9000e-004**		**3.6200e-003**	**3.6200e-003**		**3.6200e-003**	**3.6200e-003**	**0.0000**	**51.8793**	**51.8793**	**9.9000e-004**	**9.5000e-004**	**52.1876**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
City Park	0	0.0000	0.0000	0.0000	0.0000
Congregate Care (Assisted Living)	573841	80.6898	7.5500e-003	1.5600e-003	81.3439
Parking Lot	8680	1.2205	1.1000e-004	2.0000e-005	1.2304
Total		**81.9104**	**7.6600e-003**	**1.5800e-003**	**82.5744**

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
City Park	0	0.0000	0.0000	0.0000	0.0000
Congregate Care (Assisted Living)	559962	78.7384	7.3700e-003	1.5200e-003	79.3767
Parking Lot	8680	1.2205	1.1000e-004	2.0000e-005	1.2304
Total		**79.9589**	**7.4800e-003**	**1.5400e-003**	**80.6071**

6.0 Area Detail

6.1 Mitigation Measures Area

Use only Natural Gas Hearths

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.5429	0.0167	1.0350	9.0000e-005		6.1000e-003	6.1000e-003		6.1000e-003	6.1000e-003	0.0000	7.2399	7.2399	1.7300e-003	1.0000e-004	7.3135
Unmitigated	0.8630	0.0193	1.4746	9.3000e-004		0.0689	0.0689		0.0689	0.0689	6.3370	4.2900	10.6269	0.0118	4.2000e-004	11.0460

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0780					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.4331					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	0.3207	7.3800e-003	0.4416	8.8000e-004		0.0631	0.0631		0.0631	0.0631	6.3370	2.6029	8.9399	0.0102	4.2000e-004	9.3183
Landscaping	0.0312	0.0119	1.0329	5.0000e-005		5.7200e-003	5.7200e-003		5.7200e-003	5.7200e-003	0.0000	1.6871	1.6871	1.6200e-003	0.0000	1.7277
Total	**0.8630**	**0.0193**	**1.4746**	**9.3000e-004**		**0.0689**	**0.0689**		**0.0689**	**0.0689**	**6.3370**	**4.2900**	**10.6269**	**0.0118**	**4.2000e-004**	**11.0460**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0780					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.4331					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	5.6000e-004	4.7900e-003	2.0400e-003	3.0000e-005		3.9000e-004	3.9000e-004		3.9000e-004	3.9000e-004	0.0000	5.5529	5.5529	1.1000e-004	1.0000e-004	5.5859
Landscaping	0.0312	0.0119	1.0329	5.0000e-005		5.7200e-003	5.7200e-003		5.7200e-003	5.7200e-003	0.0000	1.6871	1.6871	1.6200e-003	0.0000	1.7277
Total	**0.5429**	**0.0167**	**1.0350**	**8.0000e-005**		**6.1100e-003**	**6.1100e-003**		**6.1100e-003**	**6.1100e-003**	**0.0000**	**7.2399**	**7.2399**	**1.7300e-003**	**1.0000e-004**	**7.3135**

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	14.6847	0.2962	7.2000e-003	24.2345
Unmitigated	14.6847	0.2962	7.2000e-003	24.2345

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
City Park	0 / 4.28933	2.1110	2.0000e-004	4.0000e-005	2.1281
Congregate Care (Assisted Living)	9.05641 / 5.70948	12.5738	0.2960	7.1600e-003	22.1064
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		**14.6847**	**0.2962**	**7.2000e-003**	**24.2345**

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
City Park	0 / 4.28933	2.1110	2.0000e-004	4.0000e-005	2.1281
Congregate Care (Assisted Living)	9.05641 / 5.70948	12.5738	0.2960	7.1600e-003	22.1064
Parking Lot	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		**14.6847**	**0.2962**	**7.2000e-003**	**24.2345**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	6.4526	0.3813	0.0000	15.9860
Unmitigated	25.8103	1.5254	0.0000	63.9439

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
City Park	0.31	0.0629	3.7200e-003	0.0000	0.1559
Congregate Care (Assisted Living)	126.84	25.7474	1.5216	0.0000	63.7880
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Total		**25.8103**	**1.5254**	**0.0000**	**63.9439**

8.2 Waste by Land Use

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
City Park	0.0775	0.0157	9.3000e-004	0.0000	0.0390
Congregate Care (Assisted Living)	31.71	6.4368	0.3804	0.0000	15.9470
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Total		**6.4526**	**0.3813**	**0.0000**	**15.9860**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

Inspiration Drive Memory Care and Assisted Living Facility Project

Bay Area AQMD Air District, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Parking Lot	62.00	Space	0.56	24,800.00	0
City Park	3.60	Acre	3.60	158,089.00	0
Congregate Care (Assisted Living)	139.00	Dwelling Unit	10.24	110,112.00	398

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	64
Climate Zone	4			**Operational Year**	2023
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	310	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics - CO2 intensity factor based on 5-year average (PG&E 2019).

Land Use - The proposed project would include a 55-bed memory care facility on Parcel 2 and an 84-bed assisted living facility on Parcel 3, with landscaping, parking, and utilities.

Construction Phase - Construction of the proposed project is anticipated to begin in early 2022 and would occur over an approximately 20-month period.

Grading - The proposed project would require the offhaul of 15,600 cubic yards of soil.

Vehicle Trips - Trip rates based on trip generation prepared for the proposed project.

Construction Off-road Equipment Mitigation - Assuming compliance with BAAQMD Basic Construction Mitigation Measures and use of Tier 2 construction equipment

Mobile Land Use Mitigation -

Area Mitigation - Assuming only natural gas hearth.

Energy Mitigation - Assuming compliance with the 2019 CALGreen Code.

Waste Mitigation - Consistent with the CalRecycle Waste Diversion and Recycling Mandate which will reduce solid waste production by 75 percent.

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	15
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	4.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	9.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00

tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstructionPhase	NumDays	20.00	30.00
tblConstructionPhase	NumDays	300.00	335.00
tblConstructionPhase	NumDays	20.00	30.00
tblConstructionPhase	NumDays	10.00	30.00
tblGrading	MaterialExported	0.00	15,600.00
tblLandUse	LandUseSquareFeet	156,816.00	158,089.00
tblLandUse	LandUseSquareFeet	139,000.00	110,112.00
tblLandUse	LotAcreage	8.69	10.24
tblProjectCharacteristics	CO2IntensityFactor	641.35	310
tblVehicleTrips	ST_TR	22.75	0.00
tblVehicleTrips	ST_TR	2.20	2.37
tblVehicleTrips	SU_TR	16.74	0.00
tblVehicleTrips	SU_TR	2.44	2.37
tblVehicleTrips	WD_TR	1.89	0.00

tblVehicleTrips	WD_TR	2.74	2.37

2.0 Emissions Summary

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	4.1620	54.6968	33.0572	0.1139	18.2141	1.6820	19.8276	9.9699	1.5492	11.4543	0.0000	11,549.4240	11,549.4240	2.2122	0.0000	11,604.7284
2023	52.3093	18.0591	20.8672	0.0518	1.7586	0.7124	2.4710	0.4734	0.6702	1.1436	0.0000	5,105.1954	5,105.1954	0.7161	0.0000	5,122.2700
Maximum	**52.3093**	**54.6968**	**33.0572**	**0.1139**	**18.2141**	**1.6820**	**19.8276**	**9.9699**	**1.5492**	**11.4543**	**0.0000**	**11,549.4240**	**11,549.4240**	**2.2122**	**0.0000**	**11,604.7284**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	2.3478	67.0920	40.7383	0.1139	8.2777	1.3805	9.2248	4.5080	1.3784	5.4550	0.0000	11,549.4240	11,549.4240	2.2122	0.0000	11,604.7284
2023	52.2315	27.2286	22.4970	0.0518	1.7586	0.9162	2.6748	0.4734	0.9153	1.3887	0.0000	5,105.1954	5,105.1954	0.7161	0.0000	5,122.2700
Maximum	**52.2315**	**67.0920**	**40.7383**	**0.1139**	**8.2777**	**1.3805**	**9.2248**	**4.5080**	**1.3784**	**5.4550**	**0.0000**	**11,549.4240**	**11,549.4240**	**2.2122**	**0.0000**	**11,604.7284**

Inspiration Drive Memory Care and Assisted Living Facility Project - Bay Area AQMD Air District, Summer

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**3.35**	**-29.64**	**-17.27**	**0.00**	**49.75**	**4.08**	**46.64**	**52.30**	**-3.35**	**45.68**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	60.3122	1.3960	87.0034	0.1461		10.7856	10.7856		10.7856	10.7856	1,163.5476	535.7808	1,699.3284	1.6122	0.0822	1,764.1404
Energy	0.0355	0.3032	0.1290	1.9400e-003		0.0245	0.0245		0.0245	0.0245		387.0696	387.0696	7.4200e-003	7.1000e-003	389.3698
Mobile	0.4737	1.7675	4.8700	0.0184	1.6163	0.0142	1.6306	0.4324	0.0133	0.4457		1,863.1686	1,863.1686	0.0616		1,864.7075
Total	**60.8214**	**3.4668**	**92.0024**	**0.1665**	**1.6163**	**10.8243**	**12.4407**	**0.4324**	**10.8234**	**11.2558**	**1,163.5476**	**2,786.0190**	**3,949.5667**	**1.6811**	**0.0893**	**4,018.2177**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	3.2478	0.9931	11.8432	6.1000e-003		0.1331	0.1331		0.1331	0.1331	0.0000	1,119.5808	1,119.5808	0.0410	0.0202	1,126.6084
Energy	0.0287	0.2455	0.1045	1.5700e-003		0.0199	0.0199		0.0199	0.0199		313.3544	313.3544	6.0100e-003	5.7400e-003	315.2165
Mobile	0.4707	1.7509	4.7927	0.0181	1.5840	0.0140	1.5980	0.4238	0.0131	0.4368		1,828.6617	1,828.6617	0.0606		1,830.1774
Total	**3.7472**	**2.9894**	**16.7404**	**0.0257**	**1.5840**	**0.1669**	**1.7510**	**0.4238**	**0.1660**	**0.5898**	**0.0000**	**3,261.5968**	**3,261.5968**	**0.1076**	**0.0259**	**3,272.0023**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**93.84**	**13.77**	**81.80**	**84.54**	**2.00**	**98.46**	**85.93**	**2.00**	**98.47**	**94.76**	**100.00**	**-17.07**	**17.42**	**93.60**	**71.02**	**18.57**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	1/3/2022	2/11/2022	5	30	
2	Grading	Grading	2/14/2022	3/25/2022	5	30	
3	Building Construction	Building Construction	3/28/2022	7/7/2023	5	335	
4	Paving	Paving	7/10/2023	8/18/2023	5	30	
5	Architectural Coating	Architectural Coating	8/21/2023	9/29/2023	5	30	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 75

Acres of Paving: 0.56

Residential Indoor: 222,977; Residential Outdoor: 74,326; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 1,488 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Excavators	2	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	1,950.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	177.00	45.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	35.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Use Cleaner Engines for Construction Equipment

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

3.2 Site Preparation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.0663	0.0000	18.0663	9.9307	0.0000	9.9307			0.0000			0.0000
Off-Road	3.1701	33.0835	19.6978	0.0380		1.6126	1.6126		1.4836	1.4836		3,686.0619	3,686.0619	1.1922		3,715.8655
Total	**3.1701**	**33.0835**	**19.6978**	**0.0380**	**18.0663**	**1.6126**	**19.6788**	**9.9307**	**1.4836**	**11.4143**		**3,686.0619**	**3,686.0619**	**1.1922**		**3,715.8655**

3.2 Site Preparation - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0539	0.0303	0.4074	1.3800e-003	0.1479	9.1000e-004	0.1488	0.0392	8.4000e-004	0.0401		137.3212	137.3212	2.8600e-003		137.3927
Total	**0.0539**	**0.0303**	**0.4074**	**1.3800e-003**	**0.1479**	**9.1000e-004**	**0.1488**	**0.0392**	**8.4000e-004**	**0.0401**		**137.3212**	**137.3212**	**2.8600e-003**		**137.3927**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.1298	0.0000	8.1298	4.4688	0.0000	4.4688			0.0000			0.0000
Off-Road	1.2097	33.7214	22.9600	0.0380		0.9462	0.9462		0.9462	0.9462	0.0000	3,686.0619	3,686.0619	1.1922		3,715.8655
Total	**1.2097**	**33.7214**	**22.9600**	**0.0380**	**8.1298**	**0.9462**	**9.0760**	**4.4688**	**0.9462**	**5.4150**	**0.0000**	**3,686.0619**	**3,686.0619**	**1.1922**		**3,715.8655**

3.2 Site Preparation - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0539	0.0303	0.4074	1.3800e-003	0.1479	9.1000e-004	0.1488	0.0392	8.4000e-004	0.0401		137.3212	137.3212	2.8600e-003		137.3927
Total	**0.0539**	**0.0303**	**0.4074**	**1.3800e-003**	**0.1479**	**9.1000e-004**	**0.1488**	**0.0392**	**8.4000e-004**	**0.0401**		**137.3212**	**137.3212**	**2.8600e-003**		**137.3927**

3.3 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.7321	0.0000	8.7321	3.6054	0.0000	3.6054			0.0000			0.0000
Off-Road	3.6248	38.8435	29.0415	0.0621		1.6349	1.6349		1.5041	1.5041		6,011.4105	6,011.4105	1.9442		6,060.0158
Total	**3.6248**	**38.8435**	**29.0415**	**0.0621**	**8.7321**	**1.6349**	**10.3670**	**3.6054**	**1.5041**	**5.1095**		**6,011.4105**	**6,011.4105**	**1.9442**		**6,060.0158**

3.3 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.4773	15.8196	3.5630	0.0503	1.1357	0.0461	1.1818	0.3112	0.0441	0.3554		5,385.4343	5,385.4343	0.2648		5,392.0540
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0599	0.0337	0.4527	1.5300e-003	0.1643	1.0100e-003	0.1653	0.0436	9.3000e-004	0.0445		152.5791	152.5791	3.1800e-003		152.6586
Total	**0.5372**	**15.8533**	**4.0157**	**0.0518**	**1.3000**	**0.0471**	**1.3471**	**0.3548**	**0.0451**	**0.3999**		**5,538.0134**	**5,538.0134**	**0.2680**		**5,544.7125**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.9295	0.0000	3.9295	1.6224	0.0000	1.6224			0.0000			0.0000
Off-Road	1.8106	51.2386	36.7226	0.0621		1.3333	1.3333		1.3333	1.3333	0.0000	6,011.4105	6,011.4105	1.9442		6,060.0158
Total	**1.8106**	**51.2386**	**36.7226**	**0.0621**	**3.9295**	**1.3333**	**5.2628**	**1.6224**	**1.3333**	**2.9557**	**0.0000**	**6,011.4105**	**6,011.4105**	**1.9442**		**6,060.0158**

3.3 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.4773	15.8196	3.5630	0.0503	1.1357	0.0461	1.1818	0.3112	0.0441	0.3554		5,385.4343	5,385.4343	0.2648		5,392.0540
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0599	0.0337	0.4527	1.5300e-003	0.1643	1.0100e-003	0.1653	0.0436	9.3000e-004	0.0445		152.5791	152.5791	3.1800e-003		152.6586
Total	**0.5372**	**15.8533**	**4.0157**	**0.0518**	**1.3000**	**0.0471**	**1.3471**	**0.3548**	**0.0451**	**0.3999**		**5,538.0134**	**5,538.0134**	**0.2680**		**5,544.7125**

3.4 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612		2,554.3336	2,554.3336	0.6120		2,569.6322
Total	**1.7062**	**15.6156**	**16.3634**	**0.0269**		**0.8090**	**0.8090**		**0.7612**	**0.7612**		**2,554.3336**	**2,554.3336**	**0.6120**		**2,569.6322**

3.4 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.1302	4.4073	1.0313	0.0121	0.3046	8.7300e-003	0.3134	0.0877	8.3500e-003	0.0960		1,287.6503	1,287.6503	0.0584		1,289.1091
Worker	0.5297	0.2983	4.0061	0.0135	1.4540	8.9400e-003	1.4630	0.3857	8.2300e-003	0.3939		1,350.3248	1,350.3248	0.0281		1,351.0283
Total	**0.6599**	**4.7056**	**5.0375**	**0.0257**	**1.7586**	**0.0177**	**1.7763**	**0.4734**	**0.0166**	**0.4899**		**2,637.9751**	**2,637.9751**	**0.0865**		**2,640.1373**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0809	23.5544	17.8738	0.0269		0.9036	0.9036		0.9036	0.9036	0.0000	2,554.3336	2,554.3336	0.6120		2,569.6322
Total	**1.0809**	**23.5544**	**17.8738**	**0.0269**		**0.9036**	**0.9036**		**0.9036**	**0.9036**	**0.0000**	**2,554.3336**	**2,554.3336**	**0.6120**		**2,569.6322**

3.4 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.1302	4.4073	1.0313	0.0121	0.3046	8.7300e-003	0.3134	0.0877	8.3500e-003	0.0960		1,287.6503	1,287.6503	0.0584		1,289.1091
Worker	0.5297	0.2983	4.0061	0.0135	1.4540	8.9400e-003	1.4630	0.3857	8.2300e-003	0.3939		1,350.3248	1,350.3248	0.0281		1,351.0283
Total	**0.6599**	**4.7056**	**5.0375**	**0.0257**	**1.7586**	**0.0177**	**1.7763**	**0.4734**	**0.0166**	**0.4899**		**2,637.9751**	**2,637.9751**	**0.0865**		**2,640.1373**

3.4 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555.2099	2,555.2099	0.6079		2,570.4061
Total	**1.5728**	**14.3849**	**16.2440**	**0.0269**		**0.6997**	**0.6997**		**0.6584**	**0.6584**		**2,555.2099**	**2,555.2099**	**0.6079**		**2,570.4061**

3.4 Building Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0976	3.4059	0.9285	0.0118	0.3046	3.8800e-003	0.3085	0.0877	3.7000e-003	0.0914		1,251.4271	1,251.4271	0.0499		1,252.6739
Worker	0.4945	0.2683	3.6948	0.0130	1.4540	8.7500e-003	1.4628	0.3857	8.0600e-003	0.3937		1,298.5583	1,298.5583	0.0253		1,299.1900
Total	**0.5921**	**3.6742**	**4.6232**	**0.0248**	**1.7586**	**0.0126**	**1.7713**	**0.4734**	**0.0118**	**0.4851**		**2,549.9854**	**2,549.9854**	**0.0751**		**2,551.8639**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0809	23.5544	17.8738	0.0269		0.9036	0.9036		0.9036	0.9036	0.0000	2,555.2099	2,555.2099	0.6079		2,570.4061
Total	**1.0809**	**23.5544**	**17.8738**	**0.0269**		**0.9036**	**0.9036**		**0.9036**	**0.9036**	**0.0000**	**2,555.2099**	**2,555.2099**	**0.6079**		**2,570.4061**

3.4 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0976	3.4059	0.9285	0.0118	0.3046	3.8800e-003	0.3085	0.0877	3.7000e-003	0.0914		1,251.4271	1,251.4271	0.0499		1,252.6739
Worker	0.4945	0.2683	3.6948	0.0130	1.4540	8.7500e-003	1.4628	0.3857	8.0600e-003	0.3937		1,298.5583	1,298.5583	0.0253		1,299.1900
Total	**0.5921**	**3.6742**	**4.6232**	**0.0248**	**1.7586**	**0.0126**	**1.7713**	**0.4734**	**0.0118**	**0.4851**		**2,549.9854**	**2,549.9854**	**0.0751**		**2,551.8639**

3.5 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694		2,207.5841	2,207.5841	0.7140		2,225.4336
Paving	0.0489					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**1.0817**	**10.1917**	**14.5842**	**0.0228**		**0.5102**	**0.5102**		**0.4694**	**0.4694**		**2,207.5841**	**2,207.5841**	**0.7140**		**2,225.4336**

3.5 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0419	0.0227	0.3131	1.1000e-003	0.1232	7.4000e-004	0.1240	0.0327	6.8000e-004	0.0334		110.0473	110.0473	2.1400e-003		110.1009
Total	**0.0419**	**0.0227**	**0.3131**	**1.1000e-003**	**0.1232**	**7.4000e-004**	**0.1240**	**0.0327**	**6.8000e-004**	**0.0334**		**110.0473**	**110.0473**	**2.1400e-003**		**110.1009**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9311	20.1146	17.2957	0.0228		0.6670	0.6670		0.6670	0.6670	0.0000	2,207.5841	2,207.5841	0.7140		2,225.4336
Paving	0.0489					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**0.9800**	**20.1146**	**17.2957**	**0.0228**		**0.6670**	**0.6670**		**0.6670**	**0.6670**	**0.0000**	**2,207.5841**	**2,207.5841**	**0.7140**		**2,225.4336**

3.5 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0419	0.0227	0.3131	1.1000e-003	0.1232	7.4000e-004	0.1240	0.0327	6.8000e-004	0.0334		110.0473	110.0473	2.1400e-003		110.1009
Total	**0.0419**	**0.0227**	**0.3131**	**1.1000e-003**	**0.1232**	**7.4000e-004**	**0.1240**	**0.0327**	**6.8000e-004**	**0.0334**		**110.0473**	**110.0473**	**2.1400e-003**		**110.1009**

3.6 Architectural Coating - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	52.0198					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1917	1.3030	1.8111	2.9700e-003		0.0708	0.0708		0.0708	0.0708		281.4481	281.4481	0.0168		281.8690
Total	**52.2115**	**1.3030**	**1.8111**	**2.9700e-003**		**0.0708**	**0.0708**		**0.0708**	**0.0708**		**281.4481**	**281.4481**	**0.0168**		**281.8690**

3.6 Architectural Coating - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0978	0.0531	0.7306	2.5700e-003	0.2875	1.7300e-003	0.2893	0.0763	1.5900e-003	0.0779		256.7771	256.7771	5.0000e-003		256.9020
Total	**0.0978**	**0.0531**	**0.7306**	**2.5700e-003**	**0.2875**	**1.7300e-003**	**0.2893**	**0.0763**	**1.5900e-003**	**0.0779**		**256.7771**	**256.7771**	**5.0000e-003**		**256.9020**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	52.0198					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1139	2.3524	1.8324	2.9700e-003		0.0951	0.0951		0.0951	0.0951	0.0000	281.4481	281.4481	0.0168		281.8690
Total	**52.1338**	**2.3524**	**1.8324**	**2.9700e-003**		**0.0951**	**0.0951**		**0.0951**	**0.0951**	**0.0000**	**281.4481**	**281.4481**	**0.0168**		**281.8690**

3.6 Architectural Coating - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0978	0.0531	0.7306	2.5700e-003	0.2875	1.7300e-003	0.2893	0.0763	1.5900e-003	0.0779		256.7771	256.7771	5.0000e-003		256.9020
Total	**0.0978**	**0.0531**	**0.7306**	**2.5700e-003**	**0.2875**	**1.7300e-003**	**0.2893**	**0.0763**	**1.5900e-003**	**0.0779**		**256.7771**	**256.7771**	**5.0000e-003**		**256.9020**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.4707	1.7509	4.7927	0.0181	1.5840	0.0140	1.5980	0.4238	0.0131	0.4368		1,828.6617	1,828.6617	0.0606		1,830.1774
Unmitigated	0.4737	1.7675	4.8700	0.0184	1.6163	0.0142	1.6306	0.4324	0.0133	0.4457		1,863.1686	1,863.1686	0.0616		1,864.7075

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
City Park	0.00	0.00	0.00		
Congregate Care (Assisted Living)	329.43	329.43	329.43	760,854	745,637
Parking Lot	0.00	0.00	0.00		
Total	329.43	329.43	329.43	760,854	745,637

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
City Park	9.50	7.30	7.30	33.00	48.00	19.00	66	28	6
Congregate Care (Assisted	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
City Park	0.578638	0.038775	0.193686	0.110919	0.015677	0.005341	0.018293	0.026358	0.002641	0.002200	0.005832	0.000891	0.000749
Congregate Care (Assisted Living)	0.578638	0.038775	0.193686	0.110919	0.015677	0.005341	0.018293	0.026358	0.002641	0.002200	0.005832	0.000891	0.000749
Parking Lot	0.578638	0.038775	0.193686	0.110919	0.015677	0.005341	0.018293	0.026358	0.002641	0.002200	0.005832	0.000891	0.000749

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Exceed Title 24

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0287	0.2455	0.1045	1.5700e-003		0.0199	0.0199		0.0199	0.0199		313.3544	313.3544	6.0100e-003	5.7400e-003	315.2165
NaturalGas Unmitigated	0.0355	0.3032	0.1290	1.9400e-003		0.0245	0.0245		0.0245	0.0245		387.0696	387.0696	7.4200e-003	7.1000e-003	389.3698

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Congregate Care (Assisted Living)	3290.09	0.0355	0.3032	0.1290	1.9400e-003		0.0245	0.0245		0.0245	0.0245		387.0696	387.0696	7.4200e-003	7.1000e-003	389.3698
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0355**	**0.3032**	**0.1290**	**1.9400e-003**		**0.0245**	**0.0245**		**0.0245**	**0.0245**		**387.0696**	**387.0696**	**7.4200e-003**	**7.1000e-003**	**389.3698**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Congregate Care (Assisted Living)	2.66351	0.0287	0.2455	0.1045	1.5700e-003		0.0199	0.0199		0.0199	0.0199		313.3544	313.3544	6.0100e-003	5.7400e-003	315.2165
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0287**	**0.2455**	**0.1045**	**1.5700e-003**		**0.0199**	**0.0199**		**0.0199**	**0.0199**		**313.3544**	**313.3544**	**6.0100e-003**	**5.7400e-003**	**315.2165**

6.0 Area Detail

6.1 Mitigation Measures Area

Use only Natural Gas Hearths

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	3.2478	0.9931	11.8432	6.1000e-003		0.1331	0.1331		0.1331	0.1331	0.0000	1,119.5808	1,119.5808	0.0410	0.0202	1,126.6084
Unmitigated	60.3122	1.3960	87.0034	0.1461		10.7856	10.7856		10.7856	10.7856	1,163.5476	535.7808	1,699.3284	1.6122	0.0822	1,764.1404

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.4276					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	2.3733					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	57.1652	1.2638	75.5265	0.1455		10.7221	10.7221		10.7221	10.7221	1,163.5476	515.1177	1,678.6653	1.5923	0.0822	1,742.9800
Landscaping	0.3462	0.1323	11.4769	6.1000e-004		0.0635	0.0635		0.0635	0.0635		20.6631	20.6631	0.0199		21.1605
Total	**60.3122**	**1.3960**	**87.0034**	**0.1461**		**10.7856**	**10.7856**		**10.7856**	**10.7856**	**1,163.5476**	**535.7808**	**1,699.3284**	**1.6121**	**0.0822**	**1,764.1404**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.4276					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	2.3733					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.1007	0.8608	0.3663	5.4900e-003		0.0696	0.0696		0.0696	0.0696	0.0000	1,098.9177	1,098.9177	0.0211	0.0202	1,105.4480
Landscaping	0.3462	0.1323	11.4769	6.1000e-004		0.0635	0.0635		0.0635	0.0635		20.6631	20.6631	0.0199		21.1605
Total	**3.2478**	**0.9931**	**11.8432**	**6.1000e-003**		**0.1331**	**0.1331**		**0.1331**	**0.1331**	**0.0000**	**1,119.5808**	**1,119.5808**	**0.0410**	**0.0202**	**1,126.6084**

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

Inspiration Drive Memory Care and Assisted Living Facility Project

Bay Area AQMD Air District, Winter

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Parking Lot	62.00	Space	0.56	24,800.00	0
City Park	3.60	Acre	3.60	158,089.00	0
Congregate Care (Assisted Living)	139.00	Dwelling Unit	10.24	110,112.00	398

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	64
Climate Zone	4			**Operational Year**	2023
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	310	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics - CO2 intensity factor based on 5-year average (PG&E 2019).

Land Use - The proposed project would include a 55-bed memory care facility on Parcel 2 and an 84-bed assisted living facility on Parcel 3, with landscaping, parking, and utilities.

Construction Phase - Construction of the proposed project is anticipated to begin in early 2022 and would occur over an approximately 20-month period.

Grading - The proposed project would require the offhaul of 15,600 cubic yards of soil.

Vehicle Trips - Trip rates based on trip generation prepared for the proposed project.

Construction Off-road Equipment Mitigation - Assuming compliance with BAAQMD Basic Construction Mitigation Measures and use of Tier 2 construction equipment

Mobile Land Use Mitigation -

Area Mitigation - Assuming only natural gas hearth.

Energy Mitigation - Assuming compliance with the 2019 CALGreen Code.

Waste Mitigation - Consistent with the CalRecycle Waste Diversion and Recycling Mandate which will reduce solid waste production by 75 percent.

Table Name	Column Name	Default Value	New Value
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	15
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	4.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	9.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00

tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstEquipMitigation	Tier	No Change	Tier 2
tblConstructionPhase	NumDays	20.00	30.00
tblConstructionPhase	NumDays	300.00	335.00
tblConstructionPhase	NumDays	20.00	30.00
tblConstructionPhase	NumDays	10.00	30.00
tblGrading	MaterialExported	0.00	15,600.00
tblLandUse	LandUseSquareFeet	156,816.00	158,089.00
tblLandUse	LandUseSquareFeet	139,000.00	110,112.00
tblLandUse	LotAcreage	8.69	10.24
tblProjectCharacteristics	CO2IntensityFactor	641.35	310
tblVehicleTrips	ST_TR	22.75	0.00
tblVehicleTrips	ST_TR	2.20	2.37
tblVehicleTrips	SU_TR	16.74	0.00
tblVehicleTrips	SU_TR	2.44	2.37
tblVehicleTrips	WD_TR	1.89	0.00

tblVehicleTrips	WD_TR	2.74	2.37

2.0 Emissions Summary

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	4.1788	55.0538	33.2798	0.1129	18.2141	1.6829	19.8276	9.9699	1.5500	11.4543	0.0000	11,445.4751	11,445.4751	2.2244	0.0000	11,501.0846
2023	52.3157	18.1386	20.7243	0.0504	1.7586	0.7125	2.4712	0.4734	0.6704	1.1437	0.0000	4,971.3114	4,971.3114	0.7160	0.0000	4,988.4314
Maximum	**52.3157**	**55.0538**	**33.2798**	**0.1129**	**18.2141**	**1.6829**	**19.8276**	**9.9699**	**1.5500**	**11.4543**	**0.0000**	**11,445.4751**	**11,445.4751**	**2.2244**	**0.0000**	**11,501.0846**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	2.3645	67.4490	40.9608	0.1129	8.2777	1.3813	9.2248	4.5080	1.3792	5.4550	0.0000	11,445.4751	11,445.4751	2.2244	0.0000	11,501.0846
2023	52.2380	27.3081	22.3541	0.0504	1.7586	0.9164	2.6750	0.4734	0.9155	1.3888	0.0000	4,971.3114	4,971.3114	0.7160	0.0000	4,988.4314
Maximum	**52.2380**	**67.4490**	**40.9608**	**0.1129**	**8.2777**	**1.3813**	**9.2248**	**4.5080**	**1.3792**	**5.4550**	**0.0000**	**11,445.4751**	**11,445.4751**	**2.2244**	**0.0000**	**11,501.0846**

Inspiration Drive Memory Care and Assisted Living Facility Project - Bay Area AQMD Air District, Winter

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**3.35**	**-29.46**	**-17.24**	**0.00**	**49.75**	**4.08**	**46.63**	**52.30**	**-3.35**	**45.67**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	60.3122	1.3960	87.0034	0.1461		10.7856	10.7856		10.7856	10.7856	1,163.5476	535.7808	1,699.3284	1.6122	0.0822	1,764.1404
Energy	0.0355	0.3032	0.1290	1.9400e-003		0.0245	0.0245		0.0245	0.0245		387.0696	387.0696	7.4200e-003	7.1000e-003	389.3698
Mobile	0.4076	1.8582	4.8926	0.0172	1.6163	0.0143	1.6306	0.4324	0.0134	0.4458		1,744.9429	1,744.9429	0.0627		1,746.5100
Total	**60.7553**	**3.5574**	**92.0251**	**0.1653**	**1.6163**	**10.8244**	**12.4407**	**0.4324**	**10.8235**	**11.2559**	**1,163.5476**	**2,667.7933**	**3,831.3409**	**1.6823**	**0.0893**	**3,900.0202**

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	3.2478	0.9931	11.8432	6.1000e-003		0.1331	0.1331		0.1331	0.1331	0.0000	1,119.5808	1,119.5808	0.0410	0.0202	1,126.6084
Energy	0.0287	0.2455	0.1045	1.5700e-003		0.0199	0.0199		0.0199	0.0199		313.3544	313.3544	6.0100e-003	5.7400e-003	315.2165
Mobile	0.4047	1.8397	4.8239	0.0169	1.5840	0.0141	1.5981	0.4238	0.0131	0.4369		1,712.5563	1,712.5563	0.0618		1,714.1012
Total	**3.6812**	**3.0782**	**16.7715**	**0.0246**	**1.5840**	**0.1670**	**1.7510**	**0.4238**	**0.1661**	**0.5898**	**0.0000**	**3,145.4914**	**3,145.4914**	**0.1088**	**0.0259**	**3,155.9262**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**93.94**	**13.47**	**81.78**	**85.13**	**2.00**	**98.46**	**85.93**	**2.00**	**98.47**	**94.76**	**100.00**	**-17.91**	**17.90**	**93.53**	**71.02**	**19.08**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	1/3/2022	2/11/2022	5	30	
2	Grading	Grading	2/14/2022	3/25/2022	5	30	
3	Building Construction	Building Construction	3/28/2022	7/7/2023	5	335	
4	Paving	Paving	7/10/2023	8/18/2023	5	30	
5	Architectural Coating	Architectural Coating	8/21/2023	9/29/2023	5	30	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 75

Acres of Paving: 0.56

Residential Indoor: 222,977; Residential Outdoor: 74,326; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 1,488 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Grading	Excavators	2	8.00	158	0.38
Grading	Graders	1	8.00	187	0.41
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45
Paving	Pavers	2	8.00	130	0.42
Paving	Paving Equipment	2	8.00	132	0.36
Paving	Rollers	2	8.00	80	0.38
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	1,950.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	177.00	45.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Architectural Coating	1	35.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Use Cleaner Engines for Construction Equipment

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

3.2 Site Preparation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					18.0663	0.0000	18.0663	9.9307	0.0000	9.9307			0.0000			0.0000
Off-Road	3.1701	33.0835	19.6978	0.0380		1.6126	1.6126		1.4836	1.4836		3,686.0619	3,686.0619	1.1922		3,715.8655
Total	**3.1701**	**33.0835**	**19.6978**	**0.0380**	**18.0663**	**1.6126**	**19.6788**	**9.9307**	**1.4836**	**11.4143**		**3,686.0619**	**3,686.0619**	**1.1922**		**3,715.8655**

3.2 Site Preparation - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0572	0.0375	0.3796	1.2700e-003	0.1479	9.1000e-004	0.1488	0.0392	8.4000e-004	0.0401		126.5026	126.5026	2.6600e-003		126.5691
Total	**0.0572**	**0.0375**	**0.3796**	**1.2700e-003**	**0.1479**	**9.1000e-004**	**0.1488**	**0.0392**	**8.4000e-004**	**0.0401**		**126.5026**	**126.5026**	**2.6600e-003**		**126.5691**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.1298	0.0000	8.1298	4.4688	0.0000	4.4688			0.0000			0.0000
Off-Road	1.2097	33.7214	22.9600	0.0380		0.9462	0.9462		0.9462	0.9462	0.0000	3,686.0619	3,686.0619	1.1922		3,715.8655
Total	**1.2097**	**33.7214**	**22.9600**	**0.0380**	**8.1298**	**0.9462**	**9.0760**	**4.4688**	**0.9462**	**5.4150**	**0.0000**	**3,686.0619**	**3,686.0619**	**1.1922**		**3,715.8655**

3.2 Site Preparation - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0572	0.0375	0.3796	1.2700e-003	0.1479	9.1000e-004	0.1488	0.0392	8.4000e-004	0.0401		126.5026	126.5026	2.6600e-003		126.5691
Total	**0.0572**	**0.0375**	**0.3796**	**1.2700e-003**	**0.1479**	**9.1000e-004**	**0.1488**	**0.0392**	**8.4000e-004**	**0.0401**		**126.5026**	**126.5026**	**2.6600e-003**		**126.5691**

3.3 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					8.7321	0.0000	8.7321	3.6054	0.0000	3.6054			0.0000			0.0000
Off-Road	3.6248	38.8435	29.0415	0.0621		1.6349	1.6349		1.5041	1.5041		6,011.4105	6,011.4105	1.9442		6,060.0158
Total	**3.6248**	**38.8435**	**29.0415**	**0.0621**	**8.7321**	**1.6349**	**10.3670**	**3.6054**	**1.5041**	**5.1095**		**6,011.4105**	**6,011.4105**	**1.9442**		**6,060.0158**

3.3 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.4904	16.1687	3.8165	0.0494	1.1357	0.0470	1.1827	0.3112	0.0450	0.3562		5,293.5062	5,293.5062	0.2772		5,300.4364
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0636	0.0416	0.4218	1.4100e-003	0.1643	1.0100e-003	0.1653	0.0436	9.3000e-004	0.0445		140.5584	140.5584	2.9600e-003		140.6323
Total	**0.5539**	**16.2104**	**4.2383**	**0.0508**	**1.3000**	**0.0480**	**1.3480**	**0.3548**	**0.0459**	**0.4007**		**5,434.0646**	**5,434.0646**	**0.2802**		**5,441.0687**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					3.9295	0.0000	3.9295	1.6224	0.0000	1.6224			0.0000			0.0000
Off-Road	1.8106	51.2386	36.7226	0.0621		1.3333	1.3333		1.3333	1.3333	0.0000	6,011.4105	6,011.4105	1.9442		6,060.0158
Total	**1.8106**	**51.2386**	**36.7226**	**0.0621**	**3.9295**	**1.3333**	**5.2628**	**1.6224**	**1.3333**	**2.9557**	**0.0000**	**6,011.4105**	**6,011.4105**	**1.9442**		**6,060.0158**

3.3 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.4904	16.1687	3.8165	0.0494	1.1357	0.0470	1.1827	0.3112	0.0450	0.3562		5,293.5062	5,293.5062	0.2772		5,300.4364
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0636	0.0416	0.4218	1.4100e-003	0.1643	1.0100e-003	0.1653	0.0436	9.3000e-004	0.0445		140.5584	140.5584	2.9600e-003		140.6323
Total	**0.5539**	**16.2104**	**4.2383**	**0.0508**	**1.3000**	**0.0480**	**1.3480**	**0.3548**	**0.0459**	**0.4007**		**5,434.0646**	**5,434.0646**	**0.2802**		**5,441.0687**

3.4 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.7062	15.6156	16.3634	0.0269		0.8090	0.8090		0.7612	0.7612		2,554.3336	2,554.3336	0.6120		2,569.6322
Total	**1.7062**	**15.6156**	**16.3634**	**0.0269**		**0.8090**	**0.8090**		**0.7612**	**0.7612**		**2,554.3336**	**2,554.3336**	**0.6120**		**2,569.6322**

3.4 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.1379	4.4406	1.1849	0.0118	0.3046	9.0500e-003	0.3137	0.0877	8.6600e-003	0.0964		1,254.7751	1,254.7751	0.0631		1,256.3519
Worker	0.5627	0.3684	3.7327	0.0125	1.4540	8.9400e-003	1.4630	0.3857	8.2300e-003	0.3939		1,243.9419	1,243.9419	0.0262		1,244.5959
Total	**0.7006**	**4.8089**	**4.9176**	**0.0243**	**1.7586**	**0.0180**	**1.7766**	**0.4734**	**0.0169**	**0.4903**		**2,498.7170**	**2,498.7170**	**0.0892**		**2,500.9478**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0809	23.5544	17.8738	0.0269		0.9036	0.9036		0.9036	0.9036	0.0000	2,554.3336	2,554.3336	0.6120		2,569.6322
Total	**1.0809**	**23.5544**	**17.8738**	**0.0269**		**0.9036**	**0.9036**		**0.9036**	**0.9036**	**0.0000**	**2,554.3336**	**2,554.3336**	**0.6120**		**2,569.6322**

3.4 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.1379	4.4406	1.1849	0.0118	0.3046	9.0500e-003	0.3137	0.0877	8.6600e-003	0.0964		1,254.7751	1,254.7751	0.0631		1,256.3519
Worker	0.5627	0.3684	3.7327	0.0125	1.4540	8.9400e-003	1.4630	0.3857	8.2300e-003	0.3939		1,243.9419	1,243.9419	0.0262		1,244.5959
Total	**0.7006**	**4.8089**	**4.9176**	**0.0243**	**1.7586**	**0.0180**	**1.7766**	**0.4734**	**0.0169**	**0.4903**		**2,498.7170**	**2,498.7170**	**0.0892**		**2,500.9478**

3.4 Building Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.5728	14.3849	16.2440	0.0269		0.6997	0.6997		0.6584	0.6584		2,555.2099	2,555.2099	0.6079		2,570.4061
Total	**1.5728**	**14.3849**	**16.2440**	**0.0269**		**0.6997**	**0.6997**		**0.6584**	**0.6584**		**2,555.2099**	**2,555.2099**	**0.6079**		**2,570.4061**

3.4 Building Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.1036	3.4225	1.0521	0.0115	0.3046	4.0500e-003	0.3087	0.0877	3.8700e-003	0.0916		1,219.7972	1,219.7972	0.0535		1,221.1358
Worker	0.5271	0.3312	3.4282	0.0120	1.4540	8.7500e-003	1.4628	0.3857	8.0600e-003	0.3937		1,196.3043	1,196.3043	0.0234		1,196.8896
Total	**0.6308**	**3.7537**	**4.4803**	**0.0235**	**1.7586**	**0.0128**	**1.7715**	**0.4734**	**0.0119**	**0.4853**		**2,416.1015**	**2,416.1015**	**0.0770**		**2,418.0254**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0809	23.5544	17.8738	0.0269		0.9036	0.9036		0.9036	0.9036	0.0000	2,555.2099	2,555.2099	0.6079		2,570.4061
Total	**1.0809**	**23.5544**	**17.8738**	**0.0269**		**0.9036**	**0.9036**		**0.9036**	**0.9036**	**0.0000**	**2,555.2099**	**2,555.2099**	**0.6079**		**2,570.4061**

3.4 Building Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.1036	3.4225	1.0521	0.0115	0.3046	4.0500e-003	0.3087	0.0877	3.8700e-003	0.0916		1,219.7972	1,219.7972	0.0535		1,221.1358
Worker	0.5271	0.3312	3.4282	0.0120	1.4540	8.7500e-003	1.4628	0.3857	8.0600e-003	0.3937		1,196.3043	1,196.3043	0.0234		1,196.8896
Total	**0.6308**	**3.7537**	**4.4803**	**0.0235**	**1.7586**	**0.0128**	**1.7715**	**0.4734**	**0.0119**	**0.4853**		**2,416.1015**	**2,416.1015**	**0.0770**		**2,418.0254**

3.5 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	1.0327	10.1917	14.5842	0.0228		0.5102	0.5102		0.4694	0.4694		2,207.5841	2,207.5841	0.7140		2,225.4336
Paving	0.0489					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**1.0817**	**10.1917**	**14.5842**	**0.0228**		**0.5102**	**0.5102**		**0.4694**	**0.4694**		**2,207.5841**	**2,207.5841**	**0.7140**		**2,225.4336**

3.5 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0447	0.0281	0.2905	1.0200e-003	0.1232	7.4000e-004	0.1240	0.0327	6.8000e-004	0.0334		101.3817	101.3817	1.9800e-003		101.4313
Total	**0.0447**	**0.0281**	**0.2905**	**1.0200e-003**	**0.1232**	**7.4000e-004**	**0.1240**	**0.0327**	**6.8000e-004**	**0.0334**		**101.3817**	**101.3817**	**1.9800e-003**		**101.4313**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.9311	20.1146	17.2957	0.0228		0.6670	0.6670		0.6670	0.6670	0.0000	2,207.5841	2,207.5841	0.7140		2,225.4336
Paving	0.0489					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**0.9800**	**20.1146**	**17.2957**	**0.0228**		**0.6670**	**0.6670**		**0.6670**	**0.6670**	**0.0000**	**2,207.5841**	**2,207.5841**	**0.7140**		**2,225.4336**

3.5 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.0447	0.0281	0.2905	1.0200e-003	0.1232	7.4000e-004	0.1240	0.0327	6.8000e-004	0.0334		101.3817	101.3817	1.9800e-003		101.4313
Total	**0.0447**	**0.0281**	**0.2905**	**1.0200e-003**	**0.1232**	**7.4000e-004**	**0.1240**	**0.0327**	**6.8000e-004**	**0.0334**		**101.3817**	**101.3817**	**1.9800e-003**		**101.4313**

3.6 Architectural Coating - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	52.0198					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1917	1.3030	1.8111	2.9700e-003		0.0708	0.0708		0.0708	0.0708		281.4481	281.4481	0.0168		281.8690
Total	**52.2115**	**1.3030**	**1.8111**	**2.9700e-003**		**0.0708**	**0.0708**		**0.0708**	**0.0708**		**281.4481**	**281.4481**	**0.0168**		**281.8690**

3.6 Architectural Coating - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.1042	0.0655	0.6779	2.3700e-003	0.2875	1.7300e-003	0.2893	0.0763	1.5900e-003	0.0779		236.5574	236.5574	4.6300e-003		236.6731
Total	**0.1042**	**0.0655**	**0.6779**	**2.3700e-003**	**0.2875**	**1.7300e-003**	**0.2893**	**0.0763**	**1.5900e-003**	**0.0779**		**236.5574**	**236.5574**	**4.6300e-003**		**236.6731**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Archit. Coating	52.0198					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Off-Road	0.1139	2.3524	1.8324	2.9700e-003		0.0951	0.0951		0.0951	0.0951	0.0000	281.4481	281.4481	0.0168		281.8690
Total	**52.1338**	**2.3524**	**1.8324**	**2.9700e-003**		**0.0951**	**0.0951**		**0.0951**	**0.0951**	**0.0000**	**281.4481**	**281.4481**	**0.0168**		**281.8690**

3.6 Architectural Coating - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000		0.0000
Worker	0.1042	0.0655	0.6779	2.3700e-003	0.2875	1.7300e-003	0.2893	0.0763	1.5900e-003	0.0779		236.5574	236.5574	4.6300e-003		236.6731
Total	**0.1042**	**0.0655**	**0.6779**	**2.3700e-003**	**0.2875**	**1.7300e-003**	**0.2893**	**0.0763**	**1.5900e-003**	**0.0779**		**236.5574**	**236.5574**	**4.6300e-003**		**236.6731**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

Improve Pedestrian Network

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.4047	1.8397	4.8239	0.0169	1.5840	0.0141	1.5981	0.4238	0.0131	0.4369		1,712.5563	1,712.5563	0.0618		1,714.1012
Unmitigated	0.4076	1.8582	4.8926	0.0172	1.6163	0.0143	1.6306	0.4324	0.0134	0.4458		1,744.9429	1,744.9429	0.0627		1,746.5100

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
City Park	0.00	0.00	0.00		
Congregate Care (Assisted Living)	329.43	329.43	329.43	760,854	745,637
Parking Lot	0.00	0.00	0.00		
Total	329.43	329.43	329.43	760,854	745,637

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
City Park	9.50	7.30	7.30	33.00	48.00	19.00	66	28	6
Congregate Care (Assisted	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
City Park	0.578638	0.038775	0.193686	0.110919	0.015677	0.005341	0.018293	0.026358	0.002641	0.002200	0.005832	0.000891	0.000749
Congregate Care (Assisted Living)	0.578638	0.038775	0.193686	0.110919	0.015677	0.005341	0.018293	0.026358	0.002641	0.002200	0.005832	0.000891	0.000749
Parking Lot	0.578638	0.038775	0.193686	0.110919	0.015677	0.005341	0.018293	0.026358	0.002641	0.002200	0.005832	0.000891	0.000749

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Exceed Title 24

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0287	0.2455	0.1045	1.5700e-003		0.0199	0.0199		0.0199	0.0199		313.3544	313.3544	6.0100e-003	5.7400e-003	315.2165
NaturalGas Unmitigated	0.0355	0.3032	0.1290	1.9400e-003		0.0245	0.0245		0.0245	0.0245		387.0696	387.0696	7.4200e-003	7.1000e-003	389.3698

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Congregate Care (Assisted Living)	3290.09	0.0355	0.3032	0.1290	1.9400e-003		0.0245	0.0245		0.0245	0.0245		387.0696	387.0696	7.4200e-003	7.1000e-003	389.3698
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0355**	**0.3032**	**0.1290**	**1.9400e-003**		**0.0245**	**0.0245**		**0.0245**	**0.0245**		**387.0696**	**387.0696**	**7.4200e-003**	**7.1000e-003**	**389.3698**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
City Park	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Congregate Care (Assisted Living)	2.66351	0.0287	0.2455	0.1045	1.5700e-003		0.0199	0.0199		0.0199	0.0199		313.3544	313.3544	6.0100e-003	5.7400e-003	315.2165
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0287**	**0.2455**	**0.1045**	**1.5700e-003**		**0.0199**	**0.0199**		**0.0199**	**0.0199**		**313.3544**	**313.3544**	**6.0100e-003**	**5.7400e-003**	**315.2165**

6.0 Area Detail

6.1 Mitigation Measures Area

Use only Natural Gas Hearths

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	3.2478	0.9931	11.8432	6.1000e-003		0.1331	0.1331		0.1331	0.1331	0.0000	1,119.5808	1,119.5808	0.0410	0.0202	1,126.6084
Unmitigated	60.3122	1.3960	87.0034	0.1461		10.7856	10.7856		10.7856	10.7856	1,163.5476	535.7808	1,699.3284	1.6122	0.0822	1,764.1404

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.4276					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	2.3733					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	57.1652	1.2638	75.5265	0.1455		10.7221	10.7221		10.7221	10.7221	1,163.5476	515.1177	1,678.6653	1.5923	0.0822	1,742.9800
Landscaping	0.3462	0.1323	11.4769	6.1000e-004		0.0635	0.0635		0.0635	0.0635		20.6631	20.6631	0.0199		21.1605
Total	**60.3122**	**1.3960**	**87.0034**	**0.1461**		**10.7856**	**10.7856**		**10.7856**	**10.7856**	**1,163.5476**	**535.7808**	**1,699.3284**	**1.6121**	**0.0822**	**1,764.1404**

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	0.4276					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	2.3733					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.1007	0.8608	0.3663	5.4900e-003		0.0696	0.0696		0.0696	0.0696	0.0000	1,098.9177	1,098.9177	0.0211	0.0202	1,105.4480
Landscaping	0.3462	0.1323	11.4769	6.1000e-004		0.0635	0.0635		0.0635	0.0635		20.6631	20.6631	0.0199		21.1605
Total	**3.2478**	**0.9931**	**11.8432**	**6.1000e-003**		**0.1331**	**0.1331**		**0.1331**	**0.1331**	**0.0000**	**1,119.5808**	**1,119.5808**	**0.0410**	**0.0202**	**1,126.6084**

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

Institute Recycling and Composting Services

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

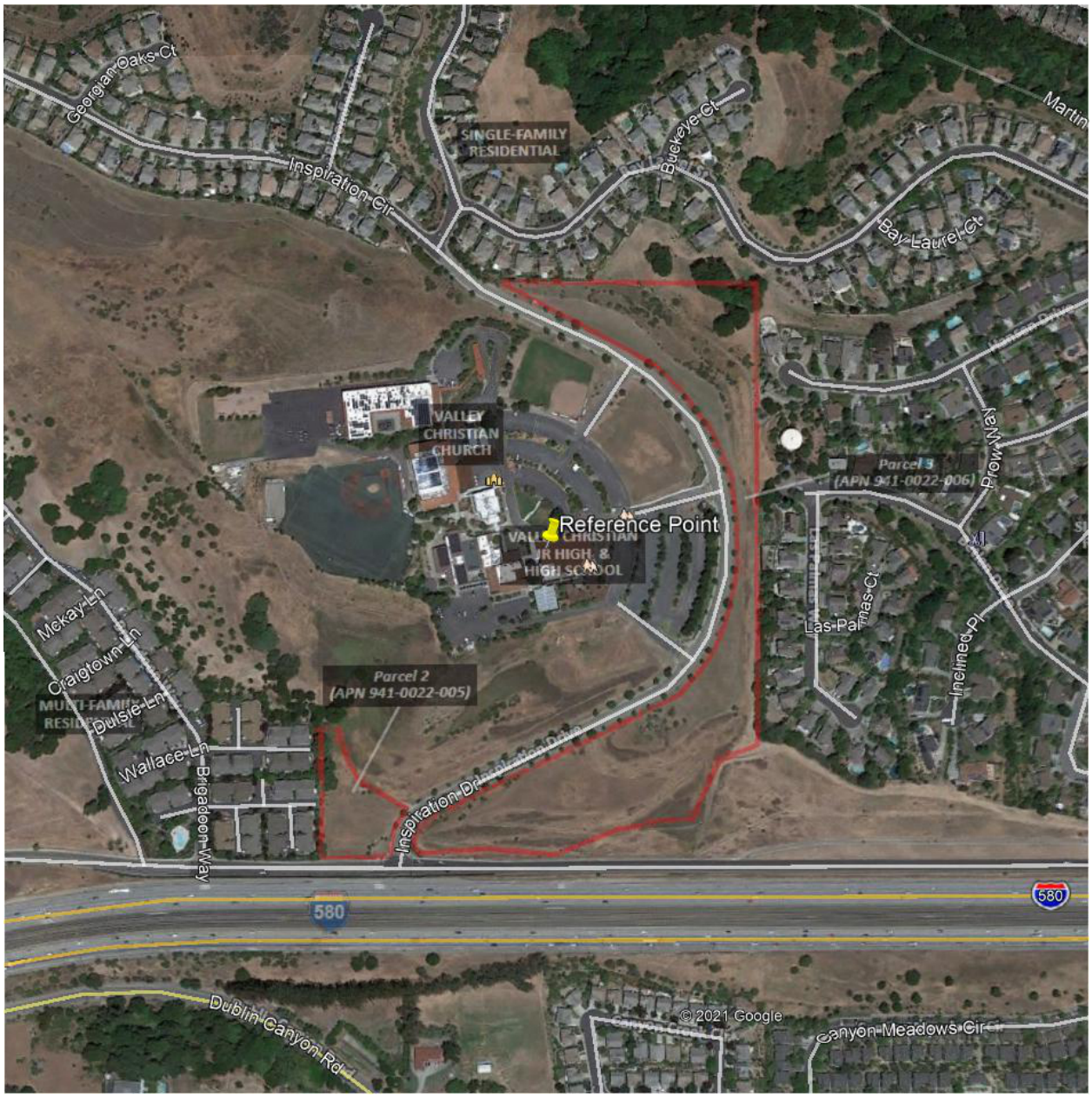
Equipment Type	Number

11.0 Vegetation

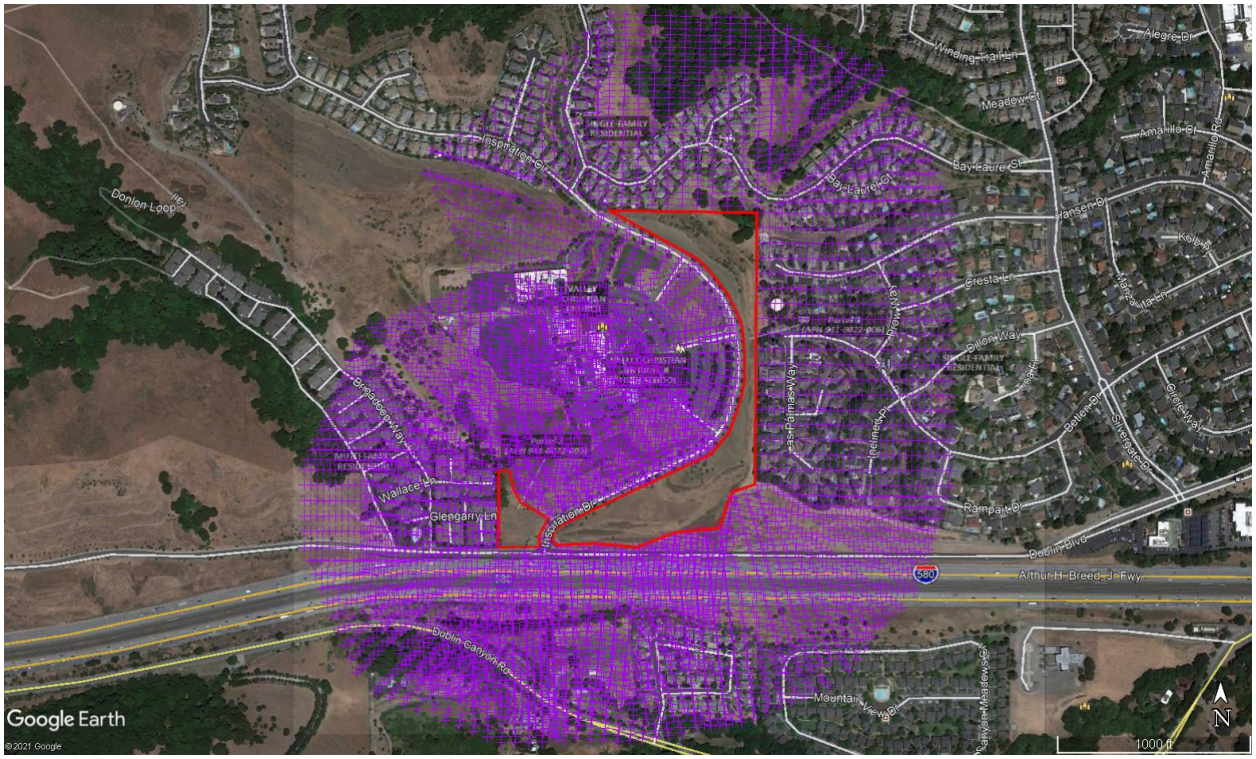
Appendix C

Model Snap Shots

Project Location



Sensitive Receptor Grid



Unmitigated Cancer Risk

Unmitigated Chronic Inhalation Hazard Index

Unmitigated $PM_{2.5}$ Concentration

Mitigated Cancer Risk

Mitigated Chronic Inhalation Hazard Index

Mitigated $PM_{2.5}$ Concentration

Appendix D

Biological Resources Analysis

CARLSBAD
FRESNO
IRVINE
LOS ANGELES
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

MEMORANDUM

DATE: March 18, 2021

TO: City of Dublin

FROM: LSA Associates, Inc.

SUBJECT: Biological Resources Analysis for the Inspiration Drive Memory Care and Assisted Living Facilities in Dublin, California

This memorandum analyzes the biological resources in regard to the above-referenced project (proposed project) located at 7500 Inspiration Drive (Figure 1) and was prepared to support a Draft Initial Study for the project pursuant to the California Environmental Quality Act (CEQA). The proposed project involves construction of a memory care facility and an assisted living facility, each on single adjacent parcels (Parcels 2 and 3) separated by Inspiration Drive, within the Valley Christian Center (VCC) (Figures 2 and 3). Parcels 2 and 3 are collectively referred to in this memorandum as the project site.

METHODS

As background material, LSA reviewed the Draft Environmental Impact Report (DEIR)[1] for the VCC Expansion Program, a Biological Resources Assessment for the project site WRA in 2015,[2] and a memorandum prepared by WRA in 2018 providing updated information on the biological conditions on the site.[3] These documents addressed the entire VCC property (Figure 3) including Parcels 2 and 3, but they did not specifically address the memory care and assisted living facilities because these projects were not proposed at the time. In addition to these documents, LSA reviewed a letter report from Jane Valerius Environmental Consulting[4] that provided updated information on the drainage in Parcel 2. LSA also conducted a search of the California Natural Diversity Database

[1] Draft Environmental Impact Report Valley Christian Center Expansion Program. State Clearing House # 2002012070, October 2002.

[2] WRA, Inc. 2015. Biological Resources Assessment, Dublin Valley Christian Center, Dublin, Alameda County, California. WRA Environmental Consultants, 2169-G East Francisco Blvd., San Rafael, CA 94901. June 15, 2015.

[3] WRA, Inc. 2018. Memorandum: Dublin Valley Christian Center Biological Site Conditions Update.

[4] Jane Valerius Environmental Consulting. 2020. 7500 Inspiration Drive, Dublin, CA – Review of Drainage Channel. Jane Valerius Environmental Consulting, 6467 Eagle Ridge Road, Penngrove, CA 94951.

(CNDDB)[5] and the California Native Plant Society (CNPS)[6] for updated information on occurrence records of special-status species within 5 miles of the project site.

LSA Senior Biologist Eric Lichtwardt conducted a field survey of the project site on February 18, 2021. The focus of the field survey was to determine if any changes to on-site environmental conditions, as described in the DEIR, WRA, and Jane Valerius Environmental Consulting documents, had occurred since these documents were prepared. During the field survey, Mr. Lichtwardt walked both parcels with a focus on the areas proposed for development and recorded observations in a field notebook. Binoculars (10 x 40) were used to aid in the identification and observation of wildlife and survey surrounding areas.

AFFECTED ENVIRONMENT

As noted above, the project site is divided into two parcels, Parcel 2 and Parcel 3, located west and east of Inspiration Drive, respectively; Dublin Boulevard flanks the southern boundary of both parcels (Figure 2). Surrounding areas are largely occupied by residential and other development to the west and east, with the Interstate 580 corridor to the south. An undeveloped area of open land is located to the north of Parcel 2 and the proposed assisted living facility footprint on Parcel 3 and extends off the site to the northwest (Figure 3). The VCC campus is located just north of this open undeveloped area.

WRA (2015, 2018) identified the dominant cover type within the two parcels as non-native annual grassland dominated by grasses and forbs such as slender wild oat (*Avena barbata*), Italian rye grass (*Festuca perennis*), hare barley (*Hordeum murinum* ssp. *leporinum*), and longbeak stork's bill (*Erodium botrys*). WRA also noted that the grassland includes dense stands of ruderal herbaceous species, including black mustard (*Brassica nigra*), short-podded mustard (*Hirschfeldia incana*), Italian thistle (*Carduus pycnocephalus*), milk thistle (*Silybum marianum*), and poison hemlock (*Conium maculatum*), all non-native weedy species. There is also a small patch of coyote brush (*Baccharis pilularis*), a native shrub, on Parcel 2. A constructed water detention basin with a standpipe drain is located in the center of Parcel 3, between Inspiration Drive and Dublin Boulevard, and supports similar but sparser non-native annual grassland habitat with patches of bare ground. This detention basin is approximately 0.2 acre (8,655 square feet) in area.[7]

WRA also identified a small area of riparian woodland along a drainage near the northwestern corner of Parcel 2; this woodland was composed of coast live oak (*Quercus agrifolia*), valley oak (*Quercus lobata*), arroyo willow (*Salix lasiolepis*), and red willow (*Salix laevigata*). The woodland understory supports of a mixture and native and weedy non-native herbaceous species; natives include tall flatsedge (*Cyperus eragrostis*) and California bulrush (*Schoenoplectus californicus*), and

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5 California Department of Fish and Wildlife. 2021. California Natural Diversity Database (CNDDB) - Commercial Version, March 2021. California Department of Fish and Wildlife, Biogeographic Data Branch, Sacramento, California.

6 California Native Plant Society, Rare Plant Program. 2021. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.45). Website http://www.rareplants.cnps.org [accessed 18 March 2021].

7 Estimated from Google Earth imagery (03/11/2021).

non-natives include poison hemlock, Pampas grass (*Cortaderia selloana*), Himalayan blackberry (*Rubus armeniacus*), and fiddle dock (*Rumex pulcher*).

WRA identified an ephemeral stream within the drainage that feeds into a culvert near the western edge of Parcel 2; LSA confirmed the presence of the ephemeral stream and noted that little surface water was present during the February 2021 field survey. This drainage appears to be fed by runoff from the adjacent hillslope between Parcel 2 and the VCC campus to the north (Figure 3). This drainage does not have a hydrological connection with Dublin Creek, which drains the hills to the northwest. The Dublin Creek drainage from the Dublin Boulevard/Interstate 580 corridor and the western edge of Parcel 2 to approximately 2,000 feet[8] upstream is occupied by residential development. Dublin Creek drains into a detention basin at the northwestern edge of the residential development and appears to be underground downstream of this basin (Figure 3).

Wildlife observed on the project site during the February 2021 field survey included Say's phoebe (*Sayornis saya*), California scrub-jay (*Aphelocoma californica*), house finch (*Haemorhous mexicanus*), song sparrow (*Melospiza melodia*), and spotted towhee (*Pipilo maculatus*). The diggings of Botta's pocket gopher (*Thomomys bottae*) were also present in some grassy areas.

Soils on the project site are Diablo clay 15-30 percent slopes and a small amount of Diablo clay 30-45 percent slopes; 99 percent are Diablo clay 15-30 percent.[9]

In summary, based on LSA's February 18, 2021 survey, the on-site existing environmental conditions are similar to those described by WRA in 2015 and 2018.

IMPACT ANALYSIS

Special-Status Species

WRA evaluated 77 (42 plants and 35 animals) special-status species for the VCC project (see Appendix B in attached WRA 2015 Biological Site Assessment). Based on LSA's review of the WRA documents, updated searches of the CNDDB and CNPS, and the February 18, 2021 field survey, LSA concurs with the conclusions of the WRA report and follow-up memorandum in regard to the potential occurrence of special-status species in Parcels 2 and 3.

Congdon's Tarplant

As noted in WRA's 2018 memorandum, Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*), a CNPS Rank 1B.1 species (i.e., rare, threatened, or endangered in California and elsewhere), is present within a small water detention basin in Parcel 3; this basin would be impacted by the proposed assisted living facility (Figure 5). Congdon's tarplant is also considered a focal species under the East Alameda County Conservation Strategy. This plant is an annual forb that blooms from

8 Estimated from Google Earth imagery (03/11/2021).

9 Web Soil Survey (https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx) (accessed March 8, 2021).

June to November and occurs in grasslands and disturbed sites, generally on alkaline soils, at elevations ranging from sea level to about 990 feet (Baldwin et al. 2012[10], CNPS 2021[11]).

During the WRA 2018 survey, approximately five individuals of Congdon's tarplant were observed in the constructed stormwater detention basin in Parcel 3. A positive identification of this species was made by collecting a portion of one of the senesced annual plants for examination under laboratory conditions. Impacts to Congdon's tarplant would be considered a significant impact unless mitigated.

Mitigation Measure BIO-1: Congdon's Tarplant

a. Because the status of Congdon's tarplant on the project site has not been investigated since 2018, the site should be resurveyed for this plant before the start of work on the project. The survey should be conducted during the blooming period of Condon's tarplant (June to November) to determine the presence/absence of this species within the site. The field survey should follow standard protocols for rare plant surveys,[12] which may require multiple site visits and checking a reference site(s) where the species is known to occur. The survey should include Parcels 2 and 3 as well as the entire conservation easement portion of Parcel 3.

b. If blooming Congdon's tarplants are found within the project site during the protocol rare plant survey, mature seeds should be collected from all the plants that are present and planted in a suitable mitigation area within the Parcel 3 conservation easement. The mitigation area for replanting should be identified by a qualified botanist before the start of work on the project. The conservation easement portion of Parcel 3 supports the same soil type (Diablo clay 15-30 percent) as the detention basin within the proposed assisted living facility area, so mitigation for Condon's tarplant should be feasible within the easement.

c. If Condon's tarplants are not found within the project site during the rare plant survey, this may not indicate absence. If adverse environmental conditions for germination occur during the year the survey is conducted, Condon's tarplant may not have geminated; however, a persistent long-term seed bank could still be present. If flowering plants are not found on the project site during the initial rare plant survey, the project site should be resurveyed during the next Condon's tarplant blooming season and, if plants are present, mature seeds for

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10 Baldwin, B.G., D.H. Goldman, D.J. Keil, R. Patterson, T.J. Rosatti, and D.H. Wilken, editors. 2012. The Jepson Manual: Vascular Plants of California, Second Edition. University of California Press, Berkeley.

11 California Native Plant Society, Rare Plant Program. 2021. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.45). Website http://www.rareplants.cnps.org [accessed 18 March 2021].

12 California Department of Fish and Wildlife. 2018. Protocols for Surveying and Evaluating Impacts to Special-status Native Plant Population and Sensitive Natural Communities. California Department of Fish and Wildlife. March 20, 2018.

replanting should be collected. If a second season plant survey is not feasible, viable seeds from another source should be collected or purchased from a reliable native plant nursery for replanting.

d. Before the start of work, a qualified botanist should prepare a mitigation and monitoring plan for the Condon's tarplant mitigation area. The plan should include, at a minimum, a discussion of the methods of seed collection and sources of seeds, the location and size of the mitigation area within the conservation easement, and mitigation site preparation, monitoring, and criteria for determining a successful mitigation effort. Mitigation sites are typically monitored for 5 years; however, provisions for maintaining a viable population of Condon's tarplant in the conservation easement after the 5-year monitoring period should be included in the plan.

With the above mitigation measures, the proposed project would not result in significant impacts to Condon's tarplant.

California Red-Legged Frog

As noted by WRA (2015), the California red-legged frog (*Rana draytonii*), a federally listed threatened species, is known to occur in the hills west of the project site. Critical habitat has been designated for this species, and critical habitat unit ALA-1B is located in the hills west of the project site; however, the project site is not within designated critical habitat for California red-legged frog.[13]

A pond where California red-legged frogs are known to breed is located approximately 4,600 feet (0.87 mile) to the northwest of Parcel 2 (in the upper reaches of the Dublin Creek watershed); this is within the range of documented overland dispersal of this frog.[14] However, approximately 2,000 feet (0.37 mile) of the intervening area within the Dublin Creek drainage between the pond and Parcel 2 is occupied by residential development and the creek appears to terminate in a detention basin at the western edge of this development. This developed area would likely be a considerable barrier to frogs originating from this pond and potentially moving down the Dublin Creek drainage toward the project site. In addition, there are no pools or suitable breeding habitat for California red-legged frogs in the drainage adjacent to Parcel 2 and therefore this amphibian would not be expected to be present in this drainage. Most of Parcel 2, outside the drainage, has been previously graded and is flat with only sparse ruderal vegetation and a few coyote brush; this flat area does not provide suitable upland shelter habitat for California red-legged frogs.

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13 U.S. Fish and Wildlife Service. 2021. California Red-Legged Frog Critical Habitat. 2010 Revised Final Designation. Website: https://www.fws.gov/sacramento/es/Critical-Habitat/CA-Red-Legged-Frog/Current/ (accessed March 4, 2021).

14 Thomson, R.C., A.N. Wright, and H.B. Shaffer. 2016. *California Amphibian and Reptile Species of Special Concern*. California Department of Fish and Wildlife, Sacramento and University of California Press, Berkeley and Los Angeles, California.

WRA (2015) noted that there was no breeding habitat in the drainage containing the ephemeral stream adjacent to Parcel 2 but stated that the riparian area adjacent to the parcel connects to the breeding pond in the upper reach of the Dublin Creek drainage. However, as noted above, the drainage adjacent to Parcel 2 does not currently have a hydraulic/riparian connection with the Dublin Creek drainage, due to the intervening residential development. Nonetheless, a corridor of undeveloped upland habitat, approximately 2,300 feet wide, is located between the detention basin at the western end of the residential area and the drainage on Parcel 2; therefore, the presence of a dispersing frog in the drainage, though unlikely, cannot be completely ruled out. To reduce potential impacts to California red-legged frogs to less than significant, the following mitigation measures are proposed.

Mitigation Measure BIO-2: California Red-Legged Frog

a. A qualified biologist will conduct preconstruction surveys for California red-legged frogs prior to activities within 24 hours of initial ground disturbance. If individuals are found, work will not begin until they are moved out of the construction zone to a U.S. Fish and Wildlife Service/California Department of Fish and Wildlife approved relocation site.

b. Because the site is within the potential dispersal distance of breeding habitat, a wildlife exclusion fence will be constructed around the worksite to prevent amphibians or other small wildlife from entering the work area. The fence will be at least 3 feet high, buried 6 inches underground, and have one-way exit funnels. The exclusion fence will be made of an opaque material that California red-legged frogs cannot see through, to prevent frogs from trying to push through the fencing. Wooden cover board will be placed every 50 feet along the outside edge of the fence to give California red-legged frogs a place to shelter until they can find their way around the work area without desiccating or being preyed upon. The integrity of the exclusion fencing will be inspected daily, and any needed repairs will be made immediately.

c. A qualified biological monitor will be on the site during any activities that could result in the take of a California red-legged frog.

d. No work will occur at night.

e. For on-site storage of pipes, conduits, and other materials that could provide shelter for California red-legged frogs, an open-top trailer will be used to elevate the materials above ground (unless the materials are inside the wildlife exclusion fencing). This is intended to reduce the potential for animals to climb into the conduits and other materials.

f. The wildlife exclusion fencing will be removed within 72 hours of completion of work.

g. A qualified biologist should be present during initial ground-disturbing activities.

h. No monofilament plastic will be used for erosion control.

i. Any open trenches will be provided with an escape ramp(s), such as a board that allows trapped frogs or other small animals to exit the trenches. Construction personnel will inspect any open trenches in the morning before work begins for trapped amphibians.

j. A qualified biologist possessing a valid federal Endangered Species Act Section 10(a)(1)(A) permit or approved by the U.S. Fish and Wildlife Service under an active biological opinion will be contracted to relocate amphibians to nearby suitable habitat if amphibians are found inside fenced areas.

k. Work will stop at least an hour prior to a predicted rain event of 0.1 inch or greater and then will not begin until at least 24 hours after the rain event. Work could continue within the wildlife exclusion fencing within 24 hours of the rain event if a qualified biologist has performed a clearance survey. However, no work or mobilization of vehicles or equipment outside of the wildlife exclusion fencing will occur within 24 hours of the rain event.

With the above mitigation measures, the proposed project would not result in significant impacts to California red-legged frogs.

Sensitive Natural Communities

The riparian woodland in Parcel 2, described above in the Affected Environment section, is considered a sensitive natural community; however, the proposed development within Parcel 2 will completely avoid impacts to the community. There will be no impacts to sensitive natural communities.

Wetlands

The drainage in Parcel 2 is a potential wetland under the jurisdiction of the Clean Water Act; however, this wetland will be completely avoided by the proposed development. There will be no impacts to federally protected wetlands.

Wildlife Movement/Wildlife Nursery Sites

During the field survey, no nursery sites such as heron rookeries or raptor nests were observed in any of the large trees that are on or near the project site. No structures or large hollow trees are present on the project parcels that could support bat maternity roosts. The short drainage on Parcel 2 does not form a connection with any areas of natural habitat because it runs into a culvert, and Dublin Drive and Interstate 580 form a major barrier to wildlife movement to the south.

Vegetation on or adjacent to the parcels could provide nesting habitat for some species of native birds (e.g., northern mockingbird and house finch) protected under the federal Migratory Bird Treaty Act and the California Fish and Game Code. If the project requires removal and/or trimming of trees and/or shrubs during the nesting bird season (February 15 to August 31), impacts to the

active nests of protected bird species could occur. The following mitigation measure would reduce the potential project impacts to protected nesting birds to a less-than-significant level.

Mitigation Measure BIO-3: Nesting Birds

> If project activities occur during the nesting season (February 15 to August 31), a qualified biologist shall conduct a preconstruction nesting bird survey prior to vegetation removal and/or vegetation trimming. The survey area shall include all suitable nesting habitats within the work area. Due to the urban settings and/or general ongoing human activity of the project site, any nesting raptors or other native birds in the area would likely be habituated to human activity such as pedestrian, vehicle, and train traffic. If an active raptor nest is discovered during the preconstruction survey, the qualified biologist will determine a suitable exclusion buffer based on the nesting species and context of the nest location.
>
> The preconstruction survey shall be conducted no more than 14 days prior to the start of work. If the survey determines the presence of nesting birds, the qualified biologist will determine an appropriately sized exclusion zone around the nest in which no work would be allowed until the young have successfully fledged (or the nest has been abandoned). Exclusion buffers shall be clearly delineated (i.e., orange construction fencing) around each active nest site. Active nest sites of protected bird species will be monitored periodically to determine the time of fledging. The qualified biologist will determine when construction activities may commence within the buffer.

Local Policies Protecting Biological Resources

The project would not conflict with any local polices or ordinances protecting biological resources. There are no trees within or adjacent to the project area, and therefore the project would not conflict with the City's Tree Preservation Ordinance.

Habitat Conservation Plan

The project site is located in Conservation Zone 1 of the East Alameda County Conservation Strategy (EACCS).[15] If the above proposed mitigation measures are followed, the project will not conflict with the EACCS.

Attachments**:** Figure 1: Project Location and Regional Vicinity
Figure 2: Aerial Photograph of Project Site and Surrounding Land Uses
Figure 3: Parcel Layout
Figure 4: Memory Care Facility – Proposed Site Plan
Figure 5: Assisted Living Facility – Proposed Site Plan

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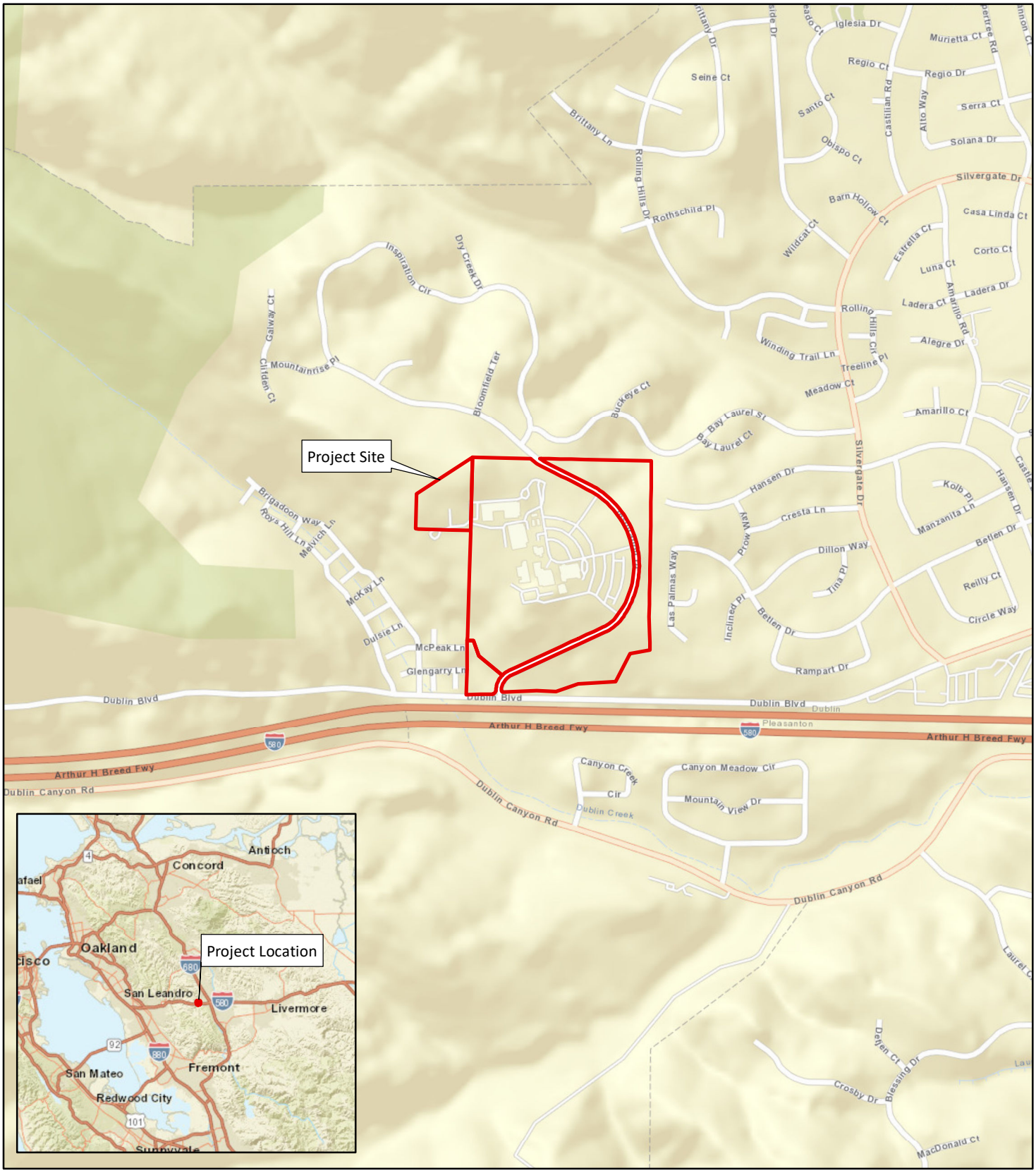
[15] ICF International. 2010. East Alameda County Conservation Strategy. Final Draft. October. (ICF 00906.08.) San Jose, CA. Prepared for: East Alameda County Conservation Strategy Steering Committee, Livermore, CA.



LSA

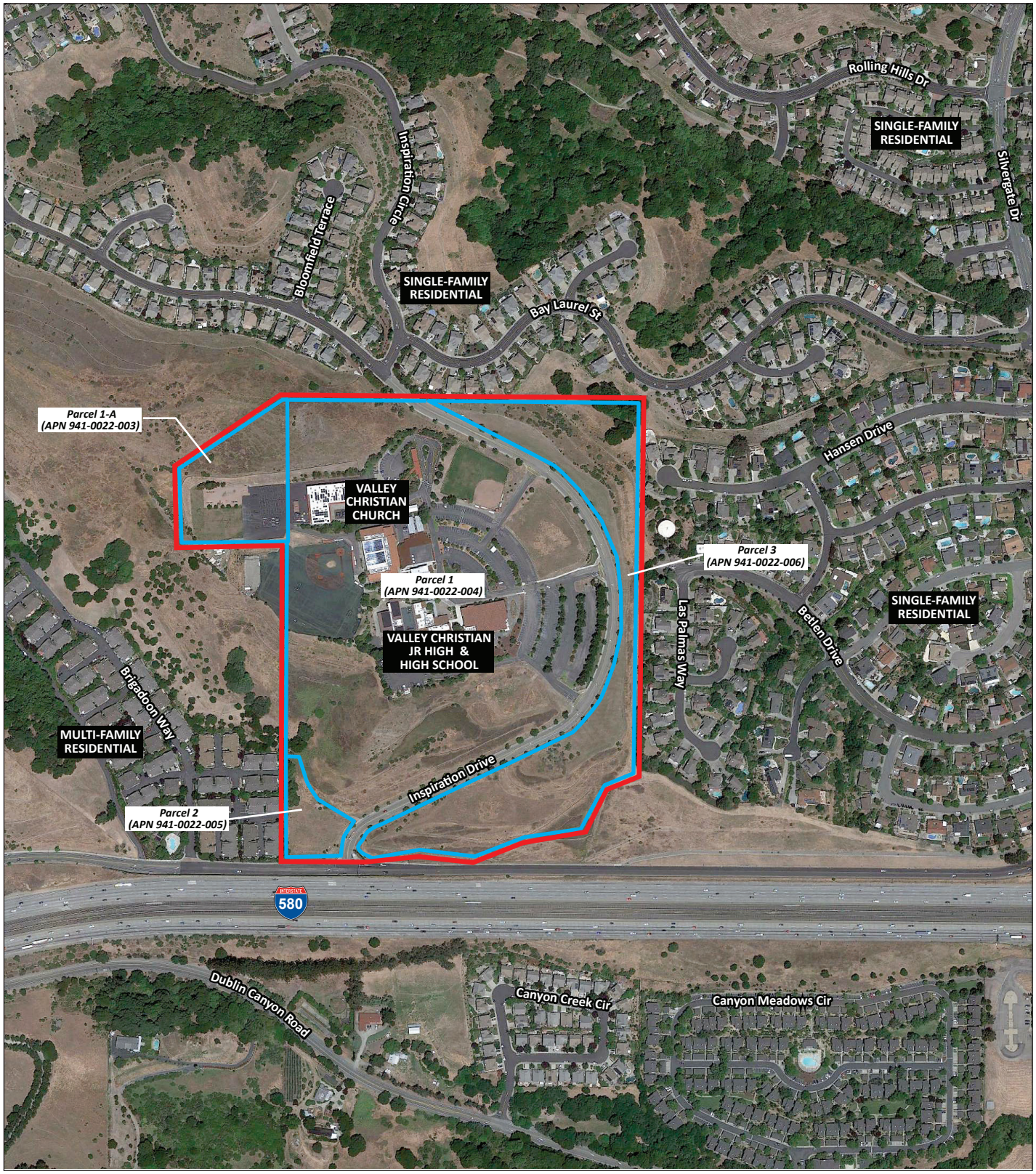
FIGURE 1

Inspiration Drive Memory Care and Assisted Living Facility Project

Regional Location

SOURCE: ESRI World Street Map (03/20).

I:\DUB1601.02\GIS\Maps\Figure 1_Regional Location.mxd (1/11/2021)



LSA

FIGURE 2

0 350 700
FEET

N

Project Site Boundary

Parcel Boundaries

Inspiration Drive Memory Care and Assisted Living Facility Project

Aerial Photograph of Project Site and Surrounding Land Uses

SOURCES: Google Earth, 6/20/2019; LSA, 2021

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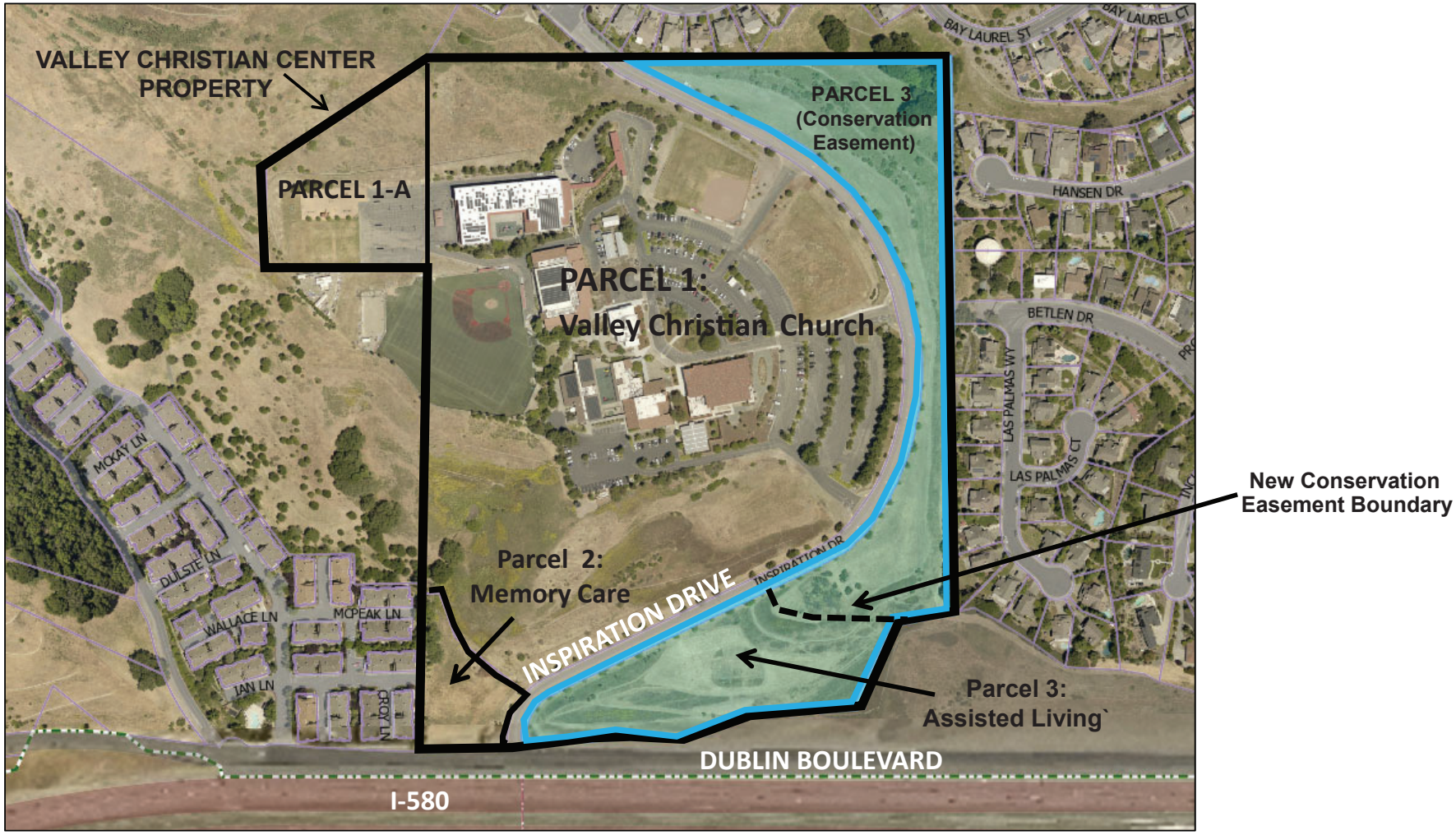


7500 Inspiration Drive

LSA

FIGURE 3

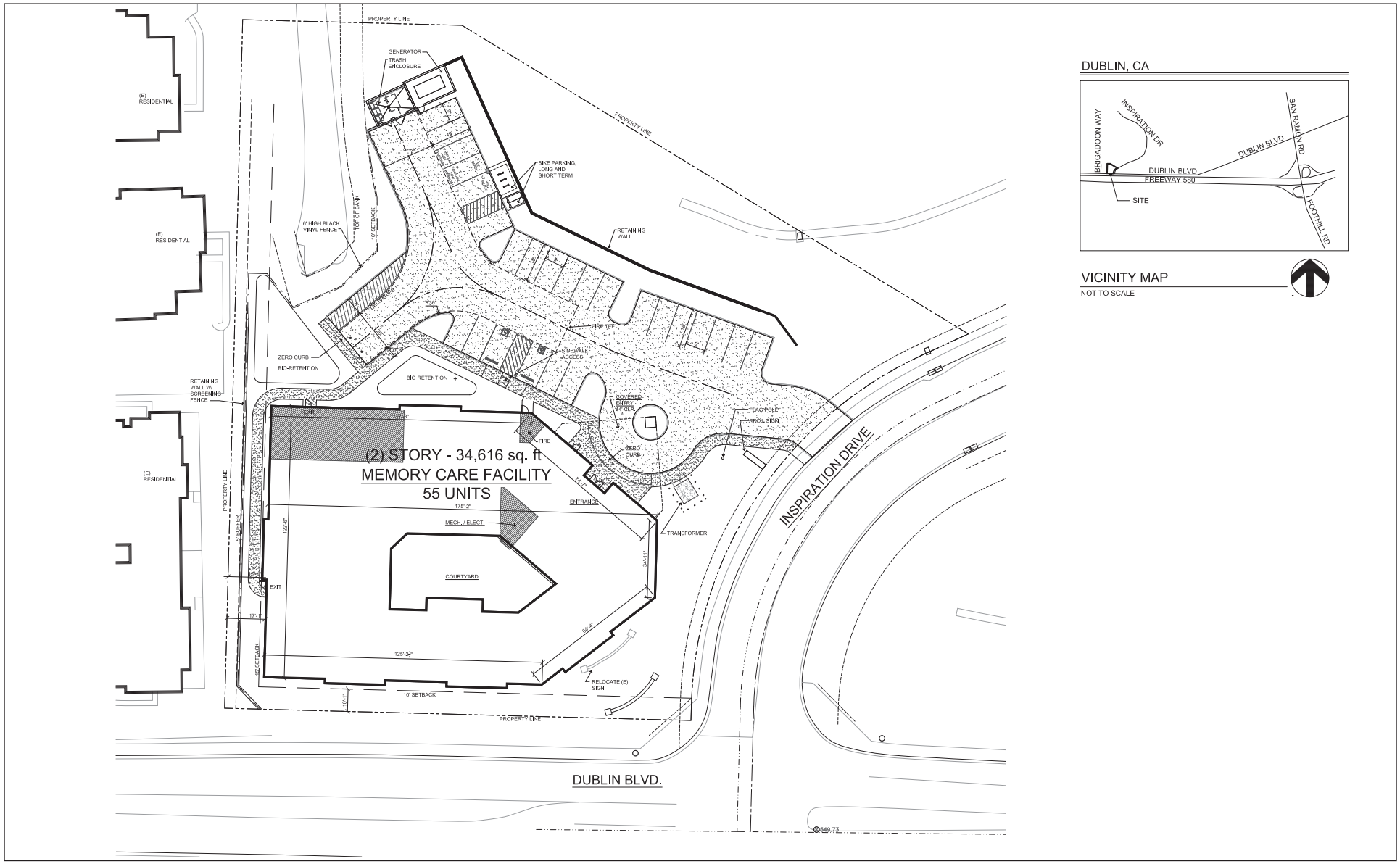
NOT TO SCALE

N

Inspiration Drive Memory Care and Assisted Living Facility Project
Proposed Parcel Layout

SOURCE: xxx

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 3.ai (1/8/2021)



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0 30 60
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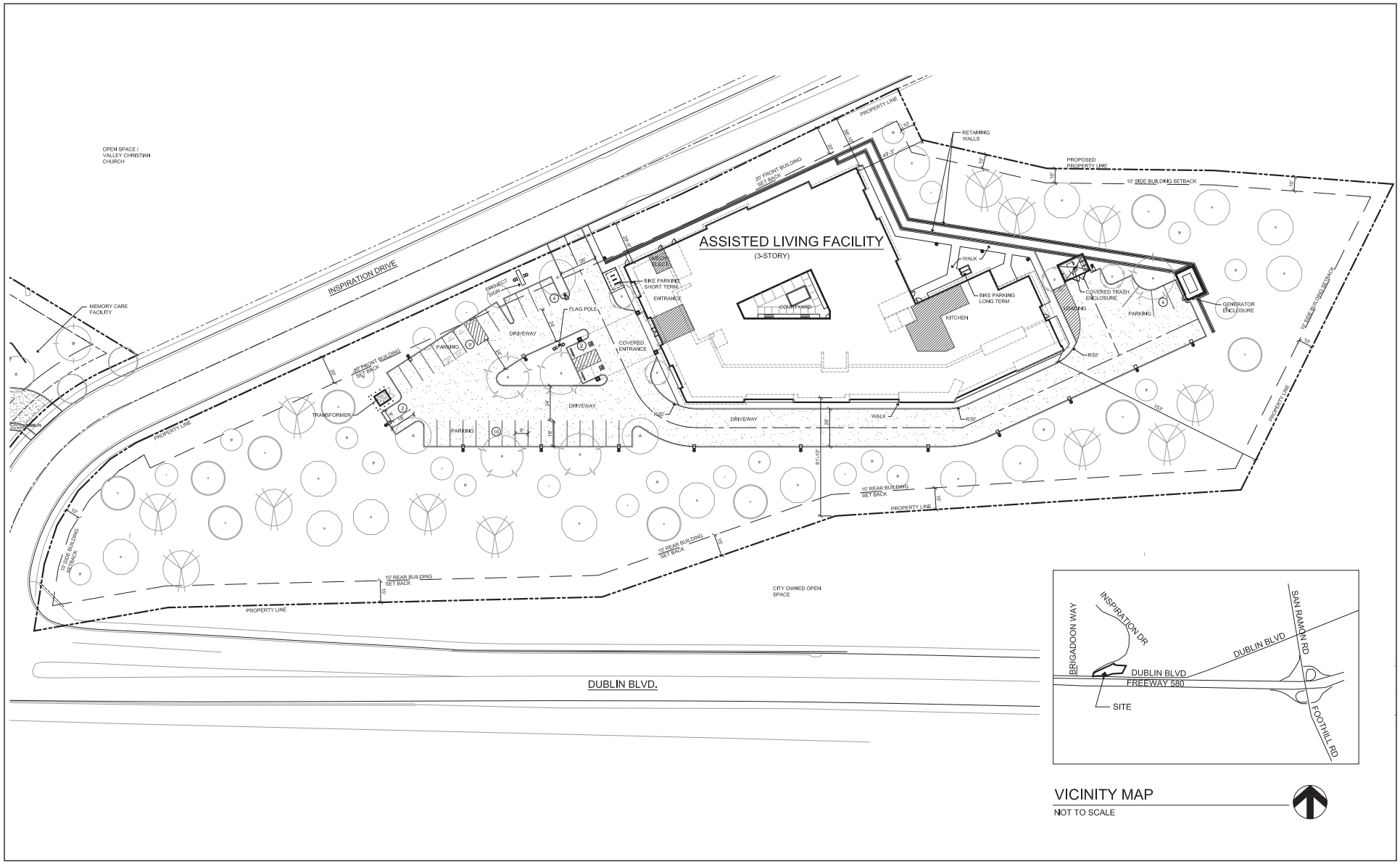
FIGURE 4

Inspiration Drive Memory Care and Assisted Living Facility Project

Memory Care Facility - Proposed Site Plan

SOURCES: Lenity Architecture, Inc.; FULCRM, 2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 4.ai (7/27/2021)



LSA

0 45 90
FEET

FIGURE 5

Inspiration Drive Memory Care and Assisted Living Facility Project

Assisted Living Facility - Proposed Site Plan

SOURCES: Lenity Architecture, Inc.; FULCRUM, 2021

P:\DUB1601.02 Inspiration Drive\PRODUCTS\Graphics\Figure 8.ai (7/27/2021)

Appendix E

Noise Measurement Data

Noise Measurement Survey – 24 HR

Project Number: DUB1601.02
Project Name: Inspiration Drive

Test Personnel: Jordan Roberts
Equipment: Larson Davis Spark 706RC

Site Number: LT-1 Date: 2/25/2021

Time: From 3:00 PM To 3:00 PM

Site Location: In bush at setback of adjacent residential building. Southwest corner of the project site. Approximately 25 feet from the outer edge of the outside lane of Dublin Boulevard, 70 feet from 18-foot masonry sound wall, 120 feet from center of westbound I-580 lanes.

Primary Noise Sources: Traffic on I-580 and Dublin Boulevard.

Location Photo:

Noise Measurement Survey – 24 HR

Project Number: DUB1601.02
Project Name: Inspiration Drive

Test Personnel: Jordan Roberts
Equipment: Larson Davis Spark 706RC

Site Number: LT-2 Date: 2/25/2021

Time: From 4:00 PM To 4:00 PM

Site Location: In bush on top of hill overlooking roadways, east of Inspiration Drive. Approximately 130 feet from the outer edge of the outside lane of Dublin Boulevard, 170 feet from 16-foot masonry sound wall, 230 feet from center of westbound I-580 lanes.

Primary Noise Sources: Traffic on I-580 and Dublin Boulevard.

Location Photo:

Appendix F

Traffic Analysis

LSA

CARLSBAD
FRESNO
IRVINE
LOS ANGELES
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

MEMORANDUM

DATE: April 30, 2021

TO: Pratyush Bhatia, City of Dublin

FROM: Arthur Black, LSA

SUBJECT: Inspiration Drive Memory Care and Assisted Living Facility Traffic Analysis

LSA is pleased to present this traffic analysis for the proposed Inspiration Drive Memory Care and Assisted Living Facility Project (project) at 7500 Inspiration Drive in Dublin, California. The purpose of this traffic memorandum is to identify and disclose any potential circulation effects to local intersections and access associated with the development of the proposed project.

Project Description

The project site is comprised of two vacant parcels which are part of the larger Valley Christian Center (VCC) site. The VCC site is bounded by single-family residential uses and open space to the west, single-family residential uses and the existing VCC complex to the north, Interstate 580 (I-580) to the south, and single-family residential uses to the east. The proposed project would construct two buildings, a 55-dwelling unit memory care facility (to be located at the northwest corner of Inspiration Drive/Dublin Boulevard, south of the VCC) and an 84-bed assisted living facility (to be located at the northeast corner of Inspiration Drive/Dublin Boulevard, east of the VCC). Both driveways are accessed via Inspiration Drive. Figure 1 (all figures are provided in Attachment A) shows the location of the proposed project and the study area intersections. Figure 2 illustrates the site plan.

Analysis Methodology

This traffic memorandum is prepared based on guidance provided by City of Dublin (City) staff and consistent with previous traffic analyses prepared for the City.

Study Area

Based on discussions with City staff, the project study area includes the following three intersections.

Intersections

1. Inspiration Drive/Dublin Boulevard
2. Inspiration Drive/Memory Care Driveway
3. Inspiration Drive/Assisted Living Driveway

Existing Traffic Volume Adjustments

Peak-hour turn movement volumes at the intersection of Inspiration Drive/Dublin Boulevard were collected by an independent data collection company on Tuesday, February 2, 2021.

Due to the global pandemic, COVID-19, traffic conditions are potentially atypical and reflect a reduced traffic volume. For example, the VCC does not offer traditional full day instruction. As such, adjustments to the existing traffic volumes were made to represent Existing (2021) no-pandemic conditions. LSA compared the inbound traffic volume collected in the a.m. peak hour and outbound traffic volume in the early afternoon (at the end of the school day) to the anticipated trip generation of the VCC operating at full capacity. Based on this comparison, additional traffic volume data (corresponding to 65 percent of a 1,300-student facility) were added to the existing traffic volume data. It should be noted that private school trips were distributed as 15 percent coming from and leaving towards the west and 85 percent coming from and leaving to the east, similar to observed traffic distribution. Figure 3 illustrates both sets of traffic volumes.

Intersection Level of Service Methodology

The *Highway Capacity Manual* 6th Edition (HCM) (Transportation Research Board 2017) methodology and Synchro (Version 10.1) software were used to determine level of service (LOS) at the signalized study area intersections. The HCM signalized intersection methodology presents LOS in terms of delay (in seconds per vehicle). This resulting delay is expressed in terms of LOS.

The relationship between LOS and delay (in seconds) for signalized intersections is as follows:

Level of Service	Signalized Intersection Delay (seconds)	Unsignalized Intersection Delay (seconds)
A	≤10.0	≤10.0
B	>10.0 and ≤20.0	>10.0 and ≤15.0
C	>20.0 and ≤35.0	>15.0 and ≤25.0
D	>35.0 and ≤55.0	>25.0 and ≤35.0
E	>55.0 and ≤80.0	>35.0 and ≤50.0
F	>80.0	>50.0

Source: *Highway Capacity Manual* (Transportation Research Board 2017).

Significance Criteria

The City of Dublin utilizes guidelines established by the Alameda County Transportation Commission (CTC), the County's Congestion Management Program, and the Metropolitan Transportation System (MTS) roadway segments (e.g. I-580, Interstate 680 [I-680], and State Route 84 [SR 84]) considers LOS D as the upper limit of satisfactory operations (intersections with a delay of 55.0 seconds or fewer). According to the City's improvement thresholds, a project will need to implement improvements when one of the following occurs to an intersection:

1. The addition of project traffic results in a service drop from LOS D or better to LOS E or F. Under this condition, the project is responsible for improvements necessary to restore the intersection to LOS D or better.

2. An intersection is operating at LOS E or F under the no-project scenario and the proposed project adds more than six seconds of average vehicle delay. Under this condition, the project is responsible for improvements necessary to restore the intersection to pre-project conditions or better.

3. An intersection operating at LOS F under the no-project scenario and the proposed project causes the overall volume-to-capacity (V/C) ratio to increase 0.03 or more seconds or the critical movement V/C ratio to increase 0.05 or more.

4. A queuing impact would occur if:

    a. Trip generated by the project causes the 95th percentile queue in a turn pocket to extend beyond the turn pocket by more than 25 feet (ft) (i.e., one vehicle) into adjacent traffic lanes or,

    b. If the 95th percentile queue already exceeds that turn pocket length under no project conditions, the project traffic lengthens the queue by more than 25 ft.

5. If the operations of an unsignalized intersection operate at unsatisfactory LOS with the addition of proposed project traffic, and if the installation of a traffic signal based on the *California Manual on Uniform Traffic Control Devices* (CAMUTCD) Peak Hour Signal Warrant (Warrant 3) is warranted.

Existing Conditions

Existing Circulation System

Key roadways in the vicinity of the proposed project are as follows:

- **Inspiration Drive:** According to the City of Dublin General Plan Circulation and Scenic Highways Element, Inspiration Drive is classified as a Local Residential roadway. Inspiration Drive is a two-lane divided, north-south roadway that provides access to the proposed assisted living center and memory care facility. The posted speed limit within the vicinity of the project site is 25 miles per hour (mph). Sidewalks are provided on the western side of the roadway. On-street bicycle lanes are not provided on either side of the street. On-street parking is prohibited.

- **Dublin Boulevard:** According to the City of Dublin General Plan Circulation and Scenic Highways Element, Dublin Boulevard is classified as an Arterial roadway. In the vicinity of the project, Dublin Boulevard is a two-lane divided, east-west roadway that provides regional access within the City. The posted speed limit is 40 mph. Sidewalks are provided on the northern side of the roadway. On-street bicycle lanes are not provided on either side of the street. On-street parking is prohibited.

As previously discussed, peak-hour traffic volume data were collected on Tuesday, February 2, 2021, and adjusted to approximate non-pandemic conditions. Traffic volume data are provided in Attachment B.

Existing Intersection Level of Service

Table A summarizes the results of the Existing a.m. and p.m. peak-hour LOS analysis for the study area intersections. All HCM analysis worksheets are provided in Attachment C. Table A indicates that all study area intersections operate at acceptable LOS (LOS D or better) in the a.m. and p.m. peak hours.

Table A: Existing Intersection Level of Service Summary

Study Area No.	Intersection	AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
1	Inspiration Drive/Dublin Boulevard	13.3	B	12.7	B
2	Inspiration Drive/Memory Care Driveway	Future Driveway			
3	Inspiration Drive/Assisted Living Driveway	Future Driveway			

LOS = level of service
sec = seconds

Estimated Non-pandemic Existing Intersection Level of Service

Table B summarizes the results of the Existing and Existing (non-pandemic) a.m. and p.m. peak-hour LOS analysis for the study area intersections. Table B indicates that all study area intersections operate at acceptable LOS (LOS D or better) in the a.m. and p.m. peak hours.

Table B: Estimated Non-Pandemic Existing Intersection Level of Service Summary

Study Area No.	Intersection	AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
1	Inspiration Drive/Dublin Boulevard	45.3	D	12.5	B
2	Inspiration Drive/Memory Care Driveway	Future Driveway			
3	Inspiration Drive/Assisted Living Driveway	Future Driveway			

LOS = level of service
sec = seconds

Project Impacts

Trip Generation

The daily and peak-hour trips for the proposed project were generated using trip rates contained in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (2017). The project trip generation is presented in Table C. As Table C indicates, the proposed 55-dwelling unit memory care building would generate 111 trips per day, including 4 trips (2 inbound and 2 outbound) in the a.m. peak hour and 10 (6 inbound and 4 outbound) trips in the p.m. peak hour. Additionally, the proposed 84-bed assisted living facility would generate 218 trips per day, including 16 trips (10 inbound and 6 outbound) in the a.m. peak hour and 22 (8 inbound and 13 outbound) trips in the p.m. peak hour. As such, the proposed project is anticipated to generate a total of 329 trips per day, including 20 trips (12 inbound and 8 outbound) in the a.m. peak hour and 32 trips (14 inbound and 17 outbound) in the p.m. peak hour.

Table C: Project Trip Generation Summary

Land Use (Land Use Code)	Size	Unit	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Trip Rates[1]									
Congregate Care Facility (253)		DU	2.02	0.04	0.03	0.07	0.10	0.08	0.18
Assisted Living (254)		Bed	2.60	0.12	0.07	0.19	0.10	0.16	0.26
Trip Generation									
Memory Care (Parcel 2)	55	DU	111	2	2	4	6	4	10
Assisted Living (Parcel 3)	84	Bed	218	10	6	16	8	13	22
Total			329	12	8	20	14	17	32

[1] Trip rates referenced from the ITE *Trip Generation Manual*, 10th Edition, and supplement
ADT = average daily trips
DU = dwelling unit
ITE = Institute of Transportation Engineers

Trip Distribution and Assignment

To determine trip distribution for the proposed project, LSA considered likely traffic patterns to and from local and regional destinations and transportation facilities. Based on the current observed travel patterns, traffic to and from the project site was distributed south towards the Inspiration Drive/Dublin Boulevard intersection. At the intersection with Dublin Boulevard, 15 percent of trips were distributed to and from the west along Dublin Boulevard, and 85 percent of trips were distributed to and from the east along Dublin Boulevard towards the I-580 freeway access. Figure 3 illustrates the project trip assignment.

Estimated Non-Pandemic Existing Plus Project Condition

To demonstrate the effect that the project would have on the study area intersections in the Existing condition, an Existing Plus Project LOS analysis was prepared. Figure 3 illustrates the resulting traffic volume. This analysis assumes the operation of the 55-dwelling unit memory care building and 84-bed assisted living building during Non-Pandemic (Modified Existing) conditions.

Table D summarizes the results of the estimated Non-Pandemic Existing Plus Project peak-hour LOS analysis for the three study area intersections. Table D indicates that all study area intersections operate at acceptable LOS (LOS D or better) in the a.m. and p.m. peak hours. Therefore, the project can be implemented in an existing setting with no peak hour LOS impacts to the surrounding intersections.

Table D: Estimated Non-Pandemic Existing Plus Project Level of Service Summary

Study Area No.	Intersections	Baseline				Plus Project			
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
1	Inspiration Drive/Dublin Boulevard	45.3	D	12.5	B	49.1	D	12.5	B
2	Inspiration Drive/Memory Care Driveway	Future Driveway				11.1	B	9.4	A
3	Inspiration Drive/Assisted Living Driveway	Future Driveway				21.9	C	10.5	B

LOS = level of service
sec = seconds

Access Analysis and Sight Distance

Access Analysis

LSA determined the projected peak hour LOS at the proposed Memory Care and Assisted Living Driveways using HCM methodologies under estimated Non-Pandemic Existing Plus Project conditions. As previously illustrated, the Memory Care Driveway would operate at satisfactory LOS with the Modified Existing Plus Project condition during both peak hours (LOS B during the a.m. peak hour and LOS A during the p.m. peak hour). Additionally, the Assisted Living Driveway would operate at satisfactory LOS during both peak hours (LOS C during the a.m. peak hour and LOS B during the p.m. peak hour).

LSA analyzed the proposed Memory Care Driveway intersections' 95th percentile queuing and storage length to determine if queues would interfere with the Inspiration Drive/Dublin Boulevard intersection. The Memory Care Driveway is located 125 ft north of the Inspiration Drive/Dublin Boulevard intersection. As illustrated in the HCM worksheets, the anticipated northbound left-turn queue into the Memory Care Driveway is less than one vehicle length during both peak hours. Similarly, the anticipated northbound right-turn queue into the Assisted Living Driveway is less than one vehicle length during both peak hours. As such, vehicles would not be anticipated to interrupt traffic flow along Inspiration Drive.

Sight Distance

A sight distance analysis was conducted along Inspiration Drive at the proposed Memory Care and Assisted Living Driveways. In the project vicinity, the Inspiration Drive speed limit is 25 mph. According to Table 6C-2 of the *California Manual on Uniform Traffic Control Devices* (CAMUTCD), the stopping sight distance for a roadway with the speed limit of 25 mph is 155 ft. However, Inspiration Drive presents an uphill grade in the northbound direction. Stopping sight distance is shorter for vehicles traveling uphill and longer for vehicles traveling downhill. The American Association of State Highway and Transportation Officials (AASHTO) publication *A Policy on Geometric Design of Highways and Streets* (i.e., the Green Book) presents calculations for stopping sight distance on grades. According to Table 3-2 of the Green Book, for a speed of 25 mph and a grade of up to 6 percent, stopping sight distance increases to 165 feet for vehicles traveling downhill and decreases to 143 feet for vehicles traveling uphill.

The Green Book also presents design intersection sight distance for right-turns and left-turns from stops. As requested by the City, LSA considered whether a distance of 240 feet is available for right-turns and 280 feet is available for left-turns. LSA also considered whether 205 feet northbound is provided for vehicles deciding when to make their northbound left-turn into the memory care facility.

Figure 4 illustrates the sight distance along Inspiration Drive. As shown in this figure, both driveways would provide 280 feet of sight distance for left-turning vehicles. At the assisted living driveway, the prescribed 240 feet of sight distance is provided for right-turning vehicles. At the memory care driveway, northbound left-turning vehicles would have 205 feet of visibility for oncoming traffic. While the memory care driveway is located less than 240 feet from the intersection with Dublin

Boulevard, the minimum stopping sight distance is provided. It should also be noted that vehicles approaching from Dublin Boulevard would be traveling slower having completed a turning movement. Therefore, it is anticipated that adequate sight distance is available at the proposed driveways.

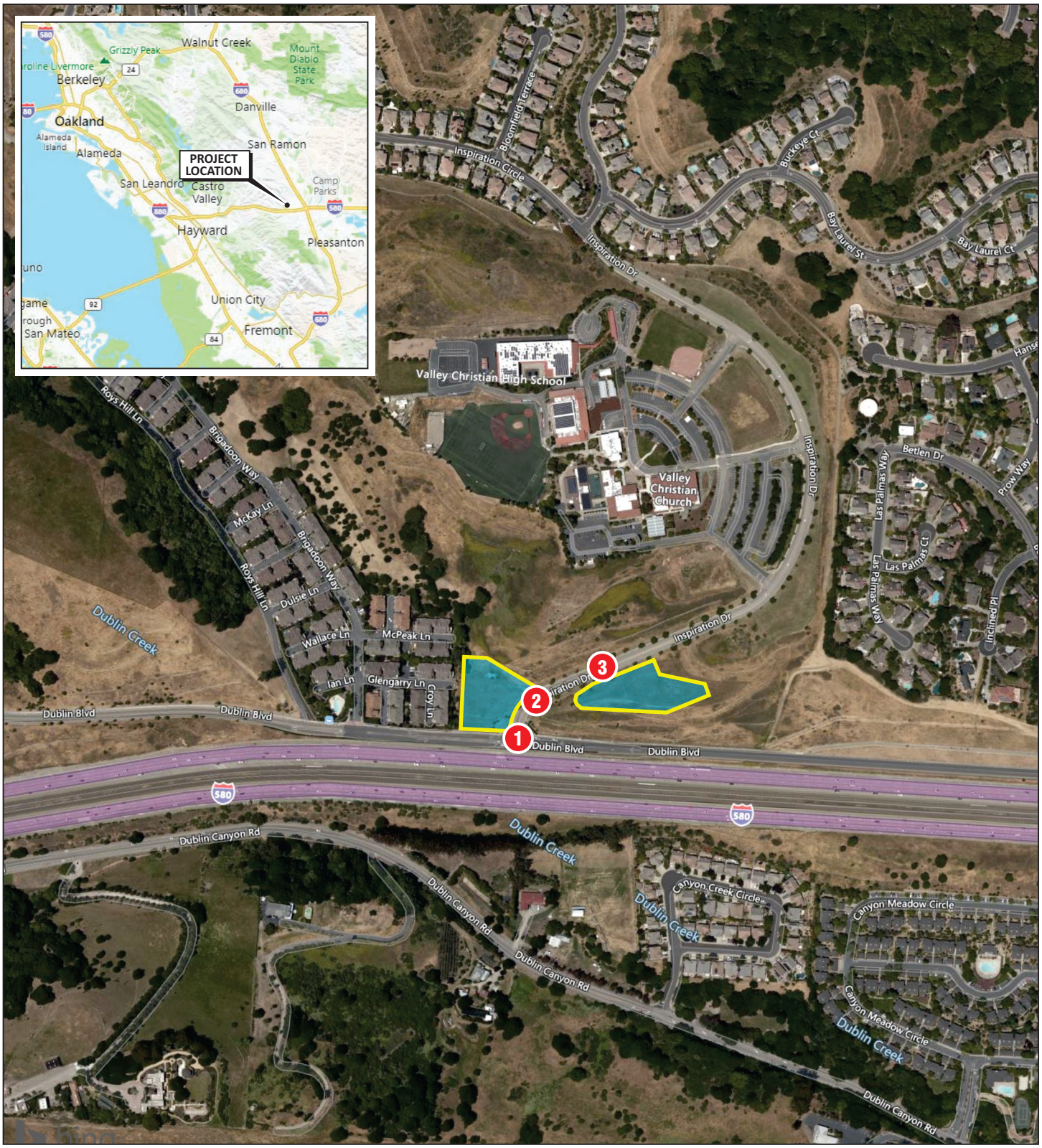
Conclusions

Based on the results of this analysis, the proposed memory care and assisted living facilities can be implemented without impacting the LOS of the surrounding circulation system. The evaluation of the study area intersection LOS with the inclusion of trips generated by the project shows that the project would not create any adverse LOS impacts according to the City's performance criteria.

Attachments: A: Figures
B: Traffic Volume Data
C: Level of Service Worksheets

ATTACHMENT A

FIGURES



LSA

FIGURE 1

LEGEND

Project Site

Study Area Intersection

N

0 250 500

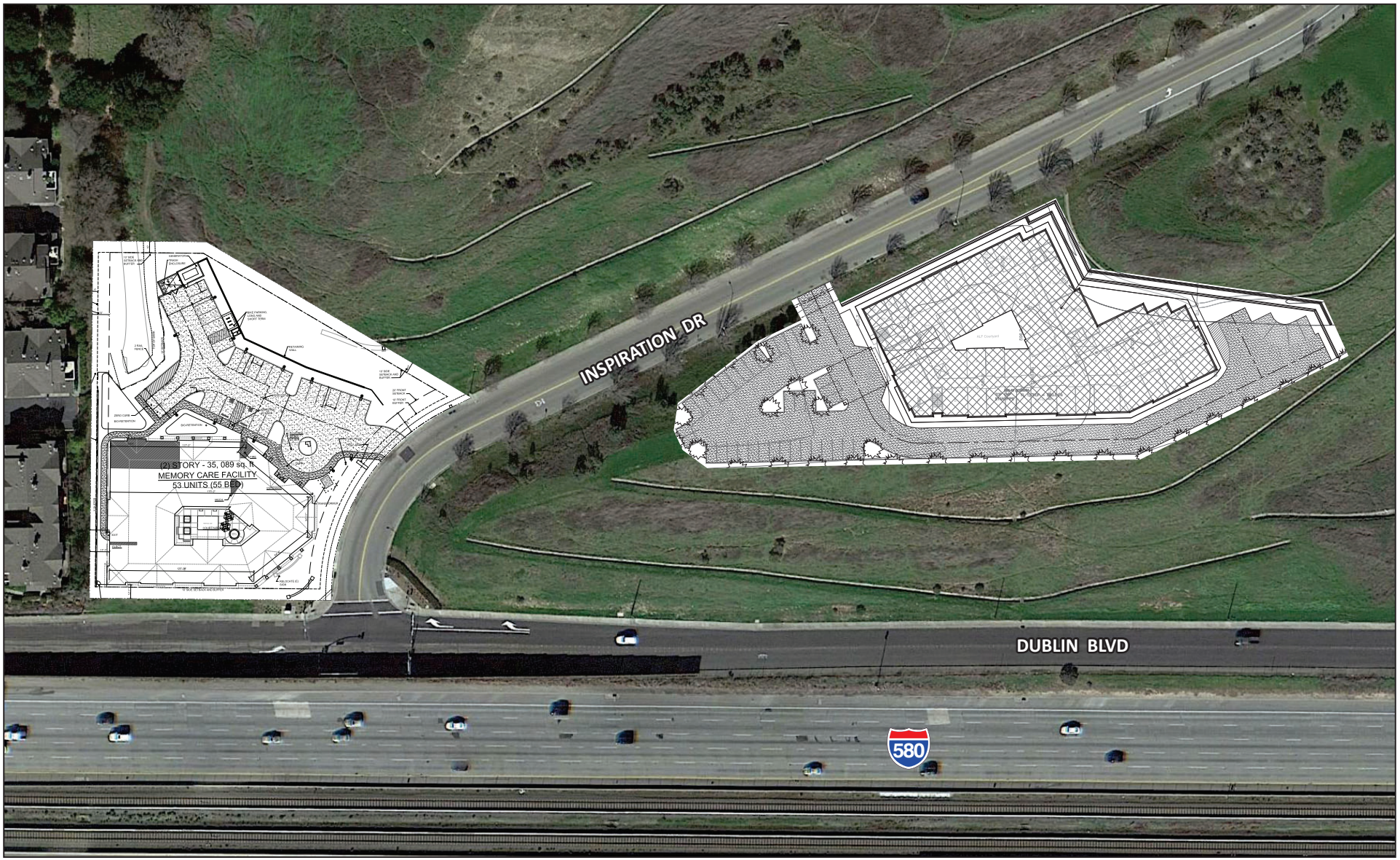
FEET

SOURCE: Bing Maps

Inspiration Drive Assisted Living

Project Location and Study Area Intersections

I:\DUB1601.02\G\Location&Ints.cdr (4/12/2021)



LSA

FIGURE 2

N

0 60 120
FEET

SOURCE: Google Earth, Lenity Architecture, Inc.

I:\DUB1601.02\G\Site Plan.cdr (4/12/2021)

Inspiration Drive Assisted Living
Site Plan

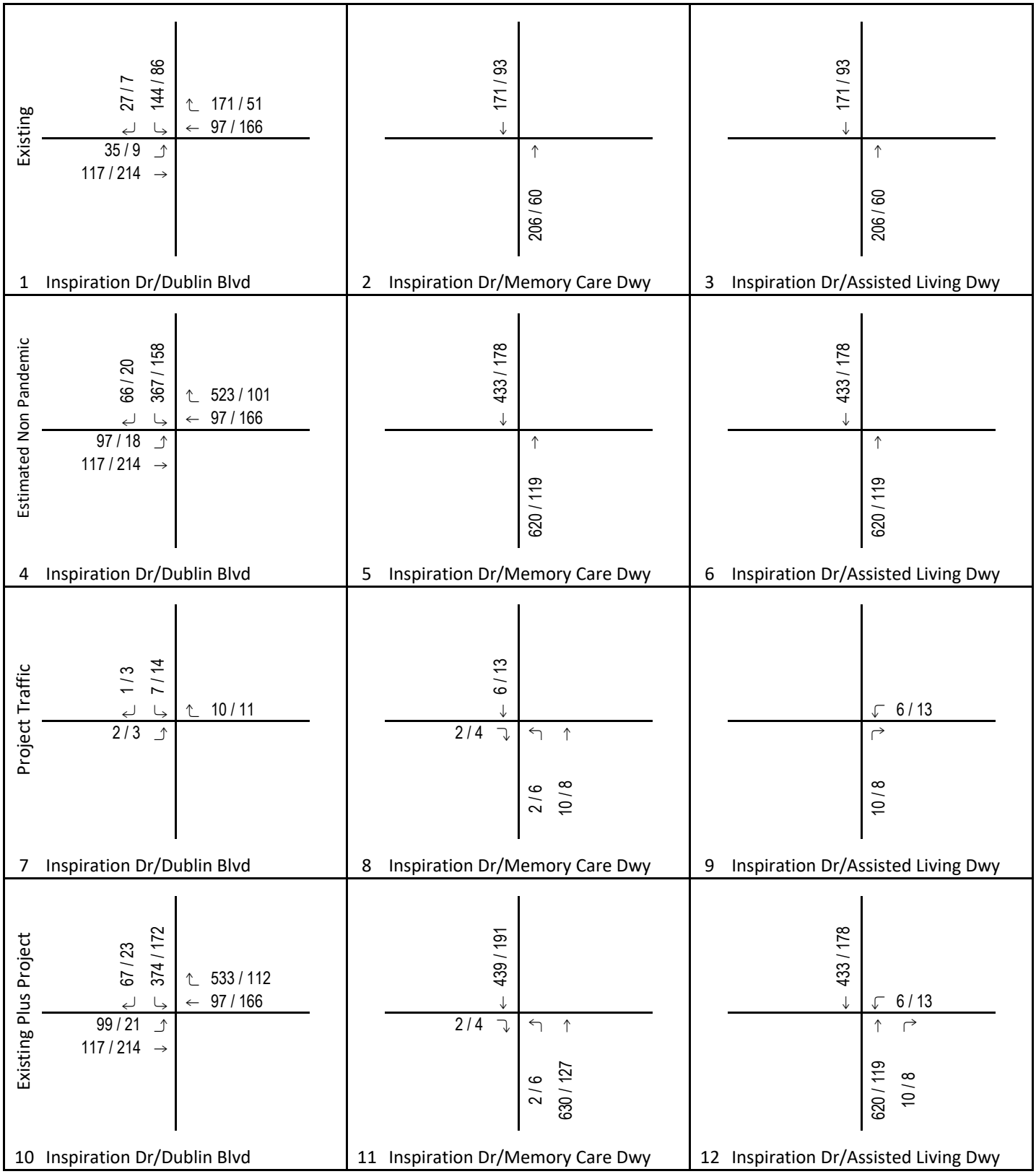


FIGURE 3

LSA

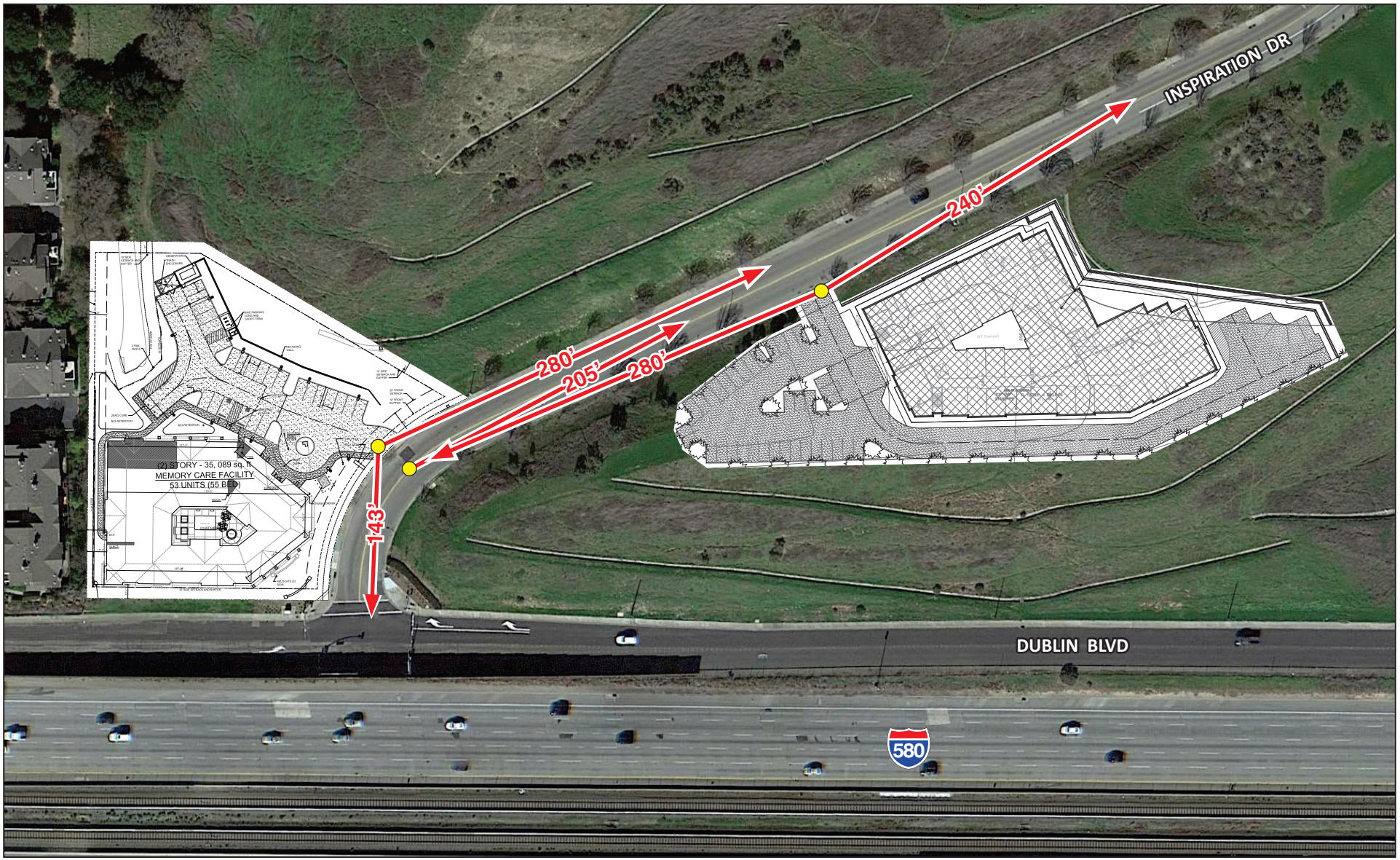
LEGEND

XXX / YYY AM / PM Volume

Inspiration Drive Assisted Living

Traffic Volumes

\\PTR11\projects\DUB1601.02 Inspiration Drive\PRODUCTS\Traffic\xls\Traffic Volume Figure.xlsx (4/30/2021)



LSA

FIGURE 4

N

0 60 120
FEET

SOURCE: Google Earth, Lenity Architecture, Inc.

I:\DUB1601.02\G\Sight Distance.cdr (4/30/2021)

Inspiration Drive Assisted Living

Sight Distance

ATTACHMENT B

TRAFFIC VOLUME DATA

National Data & Surveying Services Intersection Turning Movement Count

Location: Inspiration Dr & Dublin Blvd
City: Dublin
Control: Signalized

Project ID: 21-080009-001
Date: 2/2/2021

Data - Total

NS/EW Streets:	Inspiration Dr				Inspiration Dr				Dublin Blvd				Dublin Blvd				
AM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	0	0	0	0	0	1	0	0	1	1	0	0	0	1	1	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
7:00 AM	0	0	0	0	2	0	0	0	2	15	0	0	0	9	6	0	34
7:15 AM	0	0	0	0	5	0	2	0	4	11	0	0	0	7	20	0	49
7:30 AM	0	0	0	0	9	0	0	0	3	25	0	0	0	11	14	0	62
7:45 AM	0	0	0	0	14	0	1	0	8	23	0	0	0	22	35	0	103
8:00 AM	0	0	0	0	55	0	10	0	18	24	0	0	0	14	80	0	201
8:15 AM	0	0	0	0	55	0	14	0	6	36	0	0	0	31	30	0	172
8:30 AM	0	0	0	0	20	0	2	0	3	34	0	0	0	30	26	0	115
8:45 AM	0	0	0	0	12	0	3	0	1	39	0	0	0	28	5	0	88
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
TOTAL VOLUMES :	0	0	0	0	172	0	32	0	45	207	0	0	0	152	216	0	824
APPROACH %'s :					84.31%	0.00%	15.69%	0.00%	17.86%	82.14%	0.00%	0.00%	0.00%	41.30%	58.70%	0.00%	
PEAK HR :	07:45 AM - 08:45 AM																TOTAL
PEAK HR VOL :	0	0	0	0	144	0	27	0	35	117	0	0	0	97	171	0	591
PEAK HR FACTOR :	0.000	0.000	0.000	0.000	0.655	0.000	0.482	0.000	0.486	0.813	0.000	0.000	0.000	0.782	0.534	0.000	0.735
					0.620				0.905				0.713				

PM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	0	0	0	0	0	1	0	0	1	1	0	0	0	1	1	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
4:00 PM	0	0	0	0	24	0	1	0	1	59	0	0	0	35	14	0	134
4:15 PM	0	0	0	0	13	0	1	0	1	49	0	0	0	46	7	0	117
4:30 PM	0	0	0	0	23	0	4	0	2	57	0	0	0	38	18	0	142
4:45 PM	0	0	0	0	26	0	1	0	5	49	0	0	0	47	12	0	140
5:00 PM	0	0	0	0	15	0	3	0	1	42	0	0	0	43	11	0	115
5:15 PM	0	0	0	0	14	0	2	0	5	33	0	0	0	39	12	0	105
5:30 PM	0	0	0	0	12	0	3	0	4	34	0	0	0	41	10	0	104
5:45 PM	0	0	0	0	15	0	2	0	2	33	0	0	0	38	13	0	103
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
TOTAL VOLUMES :	0	0	0	0	142	0	17	0	21	356	0	0	0	327	97	0	960
APPROACH %'s :					89.31%	0.00%	10.69%	0.00%	5.57%	94.43%	0.00%	0.00%	0.00%	77.12%	22.88%	0.00%	
PEAK HR :	04:00 PM - 05:00 PM																TOTAL
PEAK HR VOL :	0	0	0	0	86	0	7	0	9	214	0	0	0	166	51	0	533
PEAK HR FACTOR :	0.000	0.000	0.000	0.000	0.827	0.000	0.438	0.000	0.450	0.907	0.000	0.000	0.000	0.883	0.708	0.000	0.938
					0.861				0.929				0.919				

ATTACHMENT C

LEVEL OF SERVICE WORKSHEETS

HCM 6th Signalized Intersection Summary
1: Dublin Blvd & Inspiration Dr

02/12/2021

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	35	117	97	171	144	27
Future Volume (veh/h)	35	117	97	171	144	27
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00			1.00	1.00	1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No	No		No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1900	1900
Adj Flow Rate, veh/h	38	127	105	186	157	29
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	0	0
Cap, veh/h	77	623	335	284	652	121
Arrive On Green	0.04	0.33	0.18	0.18	0.44	0.44
Sat Flow, veh/h	1781	1870	1870	1585	1468	271
Grp Volume(v), veh/h	38	127	105	186	187	0
Grp Sat Flow(s),veh/h/ln	1781	1870	1870	1585	1748	0
Q Serve(g_s), s	0.8	2.0	2.0	4.4	2.7	0.0
Cycle Q Clear(g_c), s	0.8	2.0	2.0	4.4	2.7	0.0
Prop In Lane	1.00			1.00	0.84	0.16
Lane Grp Cap(c), veh/h	77	623	335	284	777	0
V/C Ratio(X)	0.50	0.20	0.31	0.66	0.24	0.00
Avail Cap(c_a), veh/h	220	831	831	705	777	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	18.9	9.7	14.5	15.5	7.0	0.0
Incr Delay (d2), s/veh	4.9	0.2	0.5	2.6	0.7	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.4	0.7	0.8	1.5	0.9	0.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	23.9	9.8	15.0	18.0	7.7	0.0
LnGrp LOS	C	A	B	B	A	A
Approach Vol, veh/h		165	291		187	
Approach Delay, s/veh		13.1	16.9		7.7	
Approach LOS		B	B		A	

Timer - Assigned Phs		4		6	7	8
Phs Duration (G+Y+Rc), s		18.0		22.5	6.2	11.8
Change Period (Y+Rc), s		4.5		4.5	4.5	4.5
Max Green Setting (Gmax), s		18.0		18.0	5.0	18.0
Max Q Clear Time (g_c+I1), s		4.0		4.7	2.8	6.4
Green Ext Time (p_c), s		0.5		0.4	0.0	0.9

Intersection Summary	
HCM 6th Ctrl Delay	13.3
HCM 6th LOS	B

Notes

User approved changes to right turn type.

Intersection	
Int Delay, s/veh	0

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	0	0	206	171	0
Future Vol, veh/h	0	0	0	206	171	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	0	224	186	0

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	410	186	186	0	-	0
Stage 1	186	-	-	-	-	-
Stage 2	224	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	598	856	1388	-	-	-
Stage 1	846	-	-	-	-	-
Stage 2	813	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	598	856	1388	-	-	-
Mov Cap-2 Maneuver	598	-	-	-	-	-
Stage 1	846	-	-	-	-	-
Stage 2	813	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	0	0	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1388	-	-	-	-
HCM Lane V/C Ratio	-	-	-	-	-
HCM Control Delay (s)	0	-	0	-	-
HCM Lane LOS	A	-	A	-	-
HCM 95th %tile Q(veh)	0	-	-	-	-

Intersection	
Int Delay, s/veh	0

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	0	0	206	0	0	171
Future Vol, veh/h	0	0	206	0	0	171
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	224	0	0	186

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	410	224	0	0	224	0
Stage 1	224	-	-	-	-	-
Stage 2	186	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	598	815	-	-	1345	-
Stage 1	813	-	-	-	-	-
Stage 2	846	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	598	815	-	-	1345	-
Mov Cap-2 Maneuver	598	-	-	-	-	-
Stage 1	813	-	-	-	-	-
Stage 2	846	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	0	0	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	-	1345	-
HCM Lane V/C Ratio	-	-	-	-	-
HCM Control Delay (s)	-	-	0	0	-
HCM Lane LOS	-	-	A	A	-
HCM 95th %tile Q(veh)	-	-	-	0	-

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	9	214	166	51	86	7
Future Volume (veh/h)	9	214	166	51	86	7
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00			1.00	1.00	1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No	No		No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1900	1900
Adj Flow Rate, veh/h	10	233	180	55	93	8
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	0	0
Cap, veh/h	23	550	306	259	757	65
Arrive On Green	0.01	0.29	0.16	0.16	0.47	0.47
Sat Flow, veh/h	1781	1870	1870	1585	1609	138
Grp Volume(v), veh/h	10	233	180	55	102	0
Grp Sat Flow(s),veh/h/ln	1781	1870	1870	1585	1765	0
Q Serve(g_s), s	0.2	3.8	3.4	1.2	1.2	0.0
Cycle Q Clear(g_c), s	0.2	3.8	3.4	1.2	1.2	0.0
Prop In Lane	1.00			1.00	0.91	0.08
Lane Grp Cap(c), veh/h	23	550	306	259	830	0
V/C Ratio(X)	0.43	0.42	0.59	0.21	0.12	0.00
Avail Cap(c_a), veh/h	233	880	880	746	830	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	18.7	10.9	14.8	13.9	5.7	0.0
Incr Delay (d2), s/veh	11.8	0.5	1.8	0.4	0.3	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.2	1.3	1.4	0.4	0.4	0.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	30.5	11.4	16.6	14.3	6.0	0.0
LnGrp LOS	C	B	B	B	A	A
Approach Vol, veh/h		243	235		102	
Approach Delay, s/veh		12.2	16.1		6.0	
Approach LOS		B	B		A	

Timer - Assigned Phs			4		6	7	8
Phs Duration (G+Y+Rc), s			15.8		22.5	5.0	10.8
Change Period (Y+Rc), s			4.5		4.5	4.5	4.5
Max Green Setting (Gmax), s			18.0		18.0	5.0	18.0
Max Q Clear Time (g_c+I1), s			5.8		3.2	2.2	5.4
Green Ext Time (p_c), s			1.0		0.2	0.0	0.9

Intersection Summary	
HCM 6th Ctrl Delay	12.7
HCM 6th LOS	B

Notes

User approved changes to right turn type.

Intersection	
Int Delay, s/veh	0

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	0	0	60	93	0
Future Vol, veh/h	0	0	0	60	93	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	0	65	101	0

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	166	101	101	0	-	0
Stage 1	101	-	-	-	-	-
Stage 2	65	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	824	954	1491	-	-	-
Stage 1	923	-	-	-	-	-
Stage 2	958	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	824	954	1491	-	-	-
Mov Cap-2 Maneuver	824	-	-	-	-	-
Stage 1	923	-	-	-	-	-
Stage 2	958	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	0	0	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1491	-	-	-	-
HCM Lane V/C Ratio	-	-	-	-	-
HCM Control Delay (s)	0	-	0	-	-
HCM Lane LOS	A	-	A	-	-
HCM 95th %tile Q(veh)	0	-	-	-	-

Intersection	
Int Delay, s/veh	0

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	0	0	60	0	0	93
Future Vol, veh/h	0	0	60	0	0	93
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	65	0	0	101

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	166	65	0	0	65	0
Stage 1	65	-	-	-	-	-
Stage 2	101	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	824	999	-	-	1537	-
Stage 1	958	-	-	-	-	-
Stage 2	923	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	824	999	-	-	1537	-
Mov Cap-2 Maneuver	824	-	-	-	-	-
Stage 1	958	-	-	-	-	-
Stage 2	923	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	0	0	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	-	1537	-
HCM Lane V/C Ratio	-	-	-	-	-
HCM Control Delay (s)	-	-	0	0	-
HCM Lane LOS	-	-	A	A	-
HCM 95th %tile Q(veh)	-	-	-	0	-

HCM 6th Signalized Intersection Summary
1: Dublin Blvd & Inspiration Dr

02/12/2021

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	97	117	97	523	367	66
Future Volume (veh/h)	97	117	97	523	367	66
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00			1.00	1.00	1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No	No		No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1900	1900
Adj Flow Rate, veh/h	105	127	105	568	399	72
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	0	0
Cap, veh/h	134	927	629	533	497	90
Arrive On Green	0.08	0.50	0.34	0.34	0.34	0.34
Sat Flow, veh/h	1781	1870	1870	1585	1478	267
Grp Volume(v), veh/h	105	127	105	568	472	0
Grp Sat Flow(s),veh/h/ln	1781	1870	1870	1585	1748	0
Q Serve(g_s), s	3.1	2.0	2.1	18.0	13.1	0.0
Cycle Q Clear(g_c), s	3.1	2.0	2.1	18.0	13.1	0.0
Prop In Lane	1.00			1.00	0.85	0.15
Lane Grp Cap(c), veh/h	134	927	629	533	588	0
V/C Ratio(X)	0.78	0.14	0.17	1.07	0.80	0.00
Avail Cap(c_a), veh/h	166	927	629	533	588	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	24.3	7.3	12.5	17.8	16.2	0.0
Incr Delay (d2), s/veh	17.3	0.1	0.1	57.7	11.1	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.9	0.6	0.8	14.1	6.3	0.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	41.7	7.4	12.6	75.4	27.2	0.0
LnGrp LOS	D	A	B	F	C	A
Approach Vol, veh/h		232	673		472	
Approach Delay, s/veh		22.9	65.6		27.2	
Approach LOS		C	E		C	

Timer - Assigned Phs		4		6	7	8
Phs Duration (G+Y+Rc), s		31.0		22.5	8.5	22.5
Change Period (Y+Rc), s		4.5		4.5	4.5	4.5
Max Green Setting (Gmax), s		18.0		18.0	5.0	18.0
Max Q Clear Time (g_c+I1), s		4.0		15.1	5.1	20.0
Green Ext Time (p_c), s		0.5		0.5	0.0	0.0

Intersection Summary	
HCM 6th Ctrl Delay	45.3
HCM 6th LOS	D

Notes

User approved changes to right turn type.

Intersection	
Int Delay, s/veh	0

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	0	0	620	433	0
Future Vol, veh/h	0	0	0	620	433	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	0	674	471	0

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	1145	471	471	0	-	0
Stage 1	471	-	-	-	-	-
Stage 2	674	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	221	593	1091	-	-	-
Stage 1	628	-	-	-	-	-
Stage 2	506	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	221	593	1091	-	-	-
Mov Cap-2 Maneuver	221	-	-	-	-	-
Stage 1	628	-	-	-	-	-
Stage 2	506	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	0	0	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1091	-	-	-	-
HCM Lane V/C Ratio	-	-	-	-	-
HCM Control Delay (s)	0	-	0	-	-
HCM Lane LOS	A	-	A	-	-
HCM 95th %tile Q(veh)	0	-	-	-	-

Intersection	
Int Delay, s/veh	0

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	0	0	620	0	0	433
Future Vol, veh/h	0	0	620	0	0	433
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	674	0	0	471

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1145	674	0	0	674	0
Stage 1	674	-	-	-	-	-
Stage 2	471	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	221	455	-	-	917	-
Stage 1	506	-	-	-	-	-
Stage 2	628	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	221	455	-	-	917	-
Mov Cap-2 Maneuver	221	-	-	-	-	-
Stage 1	506	-	-	-	-	-
Stage 2	628	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	0	0	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	-	917	-
HCM Lane V/C Ratio	-	-	-	-	-
HCM Control Delay (s)	-	-	0	0	-
HCM Lane LOS	-	-	A	A	-
HCM 95th %tile Q(veh)	-	-	-	0	-

HCM 6th Signalized Intersection Summary
1: Dublin Blvd & Inspiration Dr

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Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	18	214	166	101	158	20
Future Volume (veh/h)	18	214	166	101	158	20
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00			1.00	1.00	1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No	No		No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1900	1900
Adj Flow Rate, veh/h	20	233	180	110	172	22
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	0	0
Cap, veh/h	44	575	312	264	716	92
Arrive On Green	0.02	0.31	0.17	0.17	0.46	0.46
Sat Flow, veh/h	1781	1870	1870	1585	1550	198
Grp Volume(v), veh/h	20	233	180	110	195	0
Grp Sat Flow(s),veh/h/ln	1781	1870	1870	1585	1757	0
Q Serve(g_s), s	0.4	3.8	3.5	2.4	2.6	0.0
Cycle Q Clear(g_c), s	0.4	3.8	3.5	2.4	2.6	0.0
Prop In Lane	1.00			1.00	0.88	0.11
Lane Grp Cap(c), veh/h	44	575	312	264	812	0
V/C Ratio(X)	0.45	0.41	0.58	0.42	0.24	0.00
Avail Cap(c_a), veh/h	229	864	864	732	812	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	18.7	10.7	15.0	14.5	6.3	0.0
Incr Delay (d2), s/veh	6.9	0.5	1.7	1.0	0.7	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.2	1.3	1.4	0.8	0.8	0.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	25.7	11.1	16.7	15.6	7.0	0.0
LnGrp LOS	C	B	B	B	A	A
Approach Vol, veh/h		253	290		195	
Approach Delay, s/veh		12.3	16.2		7.0	
Approach LOS		B	B		A	

Timer - Assigned Phs		4		6	7	8
Phs Duration (G+Y+Rc), s		16.5		22.5	5.5	11.0
Change Period (Y+Rc), s		4.5		4.5	4.5	4.5
Max Green Setting (Gmax), s		18.0		18.0	5.0	18.0
Max Q Clear Time (g_c+I1), s		5.8		4.6	2.4	5.5
Green Ext Time (p_c), s		1.0		0.4	0.0	1.1

Intersection Summary	
HCM 6th Ctrl Delay	12.5
HCM 6th LOS	B

Notes

User approved changes to right turn type.

Intersection	
Int Delay, s/veh	0

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	0	0	119	178	0
Future Vol, veh/h	0	0	0	119	178	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	0	129	193	0

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	322	193	193	0	-	0
Stage 1	193	-	-	-	-	-
Stage 2	129	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	672	849	1380	-	-	-
Stage 1	840	-	-	-	-	-
Stage 2	897	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	672	849	1380	-	-	-
Mov Cap-2 Maneuver	672	-	-	-	-	-
Stage 1	840	-	-	-	-	-
Stage 2	897	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	0	0	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1380	-	-	-	-
HCM Lane V/C Ratio	-	-	-	-	-
HCM Control Delay (s)	0	-	0	-	-
HCM Lane LOS	A	-	A	-	-
HCM 95th %tile Q(veh)	0	-	-	-	-

Intersection	
Int Delay, s/veh	0

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	0	0	119	0	0	178
Future Vol, veh/h	0	0	119	0	0	178
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	129	0	0	193

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	322	129	0	0	129	0
Stage 1	129	-	-	-	-	-
Stage 2	193	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	672	921	-	-	1457	-
Stage 1	897	-	-	-	-	-
Stage 2	840	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	672	921	-	-	1457	-
Mov Cap-2 Maneuver	672	-	-	-	-	-
Stage 1	897	-	-	-	-	-
Stage 2	840	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	0	0	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	-	1457	-
HCM Lane V/C Ratio	-	-	-	-	-
HCM Control Delay (s)	-	-	0	0	-
HCM Lane LOS	-	-	A	A	-
HCM 95th %tile Q(veh)	-	-	-	0	-

HCM 6th Signalized Intersection Summary
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Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	99	117	97	533	374	67
Future Volume (veh/h)	99	117	97	533	374	67
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00			1.00	1.00	1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No	No		No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1900	1900
Adj Flow Rate, veh/h	108	127	105	579	407	73
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	0	0
Cap, veh/h	138	929	627	532	496	89
Arrive On Green	0.08	0.50	0.34	0.34	0.34	0.34
Sat Flow, veh/h	1781	1870	1870	1585	1480	265
Grp Volume(v), veh/h	108	127	105	579	481	0
Grp Sat Flow(s),veh/h/ln	1781	1870	1870	1585	1749	0
Q Serve(g_s), s	3.2	2.0	2.1	18.0	13.5	0.0
Cycle Q Clear(g_c), s	3.2	2.0	2.1	18.0	13.5	0.0
Prop In Lane	1.00			1.00	0.85	0.15
Lane Grp Cap(c), veh/h	138	929	627	532	587	0
V/C Ratio(X)	0.78	0.14	0.17	1.09	0.82	0.00
Avail Cap(c_a), veh/h	166	929	627	532	587	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	24.3	7.3	12.6	17.8	16.3	0.0
Incr Delay (d2), s/veh	18.0	0.1	0.1	65.4	12.2	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	1.9	0.6	0.8	15.3	6.6	0.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	42.3	7.4	12.7	83.2	28.5	0.0
LnGrp LOS	D	A	B	F	C	A
Approach Vol, veh/h		235	684		481	
Approach Delay, s/veh		23.4	72.4		28.5	
Approach LOS		C	E		C	

Timer - Assigned Phs		4		6	7	8
Phs Duration (G+Y+Rc), s		31.2		22.5	8.7	22.5
Change Period (Y+Rc), s		4.5		4.5	4.5	4.5
Max Green Setting (Gmax), s		18.0		18.0	5.0	18.0
Max Q Clear Time (g_c+I1), s		4.0		15.5	5.2	20.0
Green Ext Time (p_c), s		0.5		0.5	0.0	0.0

Intersection Summary	
HCM 6th Ctrl Delay	49.1
HCM 6th LOS	D

Notes

User approved changes to right turn type.

Intersection	
Int Delay, s/veh	0

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	2	2	630	439	0
Future Vol, veh/h	0	2	2	630	439	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	2	2	685	477	0

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	1166	477	477	0	-	0
Stage 1	477	-	-	-	-	-
Stage 2	689	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	214	588	1085	-	-	-
Stage 1	624	-	-	-	-	-
Stage 2	498	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	213	588	1085	-	-	-
Mov Cap-2 Maneuver	213	-	-	-	-	-
Stage 1	622	-	-	-	-	-
Stage 2	498	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	11.1	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1085	-	588	-	-
HCM Lane V/C Ratio	0.002	-	0.004	-	-
HCM Control Delay (s)	8.3	0	11.1	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0	-	-

Intersection	
Int Delay, s/veh	0.1

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	6	0	620	10	0	433
Future Vol, veh/h	6	0	620	10	0	433
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	7	0	674	11	0	471

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1151	680	0	0	685	0
Stage 1	680	-	-	-	-	-
Stage 2	471	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	219	451	-	-	908	-
Stage 1	503	-	-	-	-	-
Stage 2	628	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	219	451	-	-	908	-
Mov Cap-2 Maneuver	219	-	-	-	-	-
Stage 1	503	-	-	-	-	-
Stage 2	628	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	21.9	0	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	219	908	-
HCM Lane V/C Ratio	-	-	0.03	-	-
HCM Control Delay (s)	-	-	21.9	0	-
HCM Lane LOS	-	-	C	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0	-

HCM 6th Signalized Intersection Summary
1: Dublin Blvd & Inspiration Dr

04/05/2021

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Volume (veh/h)	21	214	166	112	172	23
Future Volume (veh/h)	21	214	166	112	172	23
Initial Q (Qb), veh	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00			1.00	1.00	1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No	No		No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1900	1900
Adj Flow Rate, veh/h	23	233	180	122	187	25
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	0	0
Cap, veh/h	50	581	313	265	709	95
Arrive On Green	0.03	0.31	0.17	0.17	0.46	0.46
Sat Flow, veh/h	1781	1870	1870	1585	1542	206
Grp Volume(v), veh/h	23	233	180	122	213	0
Grp Sat Flow(s),veh/h/ln	1781	1870	1870	1585	1756	0
Q Serve(g_s), s	0.5	3.8	3.5	2.7	2.9	0.0
Cycle Q Clear(g_c), s	0.5	3.8	3.5	2.7	2.9	0.0
Prop In Lane	1.00			1.00	0.88	0.12
Lane Grp Cap(c), veh/h	50	581	313	265	807	0
V/C Ratio(X)	0.46	0.40	0.57	0.46	0.26	0.00
Avail Cap(c_a), veh/h	227	860	860	729	807	0
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	18.7	10.6	15.0	14.7	6.5	0.0
Incr Delay (d2), s/veh	6.3	0.4	1.7	1.2	0.8	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.3	1.3	1.4	0.9	0.9	0.0
Unsig. Movement Delay, s/veh						
LnGrp Delay(d),s/veh	25.1	11.1	16.7	15.9	7.3	0.0
LnGrp LOS	C	B	B	B	A	A
Approach Vol, veh/h		256	302		213	
Approach Delay, s/veh		12.3	16.4		7.3	
Approach LOS		B	B		A	

Timer - Assigned Phs		4		6	7	8
Phs Duration (G+Y+Rc), s		16.7		22.5	5.6	11.1
Change Period (Y+Rc), s		4.5		4.5	4.5	4.5
Max Green Setting (Gmax), s		18.0		18.0	5.0	18.0
Max Q Clear Time (g_c+I1), s		5.8		4.9	2.5	5.5
Green Ext Time (p_c), s		1.0		0.5	0.0	1.1

Intersection Summary	
HCM 6th Ctrl Delay	12.5
HCM 6th LOS	B

Notes

User approved changes to right turn type.

Intersection	
Int Delay, s/veh	0.2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	0	4	6	127	191	0
Future Vol, veh/h	0	4	6	127	191	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	4	7	138	208	0

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	360	208	208	0	-	0
Stage 1	208	-	-	-	-	-
Stage 2	152	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	639	832	1363	-	-	-
Stage 1	827	-	-	-	-	-
Stage 2	876	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	635	832	1363	-	-	-
Mov Cap-2 Maneuver	635	-	-	-	-	-
Stage 1	822	-	-	-	-	-
Stage 2	876	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.4	0.3	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1363	-	832	-	-
HCM Lane V/C Ratio	0.005	-	0.005	-	-
HCM Control Delay (s)	7.7	0	9.4	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0	-	0	-	-

Intersection	
Int Delay, s/veh	0.4

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	13	0	119	8	0	178
Future Vol, veh/h	13	0	119	8	0	178
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	14	0	129	9	0	193

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	327	134	0	0	138	0
Stage 1	134	-	-	-	-	-
Stage 2	193	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	667	915	-	-	1446	-
Stage 1	892	-	-	-	-	-
Stage 2	840	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	667	915	-	-	1446	-
Mov Cap-2 Maneuver	667	-	-	-	-	-
Stage 1	892	-	-	-	-	-
Stage 2	840	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	10.5	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	667	1446	-
HCM Lane V/C Ratio	-	-	0.021	-	-
HCM Control Delay (s)	-	-	10.5	0	-
HCM Lane LOS	-	-	B	A	-
HCM 95th %tile Q(veh)	-	-	0.1	0	-

ORDINANCE NO. XX – 22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUBLIN

AMENDING THE ZONING MAP AND APPROVING A PLANNED DEVELOPMENT ZONING DISTRICT WITH A STAGE 1 AND STAGE 2 DEVELOPMENT PLAN FOR THE INSPIRATION DRIVE MEMORY CARE PROJECT (PLPA-2020-00044) (APN 941-0022-005-00)

The Dublin City Council does ordain as follows:

SECTION 1. RECITALS

A. The Applicant, Steve Ring of Fulcrum Development, is proposing to develop a 55-bed memory care facility on Parcel 2 of the Valley Christian Center Property located at 7500 Inspiration Drive. Requested approvals include a Planned Development Rezone with a related Stage 1 and Stage 2 Development Plan, Site Development Review Permit, and Street Vacation. These planning and implementing actions are collectively known as the "Inspiration Drive Memory Care Project" or the "Project."

B. The Project site is approximately 1.6 acres located on the northwest corner of Inspiration Drive and Dublin Boulevard (APN 941-0022-005-00).

C. The existing General Plan land use designation for the project site is Public/Semi-Public.

D. The Project site is located within the A (Agricultural) zoning district as stated in Planned Development Ordinance No. 07-03.

E. The California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared.

F. In 2003, the City Council adopted a Resolution certifying an Environmental Impact Report (EIR) and adopted findings and a Mitigation Monitoring and Reporting Program for the Valley Christian Center Expansion/Master Plan project (Resolution No. 92-03, incorporated herein by reference).

G. In 2018, the City adopted a Supplemental Mitigated Negative Declaration supported by an Initial Study (2018 Supplemental IS/MND) to evaluate proposed changes to the Valley Christian Center Expansion Program, including conversion of the softball field to a football athletic field, expansion of an existing athletic field to accommodate the relocated softball field, construction of a central plaza, and associated parking and landscape improvements.

H. The City prepared an Initial Study to determine whether supplemental environmental review was required for the proposed Project under CEQA standards. The Initial Study examined whether there were substantial changes to the proposed development,

substantial changes in circumstances, or new information, any of which would result in new or more severe significant impacts than analyzed in the prior Valley Christian Center EIR and 2018 Supplemental IS/MND or whether any other standards for supplemental environmental review were met.

I. Upon completion of the Initial Study it was determined that there were new potentially significant impacts associated with the project related to aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and noise and, therefore, a Supplemental Mitigated Negative Declaration was prepared to analyze those impacts and identify mitigation measures to reduce the impacts to less than significant.

J. The Supplemental Mitigated Negative Declaration/Initial Study was circulated for public review from November 18, 2021 - December 17, 2021.

K. The City of Dublin received no comment letters during the public review period.

L. The Planning Commission held a properly noticed public hearing on the Project, on April 26, 2022, at which time all interested parties had the opportunity to be heard.

M. On April 26, 2022, the Planning Commission adopted Resolution No. 22-04 recommending that the City Council adopt the Supplemental Mitigated Negative Declaration and approve amendments to the Zoning Map, a Planned Development Rezone with a related Stage 1 and Stage 2 Development Plan, a Site Development Review Permit, and a Street Vacation for the Inspiration Drive Memory Care Project, which resolution is incorporated herein by reference and available for review at City Hall during normal business hours.

N. On May 17, 2022, the City Council held a properly noticed public hearing on the project and the Supplemental Mitigated Negative Declaration at which time all interested parties had the opportunity to be heard.

O. A Staff Report dated May 17, 2022, and incorporated herein by reference, described and analyzed the project, including the amendment to the Planned Development Zoning District, Site Development Review Permit, and Supplemental Mitigated Negative Declaration for the City Council.

P. The City Council considered the Supplemental Mitigated Negative Declaration, as well as the prior Valley Christian Center EIR, the 2018 Supplemental IS/MND to the Valley Christian Center EIR and all above-referenced reports, recommendations, and testimony before taking any action on the Project.

Q. The City Council did hear and use independent judgment and considered all said reports, recommendations, and testimony hereinabove set forth.

SECTION 2: FINDINGS

A. Pursuant to Section 8.32.070 of the Dublin Municipal Code, the City Council finds as follows.

1. The Memory Care Project ("the Project") Planned Development zoning meets the purpose and intent of Chapter 8.32 in that it provides a comprehensive development plan that is consistent with the General Plan and protects the integrity and character of the area by creating a desirable use of land that is sensitive to surrounding land uses by virtue of the layout and design of the site plan. The Project is planned comprehensively and will follow development standards tailored to the specific needs of the site. These standards will address issues such as building setbacks, architecture, landscaping and grading. The proposed development will blend with the natural features unique to the site through the use of design and planning.

2. Development of the Project under the Planned Development zoning will be harmonious and compatible with existing residential and semi-public development in the surrounding area in that the site will provide a residential care facility for the senior population from Dublin and surrounding areas.

B. Pursuant to Sections 8.120.050.A and B of the Dublin Municipal Code, the City Council finds as follows.

1. The Planned Development zoning for the Project will be harmonious and compatible with existing and potential development in the surrounding area in that the proposed site plan has taken into account adjacent land uses and will provide a wide range of amenities to and for the community within the development and the surrounding neighborhoods. The Project is consistent with the surrounding land uses and has been approved for development in the Stage I Planned Development.

2. The Project site conditions were documented in the VCC EIR and Supplemental Mitigated Negative Declaration that have been prepared, and the environmental impacts that have been identified will be mitigated to the greatest degree possible. The area of the site proposed for development was previously graded and there are no site challenges that were identified in the EIR, which could not be mitigated, that will present an impediment to utilization of the site for the intended purposes.

3. The Planned Development zoning is consistent with the General Plan policies and the City's Zoning Ordinances enacted for the public health, safety and welfare. The Project will not adversely affect the health or safety of persons residing or working in the vicinity or will it be detrimental to public health, safety or welfare. The Project will comply with all applicable development regulations and standards and will implement all adopted mitigation measures. Additionally, no noxious odors, hazardous materials, or excessive noises will be produced.

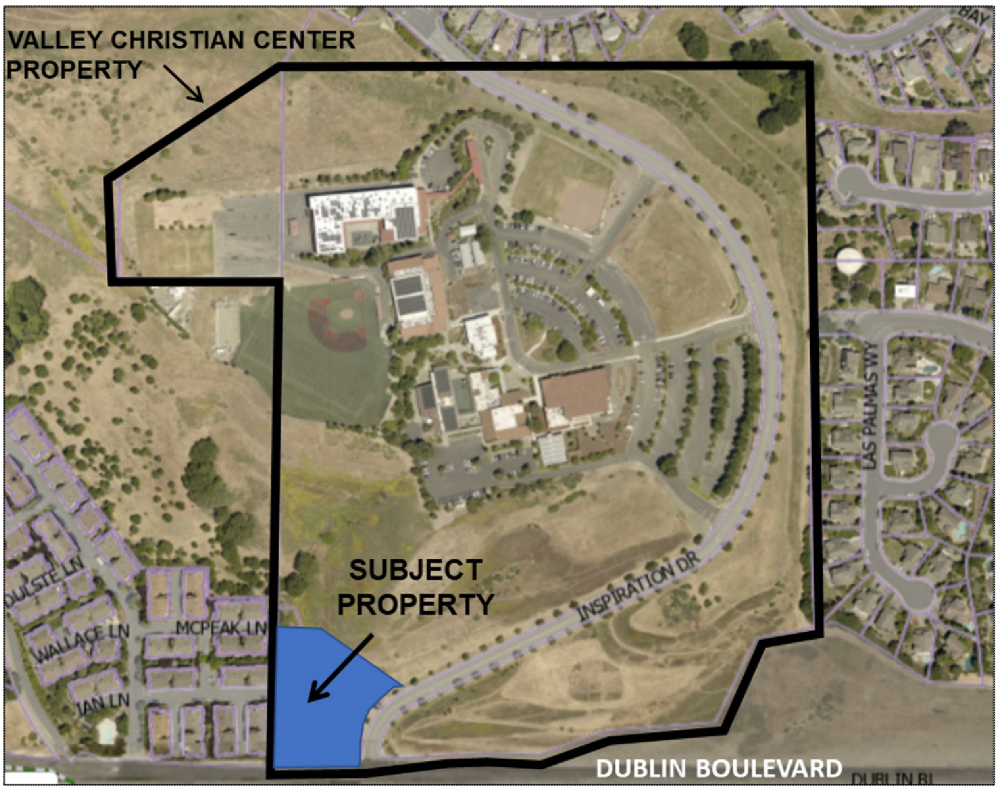
4. The Planned Development zoning is consistent with and in conformance with the Dublin General Plan land use designation of Public/Semi-Public, which allows for quasi-public uses such as senior centers, special needs program facilities and other similar services and benefit to the community.

SECTION 3: ZONING MAP AMENDMENT

Pursuant to Chapter 8.32, Title 8 of the City of Dublin Municipal Code the City of Dublin Zoning Map is amended to Rezone the property described below to a Planned Development zoning

district and supersedes and replaces the previously adopted A (Agricultural) zoning district as stated in Planned Development Ordinance No. 07-03:

1.6 acres at Inspiration Drive and Dublin Boulevard; APN 941-0022-005 ("the Property"). A map of the rezoned area is shown below:



SECTION 4. APPROVAL OF STAGE 1 AND STAGE 2 DEVELOPMENT PLAN

The regulations for the use, development, improvement, and maintenance of the Property are set forth in the following Stage 1 and Stage 2 Development Plan for the 1.6-acre property, which is hereby approved. Any amendments to the Stage 1 and Stage 2 Development Plan shall be in accordance with Section 8.32.080 of the Dublin Municipal Code (DMC) or its successors.

Stage 1 and Stage 2 Development Plan

This is a Stage 1 and Stage 2 Development Plan pursuant to DMC Chapter 8.32. This Development Plan meets all the requirements for both a Stage 1 and Stage 2 Development Plan and is adopted as part of the Planned Development Rezone for the Inspiration Drive Memory Care Project (PLPA-2020-00044).

The Planned Development zoning district and this Stage 1 and Stage 2 Development Plan provides flexibility to encourage innovative development while ensuring that the goals, policies, and action programs of the General Plan and provisions of DMC Chapter 8.32 are satisfied.

1. **Statement of Uses.**

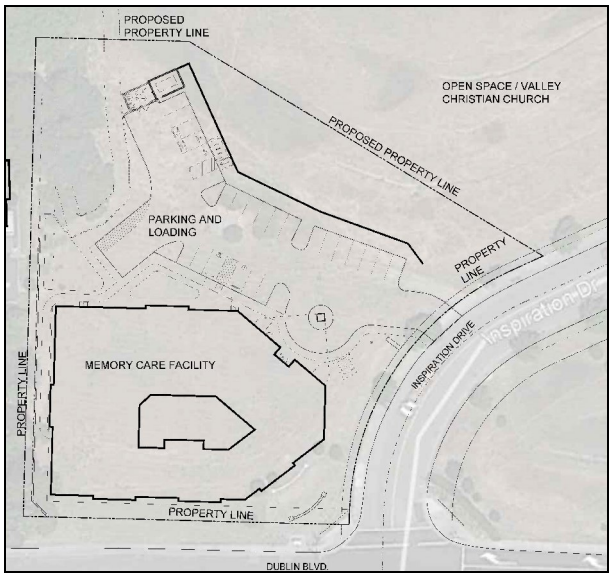
   Permitted Uses (as defined by the Zoning Ordinance):

Community Care Facility/Large
Similar and related uses as determined by the Director of Community Development

Conditional Uses:
None

Accessory Uses:
Uses which are necessarily and customarily associated with, and are appropriate, incidental, and subordinate to the principal uses as determined by the Director of Community Development

2. Stage 1 and Stage 2 Site Plan.
The site plan is shown below.



3. Site area, proposed densities, and development regulations.

Maximum Beds	55
Maximum Faculty and Staff	18 (on-site at one time)
Maximum Floor Area Ratio	.50
Maximum Building Height:	35 feet
Maximum Lot Coverage	50 %
Parking Spaces	1 per 3 employees on largest shift, plus 1 per 3 beds
Parking Stall Dimensions Standards	Per Chapter 8.76 Off-Street Parking and Loading Regulations of the Dublin Zoning Ordinance
Minimum Setbacks	20’ front yard 10’ street side yard 10’ Interior side yard 15’ rear yard (building) 5’ rear yard (fence)
Signage	Pursuant to an approved Master Sign Program

4. **Phasing Plan.**
   The project site will be graded, improved, and constructed as a whole in one phase.

5. **General Plan Consistency.**
   The project is consistent with the General Plan land use designation of Public/Semi-Public, which includes senior centers, special needs program facilities and other similar services that provide benefits to the community. The Public/Semi-Public land use designation also permits a floor area ratio of .50.

6. **Inclusionary Zoning Regulations.**
   The project is not subject to the Inclusionary Zoning Regulations (Chapter 8.68) for the provision of affordable housing because the regulations apply only to residential development projects of 20 units or more.

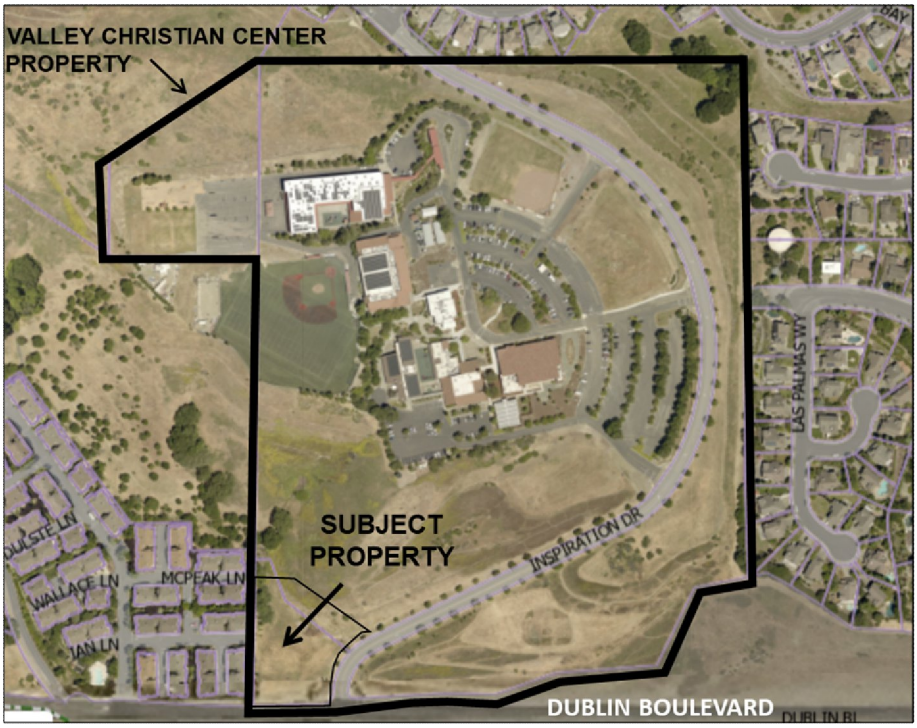
7. **Preliminary Landscape Plan**.
   The landscape design of the project shall reflect the following standards:

   - Utilizing the Dublin Streetscape Master Plan Plant Selections, utilize plants recommended and that are suitable to the Dublin climate for drought resistance and fire safety.
   - The plant selection should be considered low and moderate use of water based upon the WUCOLS IV list for this region.
   - Sufficient landscape screening should be utilized to create natural space between building structures when possible.
   - Streets trees should be selected from the Streetscape Master Plan plant palette and considered moderate or low water use. Trees should match existing street trees whenever possible.

8. **Architectural Standards**.
   The design of future buildings on the project site shall be compatible with the development patterns of the area and complement surrounding uses. Scale and massing shall be compatible to the surrounding area and human-scale elements shall be implemented where appropriate. Long, monotonous wall planes shall be avoided, and massing breaks shall be implemented to provide depth and visual interest. Horizontal changes in plane are encouraged. Building roof forms shall provide undulation and implement gable roof forms or similar. The form of the roof should relate to the form of the building and mechanical equipment screened from the public, when feasible.

   Architectural style shall draw inspiration from nearby examples in the area. Building designs shall implement a transitional style between residential and commercial development. In general, high-quality commercial-grade materials shall be used and the use of stucco, stone, brock, fiber cement siding, composition shingles or tile is encouraged. Colors chosen shall be neutral in nature and avoid bright, harsh primary colors.

9. Aerial Photo.



10. Applicable Requirements of Dublin Zoning Ordinance.
Except as specifically provided in this Stage 1 and Stage 2 Development Plan, the use, development, improvement and maintenance of the property shall be governed by the R-M (Multi-Family Residential) zoning district provisions pursuant to DMC Section 8.32.060.C. No development shall occur on this property until a Site Development Review Permit has been approved.

SECTION 5: SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the ordinance or their applicability to other persons or circumstances.

SECTION 6. POSTING OF ORDINANCE

The City Clerk of the City of Dublin shall cause this Ordinance to be posted in at least three public spaces in the City of Dublin in accordance with Section 36933 of the Government Code of the State of California.

SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect 30 days following its adoption.

PASSED, APPROVED AND ADOPTED this __ day of _____ 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

RESOLUTION NO. xx – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

APPROVING A SITE DEVELOPMENT REVIEW PERMIT FOR THE INSPIRATION DRIVE MEMORY CARE PROJECT PLPA 2020-00044 (APN 941-0022-005-00)

WHEREAS, the Applicant, Steve Ring of Fulcrum Development, is proposing to develop a 55-bed memory care facility on Parcel 2 of the Valley Christian Center Property located at 7500 Inspiration Drive. Requested approvals include a Planned Development Rezoning with a related Stage 1 and Stage 2 Development Plan, Site Development Review Permit and Street Vacation. These planning and implementing actions are collectively known as the "Inspiration Drive Memory Care Project" or the "Project;" and

WHEREAS, the Project site is approximately 1.6 acres located on the northwest corner of Inspiration Drive and Dublin Boulevard (APN 941-0022-005-00); and

WHEREAS, the existing General Plan land use designation for the project site is Public/Semi-Public; and

WHEREAS, the Project site is located within the A (Agricultural) zoning district as stated in Planned Development Ordinance No. 07-03; and

WHEREAS, the California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, in 2003, the City Council adopted a Resolution certifying an Environmental Impact Report (EIR), and adopted findings and a Mitigation Monitoring and Reporting Program for the Valley Christian Center Expansion/Master Plan project (Resolution No. 92-03, incorporated herein by reference); and

WHEREAS, in 2018, the City adopted a Supplemental Mitigated Negative Declaration supported by an Initial Study (2018 Supplemental IS/MND) to evaluate proposed changes to the Valley Christian Center Expansion Program, including conversion of the softball field to a football athletic field, expansion of an existing athletic field to accommodate the relocated softball field, construction of a central plaza, and associated parking and landscape improvements; and

WHEREAS, the City prepared an Initial Study to determine whether supplemental environmental review was required for the proposed Project under CEQA standards. The Initial Study examined whether there were substantial changes to the proposed development, substantial changes in circumstances, or new information, any of which would result in new or more severe significant impacts than analyzed in the prior Valley Christian Center EIR and 2018 Supplemental IS/MND or whether any other standards for supplemental environmental review were met; and

WHEREAS, upon completion of the Initial Study it was determined that there were new potentially significant impacts associated with the project related to aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and noise and, therefore, a Supplemental Mitigated Negative Declaration was prepared to analyze those impacts and identify mitigation measures to reduce the impacts to less than significant; and

WHEREAS, the Supplemental Mitigated Negative Declaration/Initial Study was circulated for public review from November 18, 2021 - December 17, 2021; and

WHEREAS, the City of Dublin received no comment letters during the public review period; and

WHEREAS, on April 26, 2022, the Planning Commission adopted Resolution No. 22-04 recommending that the City Council adopt the Supplemental Mitigated Negative Declaration and approve amendments to the Zoning Map, a Planned Development Rezoning with a related Stage 1 and Stage 2 Development Plan, a Site Development Review Permit, and a Street Vacation for the Project; and

WHEREAS, on May 17, 2022, the City Council held a properly noticed public hearing on the project and the Supplemental Mitigated Negative Declaration at which time all interested parties had the opportunity to be heard; and

WHEREAS, a Staff Report, dated May 17, 2022, and incorporated herein by reference, described and analyzed the project, including the amendment to the Planned Development Zoning District, Site Development Review Permit, and Supplemental Mitigated Negative Declaration for the City Council; and

WHEREAS, on May 17, 2022, the City Council adopted Resolution xx-22 adopting the Supplemental Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program for the project, and the City Council considered the Supplemental Mitigated Negative Declaration, as well as the prior Valley Christian Center EIR, the 2018 Supplemental MND to the Valley Christian Center EIR and all above-referenced reports, recommendations, and testimony before taking any action on the project; and

WHEREAS, the City Council did hear and use independent judgment and considered all said reports, recommendations, and testimony hereinabove set forth.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin does hereby make the following findings and determinations regarding the Site Development Review Permit for the Inspiration Drive Memory Care Project:

A. *The proposal is consistent with the purposes of Chapter 8.104 (Site Development Review) of the Zoning Ordinance, with the General Plan, and any applicable Specific Plans and design guidelines because*: 1) the proposed project is consistent with the General Plan land use designation of Public/Semi-Public, which allows for quasi-public uses such as senior centers, special needs program facilities and other similar services and benefit to the community; 2) the proposed project gives thoughtful consideration to the adjacent residential development through setbacks and an consistent architectural design; and 3) the proposed project will conform to the allowable uses and development standards as stated in the Stage 1 and Stage 2 Development Plan.

B. *The proposal is consistent with the provisions of Title 8, Zoning Ordinance because:* 1) the Planned Development zoning district provides a comprehensive development plan that creates a desirable use of land that is sensitive to surrounding land uses by virtue of the layout and design of the site plan; and 2) development of the Project under the Planned Development zoning district will be harmonious and compatible with existing and future development in the surrounding area in that the site will provide new living facilities to senior residents.

C. *The design of the Project is appropriate to the City, the vicinity, surrounding properties, and the lot(s) in which the Project is proposed because:* 1) the project site is adjacent to Medium-Density Residential and Public/Semi-Public uses; 2) the proposed development will consist of a residential care facility for the senior population from Dublin and surrounding areas; and 3) the design of the project has taken into account sensitive adjacencies and will provide a community facility for the senior population.

D. *The subject site is suitable for the type and intensity of the approved development because:* 1) the project site is relatively flat with improved public streets and utilities; and 2) development intensity is similar to adjacent properties.

E. *Impacts to existing slopes and topographic features are addressed because*: 1) the project site is relatively flat; 2) the roadway and utility infrastructure to serve the site already exist; and 3) future approval of grading and improvement plans will enable the site to be modified to suit the project, which will be developed for the site in accordance with City policies and regulations.

F. *Architectural considerations including the character, scale and quality of the design, site layout, the architectural relationship with the site and other buildings, screening of unsightly uses, lighting, building materials and colors and similar elements result in a project that is harmonious with its surroundings and compatible with other developments in the vicinity because:* 1) the building has been design to be consistent with the quality and standards of the adjacent residential community (California Highlands); 2) the design of the parking area and front entrance to the building concentrates activity near Inspiration Drive and away from the adjacent residential homes; and 3) the proposed project includes a landscape buffer to between project and the adjacent residential community.

G. *Landscape considerations, including the location, type, size, color, texture and coverage of plant materials, and similar elements have been incorporated into the project to ensure visual relief, adequate screening and an attractive environment for the public because:* 1) the plant palette is drought tolerant and compatible with the existing plant species in the area; 2) the project includes a courtyard gathering space for the residents, which is buffered from the adjacent residential community; and 3) the project landscaping conforms to the requirements of the City's Water Efficient Landscape Ordinance.

H. *The site has been adequately designed to ensure the proper circulation for bicyclist, pedestrians, and automobiles because:* 1) access to the site is provided from a singular driveway off Inspiration Drive; 2) all infrastructure including, pathways, sidewalks, and lighting have been reviewed for conformance with City policies, regulations, and best practices and have been designed with multi-modal travel in mind; and 3) the project has been reviewed by the Public Works Department and the Fire Department and adequate access and circulation has been provided on-site.

BE IT FURTHER RESOLVED that the Dublin City Council does hereby approve the Site Development Review Permit for the Inspiration Drive Memory Care Project subject to the conditions included below, and other plans, and text relating to this Site Development Review Permit.

CONDITIONS OF APPROVAL:

Unless stated otherwise, all Conditions of Approval shall be complied with prior to the issuance of building permits or establishment of use, and shall be subject to Planning Department review and approval. The following codes represent those departments/agencies responsible for monitoring compliance of the conditions of approval. [PL.] Planning, [B] Building, [PO] Police, [PW] Public Works [P&CS] Parks & Community Services, [ADM] Administration/City Attorney, [FIN] Finance, [F] Alameda County Fire Department, [DSR] Dublin San Ramon Services District, [CO] Alameda County Department of Environmental Health, [Z7] Zone 7.

#	CONDITION TEXT	RESPON. AGENCY	WHEN REQ'D Prior to:
GENERAL			
1.	**Approval.** This approval is for the Inspiration Drive Memory Care Project (PLPA-2020-00045). This approval shall be as generally depicted and indicated on the Project Plans prepared by Lenity Architecture, dated November 23, 2021, attached as **Exhibit A** and other plans, text, and diagrams relating to this project, and as specified as the following Conditions of Approval for this project.	PL	Ongoing
2.	**Effective Date.** This Site Development Review Permit approval becomes effective once the accompanying once the Planned Development Rezoning has been approved by City Council and is effective.	PL	Ongoing
3.	**Permit Expiration.** Construction or use shall commence within one (1) year of Site Development Review approval or the Site Development Review Permit shall lapse and become null and void. If there is a dispute as to whether the Site Development Review Permit has expired, the City may hold a noticed public hearing to determine the matter. Such a determination may be processed concurrently with revocation proceedings in appropriate circumstances. If the Site Development Review Permit expires, a new application must be made and processed according to the requirements of the Zoning Ordinance.	PL	One Year After Effective Date
4.	**Time Extension.** The Director of Community Development may, upon the Applicant's written request for an extension of approval prior to expiration, and upon the determination that any Conditions of Approval remain adequate to assure that applicable findings of approval will continue to be met, grant a time extension of approval for a period not to exceed 12 months. The Director of Community Development may grant a maximum of two extensions of approval, and additional extensions may be granted by the original decision maker.	PL	Expiration Date
5.	**Compliance.** The Applicant/Property Owner shall operate this use in compliance with the Conditions of Approval of this Site Development Review Permit, the approved plans and the regulations established in the Zoning Ordinance. Any violation of the terms or conditions specified may be subject	PL	On-going

	to enforcement action.		
6.	**Revocation of Permit.** The Site Development Review approval shall be revocable for cause in accordance with Dublin Municipal Code Section 8.96.020.I. Any violation of the terms or conditions of this permit shall be subject to citation.	PL	On-going
7.	**Requirements and Standard Conditions.** The Applicant/ Developer shall comply with applicable City of Dublin Fire Prevention Bureau, Dublin Public Works Department, Dublin Building Department, Dublin Police Services, Alameda County Flood Control District Zone 7, Livermore Amador Valley Transit Authority, Alameda County Public and Environmental Health, Dublin San Ramon Services District and the California Department of Health Services requirements and standard conditions. Prior to issuance of building permits or the installation of any improvements related to this project, the Developer shall supply written statements from each such agency or department to the Planning Department, indicating that all applicable conditions required have been or will be met.	Various	Building Permit Issuance
8.	**Required Permits.** As determined applicable for grading and building permits for each development phase or planning area, the Developer shall obtain all permits required by other agencies including, but not limited to Alameda County Flood Control and Water Conservation District Zone 7, California Department of Fish and Game, Army Corps of Engineers, Regional Water Quality Control Board, Caltrans and provide copies of the permits to the Public Works Department.	PW	Building Permit Issuance and Grading Permit Issuance
9.	**Fees.** The Applicant/Developer shall pay all applicable fees in effect at the time of building permit issuance, including, but not limited to, Planning fees, Building fees, Traffic Impact Fees, TVTC fees, Dublin San Ramon Services District fees, Public Facilities fees, Dublin Unified School District School Impact fees, Fire Facilities Impact fees, Alameda County Flood and Water Conservation District (Zone 7) Drainage and Water Connection fees; or any other fee that may be adopted and applicable.	Various	Building Permit Issuance
10.	**Indemnification.** The Applicant/Developer shall defend, indemnify, and hold harmless the City of Dublin and its agents, officers, and employees from any claim, action, or proceeding against the City of Dublin or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City of Dublin or its advisory agency, appeal board, Planning Commission, City Council, Community Development Director, Zoning Administrator, or any other department, committee, or agency of the City to the extent such actions are brought within the time period required by Government Code Section 66499.37 or other applicable law; provided, however, that the Developer's duty to so defend, indemnify, and hold harmless shall be subject to the City's	ADM	On-going

	promptly notifying the Developer of any said claim, action, or proceeding and the City's full cooperation in the defense of such actions or proceedings.		
11.	**Clarification of Conditions.** In the event that there needs to be clarification to the Conditions of Approval, the Director of Community Development and the City Engineer have the authority to clarify the intent of these Conditions of Approval to the Developer without going to a public hearing. The Director of Community Development and the City Engineer also have the authority to make minor modifications to these conditions without going to a public hearing in order for the Developer to fulfill needed improvements or mitigations resulting from impacts to this project.	PL, PW	On-going
12.	**Clean-up.** The Applicant/Developer shall be responsible for clean-up and disposal of project related trash to maintain a safe, clean and litter-free site.	PL	On-going
13.	**Modifications.** Modifications or changes to this Site Development Review approval may be considered by the Community Development Director if the modifications or changes proposed comply with Dublin Municipal Code Section 8.104.100.	PL	On-going
14.	**Equipment Screening.** All electrical equipment, fire risers, electrical and gas meters, and/or mechanical equipment shall be architecturally screened from public view by landscaping and/or architectural features and that electrical transformers are either underground or architecturally screened. Any roof-mounted equipment shall be completely screened from adjacent street view by materials architecturally compatible with the building and to the satisfaction of the Community Development Director. The Building permit plans shall show the location of all equipment and screening for review and approval by the Director of Community Development.	PL	Building Permit Issuance and Through Completion/ On-going
15.	**Temporary Promotional Banners and Balloons.** Temporary Promotional Banner Signs and Balloons shall only be permitted after first securing an approved Temporary Promotional Sign Permit. All temporary on-site signage shall be subject to the sign regulations contained in the Zoning Ordinance.	PL	On-going
16.	**Construction Trailer.** The Applicant/Developer shall obtain a Temporary Use Permit prior to the establishment of any construction trailer, storage shed, or container units on the project site.	PL	Installation of a Construction Trailer
PLANNING – Project Specific Conditions			
17.	**Public Art.** The project is required to comply with Dublin Municipal Code Sections 8.58.05A and 8.58.05D of Chapter 8.58 (Public Art Program). The Project will make a monetary contribution in-lieu of acquiring and installing a public art project on the property, as provided by the Dublin Municipal Code Section 8.58.050D. The in-lieu contribution shall be as provided in the Dublin Municipal Code Chapter 8.58.	PL	Prior to First Occupancy of each Planning Area as Applicable
18.	**Lot Line Adjustment.** The Applicant/Developer shall submit a Lot Line Adjustment application to the City including all the	PL	Building Permit Issuance

	required documentation and legal descriptions. The Lot Line Adjustment is for the northern property line of Parcel 2 shared with Parcel 1 to reflect the boundary at shown on the Site Plan, Sheet A1.1 of the Project Plans. See also COA No. 156.		
19.	**Mitigation Monitoring Program.** The Applicant/ Developer shall comply with the applicable mitigation measures of the Valley Christian Center Environmental Impact Report (EIR) certified by Resolution No. 92-03, Supplemental Mitigated Negative Declaration adopted by Resolution No. 06-19, and Supplemental Mitigated Negative Declaration adopted by as part of the Inspiration Drive Memory Care and Assisted Living Projects, including all mitigation measures, action programs, and implementation measures contained therein. The EIR and Supplemental Mitigated Negative Declarations are on file with the Community Development Department.	PL	Ongoing
20.	**Final Landscape and Irrigation Plan.** Plans shall comply with Dublin Municipal Code Chapter 8.72 and be generally consistent with the project plans attached to this Resolution as **Exhibit A** Final Landscape and Irrigation Plan prepared and stamped by a State licensed landscape architect or registered engineer shall be submitted for review and approval by the Community Development Director.	PL	Building Permit Issuance
21.	**Water Efficient Landscaping Regulations.** The Applicant/Developer shall meet all requirements of the City of Dublin's Water-Efficient Landscaping Regulations, Dublin Municipal Code Chapter 8.88 and submit written documentation to the Public Works Department (in the form of a Landscape Documentation Package and other required documents) that the development conforms to the City's Water Efficient Landscaping Ordinance.	PL	Building Permit Issuance
22.	**Landscape Edges.** Concrete curbs or bands shall be used at the edges of all planters and paving surfaces, unless otherwise defined differently. The design width and depth of the concrete edge to be to the satisfaction of the Community Development Director and City Engineer.	PL	Building Permit Issuance
23.	**Backflow Prevention Devices.** The Landscape Plan shall show the location of all backflow prevention devises. The location and screening of the backflow prevention devices shall be reviewed and approved by City staff**.**	PL	Building Permit Issuance
24.	**Maintenance of Landscape.** All landscape areas on the site shall be enhanced and properly maintained at all times. Any proposed or modified landscaping to the site, including the removal or replacement of trees, shall require prior review and written approval from the Community Development Director.	PL	On-going
25.	**Noise Land Use Compatibility Analysis.** Per the Noise Land Use Compatibility Analysis dated April 2022, the project shall incorporate the following: a. Install resilient channels at the exterior walls for the buildings. b. Install sound-rated windows with a minimum rating of STC-33 at all south-facing residential units of the memory care facility. c. Install standard windows with a minimum rating of STC-28 at all other residential units.	PL	Building Permit Issuance

BUILDING AND SAFETY			
26.	**Building Codes and Ordinances.** All project construction shall conform to all building codes and ordinances in effect at the time of building permit.	B	Through Completion
27.	**Construction Drawings.** Construction plans shall be fully dimensioned (including building elevations) accurately drawn (depicting all existing and proposed conditions on site), and prepared and signed by a California licensed Architect or Engineer. All structural calculations shall be prepared and signed by a California licensed Architect or Engineer. The site plan, landscape plan and details shall be consistent with each other.	B	Issuance of Building Permits
28.	**Building Permits.** To apply for building permits, Applicant/Developer shall submit electronic drawings and specifications for plan check. Each set of plans shall have attached an annotated copy of these Conditions of Approval. The notations shall clearly indicate how all Conditions of Approval will or have been complied with. Construction plans will not be accepted without the annotated resolutions attached to each set of plans. Applicant/Developer will be responsible for obtaining the approvals of all participation non-City agencies prior to the issuance of building permits.	B	Issuance of Building Permits
29.	**As-Built Drawings.** All revisions made to the building plans during the project shall be incorporated into an "As Built" electronic file and submitted prior to the issuance of the final occupancy.	B	Occupancy
30.	**Addressing.** a. Provide a site plan with the City of Dublin's address grid overlaid on the plans (1 to 30 scale). Highlight all exterior door openings on plans. b. Address signage shall be provided as per the Dublin Commercial Security Code. Address will be required on all doors leading to the exterior of the building. Addresses shall be illuminated and be able to be seen from the street, four inches in height minimum.	B	Prior to Release of Addresses Prior to Permitting Prior to Occupancy
31.	**Engineer Observation.** The Engineer of record shall be retained to provide observation services for all components of the lateral and vertical design of the building, including nailing, hold-downs, straps, shear, roof diaphragm and structural frame of building. A written report shall be submitted to the City Inspector prior to scheduling the final frame inspection.	B	Prior to Scheduling the Final Frame Inspection
32.	**60-Foot No Build Covenant.** Pursuant to Dublin Municipal Code Section 7.32.130, the owner shall file with the Chief Building Official a Covenant and Agreement Regarding Maintenance of Yards for an Oversized Building binding such owner, his heirs, and assignees, to set aside a 60-foot required yard as unobstructed space having no improvements. After execution by the owner and Chief Building Official, such covenant shall be recorded in the Alameda County Recorder's Office, and shall continue in	B	Prior to Permitting (if frontage increase used to allowable area)

	effect so long as an oversized building remains or unless otherwise released by authority of the Chief Building Official.		
33.	**Foundation.** Geotechnical Engineer for the soils report shall review and approve the foundation design. A letter shall be submitted to the Building Division on the approval.	B	Prior to Permit Issuance
34.	**CASp Reports.** Applicant/Developer shall obtain the services of a Certified Access Specialist for the review of the construction drawings and inspections for the building interior and site exterior. A written report shall be submitted to the City prior to approval of the permit application. Additionally, a written report shall be submitted to the City Building Inspector prior to scheduling the final inspection.	B	Prior to Permitting and Occupancy
35.	**Air Conditioning Units**. Air conditioning units and ventilation ducts shall be screened from public view with materials compatible to the main building. Units shall be permanently installed on concrete pads or other non-movable materials approved by the Chief Building Official and Director of Community Development.	B	Occupancy of Building
36.	**Plumbing Fixture Count.** The plumbing fixture count (e.g., water closets, lavatories, urinals, drinking fountains) shall meet the minimum requirements for the use as regulated by the CA Plumbing Code.	B	Prior to Permitting
37.	**Cool Roofs – CA Energy Code.** Flat roof areas shall have their roofing material coated with light colored gravel or painted with light colored or reflective material designed for cool roofs.	B	Through Completion
38.	**Accessible Parking.** The required number of parking stalls, the design and location of the accessible parking stalls shall be as required by the CA Building Code, Chapter 11-B.	B	Through Completion
39.	**Green Parking.** The design and number of clean air/ EV ready stalls shall be as required by the CA Green Building Standards Code.	B	Through Completion
40.	**Retaining Walls**. All retaining walls over 30 inches in height and in a walkway shall be provided with guardrails. All retaining walls with a surcharge or retaining walls over 36 inches shall obtain permits and inspections from the Building and Safety Division.	B	Through Completion
41.	**Accessory Structures.** Building permits are required for all trash enclosures and associated amenities / structures and are required to meet the accessibility and building codes.	B	Through Completion
42.	**Temporary Fencing.** Temporary construction fencing shall be installed along perimeter of all work under construction	B	Through Completion
43.	**Copies of Approved Plans.** Applicant/Developer shall provide City with one reduced (1/2 size) copy of the City of Dublin stamped approved plan. Verify with Building Official if electronic copy is acceptable prior to submittal.	B	30 Days After Permit and Each Revision Issuance
FIRE PREVENTION			
44.	No fire service lines shall pass beneath buildings.	F	Approval of Improvement Plans
45.	**New Fire Sprinkler System and Monitoring Requirements.** In accordance with the Dublin Fire Code, fire sprinklers shall be installed in the building. The system shall be in accordance with the NFPA 13, the CA Fire Code and	F	Building Permit Issuance

	CA Building Code. Plans and specifications showing detailed mechanical design, cut sheets, listing sheets and hydraulic calculations shall be submitted to the Fire Department for approval and permit prior to installation. This may be a deferred submittal. a. **Sprinkler Plans. (Deferred Submittal Item).** Submit detailed mechanical drawings of all sprinkler modifications, including cut sheets, listing sheets and calculations to the Fire Department for approval and permit prior to installation. b. All sprinkler system components shall remain in compliance with the applicable N.F.P.A. 13 Standard, the CA Fire Code and the CA Building Code. c. **Underground Plans. (Deferred Submittal Item).** Submit detailed shop drawings for the fire water supply system, including cut sheets, listing sheets and calculations to the Fire Department for approval and permit prior to installation. All underground and fire water supply system components shall be in compliance with the applicable N.F.P.A. 13, 24, 20, 22 Standards, the CA Fire Code and the CA Building Code**.** The system shall be hydrostatically tested and inspected prior to being covered. Prior to the system being connected to any fire protection system, a system flush shall be witnessed by the Fire Department. d. **Central Station Monitoring.** Automatic fire extinguishing systems installed within buildings shall have all control valves and flow devices electrically supervised and maintained by an approved central alarm station. Zoning and annunciation of central station alarm signals shall be submitted to the Fire Department for approval. e. Fire protection equipment shall be identified with approved signs constructed of durable materials, permanently installed and readily visible.		
46.	**Fire Access During Construction.** a. **Fire Access.** Access roads, turnaround, pullouts, and fire operation areas are fire lanes and shall be maintained clear and free of obstructions, including the parking of vehicles. b. **Entrances.** Entrances to job sites shall not be blocked, including after hours, other than by approved gates/barriers that provide for emergency access. c. **Site Utilities.** Site utilities that would require the access road to be dug up or made impassible shall be installed prior to construction commencing. d. Entrance flare, angle of departure, width, turning radii, grades, turnaround, vertical clearances, road surface, bridges/crossings, gates/key-switch, within a 150-foot distance to Fire Lane shall be maintained. e. **Personnel Access.** Route width, slope, surface and obstructions must be considered for the approved route to furthermost portion of the exterior wall. f. **All-weather access**. Fire access is required to be all-weather access. Show on the plans the location of the all-weather access and a description of the construction.	F	During Construction

	Access roads must be designed to support the imposed loads of fire apparatus.		
47.	**Fire Alarm (Detection) System Required.** A Fire Alarm-Detection System shall be installed throughout the building so as to provide full property protection, including combustible concealed spaces, as required by NFPA 72. The system shall be installed in accordance with NFPA 72, CA Fire, Building, Electrical, and Mechanical Codes. If the system is intended to serve as an evacuation system, compliance with the horn/strobe requirements for the entire building must also be met. All automatic fire extinguishing systems shall be interconnected to the fire alarm system so as to activate an alarm if activated and to monitor control valves. Delayed egress locks shall meet requirements of C.F.C. a. **Fire Alarm Plans. (Deferred Submittal Item).** Submit detailed drawings of the fire alarm system, including floor plan showing all rooms, device locations, ceiling height and construction, cut sheets, listing sheets and battery and voltage drop calculations to the Fire Department for review and permit prior to the installation. Where employee work area's have audible alarm coverage, circuits shall be initially designed with a minimum 20 percent spare capacity for adding appliances to accommodate hearing impaired employee's. b. **Central Station Monitored Account.** Automatic fire alarm systems shall be monitored by an approved central alarm station. Zoning and annunciation of central station alarm signals shall be approved by the Fire Department. c. **Qualified Personnel.** The system shall be installed, inspected, tested, and maintained in accordance with the provisions of NFPA 72. Only qualified and experienced persons shall perform this work. Examples of qualified individuals are those who have been factory trained and certified or are NICET Fire Alarm Certified. d. **Inspection and Testing Documentation.** Performance testing of all initiating and notification devices in the presence of the Fire Inspector shall occur prior to final of the system. Upon this inspection, proof that the specific account is UL Certificated must be provided to the Fire Inspector.	F	Occupancy
48.	**Fire Extinguishers**. Extinguishers shall be visible and unobstructed. Signage shall be provided to indicate fire extinguisher locations. The number and location of extinguishers shall be shown on the plans. Additional fire extinguishers maybe required by the Fire Inspector. Fire extinguisher shall meet a minimum classification of 2A 10BC. Extinguishers weighing 40 pounds or less shall be mounted no higher than five feet above the floor measured to the top of the extinguisher. Extinguishers shall be inspected monthly and serviced by a licensed concern annually.	F	Occupancy

49.	**FD Building Key Box.** A Fire Department key box shall be installed at the main entrance to the building. Note these locations on the plans. The key box should be installed approximately 5.5 feet above grade. The box shall be sized to hold the master key to the facility as well as keys for rooms not accessible by the master key. Specialty keys, such as the fire alarm control box key and elevator control keys shall also be installed in the box. The key box door and necessary keys are to be provided to the Fire Inspector upon the final inspection. The inspector will then lock the keys into the box.	F	Occupancy
50.	**Means of Egress.** Exit signs shall be visible and illuminated with emergency lighting when building is occupied.	F	Occupancy
51.	**Main Entrance Hardware Exception.** It is recommended that all doors be provided with exit hardware that allows exiting from the egress side even when the door is in the locked condition. However, an exception for A-3, B, F, M, S occupancies and all churches does allow key-locking hardware (no thumb-turns) <u>on the main exit when the main exit consists of a single door or pair of doors</u>. When unlocked the single door or both leaves of a pair of doors must be free to swing without operation of any latching device. A readily visible, durable sign on or just above the door stating **"This door to remain unlocked whenever the building is occupied"** shall be provided. The sign shall be in letters not less than one inch high on a contrasting background. This use of this exception may be revoked for cause.	F	Occupancy
52.	**Maximum Occupant Load.** Posting of room capacity is required for any occupant load of 50 or more persons. Submittal of a seating plan on 8.5-inch by 11-inch paper is required prior to final occupancy**.**	F	Occupancy
53.	**Interior Finish.** Wall and ceiling interior finish material shall meet the requirements of Chapter 8 of the California Fire Code. Interior finishes will be field verified upon final inspection. If the product is not field marked and the marking visible for inspection, maintain the products cut-sheets and packaging that show proof of the products flammability and flame-spread ratings. Decorative materials shall be fire retardant.	F	Occupancy
54.	**General Inspection.** Upon inspection of the work for which this submittal was provided, a general inspection of the business and site will be conducted.	F	Occupancy
55.	**Addressing**. Addressing shall be illuminated or in an illuminated area. The address characters shall be contrasting to their background. If address is placed on glass, the numbers shall be on the exterior of the glass and a contrasting background placed behind the numbers. **Building Address.** The building shall be provided with all addresses or the assigned address range so as to be clearly visible from either direction of travel on the street the address references. The address characters shall not be less than five inches in height by one-inch stroke. Larger sizes may be necessary depending on the setbacks and visibility.	F	Occupancy of any building

56.	**Fire Safety During Construction and Demolition.** a. Clearance to combustibles from temporary heating devices shall be maintained. Devices shall be fixed in place and protected from damage, dislodgement or overturning in accordance with the manufacturer's instructions. b. Smoking shall be prohibited except in approved areas. Signs shall be posted "NO SMOKING" in a conspicuous location in each structure or location in which smoking is prohibited. c. Combustible debris, rubbish and waste material shall be removed from buildings at the end of each shift of work. d. Flammable and combustible liquid storage areas shall be maintained clear of combustible vegetation and waste materials.	F	Ongoing during construction and demolition
Dublin San Ramon Services District			
57.	The regulations that apply to development projects are codified in the Dublin San Ramon Services District (DSRSD) Code; the DSRSD "Standard Procedures, Specifications and Drawings for Design and Installation of Water and Wastewater Facilities" as amended from time to time; all applicable DSRSD Master Plans and all DSRSD policies. Prior to issuance of any building permit, complete improvement plans shall be submitted to DSRSD that conform to the pertinent documents.	DSRSD	Building Permit Issuance
58.	Planning and review fees/ inspection fees, and fees associated with a wastewater discharge permit shall be paid to DSRSD in accordance with the rates and schedules and at time of payment as established in the DSRSD Code. Planning and review fees are due after the 1st submittal of plans. Construction Permit and Inspection Fees are due prior to the issuance of a Construction Permit. Capacity Reserve Fees are due before the water meter can be set or the connection to the sewer system.	DSRSD	Permit Submittal and Construction Permit Issuance
59.	**For Construction of DSRSD Facilities.** All improvement plans for DSRSD facilities shall be signed by the District Engineer. Each drawing of improvement plans for DSRSD facilities shall contain a signature block for the District Engineer indicating approval of the sanitary sewer and/or water facilities shown. Prior to approval by the District Engineer, the applicant shall pay all required DSRSD fees, and provide an engineer's estimate of construction costs for the sewer and water systems, a faithful performance bond, and a comprehensive general liability insurance policy in the amounts and forms that are acceptable to DSRSD. The Applicant shall allow at least 15 working days for final improvement drawing review by DSRSD before signature by the District Engineer.	DSRSD	Building Permit Issuance or Construction Permit Issuance
60.	All easement dedications for DSRSD facilities shall be by separate instrument irrevocably offered to DSRSD or by offer of dedication on the Final Map. Prior to approval by the City for Recordation, the Final Map shall be submitted to and approved by DSRSD for easement locations, widths, and restrictions.	DSRSD	Approval of Final Map

61.	All mains shall be sized to provide sufficient capacity to accommodate future flow demands in addition to each development project's demand. Layout and sizing of mains shall be in conformance with DSRSD utility master planning.	DSRSD	Approval of Improvement Plans
62.	The locations and widths of all proposed easement dedications for water and sewer lines shall be submitted to and approved by DSRSD.	DSRSD	Approval of Improvement Plans
63.	Water and sewer mains shall be located in public streets rather than in off street locations to the fullest extent possible. If unavoidable, then sewer or water easements must be established over the alignment of each sewer or water main in an off-street or private street location to provide access for future maintenance and/or replacement.	DSRSD	Approval of Improvement Plans
64.	Domestic and fire protection waterline systems for Tracts or Commercial Developments shall be designed to be looped or interconnected to avoid dead end sections in accordance with requirements of the DSRSD Standard Specifications and sound engineering practice.	DSRSD	Approval of Improvement Plans
65.	Sewers shall be designed to operate by gravity flow to DSRSD's existing sanitary sewer system. Pumping of sewage is discouraged and may only be allowed under extreme circumstances following a case by case review with DSRSD staff. Any pumping station will require specific review and approval by DSRSD of preliminary design reports, design criteria, and final plans and specifications. The DSRSD reserves the right to require payment of present worth 20-year maintenance costs as well as other conditions within a separate agreement with the applicant for any project that requires a pumping station.	DSRSD	Approval of Improvement Plans
66.	This project includes mixed use and/or multi-family residential units and is subject to the requirement of SB 7 (2016, Walk) as a condition of water service. Each individual residential unit shall be metered or submetered to measure water used by each unit. Water meters for each unit shall be shown on improvement plans. Exemptions may be made only for exempted uses listed in the legislation. If submetering is proposed in lieu or individual meters, plans reflecting the submeters and associated residential unit shall be submitted. DSRSD may not approve applications and issue construction permits without this submittal.	DSRSD	Approval of Improvement Plans
67.	This project will be analyzed by DSRSD to determine if it represents additional water and/or sewer capacity demands on the District. Applicant will be required to pay all incremental capacity reserve fees for water and sewer services as required by the project demands. All capacity reserve fees must be paid prior to installation of a water meter for water. If a water meter is not required, the capacity reserve fee shall be paid prior to issuance of a building permit. The District may not approve the building permit until capacity reserve fees are paid.	DSRSD	Building Permit Issuance
68.	No sewer line or waterline construction shall be permitted unless the proper utility construction permit has been issued by DSRSD. A construction permit will only be issued after all of the items in Condition No.58 have been satisfied.	DSRSD	Construction Permit Issuance

69.	Above ground backflow prevention devices/double detector check valves shall be installed on fire protection systems connected to the DSRSD water main. The applicant shall collaborate with the Fire Department and with DSRSD to size and configure its fire system.	DSRSD	Approval of Improvement Plans
70.	Any proposed irrigation for this project shall be designed for and connected to potable water. Unless explicitly stated otherwise by DSRSD, recycled water irrigation is unavailable for use for this project per DERWA recycled water moratorium Resolution No. 19-3 dated 3/24/2019.	DSRSD	Approval of Improvement Plans
71.	Development plans will not be approved until landscape plans are submitted and approved.	DSRSD	Approval of Improvement Plans
72.	Trash enclosures are required to drain to the sanitary sewer system and grease interceptors shall be installed within the trash enclosure area. The trash enclosure shall be roofed and graded to minimize rainwater or stormwater from entering the trash enclosure.	DSRSD	Approval of Improvement Plans
PUBLIC WORKS GENERAL CONDITIONS			
73.	**Conditions of Approval.** Applicant/Developer shall comply with the City of Dublin Public Works Standard Conditions of Approval contained below ("Standard Condition") unless specifically modified by Project Specific Conditions of Approval below.	PW	On-going
74.	**Zone 7 Impervious Surface Fees.** Applicant/Developer shall complete a "Zone 7 Impervious Surface Fee Application" and submit an accompanying exhibit for review by the Public Works Department. Fees generated by this application will be due at issuance of Building Permit.	PW	Building Permit Issuance
PUBLIC WORKS – AGREEMENTS			
75.	**Stormwater Management Maintenance Agreement.** Applicant/Developer or Property Owner shall enter into an Agreement with the City of Dublin that guarantees the property owner's perpetual maintenance obligation for all stormwater management measures installed as part of the project, including those on-site and within the public Rights of Way. In addition to stormwater management measures, drainage v-ditches, mitigation areas, and existing wetlands shall be included for reference, as applicable. Said Agreement is required pursuant to Provision C.3 of the Municipal Regional Stormwater NPDES Permit, Order No. R2-2009-0074. Said permit requires the City to provide verification and assurance that all treatment devices will be properly operated and maintained. The required agreement for both the Nissan and Infinity projects shall be combined into one agreement and recorded against the property and this agreement shall run with the land.	PW	Grading/ Sitework Permit Issuance
PUBLIC WORKS – PERMITS AND BONDS			
76.	**Encroachment Permit.** Applicant/Developer shall obtain an Encroachment Permit from the Public Works Department for all construction activity within the public right-of-way.	PW	Permit Issuance
77.	**Grading/Sitework Permit.** Applicant/Developer shall obtain a Grading or Sitework Permit from the Public Works Department for all grading and site improvements.	PW	Permit Issuance

78.	**Security.** Applicant/Developer shall provide faithful performance security to guarantee the improvements, as well as payment security, as determined by the City Engineer (Note: The performance security shall remain in effect until one year after final inspection).	PW	Permit Issuance
79.	**Permits from Other Agencies.** Applicant/Developer shall obtain all permits and/or approvals required by other agencies including, but not limited to: • Army Corps of Engineers • Regional Water Quality Control Board • California Department of Fish and Wildlife • Dublin San Ramon Services District (DSRSD) • Alameda County Flood Control and Water Conservation District Zone 7 (Zone 7)	PW	Permit Issuance
PUBLIC WORKS - SUBMITTALS			
80.	**Improvement Plan Submittal Requirements.** All submittals of plans shall comply with the requirements of the "City of Dublin Public Works Department Improvement Plan Submittal Requirements", the "City of Dublin Improvement Plan Review Check List," and current Public Works and industry standards. A complete submittal of improvement plans shall include all civil improvements, joint trench, street lighting and on-site safety lighting, landscape plans, and all associated documents as required. Applicant/Developer shall not piecemeal the submittal by submitting various components separately.	PW	Grading/ Sitework Permit Issuance
81.	**Improvement Plan Requirements from Other Agencies.** Applicant/Developer will be responsible for submittals and reviews to obtain the approvals of all participating non-City agencies, namely, The Alameda County Fire Department and the Dublin San Ramon Services District. The aforementioned agencies shall approve and sign the Improvement Plans.	PW	Grading/ Sitework Permit Issuance
82.	**Approval by Others.** The Applicant/Developer will be responsible for submittals and reviews to obtain the approvals of all applicable non-City agencies.	PW	Grading/ Sitework Permit Issuance
83.	**Composite Exhibit.** Construction plan set shall include a Composite Exhibit showing all site improvements, utilities, landscaping improvements and trees, signs, etc. to be constructed to ensure that there are no conflicts among the proposed and existing improvements.	PW	Grading/ Sitework Permit Issuance
84.	**Geotechnical Report.** Applicant/Developer shall submit a Design Level Geotechnical Report, which includes but are not limited to grading, slope stability, pavement section, and additional information and/or clarifications as determined by the City Engineer.	PW	Grading /Sitework Permit Issuance
85.	**Building Pads, Slopes and Walls.** Applicant/Developer shall provide the Public Works Department with a letter from a registered civil engineer or surveyor stating that the building pads have been graded to within 0.1 feet of the grades shown on the approved Grading Plans, and that the top and toe of banks and retaining walls are at the locations shown on the approved Grading Plans.	PW	Certificate of Occupancy
86.	**Hydrology and Hydraulic Calculations.** Hydrology and Hydraulic calculations for the entire parcel including undeveloped areas shall be submitted for approval to the City	PW	Grading/ Sitework Permit Issuance

	Engineer. Alameda County published an updated version of the Alameda County Hydrology and Hydraulics Manual. The H and H Manual includes updates to calculating runoff and should be used as the basis for your hydrology and hydraulics design of flood control facilities in Alameda County. The manual is available for download at: https://acfloodcontrol.org/		
87.	**Stormwater Management Plan.** A final Stormwater Management Plan shall be submitted for review and approval by the City Engineer. Approval is subject to the Applicant/Developer providing the necessary plans, details, and calculations that demonstrate the plan complies with the standards issued by the San Francisco Bay Regional Water Quality Control Board and Alameda Countywide Clean Water Program. Landscape Based Stormwater Management Measures shall be irrigated and meet WELO requirements.	PW	Grading/ Sitework Permit Issuance
88.	**Onsite and Offsite Signing and Striping Plan.** A Traffic Signing and Striping Plan showing all proposed signing and striping within on-site parking lots, drive aisles, along the public street and the nearest intersection shall be submitted for review and approval by the City Engineer. Striping plans shall distinguish between existing striping to be removed and new striping to be installed. All striping in the public street shall be thermoplastic. All traffic striping along Inspiration Drive and Dublin Boulevard project frontages shall be removed and restriped to the satisfaction of the City Engineer.	PW	Grading/ Sitework Permit Issuance
89.	**Approved Plan Files.** Applicant/Developer shall provide the Public Works Department a PDF format file of approved site plans, including grading, improvement, landscaping and irrigation, joint trench and lighting.	PW	Grading/ Sitework Permit Issuance
90.	**Master Files.** Applicant/Developer shall provide the Public Works Department a digital vectorized file of the "master" files for the project, in a format acceptable to the City Engineer. Digital raster copies are not acceptable. The digital vectorized files shall be in AutoCAD 14 or higher drawing format. All objects and entities in layers shall be colored by layer and named in English. All submitted drawings shall use the Global Coordinate System of USA, California, NAD 83 California State Plane, Zone III, and U.S. foot.	PW	Certificate of Occupancy
91.	**Environmental Services Files**. Applicant/Developer shall provide to the Public Works Department GIS shape files, provided in a format acceptable to the City, all MRP Provision C.3 stormwater features, trash capture devices, mitigation measures, wetlands, v-ditches and public waste containers.	PW	Certificate of Occupancy
92.	**SB 1383 Compliance Reporting.** To comply with SB 1383, Applicant/Developer shall provide to the Public Works Department records indicating where SB 1383 compliant mulch or compost was applied in the project, the source and type of product, quantity of each product, and invoices demonstrating procurement.	PW	Certificate of Occupancy
93.	**Parking Lot Lighting.** The Applicant/Developer shall prepare a photometric plan for the site lighting to demonstrate that the minimum 1.0 foot candle lighting level is provided in accordance with the City of Dublin's requirements, or as	PW	Grading/ Sitework Permit Issuance

	otherwise approved by the City Engineer. The photometric plan shall show lighting levels which take into consideration poles, low walls and other obstructions. Exterior lighting shall be provided within the surface parking lots and on buildings and shall be of a design and placement so as not to cause glare onto adjoining properties, businesses or to vehicular traffic. Lighting used after daylight hours shall be adequate to provide for security needs. The parking lot lights shall be designed to eliminate any pockets of high and low illuminated areas.		
PUBLIC WORKS - EASEMENTS AND ACCESS RIGHTS			
94.	**Dedications.** All rights-of-way and easement dedications required by these conditions or determined necessary by the City Engineer shall be dedicated by separate instrument.	PW	Sitework Permit or Building Permit Issuance
95.	**Abandonment of Easements.** Applicant/Developer shall obtain abandonment from all applicable public agencies for existing easements and rights-of-way within the project site that will no longer be used. Prior to completion of abandonment, the improvement plans may be approved if the Applicant/Developer can demonstrate to the satisfaction of the City Engineer that the abandonment process has been initiated.	PW	Sitework Permit or Building Permit Issuance
96.	**Encroachment of Structures within Proposed and Existing Easements.** Project entry monument signs, lighting standards, walls, C.3 treatment facilities, or any other encroachments within a proposed or existing easement shall not be permitted unless otherwise approved by the City Engineer or easement holder. Any encroachment allowed to be located in an easement is subject to removal and replacement at the expense of the property owner when the easement rights are exercised by the easement holder.	PW	Grading/ Sitework Permit Issuance
PUBLIC WORKS – GRADING			
97.	**Grading Plan.** The Grading Plan shall be in conformance with the recommendation of the Geotechnical Report, the approved Site Development Review, and the City design standards and ordinances. In case of conflict between the soil engineer's recommendation and the City ordinances, the City Engineer shall determine which shall apply.	PW	Grading/ Sitework Permit Issuance
98.	**Geotechnical Engineer Review and Approval**. The Project Geotechnical Engineer shall be retained to review all final grading plans and specifications. The Project Geotechnical Engineer shall sign all grading plans prior to City approval.	PW	Grading/ Sitework Permit Issuance
99.	**Site Grading Adjacent to Buildings.** The ground immediately adjacent to the foundation shall be sloped away from the building at a slope required by the California Building Code.	PW	Grading/ Sitework Permit Issuance
100.	**Grading Off-Haul.** The disposal site and haul truck route for any off-haul dirt materials shall be subject to the review and approval by the City Engineer prior to the issuance of a Grading Permit. If the Developer does not own the parcel which the proposed disposal site is located, the Developer shall provide the City with a Letter of Consent signed by the current owner, approving the placement off-haul material on their parcel. A Grading Plan may be required for the placement of the off-haul material.	PW	Grading/ Sitework Permit Issuance

101.	**Erosion Control Plan.** A detailed Erosion and Sediment Control Plan shall be included with the Grading Plan submittal. The plan shall include detailed design, location, and maintenance criteria of all erosion and sedimentation control measures. The plan shall also address site housekeeping best management practices.	PW	Grading/ Sitework Permit Issuance
PUBLIC WORKS – STORM DRAINAGE AND OTHER UTILITIES			
102.	**On-site Storm Drain System.** Storm drainage for the 10-year storm event shall be collected on-site and conveyed through storm drains to the public storm drain system. Show the size and location of existing and proposed storm drains and catch basins on the site plan. Show the size and location of public storm drain lines and the points of connection for the on-site storm drain system.	PW	Grading/ Sitework Permit Issuance
103.	**Overland Release.** Grading and drainage shall be designed so that surplus drainage (above and beyond that of the 10-year storm event) are not collected in site catch basins, is directed overland so as not to cause flooding of existing or proposed buildings.	PW	Grading/ Sitework Permit Issuance
104.	**Storm Drain Easements.** Private storm drain easements and maintenance roads shall be provided for all private storm drains or ditches that are located on private property. The Applicant/Developer shall be responsible for the acquisition of all storm drain easements from offsite property owners which are required for the connection and maintenance of all offsite storm drainage improvements.	PW	Grading/ Sitework Permit Issuance
105.	**Storm Drain Inlet Markers.** All public and private storm drain inlets must be marked with storm drain markers that read: "No dumping, drains to creek," include the City Standard detail (CD-704) and a note to indicate that all public and private inlets shall be marked on the improvement plans. The markers may be purchased from the Public Work Department.	PW	Certificate of Occupancy
106.	**Fire Hydrants.** Fire hydrant locations shall be approved by the Alameda County Fire Department. A raised reflector blue traffic marker shall be shown on the signing and striping plan.	PW	Certificate of Occupancy
107.	**Dry Utilities.** Applicant/Developer shall construct gas, electric, telephone, cable TV, and communication improvements within the fronting streets and as necessary to serve the project and the future adjacent parcels as approved by the City Engineer and the various Public Utility agencies.	PW	Certificate of Occupancy
108.	**Dry Utility Locations.** All electric, telephone, cable TV, and communications utilities, shall be placed underground in accordance with the City policies and ordinances. All utilities shall be located and provided within public utility easements or public services easements and sized to meet utility company standards.	PW	Certificate of Occupancy
109.	**Utility Vaults and Boxes.** All utility vaults, boxes, and structures, unless specifically approved otherwise by the City Engineer, shall be underground and placed in landscaped areas and screened from public view. Landscape drawings shall be submitted to the City showing the location of all utility vaults, boxes, and structures and adjacent landscape features and plantings. The Joint Trench Plans shall be submitted along with the grading and/or improvement plans.	PW	Certificate of Occupancy
PUBLIC WORKS – STREET IMPROVEMENTS			

110.	**Public Improvements.** The public improvements shall be constructed generally as shown on the Site Development Review. However, the approval of the Site Development Review is not an approval of the specific design of the drainage, traffic circulation, parking, stormwater treatment, sidewalks and street improvements.	PW	Grading/ Sitework Permit Issuance
111.	**Public Improvement Conformance.** All public improvements shall conform to the City of Dublin Standard Plans, current practices, and design requirements and as approved by the City Engineer.	PW	Grading/ Sitework Permit Issuance
112.	**Curb, Gutter and Sidewalk.** Applicant/Developer shall remove and replace damaged, hazardous, or nonstandard curb, gutter and sidewalk along the project frontage. Contact the Public Works Department to mark the existing curb, gutter and sidewalk that will need to be removed and replaced. Provide minimum five feet wide sidewalks along Dublin Boulevard and Inspiration Drive project frontages.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
113.	**Curb Ramps**. City standard curb ramps are required at all intersections. All curb ramps shall include truncated domes and meet the most current City and ADA design standards. Show curb ramp locations on the plans. Please note that all curb returns on public streets, when applicable, shall have directional or dual ADA ramps – one for each crosswalk and oriented to align parallel with the crosswalk. Provide ADA compliant curb ramps at the intersection of Dublin Boulevard and Inspiration Drive.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
114.	**Accessible Pedestrian Signals.** Accessible Pedestrian Signals shall be provided at the intersection of Dublin Boulevard and Inspiration Drive per the latest MUTCD and Caltrans standards.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
115.	**Street Restoration.** A pavement treatment, such as slurry seal or grind and overlay, will be required within the public streets fronting the site as determined by the Public Works Department. The type and limits of the pavement treatment shall be determined by the City Engineer based upon the number and proximity of trench cuts, extent of frontage and median improvements, extent of pavement striping and restriping, excessive wear and tear/damage due to construction traffic, etc.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
PUBLIC WORKS – ONSITE IMPROVEMENTS			
116.	**Surface Slopes.** Pavement surface slopes in parking lots and drive aisles shall be a minimum of 0.5 percent and a maximum of five percent (unless otherwise required at parking spaces for the disabled and at ramps at the parking structure and loading dock). Exceptions may be considered by the City Engineer to account for unusual design conditions.	PW	Grading/ Sitework Permit Issuance
117.	**Public Litter Cans and Cigarette Butt Receptacles.** Public litter cans are required on site to meet Dublin Municipal Code 7.98.120.	PW	Grading/ Sitework Permit Issuance
118.	**Project Signs.** All proposed project signs or monument signs shall be placed on private property and located outside of any easement areas unless specifically approved by the City Engineer. Any signage located in an easement is subject	PW	Grading/ Sitework Permit Issuance

	to removal and replacement at the expense of the property owner if required by the easement holder.		
119.	**Drive Aisle Width.** The parking lot aisles shall be as required in DMC 8.76.070.A.7 for the proposed parking stall configuration to allow for adequate onsite vehicle circulation for cars, trucks, and emergency vehicles.	PW	Grading/ Sitework Permit Issuance
120.	**Vehicle Parking.** All on-site vehicle parking spaces shall conform to the following: a. All parking spaces shall be double striped using four-inch white lines set two feet apart in accordance with City Standards and DMC 8.76.070.A.17. b. Twelve-inch-wide concrete step-out curbs shall be constructed at each parking space where one or both sides abut a landscaped area or planter. c. Where wheel stops are shown, individual six-foot-long wheel stops shall be provided within each parking space in accordance with City Standards. d. Parking stalls next to walls, fences and obstructions to vehicle door opening (including those in the parking structure) shall be an additional four feet in width per DMC 8.76.070.A.16. e. Sidewalks that are designated as an accessible path of travel shall have a minimum width of six feet when adjacent to parked vehicles that overhang the curb. Install wheel stops per City Standard if the sidewalk is less than six-foot-wide. f. Landscaped strips adjacent to parking stalls shall be unobstructed in order to allow for a minimum two-foot vehicular overhang at front of vehicles.	PW	Grading/ Sitework Permit Issuance
121.	**Visibility Triangle.** All improvements within the sight visibility triangle at all intersections and driveways, including but not limited to walls and landscaping, shall be a maximum height of 30 inches from the roadway surface elevation at the nearest lane.	PW	Grading/ Sitework Permit Issuance
122.	**Photometrics.** The Applicant/Developer shall provide a complete photometrics plan for both onsite and frontage roadways including the intersection of Dublin Blvd and Inspiration Drive. Include the complete data on photometrics, including the High, Average and Minimum values for illuminance and uniformity ratio. Street light standards and luminaries shall be designed and installed or relocated as determined by the City Engineer.	PW	Grading/ Sitework Permit Issuance
123.	**Bicycle Parking.** Applicant/Developer shall install long term (bike lockers) and short term (bike racks) bicycle parking. Provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for five percent of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack. Bicycle racks shall generate two points of contact on the frame of the bicycle. Provide secure long term bicycle parking for five percent of the vehicular parking spaces with a minimum of one bicycle	PW	Grading/ Sitework Permit Issuance

	parking facility. Locations of the bicycle parking shall be subject to the review and approval of the City Engineer.		
124.	**Structures Located within Stormwater Facilities.** Structures such as light poles placed inside bio-retention areas, shall have deepened foundations. Note that the foundation located within the bio-retention area will reduce the effective bio-retention treatment area size.	PW	Grading/ Sitework Permit Issuance
PUBLIC WORKS – NPDES			
125.	**Stormwater Treatment.** Consistent with Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP) Order No. R2-2015-0049, the Developer shall submit documentation including construction drawings demonstrating all stormwater treatment measures and hydromodification requirements, as may be applicable, are met.	PW	Grading/ Sitework Permit Issuance
126.	**Stormwater Requirements Checklist.** Applicant shall submit a "Stormwater Requirements Checklist for Tenant Improvement Projects (Minor Projects)" and accompanying required documentation. The form can be downloaded from the following webpage, under Stormwater Design Submittal Forms; the applicable checklist should be filled out according to the project scope: http://dublin.ca.gov/1656/Development-Permits---Stormwater-Require	PW	Grading/ Sitework Permit Issuance
127.	**Stormwater Source Control.** All applicable structural and operational stormwater source controls shall be implemented.	PW	Grading/ Sitework Permit Issuance
128.	**Stormwater Management Plan (SWMP).** The preliminary SWMP submitted for Site Development Review has been approved in concept. A final Stormwater Management Plan shall be submitted for review and approval by the City Engineer. Approval is subject to the Applicant/Developer providing the necessary plans, details, and calculations that demonstrate the plan complies with the standards issued by the San Francisco Bay Regional Water Quality Control Board and Alameda Countywide Clean Water Program. Landscape Based Stormwater Management Measures shall be irrigated and meet WELO requirements.	PW	Grading/ Sitework Permit Issuance
129.	**Maintenance Access.** Applicant/Developer shall design and construct maintenance access to all stormwater management measures. Maintenance access for equipment and personnel to overflow risers, cleanouts and other structures is required.	PW	Grading/ Sitework Permit Issuance
130.	**Phased Construction and Stormwater Management Measures.** Required stormwater treatment, hydromodification management, and trash capture devices shall be installed so that the designed treatment facilities and devices will have been constructed, installed, and operational for the impervious area that is built for a phased project. The runoff from any phased project shall be adequately treated as designed in the approved Stormwater Management Plan (SWMP). Temporary facilities are not permitted.	PW	Grading/ Sitework Permit Issuance
131.	**Bay Friendly Landscape Design**. All publicly owned landscape (e.g., parks, right of way, etc.) shall be designed and rated to meet Bay Friendly Landscape standards. The Applicant/Developer is encouraged to design all other	PW	Grading/ Sitework Permit Issuance

	landscape areas according to Bay Friendly Landscape standards.		
132.	**Plants in Bio-retention Areas.** Plants within bio-retention areas shall be irrigated and selected from the pre-approved plant list provided in the Alameda County Clean Water Program C.3 Technical Guidance.	PW	Grading/ Sitework Permit Issuance
133.	**Clean Bay Blueprint.** The Applicant/Developer shall add the "Clean Bay Blueprint" to the building plans which can be found on the City website at the link below under Construction Stormwater Best Management Practices (BMPs): http://dublin.ca.gov/1656/Development-Permits---Stormwater-Require		Grading/ Sitework Permit Issuance
134.	**Trash Capture.** The project must include appropriate full trash capture devices for both private and public improvements. Specific details on the trash capture devices selected are required on the construction plan set demonstrating how MRP Provision C.10 (trash capture) requirements are met. A list of approved full trash capture devices may be found at the City's website at the following link: insert here. Please note that lead time for trash capture device delivery can be substantial. The applicant/contractor shall plan accordingly.	PW	Grading/ Sitework Permit Issuance
135.	**Solid Waste Requirements.** The Project must comply with all requirements in Dublin Municipal Code Chapter 7.98, including the following requirements: • Install trash, recycling and organics collection containers along public and private sidewalks and community congregation areas. • Install pet waste disposal stations	PW	Grading/ Sitework Permit Issuance
136.	**Waste Enclosure**. The waste enclosure shall meet all of the requirements set forth within the Dublin Municipal Code Section 7.98, including but not limited to providing sewer and water hook-ups as applicable. The improvement plans and/or building permit plans shall show additional information demonstrating these requirements are met. A standard plan for the waste enclosure can be downloaded at https://dublin.ca.gov/341/Standard-Plans in the "Stormwater Measures" section. A pedestrian accessible path of travel shall be provided for employees from the building to the waste enclosure in conformance with current accessibility requirements.	PW	Grading /Sitework Permit Issuance
137.	**Garbage Truck Access**. The Applicant/Developer shall provide plans and details on anticipated garbage truck access and routes, in addition to example set-out diagrams for waste carts/bins placement on garbage day demonstrating adequate space available for carts/bins. Carts and bins shall not block street or driveway access.	PW	Grading/ Sitework Permit Issuance
138.	**SB 1383 Compliance.** To comply with SB 1383 procurement requirements, all mulch and compost used in stormwater management measures and general landscape areas shall meet SB 1383 procurement requirements. Specifically, compost must be produced at a permitted composting facility; digestate, biosolids, manure and mulch do not qualify as compost. Eligible mulch must be derived from organic materials and be produced at a permitted transfer station,	PW	Grading/ Sitework Permit Issuance

	landfill, or composting facility. Examples of allowed compost include arbor mulch and composted mulch.		
PUBLIC WORKS – CONSTRUCTION			
139.	**Erosion Control Implementation.** The Erosion and Sediment Control Plan shall be implemented between October 1st and April 30th unless otherwise allowed in writing by the City Engineer. The Developer will be responsible for maintaining erosion and sediment control measures for one year following the City's acceptance of the improvements.	PW	Start of Construction and On-going
140.	**Archaeological Finds.** If archaeological materials are encountered during construction, construction within 100 feet of these materials shall be halted until a professional Archaeologist who is certified by the Society of California Archaeology (SCA) or the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation measures.	PW	Start of Construction and On-going
141.	**Construction Activities.** Construction activities, including the idling, maintenance, and warming up of equipment, shall be limited to Monday through Friday, and non-City holidays, between the hours of 7:30 a.m. and 5:30 p.m. except as otherwise approved by the City Engineer. Extended hours or Saturday work will be considered by the City Engineer on a case-by-case basis. Note that the construction hours of operation within the public right of way are more restrictive.	PW	Start of Construction and On-going
142.	**Temporary Fencing.** Temporary Construction fencing shall be installed along the perimeter of all work under construction to separate the construction operation from the public. All construction activities shall be confined within the fenced area. Construction materials and/or equipment shall not be operated or stored outside of the fenced area or within the public right-of-way unless approved in advance by the City Engineer.	PW	Start of Construction and On-going
143.	**Construction Noise Management Plan.** Applicant/Developer shall prepare a construction noise management plan that identifies measures to be taken to minimize construction noise on surrounding developed properties. The plan shall include hours of construction operation, use of mufflers on construction equipment, speed limit for construction traffic, haul routes and identify a noise monitor. Specific noise management measures shall be provided prior to project construction.	PW	Start of Construction Implementation, and On-going needed
144.	**Traffic Control Plan.** Closing of any existing pedestrian pathway and/or sidewalk during construction shall be implemented through a City approved Traffic Control Plan and shall be done with the goal of minimizing the impact on pedestrian circulation.	PW	Start of Construction and On-going
145.	**Construction Traffic Interface Plan.** Applicant/ Developer shall prepare a plan for construction traffic interface with public traffic on any existing public street. Construction traffic and parking may be subject to specific requirements by the City Engineer.	PW	Start of Construction and On-going
146.	**Pest Control.** Applicant/Developer shall be responsible for controlling any rodent, mosquito, or other pest problem due to construction activities.	PW	On-going

147.	**Lighting Inspection.** Prior to Occupancy, the Applicant shall request an inspection of the lighting levels throughout the site to determine if lighting is sufficient. If additional lights are required to be installed to meet the 1.0 foot-candle requirement, or for other safety or operational reasons, the Applicant/Developer shall do so prior to Occupancy.	PW	Certificate of Occupancy
148.	**Construction Traffic and Parking.** All construction related parking shall be off the public street.	PW	Start of Construction and On-going
149.	**Dust Control/Street Sweeping.** The Applicant/ Developer shall provide adequate dust control measures at all times during the grading and hauling operations. All trucks hauling export and import materials shall be provided with tarp cover at all times. Spillage of haul materials and mud-tracking on the haul routes shall be prevented at all times. The Applicant/Developer shall be responsible for sweeping of streets within, surrounding and adjacent to the project if it is determined that the tracking or accumulation of material on the streets is due to its construction activities.	PW	Start of Construction Implementation, and On-going needed
PUBLIC WORKS - SPECIAL CONDITIONS			
150.	**Right of Way Vacation and Parcel Acquisition.** At the completion of the Dublin Blvd right-of-way vacation process, the Applicant/Developer shall enter into a purchase agreement to acquire the vacated Dublin Blvd parcel south of the project. Right-of-way vacation and parcel acquisition is subject to City Council approval.	PW	Sitework Permit or Building Permit Issuance
151.	**Lot Merger.** Applicant/Developer upon purchase of the vacated parcel south of the property shall submit a Lot Merger application to the City including all the required documentation, plat maps, and legal descriptions, prepared by a CA Licensed Surveyor, for merging of the parcels.	PW	Sitework Permit or Building Permit Issuance
152.	**Public Service Easements.** A 10-foot Public Service Easement (PSE) shall be dedicated along the frontage of the merged properties facing Dublin Boulevard to allow for the proper placement of public utility vaults, boxes, appurtenances or similar items behind the back-of-sidewalk. Private improvements such as fences, gates or trellises shall not be located within the PSE.	PW	Sitework Permit or Building Permit Issuance
153.	**Relinquishment of Abutter's Rights.** The Applicant/Developer shall relinquish to the City the property's abutter's rights along the property frontage of the merged parcel facing Dublin Boulevard by separate instrument.	PW	Sitework Permit or Building Permit Issuance
154.	**Private Storm Drain Easement.** The Applicant/Developer shall grant a private storm drain easement for the benefit of the northern parcel for the conveyance of upstream stormwater runoff that will be flowing through the property.	PW	Sitework Permit or Building Permit Issuance
155.	**Public Access Easement.** A Public Access Easement (PAE) shall be dedicated along Inspiration Drive for the construction of an ADA compliant driveway approach.	PW	Sitework Permit or Building Permit Issuance
156.	**Lot Line Adjustment.** The Applicant/Developer shall submit a Lot Line Adjustment application and all required documentation, plat maps, and legal descriptions prepared by a CA Licensed Surveyor for the proposed Lot Line Adjustment at the property's northerly boundary line.	PW	Grading/ Sitework Permit or Building Permit Issuance

157.	**Driveway Approach.** Applicant/Developer shall construct an ADA compliant driveway approach consistent with the City Standard detail and shall dedicate a public access easement to the City so that the driveway approach can be constructed entirely within the public right-of-way	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
158.	**Curb Ramps.** Curb returns and curb ramps at the northwest and northeast corner of the Dublin Boulevard and Inspiration Drive intersection were found to be deficient and shall be upgraded to current City and ADA design standards.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
159.	**Structures Adjacent to 36-Inch Storm Drain Line.** Any structures such as lighting standards located in the vicinity of the 36-inch storm drain line that crosses Parcel 2 from Inspiration Drive shall be at a distance that will ensure the storm drain system is outside the load influence line.	PW	Grading/ Sitework Permit or Building Permit Issuance
160.	**Existing Sidewalk Repairs.** All sidewalks fronting the project site shall be reviewed for any deficiencies with respect to current ADA standards and any found deficiencies shall be made compliant. Sidewalks shall be a minimum of five feet in width.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance

PASSED, APPROVED, AND ADOPTED this 17th day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

Attachment 5

INSPIRATION MEMORY CARE

DUBLIN, CA

APN: 941-0022-005-00

DATED: NOV 23, 2021

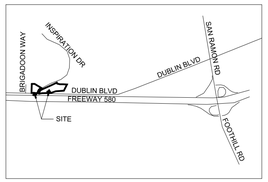
ARCHITECT:
LENITY ARCHITECTURE, INC
3150 KETTLE COURT SE
SALEM, OREGON 97301
503-399-1090

LANDSCAPE ARCHITECT:
LENITY ARCHITECTURE, INC
3150 KETTLE COURT SE
SALEM, OREGON 97301
503-399-1090

CIVIL ENGINEER:
PHILLIPPI ENGINEERING
425 MERCHANT STREET
VACAVILLE, CA 95688
707-451-6556

SHEET INDEX:

- A0.1 TITLE SHEET
- A1.1 SITE PLAN
- A2.1 FLOOR PLANS
- A3.1 PROPOSED MATERIAL & FINISHES
- A3.2 SITE DETAILS
- A4.1 PRECEDENT IMAGERY
- A5.1 RENDERINGS
- A5.2 RENDERINGS
- A5.3 ELEVATIONS
- A5.4 ELEVATIONS
- A5.5 SITE SECTION / ELEVATION
- E1.1 SITE LIGHTING PLAN
- L-1 LANDSCAPE PLAN



VICINITY MAP
NOT TO SCALE

PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

lenity architecture, inc.
3150 Kettle Court SE, Salem, Oregon 97301
P 503 399 1090 F 503 399 0565 W lenityarchitecture.com

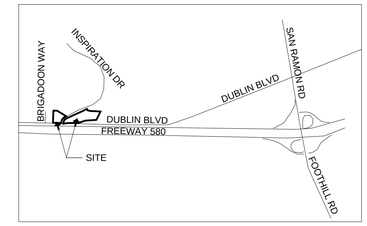
INSPIRATION MEMORY CARE

Dublin, CA

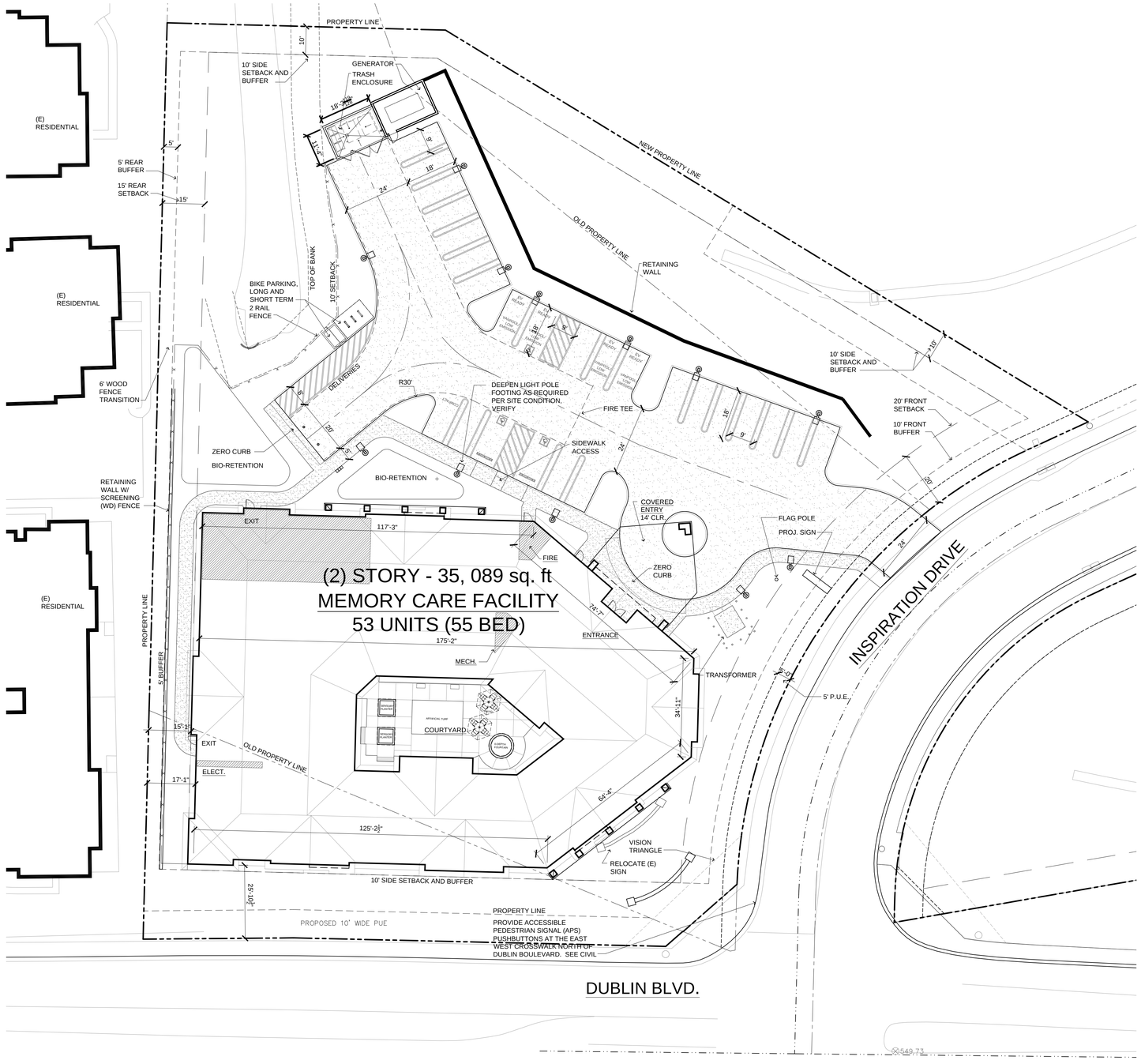
A0.1

FULCRUM

DUBLIN, CA



VICINITY MAP
NOT TO SCALE



1 A1.1 SITE PLAN
1" = 20'

PROJECT DATA

DESCRIPTION:
THE PROPOSED PROJECT WOULD CONSTRUCT A NEW 2-STORY MEMORY CARE RESIDENCE AT INSPIRATION DRIVE. THE PROPOSED PROJECT WOULD INCLUDE 53 RESIDENT UNITS.

SITE DATA: LOT-2	PROPOSED	EXISTING / REQUIRED
PROPERTY AREA: 1.63 ACRES	71,088 SQ. FT.	N.A.
ASSESSORS PARCEL ID NUMBER	941-0022-005-00	
GENERAL PLAN LAND USE:	PUBLIC / SEMI-PUBLIC	
ZONING LAND USE:	ED	
ZONING PLANNED DEVELOPMENT NUMBER:	ORD. 07-03	
PLANNING AREA:	PRIMARY PLANNING AREA BOUNDARY	
ZONING FILE NUMBER:	PA 00-017	
USE: MEMORY CARE		(E) NONE
LOT COVERAGE:	17,461 SQ.FT. (24.0%)	(E) NONE
FLOOR AREA RATIO:	(17,461 + 17,628 = 35,089 SQ. FT.) (0.49 FAR)	(E) NONE
SITE AREA BREAKDOWN:		
BUILDING:	17,461 SQ.FT. (24%)	(E) NONE
PATIOS / WALKS:	4,503 SQ.FT. (06%)	
DRIVES / PARKING:	13,213 SQ.FT. (20%)	
OPEN SPACE:	35,911 SQ.FT. (50%)	
TOTAL	71,088 SQ.FT. (100%)	
IMPERVIOUS AREA:	33,917 SQ.FT. (50%)	
PERVIOUS AREA:	35,911 SQ.FT. (50%)	(E) 71,088 SQ.FT.
PARKING BREAKDOWN:		
OPEN SPACES	23	
ACCESSIBLE SPACES	2	
TOTAL SPACES	25	25 REQ.
ELECTRONIC VEHICLE READY SPACES:	04	
CLEAN AIR / VAN POOL SPACES:	03	
BIKE PARKING:		
SHORT TERM SPACES	06	
LONG TERM SPACES	02	
LANDSCAPE BUFFER:	5' REAR 10' ALL OTHER SIDES	N.A.
BUILDING SETBACK:		
MIN. FRONT YARD SETBACK:	20'-0"	20'-0"
MIN. SIDE YARD SETBACK:	10'-0"	10'-0"
MIN. REAR YARD SETBACK:	15'-0"	15'-0"
BUILDING HEIGHT MAX:		2 STORY MAX

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INSPIRATION MEMORY CARE

Dublin, CA

SITE PLAN - LOT 2
DATE: 11/23/2021
1" = 20'
0 10 20 40 60

FULCRUM

A1.1

2 A2.1 SECOND FLOOR PLAN
1/16" = 1'-0"

Building Square Footage

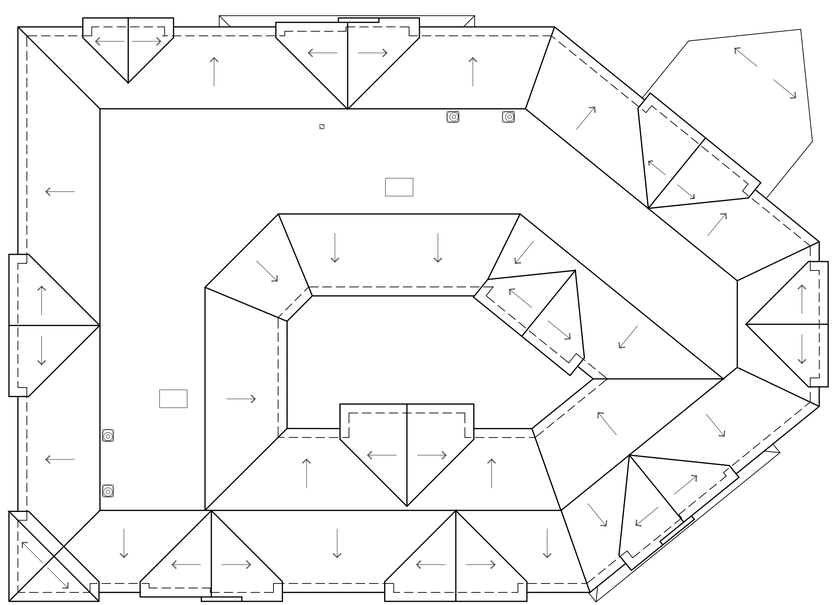
17,461 SQFT - GROUND FLOOR
17,628 SQFT - UPPER FLOOR
35,089 SQFT - TOTAL SQFT

Unit Breakdown

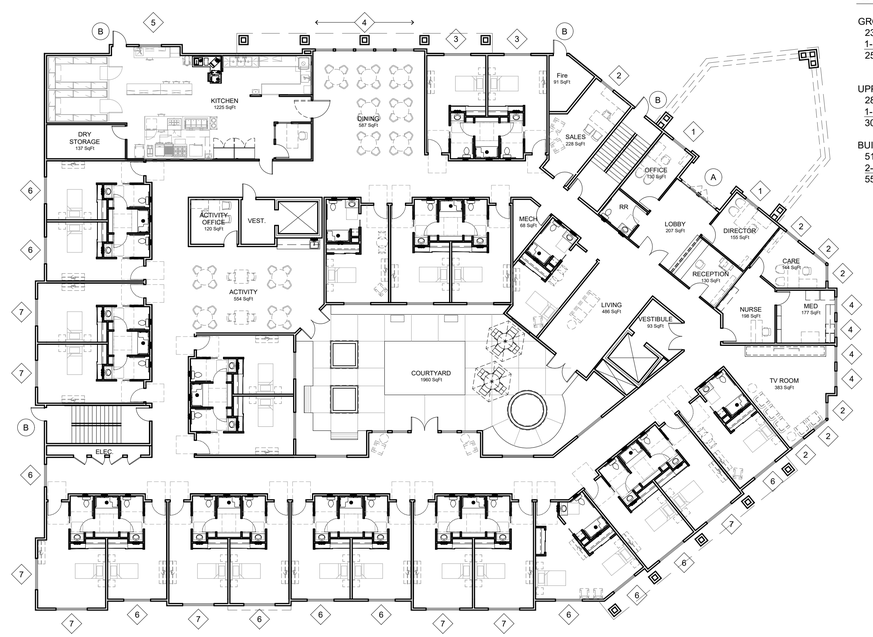
GROUND FLOOR
23- PRIVATE (289 SQFT & 335 SQFT)
1- SHARED (451 SQFT)
25- TOTAL BEDS

UPPER FLOOR
28- PRIVATE (289 SQFT)
1- SHARED (451 SQFT)
30- TOTAL BEDS

BUILDING
51- PRIVATE
2- SHARED
55- TOTAL BEDS



3 A2.1 ROOF PLAN
1/16" = 1'-0"



1 A2.1 FIRST FLOOR PLAN
1/16" = 1'-0"

SCHEMATIC PLANS
DATE: 10/08/20
1/16" = 1'-0"

A2.1

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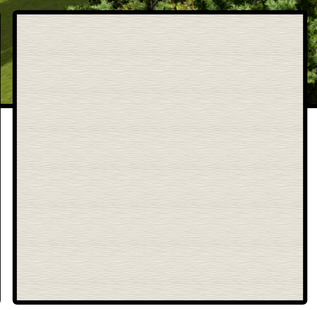
FULCRUM

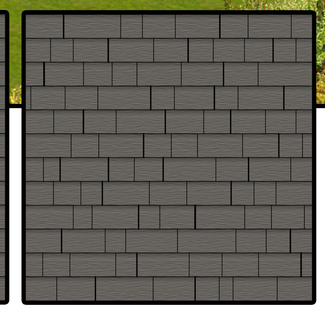
Stone 1
Eldorado Stone
European Ledge
Glacier



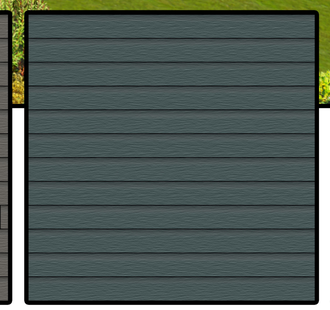
Trim and Columns
James Hardie
Arctic White
Smooth

Siding 1
James Hardie
Pearl Gray
Lap

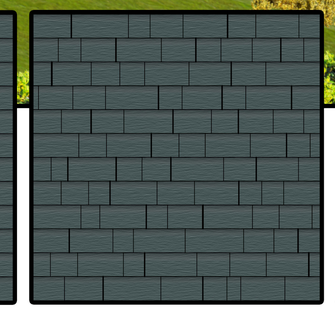
Siding 2
James Hardie
Aged Pewter
Lap



Siding 3
James Hardie
Aged Pewter
Shake



Siding 4
James Hardie
Evening Blue
Lap



Siding 5
James Hardie
Evening Blue
Shake

Stucco to Match
James Hardie
Aged Pewter
Smooth

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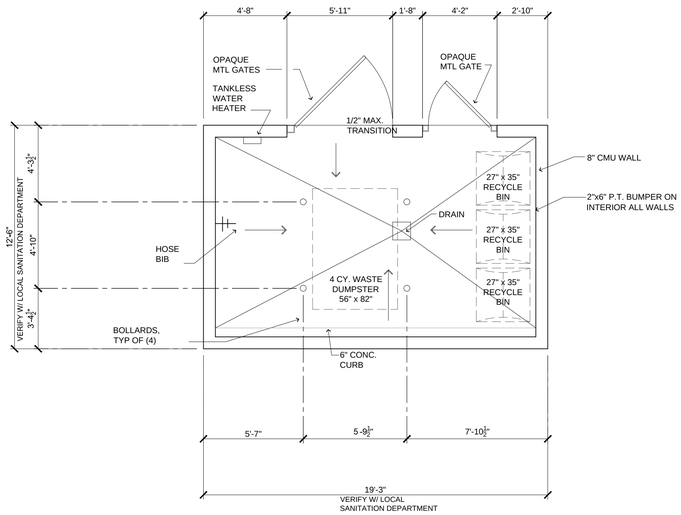
DUBLIN MEMORY CARE

Dublin, CA

A3.1

FULCRUM

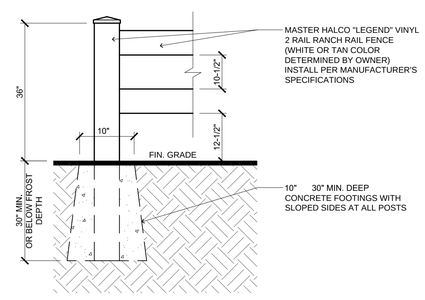
867



7 TRASH AND RECYCLING ENCLOSURE
(PLAN) (UNDER SEPERATE PERMIT)

SCALE: 1/4" = 1'-0"

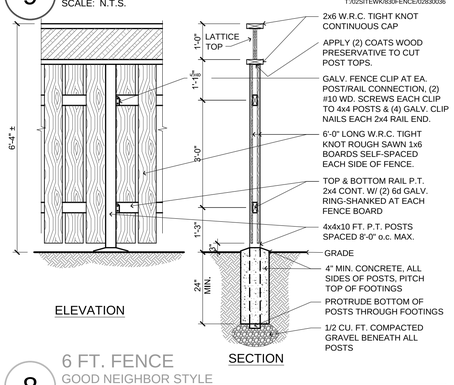
P:/FULCRUM/CA-DUBLIN/LOT-2/DETAILS/TRASH ENCL PLN



9 2 RAIL VINYL FENCE
MASTER HALCO OR EQUAL

SCALE: N.T.S.

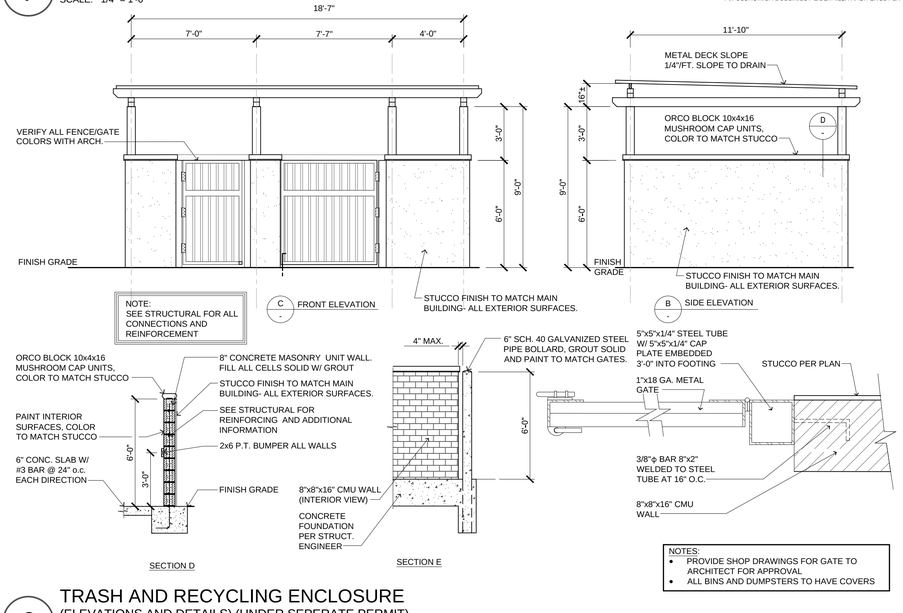
T:/025/TEWK/830FENCE/02830036



8 6 FT. FENCE
GOOD NEIGHBOR STYLE

SCALE: N.T.S.

P:/FULCRUM/CA-DUBLIN/LOT-2/DETAILS/6 FT. FENCE LAT

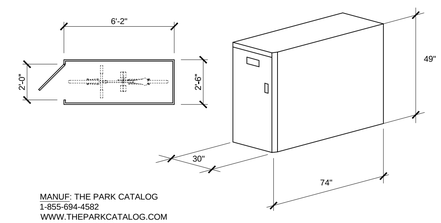


NOTES:
- PROVIDE SHOP DRAWINGS FOR GATE TO ARCHITECT FOR APPROVAL
- ALL BINS AND DUMPSTERS TO HAVE COVERS

6 TRASH AND RECYCLING ENCLOSURE
(ELEVATIONS AND DETAILS) (UNDER SEPERATE PERMIT)

SCALE: 1/4" = 1'-0"

P:/FULCRUM/CA-DUBLIN/LOT-2/DETAILS/TRASH ENCL ELEVATIONS



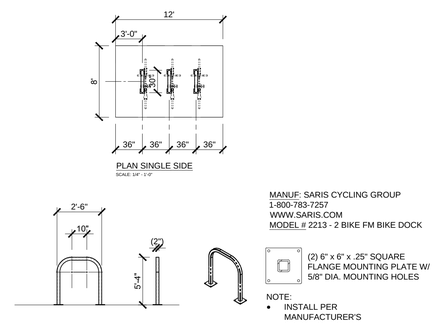
MANUF: THE PARK CATALOG
1-855-694-4582
WWW.THEPARKCATALOG.COM
MODEL # 537-1052

NOTE:
- INSTALL PER MANUFACTURER'S SPECIFICATIONS

5 BIKE LOCKER
(LONG TERM BIKE PARKING)

SCALE: 1/4" = 1'-0"

P:/FULCRUM/CA-DUBLIN/LOT-2/DETAILS/BIKE LOCKER

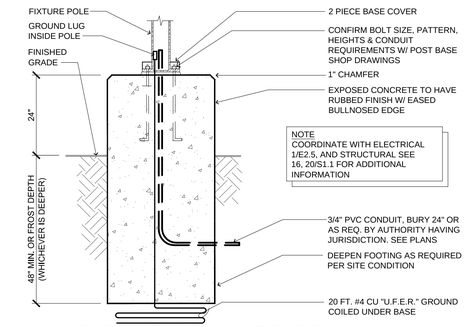


NOTE:
- INSTALL PER MANUFACTURER'S SPECIFICATIONS

4 BIKE DOCK
(SHORT TERM BIKE PARKING)

SCALE: 1/8" = 1'-0"

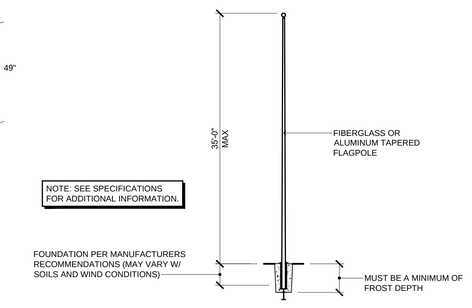
P:/FULCRUM/CA-DUBLIN/LOT-2/DETAILS/02830032



3 PARKING LOT LIGHT BASE

SCALE: 3/4" = 1'-0"

P:/FULCRUM/CA-DUBLIN/LOT-2/DETAILS/02850001



2 FLAG POLE
(GROUND SET CONE)

SCALE: NOT TO SCALE

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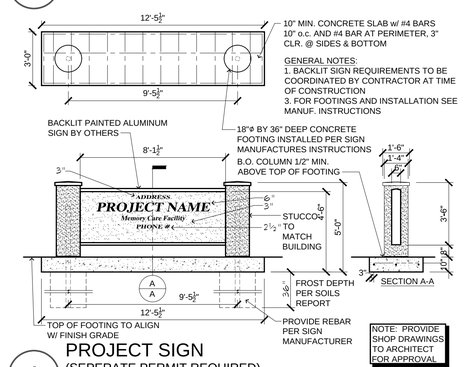

NOTE: PROVIDE SHOP DRAWINGS TO ARCHITECT FOR APPROVAL

1 PROJECT SIGN
(SEPERATE PERMIT REQUIRED)

SCALE: 1/4" = 1'-0"

P:/FULCRUM/CA-DUBLIN/LOT-2/DETAILS/PROJSIGN

SITE DETAILS
DATE: 11/23/2021

PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

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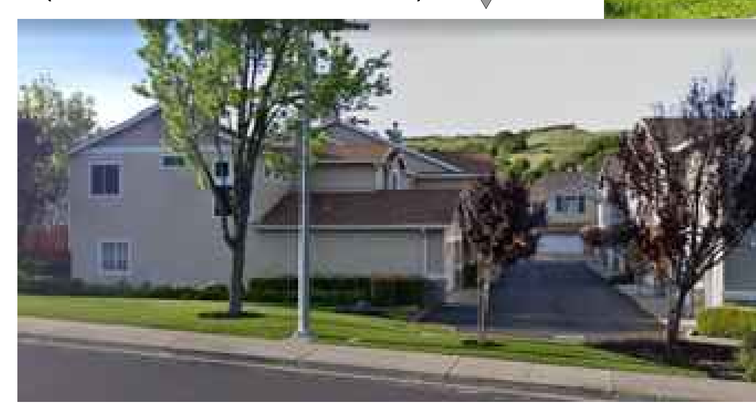
INSPIRATION MEMORY CARE

Dublin, CA

A3.2

FULCRUM

CALIFORNIA HIGHLANDS
(ADJACENT PROPERTY)



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A4.1

FULCRUM

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INSPIRATION MEMORY CARE

Dublin, CA

A5.1

FULCRUM

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INSPIRATION MEMORY CARE

Dublin, CA

A5.2

FULCRUM

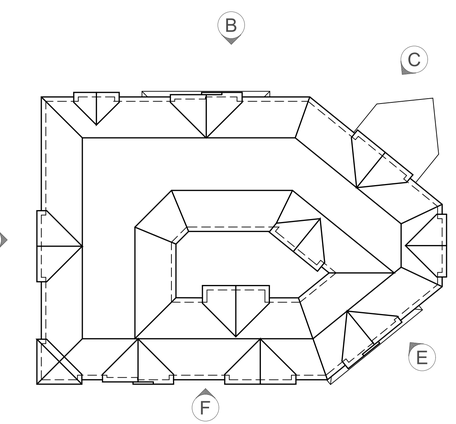
A ELEVATION
(EAST)
SCALE: 1/8" = 1'-0"

B ELEVATION
(NORTH)
SCALE: 1/8" = 1'-0"

C ELEVATION
(NORTHWEST)
SCALE: 1/8" = 1'-0"

KEY NOTES - EXTERIOR MATERIALS & COLORS

1 STONE	= STONE VENEER EUROPEAN LEDGE COLOR: GLACIER
2 TRIM	= TRIM AND COLUMNS JAMES HARDIE COLOR: ARCTIC WHITE - SMOOTH
3 SIDING 1	= SIDING JAMES HARDIE COLOR: PEARL GRAY - LAP
4 SIDING 2	= SIDING JAMES HARDIE COLOR: AGED PEWTER - LAP
5 SIDING 3	= SIDING JAMES HARDIE COLOR: AGED PEWTER - SHAKE
6 SIDING 4	= SIDING JAMES HARDIE COLOR: EVENING BLUE - BOARD AND BATT
7 SIDING 5	= SIDING JAMES HARDIE COLOR: EVENING BLUE - SHAKE
8 WINDOW	= VINYL FRAMED INSULATED WINDOWS COLOR: TBD
9 ROOF	= TILE ROOF COLOR: TBD
10	= FASCIA TRIM COLOR: TBD
11 DOORS	= EXTERIOR STOREFRONT ENTRY DOORS MFR: STANLEY DURAGLIDE 2000, COLOR: DARK BRONZE ANODIZED
12	= OUTRIGGERS
13 STUCCO	= STUCCO TBD COLOR: MATCH AGED PEWTER - SMOOTH



KEY PLAN

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INSPIRATION MEMORY CARE

Dublin, CA

ELEVATIONS
DATE: 11/23/2021

A5.3

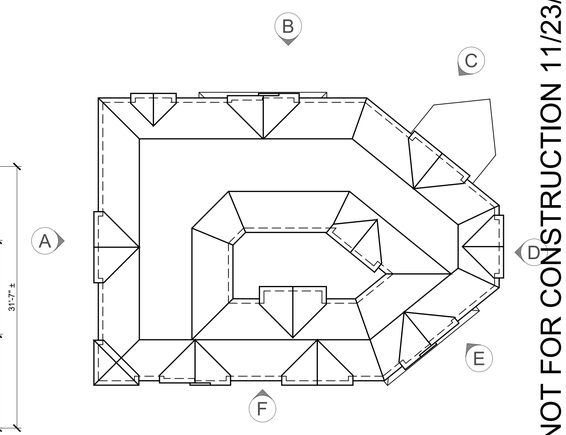
FULCRUM

D ELEVATION
(EAST)
SCALE: 1/8" = 1'-0"

KEY NOTES - EXTERIOR MATERIALS & COLORS	
1 STONE	= STONE VENEER EUROPEAN LEDGE COLOR: GLACIER
2 TRIM	= TRIM AND COLUMNS JAMES HARDIE COLOR: ARCTIC WHITE - SMOOTH
3 SIDING 1	= SIDING JAMES HARDIE COLOR: PEARL GRAY - LAP
4 SIDING 2	= SIDING JAMES HARDIE COLOR: AGED PEWTER - LAP
5 SIDING 3	= SIDING JAMES HARDIE COLOR: AGED PEWTER - SHAKE
6 SIDING 4	= SIDING JAMES HARDIE COLOR: EVENING BLUE - BOARD AND BATT
7 SIDING 5	= SIDING JAMES HARDIE COLOR: EVENING BLUE - SHAKE
8 WINDOW	= VINYL FRAMED INSULATED WINDOWS COLOR: TBD
9 ROOF	= TILE ROOF COLOR: TBD
10	= FASCIA TRIM COLOR: TBD
11 DOORS	= EXTERIOR STOREFRONT ENTRY DOORS MFR: STANLEY DURAGLIDE 2000, COLOR: DARK BRONZE ANODIZED
12	= OUTRIGGERS
13 STUCCO	= STUCCO TBD COLOR: MATCH AGED PEWTER - SMOOTH

E ELEVATION
(NORTH)
SCALE: 1/8" = 1'-0"

F ELEVATION
(NORTHWEST)
SCALE: 1/8" = 1'-0"



KEY PLAN

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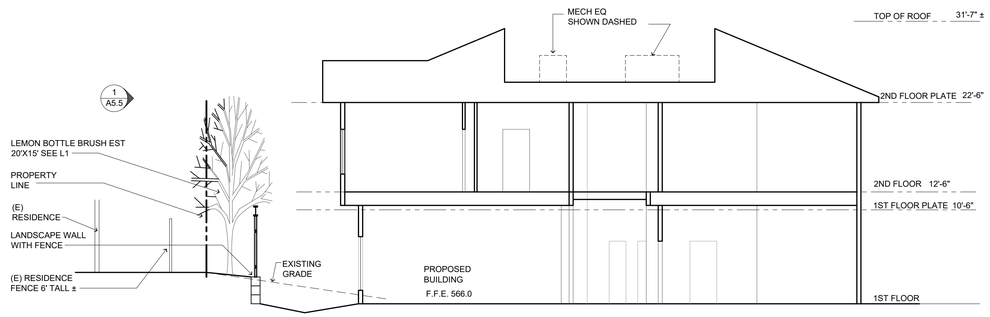
INSPIRATION MEMORY CARE

Dublin, CA

ELEVATIONS
DATE: 11/23/2021

A5.4

FULCRUM

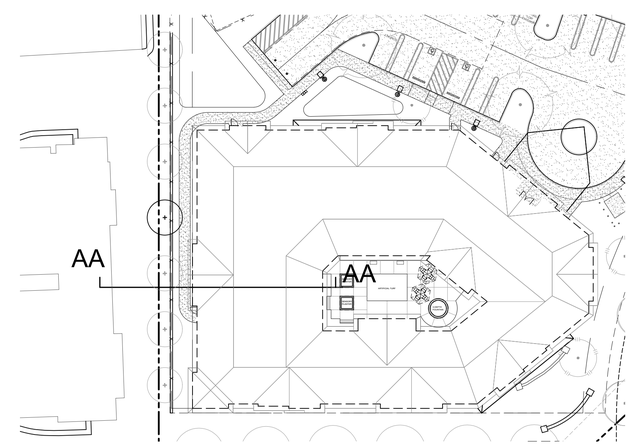


AA SECTION

SCALE: 1/8" = 1'-0"

1 ELEVATION
(NORTH)

SCALE: 1/8" = 1'-0"



KEY PLAN

SCALE: NOT TO SCALE

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INSPIRATION MEMORY CARE

Dublin, CA

SITE SECTION EXHIB.

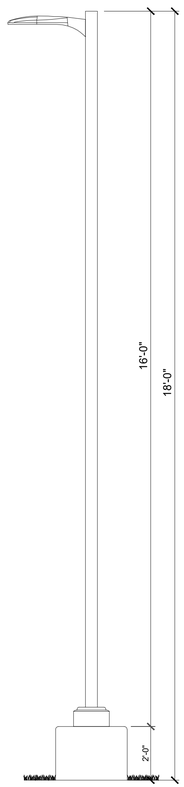
DATE: 11/23/2021

A5.5

FULCRUM

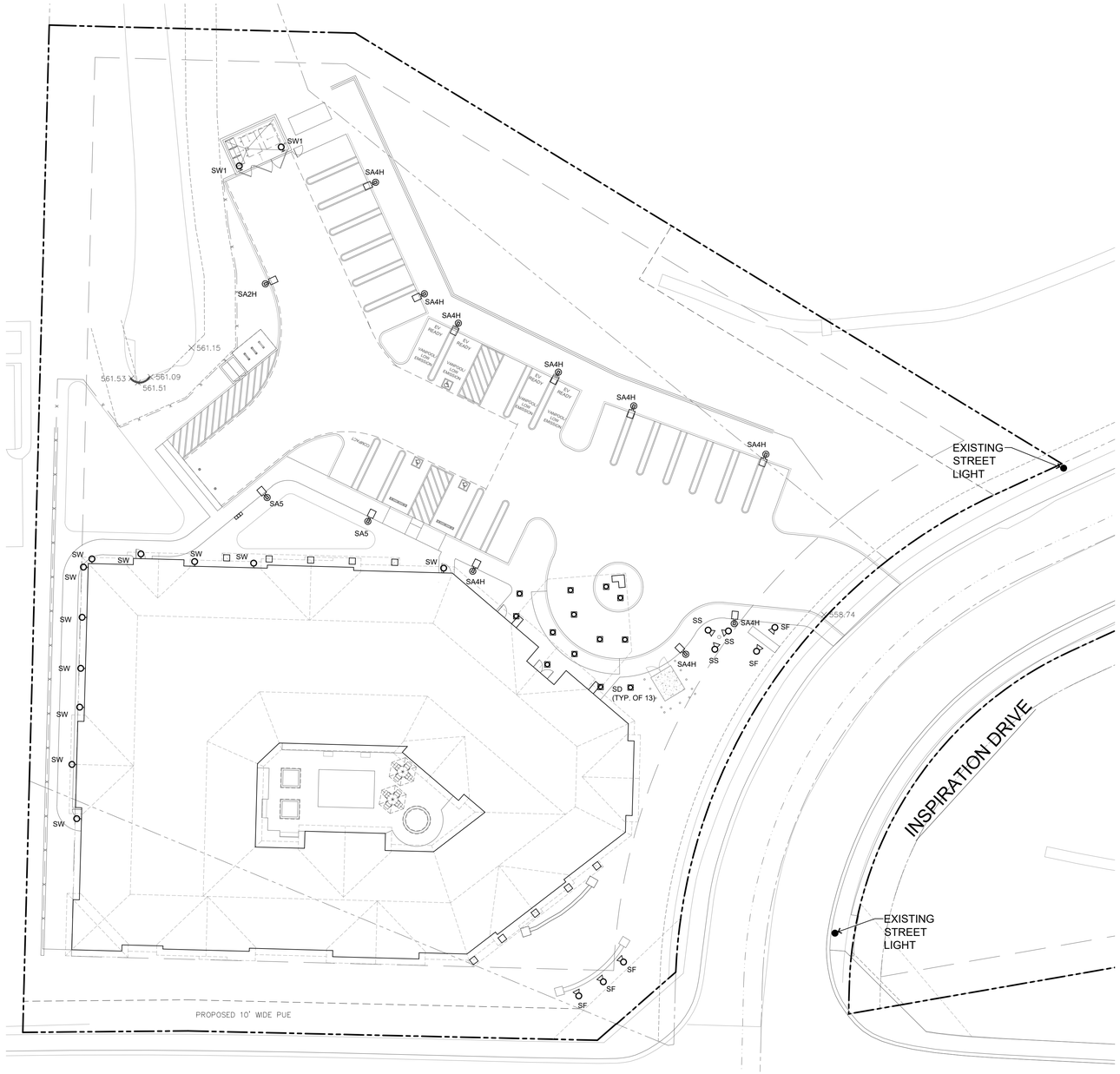
PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

Schedule							
Symbol	Label	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Wattage
	SA2H	Lithonia Lighting	KAD LED 20C 700 40K R2 MVOLT HS	KAD LED, 20 LED, 700mA MVOLT DRIVER, 4000K, TYPE 2 OPTICS WITH HOUSE SIDE SHIELDS.	1	4735	45
	SA4H	Lithonia Lighting	KAD LED 40C 700 40K R4 MVOLT HS	KAD LED, 40 LED, 700mA MVOLT DRIVER, 4000K, TYPE 4 OPTICS WITH HOUSE SIDE SHIELDS	1	8619	94
	SA5	Lithonia Lighting	KAD LED 40C 700 50K R5 MVOLT	KAD LED, 40 LED, 700mA MVOLT DRIVER, 5000K, TYPE 5 OPTICS.	1	11761	94
	SD	Gotham Architectural Lighting	EVO LW 40/45 6AR LSS	6IN Lensed Wallwash, 4000K, 4500lm Nominal, Semi-specular Reflector	1	3544	51.27
	SW	Lithonia Lighting	DSXW1 LED 10C 530 40K T4M MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE T4M OPTIC, 4000K, @ 530mA.	1	2115	19.1
	SW1	Lithonia Lighting	OLWP 11	OUTDOOR LED WALLPACK WITH 4000K LEDS AND POLYCARBONATE COVER/DIFFUSER	1	1111	20.41
	SS	KIM LIGHTING	CFL-NF-214K50	Compact cylindrical flood light, spot distribution	1	4212	34.46
	SF	KIM LIGHTING	CFL-WF-214K50	Compact cylindrical flood light, flood distribution. With barn doors	1	4212	34.46



TYPE SA_

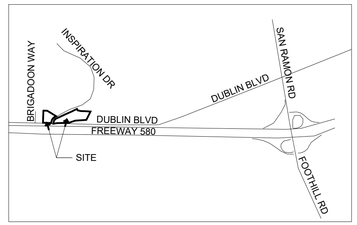
PARKING LOT
LED LIGHT POLE



SITE LIGHTING PLAN

1" = 20'

DUBLIN, CA



VICINITY MAP

NOT TO SCALE

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INSPIRATION MEMORY CARE

Dublin, CA

SITE PLAN - LOT 2
LIGHTING

DATE: 11/23/2021
1" = 20'

0 10 20 40 60

FULCRUM

E1.1

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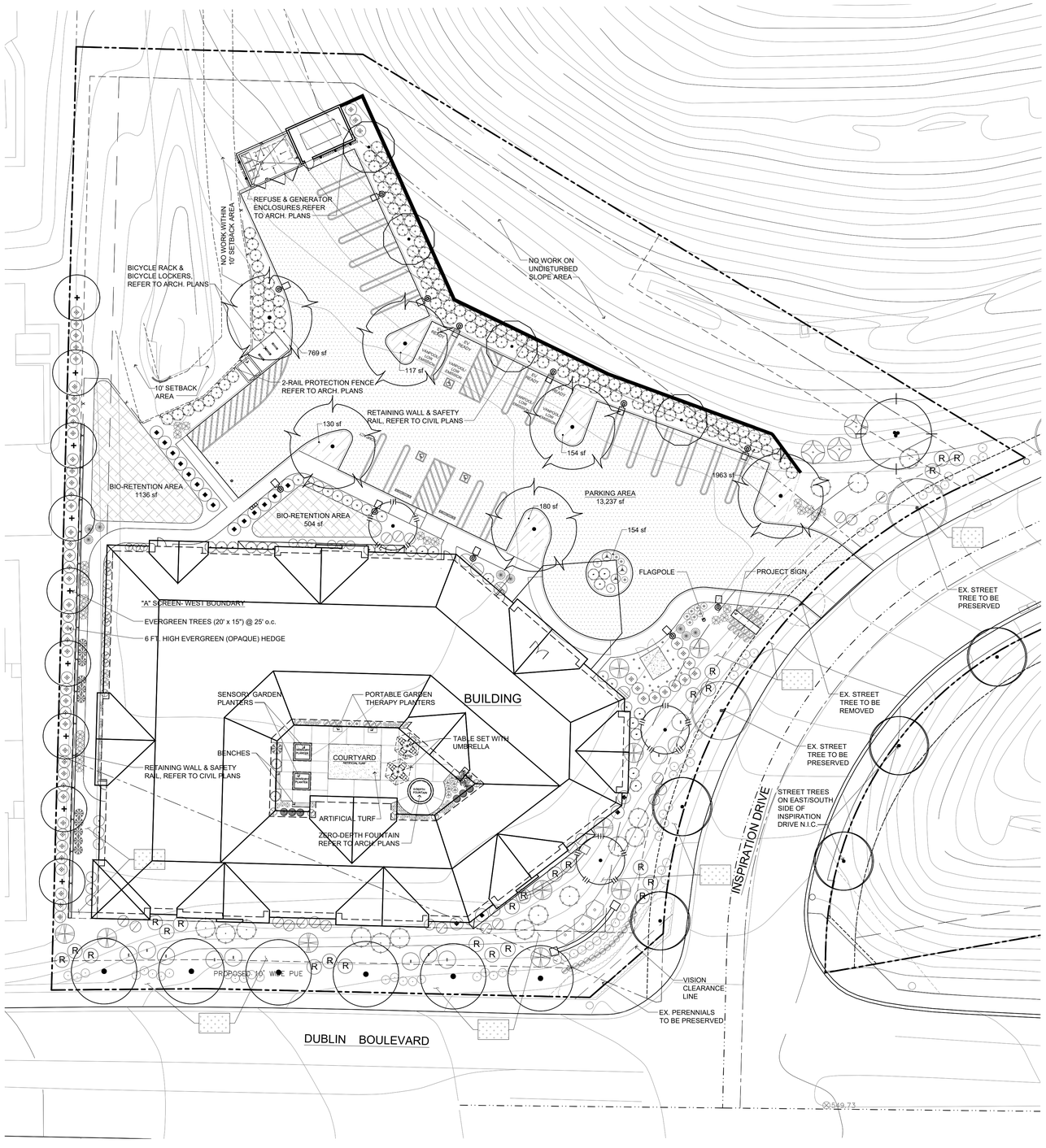
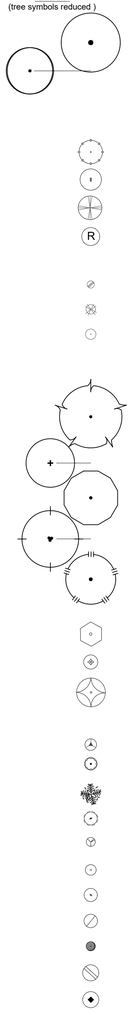


SYMBOL
(tree symbols reduced)



PLANTING LEGEND:

BOTANICAL / COMMON NAMES	QUANTITY	SIZE / FORM	MATURE HT. x WD.	WUCOLS REGION 1
STREET TREES				
Platanus x acerifolia 'Columbia' Columbia London Plane Tree (Dublin Blvd.)	6	15 gal. Standard	70' x 40'	Moderate
Prunus yedoensis (subst. for Bradford Pear-ex. trees) Yoshino Flowering Cherry	2	15 gal. Standard	40' X 30'	Moderate

STREETSCAPE PLANTING

BOTANICAL / COMMON NAMES	QUANTITY	SIZE / FORM	SPACING	WUCOLS REGION 1
SHRUBS				
Ceanothus gloriosis 'Anchor Bay' Point Reyes Wild Lilac	15	5 gal.	7' o.c.	Very Low
Cistus 'Sunset' Magenta Rockrose	11	5 gal.	5' o.c.	Low
Phormium 'Sea Jade' Sea Jade New Zealand Flax	10	5 gal.	as shown	Low
Rosa rugosa 'Alba' White Rugosa Rose	25	5 gal.	5' o.c.	Low
GRASSES / GROUND COVERS / PERENNIALS				
Coreopsis lanceolata 'Early Sunrise' Double Flowered Yellow Tickseed	41	1 gal.	24" o.c.	Low
Pennisetum alopecuroides 'Little Bunny' Little Bunny Fountain Grass	29	1 gal.	30" o.c.	Low
Rosmarinus officinalis 'Prostratus' Rosemary	66	1 gal.	36" o.c.	Low

PROJECT SITE PLANTING

BOTANICAL / COMMON NAMES	QUANTITY	SIZE / FORM	MATURE HT. x WD.	WUCOLS REGION 1
SHADE TREE				
Pistacia chinensis 'Keith Davey' Chinese Pistache	6	24" box Standard	45' x 35'	Low
EVERGREEN BUFFER TREES				
Callistemon citrinus Lemon Bottlebrush	9	15 gal. Standard	20' x 15'	Low
Olea europaea 'Wilsonii' Wilson Fruitless Olive Tree	4	15 gal. Standard	30' x 30'	Very Low
Quercus agrifolia Coast Live Oak	2	15 gal. Multi-trunk	30' x 40'	Very Low
ORNAMENTAL TREES				
Lagerstroemia indica x fauriei 'Muskogee' Muskogee Hybrid Crape Myrtle	3	15 gal. Standard	24' x 20'	Low

BACKGROUND / TALL SHRUBS	QUANTITY	SIZE / FORM	SPACING	WUCOLS REGION 1
Leonotis leonurus Lion's Tail	3	5 gal.	as shown	Low
Myrsine africana African Boxwood	57	5 gal.	4' o.c.	Low
Rhus integrifolia Lemonade Berry	3	5 gal.	as shown	Low
SHRUBS				
Aloe striata Coral Aloe	3	5 gal.	as shown	Low
Gardenia jasminoides 'August Beauty' August Beauty Gardenia	2	5 gal.	as shown	Moderate
Mahonia eurybracteata 'Soft Caress' Soft Caress Mahonia	1	5 gal.	as shown	Moderate
Mahonia repens Creeping Oregon Grape	21	5 gal.	4' o.c.	Low
Nandina domestica 'Gulf Stream' Heavenly Bamboo	15	5 gal.	3' o.c.	Low
Pittosporum tobira 'Dwarf Variegata' Dwarf Variegated Tobira	11	5 gal.	4' o.c.	Low
Rhaphiolepis indica 'Pinkie' India Hawthorn	18	5 gal.	4' o.c.	Low
Salvia greggii (Salmon) Autumn Sage	28	5 gal.	4' o.c.	Low
Sarcococca hookeriana humilis Sweet Sarcococca	6	5 gal.	as shown	Low
Sarcococca ruscifolia Sweet Box	4	5 gal.	as shown	Low
Westringia fruticosa 'Blue Gem' Blue Gem Coast Rosemary	18	5 gal.	5' o.c.	Low

City of Dublin Streetscape Master Plan Plant Selection:
Plant materials were selected from the Streetscape Master Plan (SMP) recommended plant palettes, for suitability to the Dublin climate, for drought resistance and for fire safety.

The London Plane Tree is the street tree specified for Dublin Boulevard. This tree is classified as a Moderate water use tree based upon the WUCOLS IV List for this region. New street trees for Inspiration Drive will be Yoshino Flowering Cherries, the recommended replacement tree by the SMP for the existing Bradford Pear street trees. The street trees will be irrigated separately on bubblers from the rest of the Right-of-Way and building area landscaping.

The plant palette for the street plantings were largely derived from the SMP plant palettes. Several of the plants on the palettes are considered Moderate water use plants based upon the WUCOLS IV List for the region. Only plants classified as Low water use have been proposed for streetscape planting, thus some additional plant varieties have been specified. The following plants from the SMP plant palette are proposed:

Trees

Lagerstroemia indica	Crape Myrtle
Quercus agrifolia	Coast Live Oak

Shrubs

Ceanothus gloriosus	Point Reyes Creeper
Phormium	New Zealand Flax
Rosa spp.	Shrub (Rugosa) Rose
Rosmarinus	Rosemary

PLANTING LEGEND CONTINUED:

VINES				
Jasminum floridum Showy Jasmine- train onto enclosure	5	5 gal.	as shown	Low
GRASSES / PERENNIALS				
Calamagrostis x acutifolia 'Karl Foerster' Feather Reed Grass	12	1 gal.	as shown	Moderate
Dietes vegeta Fortnight Lily	8	1 gal.	as shown	Low
Hakonechloa macra 'Aureola' Japanese Forest Grass	6	1 gal.	as shown	Moderate
Lavandula angustifolia 'Munstead' Dwarf English Lavender	12	1 gal.	as shown	Low
Liriope muscari Big Blue Lily Turf	20	1 gal.	as shown	Moderate
Sisyrinchium bellum 'E.K.Balls' Blue-Eyed Grass	29	1 gal.	as shown	Low
GROUND COVER				
Coprosma petriei 'Verde Vista' Creeping Coprosma	115	1 gal.	4' o.c.	Low
Erodium reichardii Cranesbill (Building Area, Parking lot)	100% coverage	Cuttings	18" o.c.	Low
Myoporum parvifolium Creeping Myoporum (Slopes, Perimeter)	100% coverage	Cuttings	36" o.c.	Low
Artificial Turf- Courtyard DuPont Forever Lawn or equal	216 s.f.			Very Low
BIO-RETENTION PLANTING				
Plant grass species in natural masses of 24 minimum by quantity- triangular spacing	1640 s.f.			
Deschampsia caespitosa Tufted Hair Grass	164	1 gal.	24" o.c.	Low
Elymus tritichoides Creeping Wild Rye	164	1 gal.	24" o.c.	Low
Festuca rubra 'Molate' Molate Creeping Red Fescue	328	1 gal.	12" o.c.	Low

NOTES:

1. Soil Preparation for planting areas, excluding bio-swales (per 1000 s.f.):
   4 cu. yds. organic compost free of biosolids & harmful pathogens
   100 lbs. Gro-Power Plus w/M (mycorrhizae) organic fertilizer
   Spread evenly and rototill into soil in two directions to a depth of 6-8".
   Adjust materials based upon Soil Analysis recommendations after completed.
2. Install a 3" minimum layer of Shredded Redwood Bark in all planted areas unless noted otherwise. Mulch available:Redi-Gro Corporation, (800) 654-4358
3. Landscaping shall be served by an automated irrigation system utilizing SMART Technology in compliance with the California Water Efficient Landscape Ordinance.

PARKING LOT LANDSCAPING:

Parking Lot Area-	13,237 sq. ft.
15% Parking Area Landscape Requirement-	1986 sq. ft.
Parking Area Landscape provided-	3697 sq. ft. (27.9%)
Trees Required (1 / 4 stalls)	6 trees
Shade trees provided- 25 stalls / 4=	6 trees

WATER USE CALCULATIONS

TOTAL SITE LANDSCAPE AREA* = 39,263 s.f.

TOTAL IRRIGATED LANDSCAPE AREA* = 31,462 s.f.

*Includes 3352 s.f. in Public right-of-way

MAXIMUM ANNUAL APPLIED WATER ALLOWANCE (MAAWA)

MAAWA (gallons)= (ETo) x (.62) x ((0.45 x LA) + (0.3 x SLA))

(46.2) x (.62) x ((0.45 x 39,263) + (0.3 x 0)) = MAAWA 506,092 gals.

ESTIMATED ANNUAL APPLIED WATER USE

(ETo) x (PF-Kc) x (HA) x (.62) / (IE)= EAAWU (HYDROZONE)

HIGH WATER USE (RECIRCULATING FOUNTAIN): (46.2) x (1.0) x (42) x (.62) = 1203 gals. EAAWU

MODERATE HYDROZONE AREA (DRIP): (46.2) x (0.5) x (405) x (.62) / (.81) = 7161 gals. EAAWU

LOW HYDROZONE AREA (DRIP): (46.2) x (0.2) x (6933) x (.62) / (.81) = 49,034 gals. EAAWU

LOW HYDROZONE AREA (OVERHEAD): (46.2) x (0.2) x (14,768) x (.62) / (.75) = 112,804 gals. EAAWU

VERY LOW WATER USE (ARTIFICIAL TURF): (46.2) x (0.1) x (216) x (.62) = 619 gals. EAAWU

NON-IRRIGATED AREAS: (46.2) x (0.0) x (16,899) x (.62) = 0 gals. EAAWU

EAAWU TOTAL (EATAWU): 170,821 gals.

EATAWU 241,965 gals. is less than MAAWA 506,092 gals.

NOTE- ETo for Dublin, CA = 46.2

LICENSED LANDSCAPE ARCHITECT
BRIAN D. LIND No. 2917
EXP. 11 - 30 - 20
STATE OF CALIFORNIA

PRELIMINARY

L-1 LANDSCAPE PLAN - LOT 2

DATE: 11/23/2021
1" = 20'

0 10 20 40 60

L-1

PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

lenity architecture, inc.
3150 Kettle Court SE, Salem, Oregon 97301
P 503 399 1090 F 503 399 0565 W lenityarchitecture.com

INSPIRATION MEMORY CARE

Dublin, CA

FULCRUM

RESOLUTION NO. xx – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

SUMMARILY VACATING UNUSED RIGHT-OF-WAY ON DUBLIN BOULEVARD AND RESERVATION OF A PUBLIC SERVICE EASEMENT

WHEREAS, the Applicant, Fulcrum Real Estate Development, is proposing to develop a 55-bed memory care facility on Parcel 2 of the Valley Christian Center Property located at 7500 Inspiration Drive (APN 941-0022-005-00). Requested approvals include a Planned Development Rezoning with a related Stage 1 and Stage 2 Development Plan, Site Development Review Permit and Street Vacation; and

WHEREAS, the Property Owner, Valley Christian Center of Dublin California, requests to summarily vacate approximately 8,118 square feet of right-of-way along Dublin Boulevard, as depicted on **Exhibit "A" and "B"** to this resolution; and

WHEREAS, Section 8330, *et. seq.*, of the California Streets and Highways Code provides for the summary vacation of street right-of-way; and

WHEREAS, Section 8331 of the California Streets and Highways Code authorizes the City Council to summarily vacate street right-of-way if, for a period of five consecutive years, the street has been impassable for vehicular traffic and no public money was expended for maintenance on the street; and

WHEREAS, Section 8334 of the California Streets and Highways Code authorizes the City Council to summarily vacate excess right-of-way not required for street or highway purposes; and

WHEREAS, at their meeting on April 26, 2022, the Planning Commission found the proposed vacation to be in conformance with the Dublin General Plan pursuant to Section 65402 of the Government Code; and

WHEREAS, Section 8340 of the California Streets and Highways Code authorizes the City Council to reserve and except from the vacation a public utility easement over the street or highway proposed to be vacated.

NOW, THEREFORE, BE IT RESOLVED that the City Council finds that

A) For a period of five consecutive years, the right-of-way to be vacated has been impassable for vehicular traffic and no public money was expended for maintenance on the right-of-way.
B) Separately and in addition to the provisions stated above, the right-of-way to be vacated is not required for street or highway purposes.
C) All utility companies providing service in the project area have been notified about the proposed vacation and have not objected.
D) The vacation of the right-of-way is in conformance with the City's General Plan.
E) The proposed vacation of the right-of-way is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant toTitle14 California Code of Regulations, CEQA Guidelines Section 15301, Existing Facilities.

BE IT FURTHER RESOLVED that based on the findings made and the above provisions of the Streets and Highways Code, the City Council hereby order the summary vacation of the 8,118 square feet of right-of-way on Dublin Boulevard and reserve a non-exclusive Public Service Easement along the southerly ten feet (10') of the property, as shown on **Exhibit "A" and "B".**

BE IT FURTHER RESOLVED that the Clerk of this City Council is hereby directed to transmit a certified copy of this resolution to be recorded in the office of the County Recorder of Alameda.

PASSED, APPROVED, AND ADOPTED this 17th day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Mayor

ATTEST:

_____

City Clerk

Exhibit A

Legal Descriptions

Portion of Dublin Boulevard Right-of-Way Grant to Valley Christian Center

ALL THAT REAL PROPERTY situated in the City of Dublin, County of Alameda, State of California, being a triangular-shaped portion of the public Right-of-way of Dublin Boulevard as said Right-of-way is shown on that certain Parcel Map 8310 filed for Record on August 1, 2005, in Book 282 of Parcel Maps, at Page 86, Official Records of Alameda County, said Portion of Dublin Boulevard Right-of-way being more particularly described as follows:

Commencing at a standard City Monument in well located at the intersection of Dublin Boulevard and Inspiration Drive as said streets and monument are shown on said Parcel Map 8310, and from which point a similar standard City Monument in well, also shown on said Map and designated thereon as 'A-537' bears, South 89°24'00" East, 191.50 feet; thence from said Point of Commencement along the monument line of said Dublin Boulevard, North 89°24'00" West, 90.18 feet to a standard City Monument in well shown on said Map and designated thereon as 'A-539'; thence continuing, North 88°35'01" West, 141.09 feet; thence leaving said monument line on a mathematical tie, North 01°20'09" East, 35.84 feet to a point on the northerly Right-of-way line of said Dublin Boulevard, said point being the southeast corner of Lot 104 as said Lot and Right-of-way line are shown on that certain Tract Map 5926 entitled 'California Highlands' filed for Record on January 8, 1996, in Book 222 of Maps, at Page 71, Records of said County, and being the **Point of Beginning** for the herein described Transfer Parcel; thence following said right-of-way along the east boundary line of said Tract 5926, North 01°20'09" East, 80.91 feet; thence, North 01°29'47" East, 0.28 feet to a point of intersection with the southwest corner of Parcel 2 of said Parcel Map 8310; thence leaving the east line of said Tract 5926 along the southerly line of said Parcel 2 and the Dublin Boulevard Right-of-way line, South 88°38'10" East, 0.17 feet; thence, South 67°30'28" East, 204.40 feet to the westerly Right-of-way line of said Inspiration Drive; thence South 48°43' 31" West, 8.00 feet; thence, North 88°40'47" West, 131.85 feet; thence, South 89°12'44" West, 53.09 feet to the **Point of Beginning**, and containing 8,118 square feet, more or less.

RESERVING THEREFROM a non-exclusive **Public Services Easement** (PSE) over, under, across and along the southerly ten feet (10') of the above-described Transfer Parcel, the southerly line of said ten-foot wide Easement being coincident with the entire southerly line of the Transfer Parcel.

-End of Descriptions-

Exhibit A

Legal Descriptions

Portion of Dublin Boulevard Right-of-Way Grant to Valley Christian Center

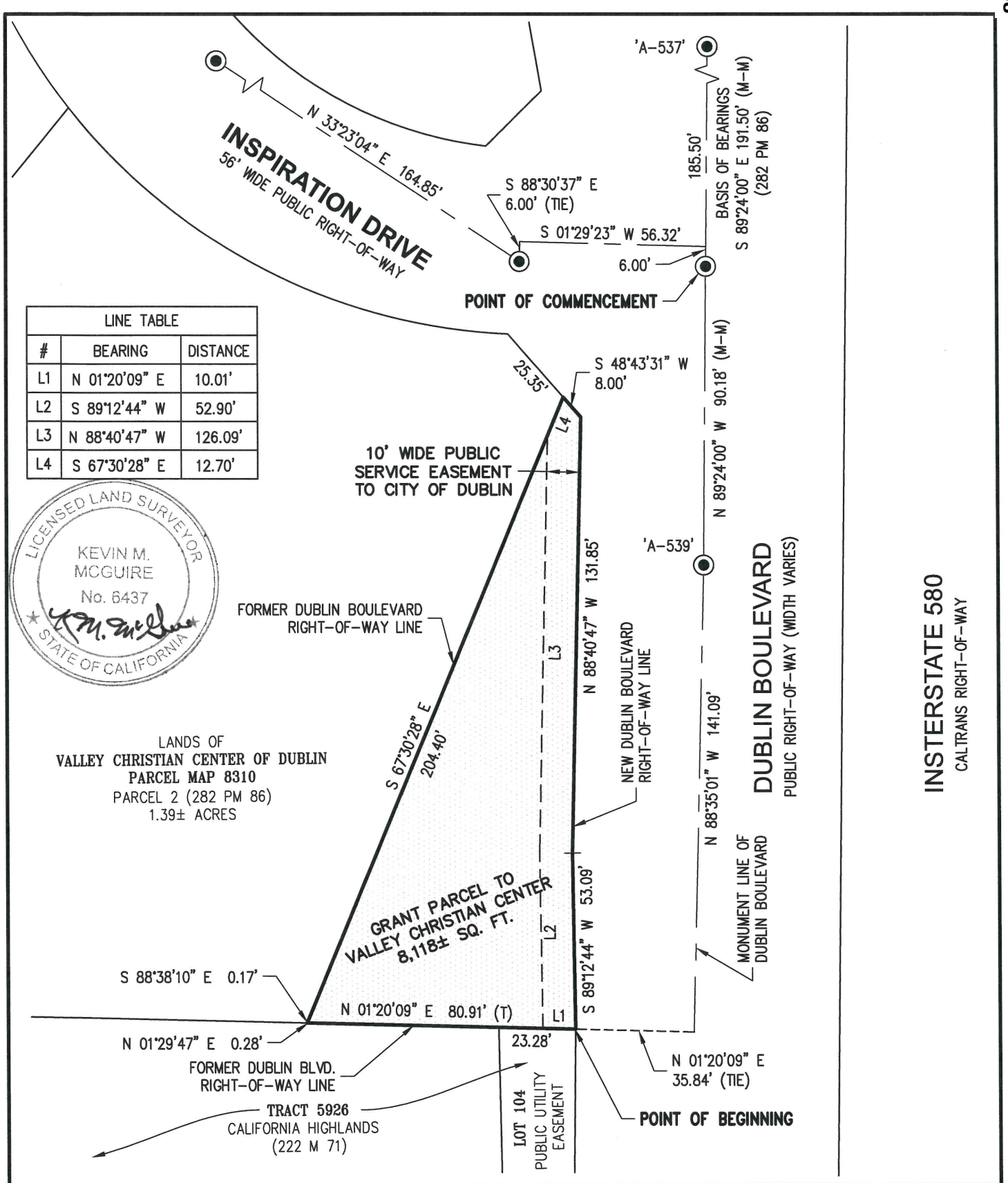
Attached hereto is a Plat consisting of one (1) Page entitled "Exhibit B" which by this reference is made a part hereof.

LICENSED LAND SURVEYOR
KEVIN M. MCGUIRE
No. 6437
STATE OF CALIFORNIA

Prepared By: _____

Kevin M. McGuire, CA PLS. #6437

Date: 7/12/2021



LINE TABLE		
#	BEARING	DISTANCE
L1	N 01°20'09" E	10.01'
L2	S 89°12'44" W	52.90'
L3	N 88°40'47" W	126.09'
L4	S 67°30'28" E	12.70'

EXHIBIT B - TRANSFER PARCEL

PORTION OF DUBLIN BOULEVARD PUBLIC RIGHT-OF-WAY
TO VALLEY CHRISTIAN CENTER
DUBLIN BOULEVARD AT INSPIRATION DRIVE

DUBLIN ALAMEDA COUNTY CALIFORNIA

VCC2101	DRN. BY: MAS	CHK. BY: KMM	DATE: 7/12/21

RESOLUTION NO. xx – 22

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF DUBLIN**

APPROVING A PURCHASE AND SALE AGREEMENT WITH VALLEY CHRISTIAN CENTER FOR EXEMPT SURPLUS FORMER RIGHT-OF-WAY ON DUBLIN BOULEVARD

WHEREAS, on May 17, 2022, the City Council ("City Council") of the City of Dublin ("City") adopted Resolution No. XX-22 summarily vacating unused right-of-way consisting of approximately 8,118 square feet ("Property"); and

WHEREAS, the neighboring property owner, Valley Christian Center of Dublin California (VCC), desires to purchase the Property for the development of a 55-bed memory care facility on Parcel 2 of the Valley Christian Center Property located at 7500 Inspiration Drive (APN 941-0022-005-00); and

WHEREAS, City Staff and VCC have negotiated a Purchase and Sale Agreement, attached hereto as **Exhibit A** ("Purchase and Sale Agreement"); and

WHEREAS, pursuant to the terms of the Purchase and Sale Agreement, VCC will purchase the Property from the City for $120,390; and

WHEREAS, the property qualifies as "exempt surplus land" pursuant to Government Code section 54221 (f)(1)(E)t because it is a former right-of-way and is being conveyed to an owner of an adjacent property; and

WHEREAS, a Grant Deed has been prepared to grant the Property to VCC, subject to the reservation of a ten foot (10') Public Service Easement for public purposes along the southerly line of the Property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin does hereby approve the sale of the Property to VCC subject to reservation by the City of the Public Service Easement.

BE IT FURTHER RESOLVED THAT the City Council does hereby authorize the City Manager to execute the Purchase and Sale Agreement substantially in the form attached hereto; to make revisions to the Purchase and Sale Agreement, with the advice of the City Attorney, which do not materially or substantially increase the City's obligations thereunder; to execute the Grant Deed, attached to the Purchase and Sale Agreement, to sign all documents, to make all approvals and take all actions necessary or appropriate to carry out and implement the Purchase and Sale Agreement and to administer the City's obligations, responsibilities and duties to be performed under the Purchase and Sale Agreement.

{Signatures on the following page}

PASSED, APPROVED, AND ADOPTED this 17th day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Mayor

ATTEST:

_____

City Clerk

PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS

THIS PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS (this "**Agreement**") is entered into as of _____, 2022 (the "**Effective Date**"), by and between the CITY OF DUBLIN, a California municipal corporation ("**City**"), and the Valley Christian Center **("VCC**"), a _____. VCC and City are individually referred to herein as a "**Party,**" and collectively referred to herein as the "**Parties**."

RECITALS

A. VCC is the owner of certain real property located at [street address], City of Dublin, County of Alameda, State of California, designated as APN _____.

B. The City is the owner of certain real property located in the City of Dublin, County of Alameda, State of California, and consisting of approximately 8,118 square feet, as more particularly described and depicted in Exhibit A and Exhibit B, attached hereto and incorporated herein by this reference (the "**Property**").

B. On [date], the City Council of the City of Dublin adopted Resolution No. __ vacating the Property as a public right-of-way in accordance with California Street and Highways Code section 8300 *et seq.* and reserving a non-exclusive Public Service Easement along the southerly ten feet (10') of the Property;

C. VCC desires to aquire the Property, subject to the Public Service Easement, from the City to merge with APN _____ and convey the merged parcel for the development of a memory care facility consisting of 55-beds and related amenities and improvements, and the City desires to convey the Property to VCC for this purpose.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained in this Agreement, and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged by the Parties, VCC and City hereby agree as follows:

1. INCORPORATION OF RECITALS AND EXHIBITS. The Recitals set forth above and the Exhibits attached to this Agreement are each incorporated into the body of this Agreement as if set forth in full.

2. PURCHASE AND SALE.

2.1 Agreement to Buy and Sell. Subject to the terms and conditions set forth herein, the City hereby agrees to sell the Property to VCC, and VCC hereby agrees to purchase the Property from the City.

2.2 Purchase Price. The purchase price for the Property to be paid by VCC to the City (the "**Purchase Price**") is one hundered twently thousand three hundred and ninety Dollars ($120,390). The full amount of the Purchase Price shall be paid in immediately available funds to the City on the Closing Date (defined below).

3. ESCROW.

3.1 Escrow Account. The Parties shall open an escrow account (the "**Escrow**") with First American Title Company (the "**Escrow Holder**"). VCC shall be responsible for all Escrow fees and costs. Escrow Holder shall perform all Escrow and title services in connection with this Agreement.

3.2 Opening of Escrow. Within three (3) business days after the Effective Date, the Parties will deposit into Escrow the fully executed Agreement, or executed counterparts thereto. The date such fully executed Agreement is received by Escrow Holder will be deemed the "**Opening of Escrow**" and Escrow Holder will give written notice to the Parties of such occurrence.

3.3 Satisfaction of Due Diligence Contingency. VCC shall have the right, in its sole and absolute discretion, to terminate this Agreement for any reason prior to the expiration of the "Due Diligence Contingency Period" (as defined in Section 4.2 below). VCC hereby agrees to provide written notice to City prior to the expiration of the Due Diligence Contingency Period if VCC disapproves any due diligence items or approves all due diligence items ("**VCC Notice**"). If VCC disapproves any items through the delivery of the VCC Notice to City before 5:00 p.m. on the last day of the Due Diligence Contingency Period, this Agreement shall terminate, and all amounts deposited by VCC into Escrow will be returned to VCC, and neither Party shall have any further rights or obligations hereunder except those which expressly survive the termination hereof. If VCC fails to timely deliver the VCC Notice to City, it will be conclusively presumed that VCC has: (i) approved all such items, matters or documents and (ii) waived its termination rights under Section 3.3 of this Agreement.

4. PROPERTY DISCLOSURE REQUIREMENTS.

4.1 Condition of Title/Preliminary Title Report. At VCC's sole cost and expense, VCC shall obtain a Preliminary Title Report for the Property (the "**Preliminary Report**") within fifteen (15) days after the Effective Date. VCC shall have fifteen (15) days after receipt of the Preliminary Report to approve the Preliminary Report. If there are any changes to the Preliminary Report prior to Closing, VCC shall have fifteen (15) days after receipt of the revised Preliminary Report to approve such changes. Notwithstanding VCC's delivery of the VCC Notice, VCC agrees to take title to the Property subject to the following "**Permitted Exceptions**:" (a) standard printed exceptions in the buyer's title policy, (b) general and special real property taxes and assessments constituting a lien not yet due and payable, and (c) any other title exceptions expressly approved by VCC pursuant to the VCC Notice.

4.2 Due Diligence Contingency Period. VCC will have thirty (30) days from the Effective Date (the "**Due Diligence Contingency Period**") to complete physical inspections of the Property and due diligence related to the purchase of the Property. During the Due Diligence Contingency Period, representatives of VCC shall have the right of access to all portions of the Property, at all reasonable times, for the purpose of conducting studies, inspections and investigations of the Property and obtaining data and making surveys and tests necessary to carry out this Agreement, including the investigation of the environmental condition of the Property, and geotechnical, seismic, mechanical, and engineering testing. Any such access to the Property by

VCC shall be done at the sole expense of VCCand shall be coordinated with City's representatives. Any surveys and tests shall be undertaken only after securing any necessary permits from the appropriate governmental agencies. As soon as practical after the Effective Date, City shall provide to VCC copies of all reasonably available and known documents that City has in its possession with respect to the Property. VCC hereby agrees to indemnify and hold City harmless for any damage to the Property caused (but not merely revealed) by VCC's inspections.

4.3 Property Disclosure. California Health & Safety Code section 25359.7 requires owners of non-residential real property who know, or have reasonable cause to believe, that any release of hazardous substances are located on or beneath the real property to provide written notice of same to the buyer of real property. Other applicable laws require City to provide certain disclosures regarding natural hazards affecting the Property. City agrees to disclose to VCC all material information with respect to the Property and all defects therein known by City, and to make all necessary disclosures required by law. City hereby represents to the best of its knowledge that it is not aware of and has not received any notice or communication from any government agency having jurisdiction over the Property notifying City of the presence of surface or subsurface zone Hazardous Materials in, on, or under the Property or any portion thereof. "Best of its knowledge," as used herein, shall not impose a duty of investigation, and shall be limited to the best knowledge of City employees and agents who manage the Property or have participated in the preparation of this Agreement, and all documents and materials in the possession of City.

5. CLOSING AND PAYMENT OF PURCHASE PRICE.

5.1 Closing. The closing ("**Closing**" or "**Close of Escrow**") will occur no later than thirty (30) days after the end of the Due Diligence Contingency Period ("**Closing Date**"). In the event that Closing has not occurred on or prior to the Closing Date, either Party not then in default may, upon five (5) days advance written notice to the other Party, terminate this Agreement and the Escrow. If neither Party so elects to terminate this Agreement and the Escrow, Escrow Holder shall close the Escrow as soon as possible. Upon any termination of this Agreement, neither Party shall have any further rights or obligations hereunder; except for the rights and obligations expressly provided to survive termination of this Agreement.

5.2 VCC's Conditions to Closing. VCC's obligation to purchase the Property is subject to the satisfaction of all of the following conditions or VCC's written waiver (in VCC's sole discretion) of such conditions on or before the Closing Date:

(a) Expiration of the Due Diligence Contingency Period with no exercise by VCC of its rights under this Agreement to terminate this Agreement.

(b) City has deposited into the Escrow a fully executed "Grant Deed" (as defined in Section 5.5(a) below) and all other documents to be submitted by City pursuant to this Agreement, all duly executed by City.

(c) VCC has deposited (or caused to be deposited, as the case may be) into the Escrow the Purchase Price and all Escrow fees and costs under Section 5.5(d) below ("Escrow and Title Costs").

(d) City's representations and warranties herein are true and correct in all material respects as of the Closing Date.

(e) The Title Company is irrevocably committed to issue a CLTA or ALTA Title Policy to City, as selected by VCC, and such endorsements requested by VCC, insuring title to VCC in the full amount of the Purchase Price subject only to the Permitted Exceptions.

(f) City has performed all obligations to be performed by City pursuant to this Agreement.

5.3 City's Conditions to Closing. The Close of Escrow and City's obligation to sell and convey the Property to VCC are subject to the satisfaction of the following conditions or City's written waiver (in City's sole discretion) of such conditions on or before the Closing Date:

(a) VCC has deposited into the Escrow the Purchase Price and all Escrow and Title Costs.

(b) VCC has deposited into the Escrow a fully executed Acceptance of Grant Deed and all other documents to be submitted by VCC pursuant to this Agreement, all duly executed by VCC.

(c) VCC's representations and warranties set forth herein are true and correct in all material respects as of the Closing Date.

(d) VCC has performed all obligations to be performed by VCC pursuant to this Agreement before Closing Date.

5.4 Conveyance of Title. City will deliver fee simple title to VCC at the Closing, subject only to the Permitted Exceptions. The Property will be conveyed by City to VCC in an "as is", "where is," and "with all faults" condition, with no warranty, express or implied, by City as to the physical condition; provided, however, that the foregoing shall not relieve City from disclosure of any such conditions of which City has actual knowledge.

5.5 Deliveries at Closing.

(a) Deliveries by City. City shall deposit into the Escrow for delivery to VCC at Closing: (i) a grant deed, substantially in the form of Exhibit C attached hereto and incorporated herein (the "**Grant Deed**"); and (ii) any other documents required for the Escrow.

(b) Deliveries by VCC. No less than one (1) business day prior to the close of Escrow, VCC shall deposit into Escrow (i) the acceptance of the Grant Deed, and (ii) immediately available funds in the amount equal to the Purchase Price as adjusted by any prorations between the Parties, and all Escrow and Title Costs.

(c) Closing. Upon Closing, Escrow Holder shall: (i) record the Grant Deed; (ii) disburse to City the Purchase Price; (iii) deliver to VCC a conformed copy of the original recorded Grant Deed; and (iv) distribute to itself the payment of Escrow fees and expenses required hereunder.

(d) Closing Costs. VCC shall each be responsible for all Escrow fees and costs, and all other closing fees and costs (including the costs of preparing documents and instruments), recording fees, governmental conveyance fees and transfer taxes (if any). VCC shall also pay title insurance and title report costs and all expenses associated with obtaining title insurance and report.

(e) Property Taxes. At the close of escrow, the Escrow Agent shall make the following prorations: (i) property taxes will be prorated as of the close of escrow based upon the most recent tax bill available, including any property taxes which may be assessed after the close of escrow but which pertain to the period prior to the transfer of title to the Property to VCC, regardless of when or to whom notice thereof is delivered; and (ii) any bond or assessment that constitutes a lien on the Property at the close of escrow will be assumed by VCC. City does not pay ad valorem taxes.

6. REPRESENTATIONS, WARRANTIES AND COVENANTS.

6.1 City's Representations, Warranties and Covenants. In addition to the representations, warranties and covenants of City contained in other sections of this Agreement, City hereby represents, warrants and covenants to VCC that the statements below in this Section 6.1 are each true and correct as of the Closing Date; provided, however, if to City's actual knowledge any such statement becomes untrue prior to Closing, City will notify VCC in writing and VCC will have three (3) business days thereafter to determine if VCC wishes to proceed with Closing. If VCC determines it does not wish to proceed, then the terms of Section 6.2 will apply.

(a) Authority. City is a municipal corporation, lawfully formed, in existence and in good standing under the laws of the State of California. City has the full right, capacity, power and authority to enter into and carry out the terms of this Agreement. This Agreement has been duly executed by City, and upon delivery to and execution by VCC is a valid and binding agreement of City. The City has complied with, and is not required to take any further actions to comply with, state surplus property law requirements, City property conveyance requirements, or any other legal requirements except as provided in this Agreement.

(b) Encumbrances. City has not sold, leased, alienated, encumbered, transferred, mortgaged, assigned, pledged, or otherwise conveyed its interest in the Property or any portion thereof, nor entered into any agreement to do so, and there are no liens, encumbrances, mortgages, leases, covenants, conditions, reservations, restrictions, easements or other matters affecting the Property, except as disclosed in the Preliminary Report. City will not, directly or indirectly, sell, lease, alienate, encumber, transfer, mortgage, assign, pledge, or otherwise convey its interest in the Property or any portion thereof prior to the Close of Escrow, as long as this Agreement is in force.

(c) Other Agreements. There are no agreements affecting the Property, except for any Permitted Exceptions.

(d) No Occupants of Property. There are no tenants, occupants or other persons who reside on the Property or have any right to occupy the Property.

The truth and accuracy of each of the representations and warranties, and the performance of all covenants of City contained in this Agreement are conditions precedent to VCC's obligation to proceed with the Closing hereunder. The foregoing representations and warranties shall survive the expiration, termination, or close of Escrow of this Agreement and shall not be deemed merged into the deed upon closing.

6.2 VCC's Representations and Warranties. In addition to the representations, warranties and covenants of VCC contained in other sections of this Agreement, VCC hereby represents, warrants and covenants to City that the statements below in this Section 6.2 are each true as of the Effective Date, and, if to VCC's actual knowledge any such statement becomes untrue prior to Closing, VCC shall so notify City in writing and City shall have three (3) business days thereafter to determine if City wishes to proceed with Closing.

(a) VCC has the full right, capacity, power and authority to enter into and carry out the terms of this Agreement. This Agreement has been duly executed by VCC, and upon delivery to and execution by City shall be a valid and binding agreement of VCC.

(b) Upon acquisition of the Property, VCC intends to convey the Property for the development of a 55-bed memory care facility with associated amenities and improvments.

The truth and accuracy of each of the representations and warranties, and the performance of all covenants of VCC contained in this Agreement are conditions precedent to City's obligation to proceed with the Closing hereunder.

7. REMEDIES In the event of a breach or default under this Agreement by City, if such breach or default occurs prior to Close of Escrow, VCC reserves the right to either (a) seek specific performance from City or (b) to do any of the following: (i) to waive the breach or default and proceed to close as provided herein; (ii) to extend the time for performance and the Closing Date until City is able to perform; or (iii) to terminate this Agreement upon written notice to City, whereupon City shall cause Escrow Holder to return to VCC any and all sums placed into the Escrow by VCC, and except for the rights and obligations expressly provided to survive termination of this Agreement, neither Party shall have any further obligations or liabilities hereunder. IN NO EVENT SHALL EITHER PARTY BE ENTITLED TO LOST PROFITS OR CONSEQUENTIAL DAMAGES AS A RESULT OF THE OTHER PARTY'S BREACH OF THIS AGREEMENT.

8. BROKERS. City represents that no real estate broker has been retained by City in the sale of the Property or the negotiation of this Agreement. City shall indemnify, hold harmless and defend VCC from any and all claims, actions and liability for any breach of the preceding sentence, and any commission, finder's fee, or similar charges arising out of City's conduct. VCC represents that no real estate broker has been retained by VCC in the procurement of the Property or negotiation of this Agreement. VCC shall indemnify, hold harmless and defend City from any and all claims,

actions and liability for any breach of the preceding sentence, and any commission, finder's fee, or similar charges arising out of VCC's conduct.

9. MISCELLANEOUS.

9.1 Attorneys' Fees. If any Party employs counsel to enforce or interpret this Agreement, including the commencement of any legal proceeding whatsoever (including insolvency, bankruptcy, arbitration, mediation, declaratory relief or other litigation), the prevailing Party shall be entitled to recover its reasonable attorneys' fees and court costs (including the service of process, filing fees, court and court reporter costs, investigative fees, expert witness fees, and the costs of any bonds, whether taxable or not) and shall include the right to recover such fees and costs incurred in any appeal or efforts to collect or otherwise enforce any judgment in its favor in addition to any other remedy it may obtain or be awarded. Any judgment or final order issued in any legal proceeding shall include reimbursement for all such attorneys' fees and costs. In any legal proceeding, the "prevailing Party" shall mean the Party determined by the court to most nearly prevail and not necessarily the Party in whose favor a judgment is rendered.

9.2 Interpretation. This Agreement has been negotiated at arm's length, each Party has been represented by independent legal counsel in this transaction, and this Agreement has been reviewed and revised by counsel to each of the Parties. Accordingly, each Party hereby waives any benefit under any rule of law (including Section 1654 of the California Civil Code) or legal decision that would require interpretation of any ambiguities in this Agreement against the drafting Party.

9.3 Survival. All indemnities, covenants, representations and warranties contained in this Agreement shall survive Close of Escrow.

9.4 Assignment. Absent an express signed written agreement between the Parties to the contrary, neither City nor VCC may assign its rights or delegate its duties under this Agreement without the express written consent of the other, which consent may be withheld for any reason. No permitted assignment of any of the rights or obligations under this Agreement shall result in a novation or in any other way release the assignor from its obligations under this Agreement.

9.5 Successors. Except as provided to the contrary in this Agreement, this Agreement shall be binding on and inure to the benefit of the Parties and their successors and assigns.

9.6 Governing Law. This Agreement shall be construed and interpreted in accordance with the laws of the State of California.

9.7 Integrated Agreement; Modifications. This Agreement contains all the agreements of the Parties concerning the subject hereof and cannot be amended or modified except by a written instrument executed and delivered by the Parties. There are no representations, agreements, arrangements or understandings, either oral or written, between or among the Parties hereto relating to the subject matter of this Agreement that are not fully expressed herein. In addition there are no representations, agreements, arrangements or understandings, either oral or

written, between or among the Parties upon which any Party is relying upon in entering this Agreement that are not fully expressed herein.

9.8 Severability. If any term or provision of this Agreement is determined to be illegal, unenforceable, or invalid in whole or in part for any reason, such illegal, unenforceable, or invalid provisions or part thereof shall be stricken from this Agreement, any such provision shall not be affected by the legality, enforceability, or validity of the remainder of this Agreement. If any provision or part thereof of this Agreement is stricken in accordance with the provisions of this Section, then the stricken provision shall be replaced, to the extent possible, with a legal, enforceable and valid provision this is in keeping with the intent of the Parties as expressed herein.

9.9 Notices. Any delivery of this Agreement, notice, modification of this Agreement, collateral or additional agreement, demand, disclosure, request, consent, approval, waiver, declaration or other communication that either Party desires or is required to give to the other Party or any other person shall be in writing. Any such communication may be served personally, or by nationally recognized overnight delivery service (i.e., Federal Express) which provides a receipt of delivery, or sent by prepaid, first class mail, return receipt requested to the Party's address as set forth below:

To City: City of Dublin
100 Civic Plaza
Dublin, California 94568
Attn: City Manager
Copy to City Attorney

To VCC: _____
_____
_____
Attn: _____

To Escrow Holder: _____
_____
_____
Attn: _____

Any such communication shall be deemed effective upon personal delivery or on the date of first refusal to accept delivery as reflected on the receipt of delivery or return receipt, as applicable. Any Party may change its address by notice to the other Party. Each Party shall make an ordinary, good faith effort to ensure that it will accept or receive notices that are given in accordance with this section and that any person to be given notice actually receives such notice.

9.10 Time. Time is of the essence to the performance of each and every obligation under this Agreement.

9.11 Days of Week. If any date for exercise of any right, giving of any notice, or performance of any provision of this Agreement falls on a Saturday, Sunday or holiday, the time for performance will be extended to 5:00 p.m. on the next business day.

9.12 Reasonable Consent and Approval. Except as otherwise provided in this Agreement, whenever a Party is required or permitted to give its consent or approval under this Agreement, such consent or approval shall not be unreasonably withheld or delayed. If a Party is required or permitted to give its consent or approval in its sole and absolute discretion or if such consent or approval may be unreasonably withheld, such consent or approval may be unreasonably withheld but shall not be unreasonably delayed.

9.13 Waivers. Any waiver by any Party shall be in writing and shall not be construed as a continuing waiver. No waiver will be implied from any delay or failure to take action on account of any default by any Party. Consent by any Party to any act or omission by another Party shall not be construed to be a consent to any other subsequent act or omission or to waive the requirement for consent to be obtained in any future or other instance.

9.14 Signatures/Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Any one of such completely executed counterparts shall be sufficient proof of this Agreement.

9.15 Date and Delivery of Agreement. Notwithstanding anything to the contrary contained in this Agreement, the Parties intend that this Agreement shall be deemed effective, and delivered for all purposes under this Agreement, and for the calculation of any statutory time periods based on the date an agreement between Parties is effective, executed, or delivered, as of the Effective Date.

9.16 Representation on Authority of Parties. Each person signing this Agreement represents and warrants that he or she is duly authorized and has legal capacity to execute and deliver this Agreement. Each Party represents and warrants to the other that the execution and delivery of the Agreement and the performance of such Party's obligations hereunder have been duly authorized and that the Agreement is a valid and legal agreement binding on such Party and enforceable in accordance with its terms.

9.17 City Approvals. Whenever this Agreement calls for City approval, consent, extension or waiver, the written approval, consent, or waiver of the City's City Manager or his or her designee(s) shall constitute the approval, consent, extension or waiver of the City, without further authorization required from the City's City Council. The City hereby authorizes the City Manager and his or her designee(s) to deliver any such approvals, consents, or extensions or waivers as are required by this Agreement, or that do not otherwise reduce City's rights under this Agreement, and to waive requirements under this Agreement, on behalf of the City.

IN WITNESS WHEREOF, this Agreement is executed by City and VCC as of the Effective Date.

City:

City of Dublin,
a California municipal corporation

By: _____
Name: Linda Smith
Its: City Manager

Attest:

_____
City Clerk

Reviewed as to Form:

_____
City Attorney

Valley Christian Center:

By: _____
Name:
Its:

<u>EXHIBIT A</u>

LEGAL DESCRIPTION

(See Separate Attachment)

<u>EXHIBIT B</u>

PLAT MAP

(See Separate Attachment)

EXHIBIT C

GRANT DEED

Recording Requested by
and When Recorded, Return to:

VCC
7500 Inspiration Drive
Dublin, California 94568

Attn: (Please complete this section)

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

THE UNDERSIGNED GRANTOR(s) DECLARE(s):

DOCUMENTARY TRANSFER TAX IS $_____ computed on full value of property conveyed, or computed on full value less value of liens or encumbrances remaining at time of sale.

GRANT DEED

For valuable consideration, receipt of which is hereby acknowledged, as of _____, 202__, the City of Dublin, a municipal corporation (the "**Grantor**"), hereby grants to Valley Christian Center, a _____ (the "**Grantee**"), all that real property located in the City of Dublin, County of Alameda, State of California, reserving therefrom a Public Service Easement along the southerly ten feet (10') of the real property, as particularly described in Exhibit A and B hereto and incorporated in this grant deed ("**Grant Deed"**) by this reference.

_____

By: _____
Name:
Its:

Exhibit A to Grant Deed

LEGAL DESCRIPTION

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss.
County of _____)

On_____, 20____ before me, _____, a Notary Public, in and for said State and County, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
NOTARY PUBLIC

RESOLUTION NO. 22-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN

RECOMMENDING THAT THE CITY COUNCIL ADOPT A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION AND APPROVE AN AMENDMENT TO THE ZONING MAP, A PLANNED DEVELOPMENT ZONING DISTRICT WITH RELATED STAGE 1 AND STAGE 2 DEVELOPMENT PLAN, A SITE DEVELOPMENT REVIEW PERMIT, AND A STREET VACATION AND DISPOSITION OF PROPERTY RELATED TO THE INSPIRATION DRIVE MEMORY CARE PROJECT PLPA 2020-00044 (APN 941-0022-005-00)

WHEREAS, the Applicant, Steve Ring of Fulcrum Development, is proposing to develop a 55-bed memory care facility on Parcel 2 of the Valley Christian Center Property located at 7500 Inspiration Drive. Requested approvals include a Planned Development Rezoning with a related Stage 1 and Stage 2 Development Plan, Site Development Review Permit, and Street Vacation. These planning and implementing actions are collectively known as the "Inspiration Drive Memory Care Project" or the "Project;" and

WHEREAS, the Project site is approximately 1.6 acres located on the northwest corner of Inspiration Drive and Dublin Boulevard (APN 941-0022-005-00); and

WHEREAS, the existing General Plan land use designation for the project site is Public/Semi-Public; and

WHEREAS, the Project site is located within the A (Agricultural) zoning district as stated in Planned Development Ordinance No. 07-03; and

WHEREAS, the property owner, Valley Christian Center, in concert with the Applicant, has requested the City to vacate approximately 8,118 square feet of unused Dublin Boulevard right-of-way for the development of the proposed project: and

WHEREAS, in accordance with Government Code §65402, the Planning Commission must report conformance with an adopted General Plan for any street vacation, abandonment, or the acquisition of real property for any public purpose; and

WHEREAS, the proposed street vacation of unused Dublin Boulevard right-of-way would be in conformance with the Land Use and Circulation Element (Chapter 5) of the General Plan in that the proposed use of the property with a memory care facility would be allowed under the Public/Semi-Public land use designation and would provide community serving by providing much needed supportive housing for the senior community with special needs; and

WHEREAS, the California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be

reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, in 2003, the City Council adopted a Resolution certifying an Environmental Impact Report (EIR), and adopted findings and a Mitigation Monitoring and Reporting Program for the Valley Christian Center Expansion/Master Plan project (Resolution No. 92-03, incorporated herein by reference); and

WHEREAS, in 2018, the City adopted a Supplemental Mitigated Negative Declaration supported by an Initial Study (2018 Supplemental IS/MND) to evaluate proposed changes to the Valley Christian Center Expansion Program, including conversion of the softball field to a football athletic field, expansion of an existing athletic field to accommodate the relocated softball field, construction of a central plaza, and associated parking and landscape improvements; and

WHEREAS, the City prepared an Initial Study to determine whether supplemental environmental review was required for the proposed Project under CEQA standards. The Initial Study examined whether there were substantial changes to the proposed development, substantial changes in circumstances, or new information, any of which would result in new or more severe significant impacts than analyzed in the prior Valley Christian Center EIR and 2018 Supplemental IS/MND or whether any other standards for supplemental environmental review were met; and

WHEREAS, upon completion of the Initial Study it was determined that there were new potentially significant impacts associated with the project related to aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and noise and, therefore, a Supplemental Mitigated Negative Declaration was prepared to analyze those impacts and identify mitigation measures to reduce the impacts to less than significant; and

WHEREAS, the Supplemental Mitigated Negative Declaration/Initial Study was circulated for public review from November 18, 2021 - December 17, 2021; and

WHEREAS, the City of Dublin received no comment letters during the public review period; and

WHEREAS, a Staff Report, dated April 26, 2022, and incorporated herein by reference, described and analyzed the Project, including the Planned Development Rezoning with related Stage 1 and Stage 2 Development Plan, Site Development Review Permit, Street Vacation and Supplemental Mitigated Negative Declaration; and

WHEREAS, the Planning Commission held a properly noticed public hearing on the Project, on April 26, 2022, at which time all interested parties had the opportunity to be heard; and

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED that the City of Dublin Planning Commission recommends that the City Council adopt a Resolution approving the Supplemental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project, which draft Resolution is included as Attachment 11 to the Staff Report, dated April 26, 2022 and incorporated

herein by reference. This Planning Commission recommendation is based on the Staff Report analysis and recommendation, and on the findings set forth in the draft Resolution.

BE IT FURTHER RESOLVED that the City of Dublin Planning Commission finds that the proposed street vacation and real property disposition of the approximately 8,118 square feet of unused Dublin Boulevard right-of-way to be in conformance with the Dublin General Plan pursuant to Government Code §65402.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council adopt an Ordinance attached as **Exhibit A** approving a Planned Development Zoning District with Stage 1 and Stage 2 Development Plan based on findings, as set forth in **Exhibit A**.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council approve the Resolution attached as **Exhibit B** approving the Site Development Review Permit, based on the findings and conditions of approval, as set forth in **Exhibit B**.

PASSED, APPROVED, AND ADOPTED this 26th day of April 2022 by the following vote:

AYES: **Benson, Grier, Tyler, Thalblum, Wright**

NOES:

ABSENT:

ABSTAIN:

DocuSigned by:
Cathryn Grier
3EAC72E0ACF74BD...
Planning Commission Chair

ATTEST:

DocuSigned by:
Kristie Wheeler
9EDB9DB87254493...
Assistant Community Development Director

ORDINANCE NO. XX – 22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUBLIN

AMENDING THE ZONING MAP AND APPROVING A PLANNED DEVELOPMENT ZONING DISTRICT WITH A STAGE 1 AND STAGE 2 DEVELOPMENT PLAN FOR THE INSPIRATION DRIVE ASSISTED LIVING PROJECT PLPA 2020-00045 (APNs 941-0022-006-00)

The Dublin City Council does ordain as follows:

SECTION 1. RECITALS

A. The Applicant, Steve Ring of Fulcrum Development, is proposing to develop an 84-bed assisted living facility on Parcel 3 of the Valley Christian Center Property located at 7500 Inspiration Drive. Requested approvals include a Planned Development Rezone with a related Stage 1 and Stage 2 Development Plan, Site Development Review Permit, and Tentative Parcel Map. These planning and implementing actions are collectively known as the "Inspiration Drive Assisted Living Project" or the "Project."

B. The Project site is 4.68 acres located on the northwest corner of Inspiration Drive and Dublin Boulevard, which is a portion of the larger 12.7-acre parcel located on the east side of Inspiration Drive (Parcel 3; APN 941-0022-006-00).

C. The existing General Plan land use designation for the project site is Public/Semi-Public.

D. The Project site is located within Planned Development Zoning District Ordinance No. 07-03.

E. The California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared.

F. In 2003, the City Council adopted a Resolution certifying an Environmental Impact Report (EIR) and adopted findings and a Mitigation Monitoring and Reporting Program for the Valley Christian Center Expansion/Master Plan project (Resolution No. 92-03, incorporated herein by reference).

G. In 2018, the City adopted a Supplemental Mitigated Negative Declaration supported by an Initial Study (2018 Supplemental IS/MND) to evaluate proposed changes to the Valley Christian Center Expansion Program, including conversion of the softball field to a football athletic field, expansion of an existing athletic field to accommodate the relocated softball field, construction of a central plaza, and associated parking and landscape improvements.

H. The City prepared a Initial Study to determine whether supplemental environmental review was required for the proposed Project under CEQA standards. The Initial Study examined whether there were substantial changes to the proposed development, substantial

changes in circumstances, or new information, any of which would result in new or more severe significant impacts than analyzed in the prior Valley Christian Center EIR and 2018 Supplemental MND or whether any other standards for supplemental environmental review were met.

I. Upon completion of the Initial Study it was determined that there were new potentially significant impacts associated with the project related to aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and noise and, therefore, a Supplemental Mitigated Negative Declaration was prepared to analyze those impacts and identify mitigation measures to reduce the impacts to less than significant.

J. The Supplemental Mitigated Negative Declaration/Initial Study was circulated for public review from November 18, 2021 - December 17, 2021.

K. The City of Dublin received no comment letters during the public review period.

L. On April 26, 2022, the Planning Commission adopted Resolution No. 22-05 recommending that the City Council adopt the Supplemental Mitigated Negative Declaration and approve amendments to the Zoning Map, an amendment to Planned Development Zoning Ordinance No. 07-03, a Planned Development Rezone with a related Stage 1 and Stage 2 Development Plan, a Site Development Review Permit, and Tentative Parcel Map No. 11241 for the Project, which resolution is incorporated herein by reference and available for review at City Hall during normal business hours; and

M. On May 17, 2022, the City Council held a properly noticed public hearing on the Project, including the Supplemental Mitigated Negative Declaration at which time all interested parties had the opportunity to be heard; and

N. A Staff Report, dated May 17, 2022, and incorporated herein by reference, described and analyzed the Project, including the Amendment to Planned Development Zoning District Ordinance No. 07-03, Planned Development Rezone and related Stage 1 and Stage 2 Development Plan, Site Development Review, Tentative Parcel Map No. 11241 and Supplemental Mitigated Negative Declaration, for the City Council; and

O. On May 17, 2022, the City Council adopted Resolution xx-22 adopting the Supplemental Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program for the project, and the City Council considered the Supplemental Mitigated Negative Declaration as well as the prior Valley Christian Center EIR, 2018 Supplemental MND to the Valley Christian Center EIR and all above-referenced reports, recommendations, and testimony before taking any action on the Project; and

P. The City Council did hear and use independent judgment and considered all said reports, recommendations, and testimony hereinabove set forth.

SECTION 2: FINDINGS

A. Pursuant to Section 8.32.070 of the Dublin Municipal Code, the City Council finds as follows.

1. The Assisted Living Project ("the Project") Planned Development zoning meets the purpose and intent of Chapter 8.32 in that it provides a comprehensive development plan that is consistent with the General Plan and protects the integrity and character of the area by creating a desirable use of land that is sensitive to surrounding land uses by virtue of the layout and design of the site plan. The Project is planned comprehensively and will follow development standards tailored to the specific needs of the site. These standards will address issues such as building setbacks, architecture, landscaping and grading. The proposed development will blend with the natural features unique to the site through the use of design and planning.

2. Development of the Project under the Planned Development zoning will be harmonious and compatible with existing residential and semi-public development in the surrounding area in that the site will provide a residential care facility for the senior population from Dublin and surrounding areas.

B. Pursuant to Sections 8.120.050.A and B of the Dublin Municipal Code, the City Council finds as follows.

1. The Planned Development zoning for the Project will be harmonious and compatible with existing and potential development in the surrounding area in that the proposed site plan has taken into account adjacent land uses and will provide a wide range of amenities to and for the community within the development and the surrounding neighborhoods. The Project is consistent with the surrounding land uses and has been approved for development in the Stage I Planned Development.

2. The Project site conditions were documented in the VCC EIR and Supplemental Mitigated Negative Declaration that have been prepared, and the environmental impacts that have been identified will be mitigated to the greatest degree possible. The area of the site proposed for development was previously graded and there are no site challenges that were identified in the EIR, which could not be mitigated, that will present an impediment to utilization of the site for the intended purposes.

3. The Planned Development zoning is consistent with the General Plan policies and the City's Zoning Ordinances enacted for the public health, safety and welfare. The Project will not adversely affect the health or safety of persons residing or working in the vicinity or will it be detrimental to public health, safety or welfare. The Project will comply with all applicable development regulations and standards and will implement all adopted mitigation measures. Additionally, no noxious odors, hazardous materials, or excessive noises will be produced.

4. The Planned Development zoning is consistent with and in conformance with the Dublin General Plan land use designation of Public/Semi-Public, which allows for quasi-public uses such as senior centers, special needs program facilities and other similar services and benefit to the community.

SECTION 3: ZONING MAP AMENDMENT

Pursuant to Chapter 8.32, Title 8 of the City of Dublin Municipal Code the City of Dublin Zoning Map is amended to Rezone the property described below to a Planned Development zoning

district and supersedes and replaces the previously adopted Planned Development zoning district (Ordinance No. 07-03):

4.68 acres at Inspiration Drive and Dublin Boulevard; a portion of APN 941-0022-006 ("the Property"). A map of the rezoned area is shown below:

SECTION 4. APPROVAL OF STAGE 1 AND STAGE 2 DEVELOPMENT PLAN

The regulations for the use, development, improvement, and maintenance of the Property are set forth in the following Stage 1 and Stage 2 Development Plan for the 4.68-acre property, which is hereby approved. Any amendments to the Stage 1 and Stage 2 Development Plan shall be in accordance with Section 8.32.080 of the Dublin Municipal Code DMC) or its successors.

Stage 1 and Stage 2 Development Plan

This is a Stage 1 and Stage 2 Development Plan pursuant to DMC Chapter 8.32. This Development Plan meets all the requirements for both a Stage 1 and Stage 2 Development Plan and is adopted as part of the PD-Planned Development rezone for the Inspiration Drive Assisted Living Project (PLPA-2020-00045).

The Planned Development zoning district and this Stage 1 and Stage 2 Development Plan provides flexibility to encourage innovative development while ensuring that the goals, policies, and action programs of the General Plan and provisions of DMC Chapter 8.32 are satisfied.

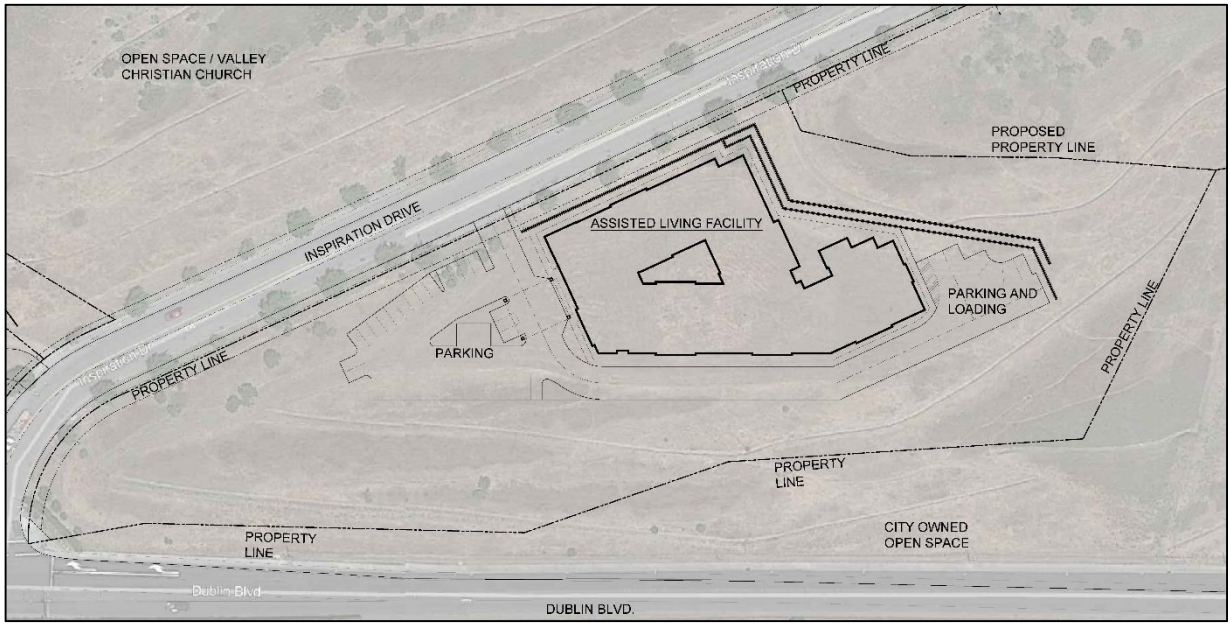
1. **Statement of Uses.**

   Permitted Uses (as defined by the Zoning Ordinance):
   Community Care Facility/Large
   Similar and related uses as determined by the Director of Community Development

Conditional Uses:
None

Accessory Uses:
As provided for in the regulations and procedures of the Zoning Ordinance

2. **Stage 1 and Stage 2 Site Plan.**
The site plan is shown below.



3. **Site area, proposed densities, and development regulations.**

Maximum Beds	84
Maximum Faculty and Staff	26 (on-site at one time)
Maximum Floor Area Ratio	.50
Maximum Building Height:	40 feet
Maximum lot coverage	35%
Parking Spaces	1 per 3 employees on largest shift, plus 1 per 3 beds
Parking Stall Dimensions Standards	Per Chapter 8.76 Off-Street Parking and Loading Regulations of the Dublin Zoning Ordinance
Minimum Setbacks	10’ front yard 10’ side yard 15’ rear yard
Signage	Pursuant to an approved Master Sign Program

4. **Phasing Plan.**
The project site will be graded, improved, and constructed as a whole in one phase.

5. **General Plan Consistency.**

The project is consistent with the General Plan land use designation of Public/Semi-Public, which includes senior centers, special needs program facilities and other similar services that provide benefits to the community. The Public/Semi-Public land use designation also permits a floor area ratio of .50.

6. **Inclusionary Zoning Regulations.**
The project is not subject to the Inclusionary Zoning Regulations (Chapter 8.68) for the provision of affordable housing because the regulations apply only to residential development projects of 20 units or more.

7. **Preliminary Landscape Plan**.
The landscape design of the project shall reflect the following standards:

- Utilizing the Dublin Streetscape Master Plan Plant Selections, utilize plants recommended and that are suitable to the Dublin climate for drought resistance and fire safety.
- The plant selection should be considered low and moderate use of water based upon the WUCOLS IV list for this region.
- Sufficient landscape screening should be utilized to create natural space between building structures when possible.
- Streets trees should be selected from a plant palette and considered moderate or low water use. Trees should match existing street trees whenever possible.

8. **Architectural Standards**.
The design of future buildings on the project site shall be compatible with the development patterns of the area and complement surrounding uses. Scale and massing shall be compatible to the surrounding area and human-scale elements shall be implemented where appropriate. Long, monotonous wall planes shall be avoided, and massing breaks shall be implemented to provide depth and visual interest. Horizontal changes in plane are encouraged. Building roof forms shall consist of lower height or flat roof construction to confirm with the hillside topography and using a stepped approach to height to create a sense of hillside integration shall be used whenever possible. The form of the roof should relate to the form of the building and mechanical equipment screened from the public, when feasible.

Architectural style shall draw inspiration from nearby examples in the area but have a modern form that is complementary. Building designs shall implement a transitional style between residential and commercial development. In general, high-quality commercial-grade materials shall be used and the use of stucco, stone, brick, fiber cement siding, metal seam is encouraged. Colors chosen shall be neutral in nature and avoid bright, harsh primary colors.

9. **Aerial Photo.**

10. **Applicable Requirements of Dublin Zoning Ordinance.**
Except as specifically provided in this Stage 1 and Stage 2 Development Plan, the use, development, improvement, and maintenance of the property shall be governed by the R-M (Multi-Family Residential) zoning district DMC Section 8.32.060.C. No development shall occur on this property until a Site Development Review Permit has been approved.

SECTION 5: SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the ordinance or their applicability to other persons or circumstances.

SECTION 6. POSTING OF ORDINANCE

The City Clerk of the City of Dublin shall cause this Ordinance to be posted in at least three public spaces in the City of Dublin in accordance with Section 36933 of the Government Code of the State of California.

SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect 30 days following its adoption.

PASSED, APPROVED AND ADOPTED this __ day of _____ 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

ORDINANCE NO. XX – 22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUBLIN

APPROVING AN AMENDMENT TO PLANNED DEVELOPMENT ORDINANCE NO. 07-03 FOR THE VALLEY CHRISTIAN CENTER PLPA 2020-00044 and PLPA-2020-00045 (APNs 941-0022-005-000, 941-0022-006-00 and 941-0022-004-00)

The Dublin City Council does ordain as follows:

SECTION 1. RECITALS

A. The Applicant, Steve Ring of Fulcrum Development, is proposing to develop a 55-bed memory care facility on Parcel 2 and an 81-bed assisted living facility on Parcel 3 of the Valley Christian Center Property located at 7500 Inspiration Drive. Requested approvals include a Planned Development Rezone with Stage 1 and Stage 2 Development Plans, Site Development Review Permits, a Street Vacation, and Tentative Parcel Map No. 11241. These planning and implementing actions are collectively known as the "Inspiration Drive Memory Care Project and Inspiration Drive Assisted Living Project" or the "Projects."

B. The Project sites are approximately 1.6 acres located on the northwest corner of Inspiration Drive and Dublin Boulevard (Parcel 2; APN 941-0022-005-00) and approximately 4.68 acres located on the northwest corner of Inspiration Drive and Dublin Boulevard (Parcel 3; APN 941-0022-006-00).

C. The existing General Plan land use designation for the project site is Public/Semi-Public.

D. Parcels 1 and 3 of the Valley Christian Center are located within Planned Development Zoning District Ordinance No. 07-03 and Parcel 2 is located within the A (Agricultural) zoning district as stated in Planned Development Zoning District Ordinance No. 07-03.

E. The Inspiration Drive Memory Care and Inspiration Drive Assisted Living projects on Parcel 2 and Parcel 3, respectively, include Planned Development Rezones that will supersede their respective existing zoning designations.

F. Minor amendments to Planned Development Zoning District Ordinance No. 07-03 to remove reference to Parcel 2 and modify the reference to Parcel 3, is necessary for consistency and ease of implementation.

G. The California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared.

H. In 2003, the City Council adopted a Resolution certifying an Environmental Impact Report (EIR), and adopted findings and a Mitigation Monitoring and Reporting Program for the

Valley Christian Center Expansion/Master Plan project (Resolution No. 92-03, incorporated herein by reference).

I. In 2018, the City adopted a Supplemental Mitigated Negative Declaration supported by an Initial Study (2018 Supplemental IS/MND) to evaluate proposed changes to the Valley Christian Center Expansion Program, including conversion of the softball field to a football athletic field, expansion of an existing athletic field to accommodate the relocated softball field, construction of a central plaza, and associated parking and landscape improvements.

J. The City prepared a Initial Study to determine whether supplemental environmental review was required for the proposed Project under CEQA standards. The Initial Study examined whether there were substantial changes to the proposed development, substantial changes in circumstances, or new information, any of which would result in new or more severe significant impacts than analyzed in the prior Valley Christian Center EIR and 2018 Supplemental MND or whether any other standards for supplemental environmental review were met.

K. Upon completion of the Initial Study it was determined that there were new potentially significant impacts associated with the project related to aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and noise and, therefore, a Supplemental Mitigated Negative Declaration was prepared to analyze those impacts and identify mitigation measures to reduce the impacts to less than significant.

L. The Supplemental Mitigated Negative Declaration/Initial Study was circulated for public review from November 18, 2021 - December 17, 2021.

M. The City of Dublin received no comment letters during the public review period.

N. The Planning Commission held a properly noticed public hearing on the Project, on April 26, 2022, at which time all interested parties had the opportunity to be heard.

O. On April 26, 2022, the Planning Commission adopted Resolution No. 22-04 recommending that the City Council adopt the Supplemental Mitigated Negative Declaration and approve amendments to the Zoning Map, a Planned Development Rezone with a related Stage 1 and Stage 2 Development Plan, a Site Development Review Permit, and a Street Vacation for the Inspiration Drive Memory Care Project, which resolution is incorporated herein by reference and available for review at City Hall during normal business hours.

P. On April 26, 2022, the Planning Commission adopted Resolution No. 22-05 recommending that the City Council adopt the Supplemental Mitigated Negative Declaration and approve amendments to the Zoning Map, an amendment to Planned Development Zoning Ordinance No. 07-03, a Planned Development Rezone with a related Stage 1 and Stage 2 Development Plan, a Site Development Review Permit, and Tentative Parcel Map No. 11241 for the Inspiration Drive Assisted Living Project, which resolution is incorporated herein by reference and available for review at City Hall during normal business hours.

Q. On May 17, 2022, the City Council held a properly noticed public hearing on the Project, including the Supplemental Mitigated Negative Declaration at which time all interested parties had the opportunity to be heard.

R. A Staff Report dated May 17, 2022, and incorporated herein by reference, described and analyzed the Project, including the amendment to Planned Development Zoning District Ordinance No. 07-03, Planned Development Rezone with related Stage 1 and Stage 2 Development Plan, Site Development Review Permit, Tentative Parcel Map No. 11241 and Supplemental Mitigated Negative Declaration, for the City Council.

S. On May 17, 2022, the City Council adopted Resolution xx-22 adopting the Supplemental Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program for the project, and the City Council considered the Supplemental Mitigated Negative Declaration as well as the prior Valley Christian Center EIR, 2018 Supplemental Mitigated Negative Declaration to the Valley Christian Center EIR and all above-referenced reports, recommendations, and testimony to evaluate the Project.

T. The City Council did hear and use independent judgment and considered all said reports, recommendations, and testimony hereinabove set forth.

SECTION 2. AMENDMENTS TO EXISTING STAGE 1 DEVELOPMENT PLAN

Amendments to the PD Stage 1 Development Plan are provided in redline below with text to be removed in ~~strikeout~~ and text to be added underlined. Sections and subsections of the Stage 1 Development Plan with no amendments are excluded from this Ordinance and remained unchanged. There are no changes to the Stage 2 Development Plan.

The Development Plan consists of:

1. A Stage 1 Development Plan for a portion of Parcel 3.
2. A Stage 1 and 2 Development Plan for Parcel 1.
~~3. Parcel 2, as shown on the Project plans, is not subject to this Planned Development Rezoning and Development Plan, and will remain zoned as A Agricultural District.~~

STAGE 1 DEVELOPMENT PLAN

1. Zoning

A. Parcel 1 shall be zoned PD - Community Facility.
~~B. Parcel 2 shall remain zoned A Agricultural District, and not subject to the Stage 1 Rezoning and Development Plan.~~
C. Parcel 3 shall be zoned PD - ~~Future Development Area~~ Conservation Easement.
D. Except as specifically modified by the provisions of this PD District/Development Plan, the use, development, improvement and maintenance of property within this PD District/Development Plan shall be subject to the provisions of the A-Agricultural Zoning District for Parcels 1 and 3 and all applicable general requirements and procedures of the Dublin Zoning Ordinance shall be applied to the land uses designated in this PD District Rezone.

2. Statement of proposed uses:

Parcel 2. A- Agricultural District is deleted in its entirety

Parcel 3. PD – Future Study Area is amended as follows:

Parcel 3. PD – Conversation Easement
~~Permitted Uses:~~

~~No uses shall be permitted until established by a future Stage 2 Planned Development Rezoning approved by the City Council.~~

Conservation Easement: ~~A portion of~~ The property shall be maintained as open space under a Conservation Easement, or other deed restriction acceptable to the Community Development Director, City Engineer and City Attorney that precludes development on the northern and eastern portion of Parcel 3 adjacent to the homes on Las Palmas Way. The deed restriction shall not preclude landscaping.

~~Conditional Uses:~~

~~No conditional uses shall be permitted until established by a future Stage 2 Planned Development Rezoning approved by the City Council.~~

~~Accessory Uses:~~

~~No accessory uses shall be permitted until established by a future Stage 2 Planned Development Rezoning approved by the City Council.~~

3. Stage 1 Site Plan

The Stage 1 Site Plan consists of Sheet 1 and S-1 of the project plans dated February 5, 2003, and "received April 16, 2003" (hereafter, project plans) ~~and amended to exclude the residential units and~~ excluding all references to ~~residential type uses on~~ Parcel 2 and the Future Study Area on Parcel 3.

4. Site area, proposed densities, size and new area, Phase Plan

Parcel 2 (1.4 acres) is deleted in its entirety

Parcel 3 (12.71 acres) is amended as follows:

Parcel 3 (8.03 acres)

Phase Number	Use	Number of Dwelling Units	Acres	Maximum Density
3	Conservation Easement	N/A	8.03	N/A

Conservation Easement: A portion of the property shall be maintained as open space under a Conservation Easement, or other deed restriction acceptable to the Community Development Director, City Engineer and City Attorney, that precludes development on the northern and eastern portion of Parcel 3 adjacent to the homes on Las Palmas Way (see project plans). The deed restriction shall not preclude landscaping.

6. General Plan consistency

Parcel 1. The proposed PD- Community Facility development of Parcel 1 is consistent with the Public/Semi-Public designation of the Dublin General Plan.

~~Parcel 2. The existing zoning of A Agricultural District for Parcel 2 is consistent with the Public/Semi-Public designation of the Dublin General Plan. No development plans are proposed.~~

Parcel 3. ~~Future Development Area. No development plans are proposed; therefore, General Plan consistency is not an issue.~~ A Conservation or Open Space Easement will cover ~~a portion of~~ the parcel as shown on the project plans.

SECTION 3. SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the ordinance or their applicability to other persons or circumstances.

SECTION 4. POSTING OF ORDINANCE

The City Clerk of the City of Dublin shall cause this Ordinance to be posted in at least three public spaces in the City of Dublin in accordance with Section 36933 of the Government Code of the State of California.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect 30 days following its adoption.

PASSED AND ADOPTED BY the City Council of the City of Dublin, on this _____ day of _____ 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

RESOLUTION NO. xx – 22

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF DUBLIN**

**APPROVING A SITE DEVELOPMENT REVIEW PERMIT AND TENTATIVE PARCEL MAP NO. 11241 FOR THE INSPIRATION DRIVE ASSISTED LIVING PROJECT
PLPA 2020-00045
(APN 941-0022-006-00)**

WHEREAS, the Applicant, Steve Ring of Fulcrum Development, is proposing to develop an 84-bed assisted living facility on Parcel 3 of the Valley Christian Center Property located at 7500 Inspiration Drive. Requested approvals include a Planned Development Rezoning with a related Stage 1 and Stage 2 Development Plan, Site Development Review Permit, and Tentative Parcel Map. These planning and implementing actions are collectively known as the "Inspiration Drive Assisted Living Project" or the "Project;" and

WHEREAS, the Project site is 4.68 acres located on the north west corner of Inspiration Drive and Dublin Boulevard, which is a portion of the larger 12.7-acre parcel located on the east side of Inspiration Drive (Parcel 3; APN 941-0022-006-00); and

WHEREAS, the existing General Plan land use designation for the project site is Public/Semi-Public; and

WHEREAS, the Project site is located within Planned Development Zoning District Ordinance No. 07-03; and

WHEREAS, the California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, in 2003, the City Council adopted a Resolution certifying an Environmental Impact Report (EIR), and adopted findings and a Mitigation Monitoring and Reporting Program for the Valley Christian Center Expansion/Master Plan project (Resolution No. 92-03, incorporated herein by reference); and

WHEREAS, in 2018, the City adopted a Supplemental Mitigated Negative Declaration supported by an Initial Study (2018 Supplemental IS/MND) to evaluate proposed changes to the Valley Christian Center Expansion Program, including conversion of the softball field to a football athletic field, expansion of an existing athletic field to accommodate the relocated softball field, construction of a central plaza, and associated parking and landscape improvements; and

WHEREAS, the City prepared an Initial Study to determine whether supplemental environmental review was required for the proposed Project under CEQA standards. The Initial Study examined whether there were substantial changes to the proposed development, substantial changes in circumstances, or new information, any of which would result in new or more severe significant impacts than analyzed in the prior Valley Christian Center EIR and 2018 Supplemental MND or whether any other standards for supplemental environmental review were met; and

WHEREAS, upon completion of the Initial Study it was determined that there were new potentially significant impacts associated with the project related to aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and noise and, therefore, a Supplemental Mitigated Negative Declaration was prepared to analyze those impacts and identify mitigation measures to reduce the impacts to less than significant; and

WHEREAS, the Supplemental Mitigated Negative Declaration/Initial Study was circulated for public review from November 18, 2021 - December 17, 2021; and

WHEREAS, the City of Dublin received no comment letters during the public review period; and

WHEREAS, on April 26, 2022, the Planning Commission adopted Resolution No. 22-05 recommending that the City Council adopt the Supplemental Mitigated Negative Declaration and approve amendments to the Zoning Map, an amendment to Planned Development Zoning Ordinance No. 07-03, a Planned Development Rezoning with a related Stage 1 and Stage 2 Development Plan, a Site Development Review Permit, and Tentative Parcel Map No. 11241 for the Project, which resolution is incorporated herein by reference and available for review at City Hall during normal business hours; and

WHEREAS, on May 17, 2022, the City Council held a properly noticed public hearing on the Project, including the Supplemental Mitigated Negative Declaration at which time all interested parties had the opportunity to be heard; and

WHEREAS, a Staff Report, dated May 17, 2022, and incorporated herein by reference, described and analyzed the Project, including the Amendment to Planned Development Zoning District Ordinance No. 07-03, Planned Development Rezoning and related Stage 1 and Stage 2 Development Plan, Site Development Review, Tentative Parcel Map No. 11241 and Supplemental Mitigated Negative Declaration, for the City Council; and

WHEREAS, on May 17, 2022, the City Council adopted Resolution xx-22 adopting the Supplemental Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program for the project, and the City Council considered the Supplemental Mitigated Negative Declaration as well as the prior Valley Christian Center EIR, 2018 Supplemental MND to the Valley Christian Center EIR and all above-referenced reports, recommendations, and testimony to evaluate the Project.

WHEREAS, the City Council did hear and use independent judgment and considered all said reports, recommendations, and testimony hereinabove set forth.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin does hereby make the following findings and determinations regarding the Site Development Review Permit for the Inspiration Drive Assisted Living Project:

A. *The proposal is consistent with the purposes of Chapter 8.104 (Site Development Review) of the Zoning Ordinance, with the General Plan, and any applicable Specific Plans and design guidelines because*: 1) the proposed project is consistent with the existing General Plan land use designation of Public/Semi-Public, which allows for quasi-public uses such as senior centers, special needs program facilities and other similar services and benefit to the community; 2) the proposed project gives thoughtful consideration to topography of the site through its siting on the previously graded area; and 3) the proposed project will conform to

the allowable uses and development standards as stated in the Stage 1 and Stage 2 Development Plan.

B. *The proposal is consistent with the provisions of Title 8, Zoning Ordinance because:* 1) the Planned Development zoning provides a comprehensive development plan that creates a desirable use of land that is sensitive to surrounding land uses by virtue of the layout and design of the site plan; and 2) development of the Project under the Planned Development zoning will be harmonious and compatible with existing and future development in the surrounding area in that the site will provide new living facilities to senior residents.

C. *The design of the Project is appropriate to the City, the vicinity, surrounding properties, and the lot(s) in which the Project is proposed because:* 1) the project site is adjacent to Public-Semi-Public and Single Family Residential land uses; 2) the proposed development will consist of a residential care facility for the senior population from Dublin and surrounding areas; and 3) the design of the project has taken into account sensitive adjacencies and will provide potential living facilities and community amenities to the surrounding neighborhoods.

D. *The subject site is suitable for the type and intensity of the approved development because:* 1) the project site is relatively flat with improved public streets and utilities; and 2) development intensity is similar to adjacent properties.

E. *Impacts to existing slopes and topographic features are addressed because*: 1) the project site is relatively flat; 2) the roadway and utility infrastructure to serve the site already exists; and 3) future approval of grading and improvement plans will enable the site to be modified to suit the project, which will be developed for the site in accordance with City policies and regulations.

F. *Architectural considerations including the character, scale and quality of the design, site layout, the architectural relationship with the site and other buildings, screening of unsightly uses, lighting, building materials and colors and similar elements result in a project that is harmonious with its surroundings and compatible with other developments in the vicinity because:* 1) the building has been designed to be consistent with the quality and standards of the existing and planned development in the area; 2) the design of the building respects the topography of the area; and 3) the front entrance to the building concentrates activity along the front of the building facing Inspiration Drive and away from adjacent residential homes.

G. *Landscape considerations, including the location, type, size, color, texture and coverage of plant materials, and similar elements have been incorporated into the project to ensure visual relief, adequate screening and an attractive environment for the public because:* 1) the plant palette is drought tolerant and compatible with the existing plant species in the area; 2) the project includes courtyard and rooftop gathering spaces for the residents which is buffered from the adjacent residential community; and 3) the project landscaping conforms to the requirements of the City's Water Efficient Landscape Ordinance.

H. *The site has been adequately designed to ensure the proper circulation for bicyclist, pedestrians, and automobiles because:* 1) access to the site is provided from a singular driveway off Inspiration Drive; 2) all infrastructure including, pathways, sidewalks, and lighting have been reviewed for conformance with City policies, regulations, and best practices and have been designed with multi-modal travel in mind; and 3) the project has been reviewed

by the Public Works Department and the Fire Department and adequate access and circulation has been provided on-site.

BE IT FURTHER RESOLVED that the City Council of the City of Dublin does hereby make the following findings and determinations regarding Tentative Parcel Map No. 11241 for the Inspiration Drive Assisted Living Project:

A. *The proposed subdivision map together with the provisions for its design and improvement is consistent with the general plan and any applicable specific plan* because: 1) proposed Tentative Parcel Map No. 11241 together with the provisions for their design and improvements comply with the development standards of the proposed Planned Development zoning district.

B. *The subdivision site is physically suitable for the type and proposed density of development* because: 1) the project site is physically suitable for the type and proposed density of development, which is consistent with the land use designation of Public/Semi-Public and allows for an FAR of .50; 2) the proposed development is consistent with the scale of other developments in the immediate vicinity; and 3) the project site is located on 4.68 acres, of which approximately two acres is relatively flat topography and, therefore, is physically suitable for the type and density of development that is proposed.

C. *The tentative tract map is consistent with the intent of applicable subdivision design or improvements of the tentative tract map are consistent with the city's general plan and any applicable specific plan* because: the proposed Tentative Parcel Map to separate the developable parcel from the conservation easement is consistent with the General Plan in that it supports the development of quasi-public uses such as senior centers, special needs program facilities and other similar services and benefit to the community

D. *The subdivision design and proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat* because: 1) the proposed Tentative Parcel Map is for the development for a portion of the site that has been previously graded; and 2) in compliance with CEQA, the City prepared a Supplemental Mitigated Negative Declaration to the Valley Christian Center Environmental Impact Report, which mitigated any potential impacts and, therefore, the proposed subdivision will not result in environmental damage or substantially injure fish or wildlife or their habitat or cause public health concerns.

E. *The design of the subdivision or type of improvements will not cause serious public health concerns* because: 1) the design of the subdivision or type of improvements will not cause serious public health concerns as it has been conditioned to comply with all building codes and ordinances in effect at the time of permit issuance; 2) the City conducted a review to evaluate the Project's impacts; and 3) in compliance with CEQA, the City prepared a Supplemental Mitigated Negative Declaration to the Valley Christian Center Environmental Impact Report, which mitigated any potential impacts to public.

F. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; or alternate easements are provided pursuant to Government Code Section 66474(g)* because: the City Engineer has reviewed the Tentative Parcel Map and title report and has determined that the future proposed buildings will not conflict with existing or new easements nor with future property lines.

G. *The design or improvements of the tentative map are consistent with the city's general plan and any applicable specific plan* because: the proposed Tentative Parcel Map together with the provisions for their design and improvements comply with the development standards of the Stage 1 and Stage 2 Planned Development and the General Plan.

H. *The subdivision is designed to provide for future passive or natural heating or cooling opportunities* because: 1) the project would be constructed in accordance with the latest building code and green building regulations/CalGreen; and 2) landscaping will be provided around the building and throughout the surface parking lot providing natural shading.

I. *The tentative tract map, including design and improvement, shall comply with all the applicable provisions and requirements of the zoning ordinance, the latest municipal stormwater permit issued to the city by the Regional Water Quality Control Board, this title, any other ordinance of the city, and the Subdivision Map Act* because: 1) the project is compliant with the California Regional Water Quality Control Board San Francisco Bay Region Municipal Regional Stormwater NPDES Permit; 2) the Project would include bioretention areas and stormwater treatment vaults to ensure consistency with regional C.3 stormwater treatment; and 3) the project would include full trash capture devices to ensure consistency with regional C.10 stormwater treatment requirements.

BE IT FURTHER RESOLVED that the Dublin City Council does hereby approve the Site Development Review Permit and Tentative Parcel Map No. 11241 for the Inspiration Drive Assisted Living Project subject to the conditions included below, and other plans, and text relating to this Site Development Review Permit and Tentative Parcel Map.

CONDITIONS OF APPROVAL:

Unless stated otherwise, all Conditions of Approval shall be complied with prior to the issuance of building permits or establishment of use, and shall be subject to Planning Department review and approval. The following codes represent those departments/agencies responsible for monitoring compliance of the conditions of approval. [PL.] Planning, [B] Building, [PO] Police, [PW] Public Works [P&CS] Parks & Community Services, [ADM] Administration/City Attorney, [FIN] Finance, [F] Alameda County Fire Department, [DSR] Dublin San Ramon Services District, [CO] Alameda County Department of Environmental Health, [Z7] Zone 7.

#	CONDITION TEXT	RESPON. AGENCY	WHEN REQ'D Prior to:
GENERAL CONDITIONS			
1.	**Approval.** This approval is for the Inspiration Drive Assisted Living Project (PLPA-2020-00045). This approval shall be as generally depicted and indicated on the Project Plans prepared by Lenity Architecture, dated December 2021, attached as **Exhibit A** and Tentative Parcel Map No. 11241 prepared by Phillippi Engineering, dated December 2021, attached as **Exhibit B** and other plans, text, and diagrams relating to this project, and as specified as the following Conditions of Approval for this project.	PL	Ongoing
2.	**Effective Date.** This Site Development Review Permit approval becomes effective once the Planned Development Rezoning has been approved by City Council and is effective.	PL	Ongoing

3.	**Site Development Review Expiration.** Construction or use shall commence within one (1) year of Site Development Review approval or the Site Development Review Permit shall lapse and become null and void. If there is a dispute as to whether the Site Development Review Permit has expired, the City may hold a noticed public hearing to determine the matter. Such a determination may be processed concurrently with revocation proceedings in appropriate circumstances. If the Site Development Review Permit expires, a new application must be made and processed according to the requirements of the Zoning Ordinance.	PL	One Year After Effective Date
4.	**Permit Expiration –Tentative Parcel Map.** Approval of the Tentative Parcel Map shall be valid for 36 months from the effective date as set forth in Dublin Municipal Code Section 9.08.130.A.	PW	36 months after Effective Date
5.	**Time Extension – Site Development Review Permit.** The Community Development Director may grant an extension of the approval for a period not to exceed twelve (12) months, upon the Applicant's written request prior to expiration, and the determination that all Conditions of Approval remain adequate, and all applicable findings of approval will continue to be met.	PL	Prior to Expiration Date
6.	**Compliance.** The Applicant/Property Owner shall operate this use in compliance with the Conditions of Approval of this Site Development Review Permit and Tentative Parcel Map, the approved plans and the regulations established in the Zoning Ordinance. Any violation of the terms or conditions specified may be subject to enforcement action.	PL	On-going
7.	**Revocation of Permit.** The Site Development Review approval shall be revocable for cause in accordance with Dublin Municipal Code Section 8.96.020.I. Any violation of the terms or conditions of this permit shall be subject to citation.	PL	On-going
8.	**Requirements and Standard Conditions.** The Applicant/ Developer shall comply with applicable City of Dublin Fire Prevention Bureau, Dublin Public Works Department, Dublin Building Department, Dublin Police Services, Alameda County Flood Control District Zone 7, Livermore Amador Valley Transit Authority, Alameda County Public and Environmental Health, Dublin San Ramon Services District and the California Department of Health Services requirements and standard conditions. Prior to issuance of building permits or the installation of any improvements related to this project, the Developer shall supply written statements from each such agency or department to the Planning Department, indicating that all applicable conditions required have been or will be met.	Various	Building Permit Issuance

9.	**Required Permits.** As determined applicable for grading and building permits for each development phase or planning area, the Developer shall obtain all permits required by other agencies including, but not limited to Alameda County Flood Control and Water Conservation District Zone 7, California Department of Fish and Game, Army Corps of Engineers, Regional Water Quality Control Board, Caltrans and provide copies of the permits to the Public Works Department.	PW	Building Permit Issuance and Grading Permit Issuance
10.	**Fees.** The Applicant/Developer shall pay all applicable fees in effect at the time of building permit issuance, including, but not limited to, Planning fees, Building fees, Traffic Impact Fees, TVTC fees, Dublin San Ramon Services District fees, Public Facilities fees, Dublin Unified School District School Impact fees, Fire Facilities Impact fees, Alameda County Flood and Water Conservation District (Zone 7) Drainage and Water Connection fees; or any other fee that may be adopted and applicable.	Various	Building Permit Issuance
11.	**Indemnification.** The Applicant/Developer shall defend, indemnify, and hold harmless the City of Dublin and its agents, officers, and employees from any claim, action, or proceeding against the City of Dublin or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City of Dublin or its advisory agency, appeal board, Planning Commission, City Council, Community Development Director, Zoning Administrator, or any other department, committee, or agency of the City to the extent such actions are brought within the time period required by Government Code Section 66499.37 or other applicable law; provided, however, that the Developer's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the Developer of any said claim, action, or proceeding and the City's full cooperation in the defense of such actions or proceedings.	ADM	On-going
12.	**Clarification of Conditions.** In the event that there needs to be clarification to the Conditions of Approval, the Director of Community Development and the City Engineer have the authority to clarify the intent of these Conditions of Approval to the Developer without going to a public hearing. The Director of Community Development and the City Engineer also have the authority to make minor modifications to these conditions without going to a public hearing in order for the Developer to fulfill needed improvements or mitigations resulting from impacts to this project.	PL, PW	On-going
13.	**Clean-up.** The Applicant/Developer shall be responsible for clean-up and disposal of project related trash to maintain a safe, clean and litter-free site.	PL	On-going
14.	**Modifications.** Modifications or changes to this Site Development Review approval may be considered by the Community Development Director if the modifications or changes proposed comply with Section 8.104.100 of the Zoning Ordinance.	PL	On-going

15.	**Equipment Screening.** All electrical equipment, fire risers, electrical and gas meters, and/or mechanical equipment shall be architecturally screened from public view by landscaping and/or architectural features and that electrical transformers are either underground or architecturally screened. Any roof-mounted equipment shall be completely screened from adjacent street view by materials architecturally compatible with the building and to the satisfaction of the Community Development Director. The Building Permit plans shall show the location of all equipment and screening for review and approval by the Director of Community Development.	PL	Building Permit Issuance and Through Completion/ On-going
16.	**Temporary Promotional Banners and Balloons.** Temporary Promotional Banner Signs and Balloons shall only be permitted after first securing an approved Temporary Promotional Sign Permit. All temporary on-site signage shall be subject to the sign regulations contained in the City of Dublin Zoning Ordinance.	PL	On-going
17.	**Construction Trailer.** The Applicant/Developer shall obtain a Temporary Use Permit prior to the establishment of any construction trailer, storage shed, or container units on the project site.	PL	Installation of a Construction Trailer
PLANNING – Project Specific Conditions			
18.	**Public Art.** The project is required to comply with Dublin Municipal Code Sections 8.58.05A and 8.58.05D of Chapter 8.58 (Public Art Program). The Project will make a monetary contribution in-lieu of acquiring and installing a public art project on the property, as provided by the Dublin Municipal Code Section 8.58.050D. The in-lieu contribution shall be as provided in the Dublin Municipal Code, Chapter 8.58.	PL	Prior to First Occupancy of
19.	**Mitigation Monitoring Program.** The Applicant/ Developer shall comply with the applicable mitigation measures of the Valley Christian Center Environmental Impact Report (EIR) certified by Resolution No. 92-03, Supplemental Mitigated Negative Declaration adopted by Resolution No. 06-19, and Supplemental Mitigated Negative Declaration adopted as part of the Inspiration Drive Memory Care and Assisted Living Projects, including all mitigation measures, action programs, and implementation measures contained therein. The EIR and Supplemental Mitigated Negative Declarations are on file with the Community Development Department.	PL	Ongoing
20.	**Master Sign Program.** A Master Sign Program is required prior to installation of any project related signage. Any signs shown in the Project Plans are for illustrative purposes only and the full details of the sign sizes, content, materials, and construction shall be shown in the separate sign package.	PL	Installation of Project Related Signage
21.	**Final Landscape and Irrigation Plan.** Plans shall comply with Dublin Municipal Code Chapter 8.72 and be generally consistent with the project plans attached to this Resolution as **Exhibit A** Final Landscape and Irrigation Plan prepared	PL	Building Permit Issuance

	and stamped by a State licensed landscape architect or registered engineer shall be submitted for review and approval by the Community Development Director.		
22.	**Water Efficient Landscaping Regulations.** The Applicant/Developer shall meet all requirements of the City of Dublin's Water-Efficient Landscaping Regulations, Chapter 8.88 of the Dublin Municipal Code and submit written documentation to the Public Works Department (in the form of a Landscape Documentation Package and other required documents) that the development conforms to the City's Water Efficient Landscaping Ordinance.	PL	Building Permit Issuance
23.	**Landscape Edges.** Concrete curbs or bands shall be used at the edges of all planters and paving surfaces, unless otherwise defined differently. The design width and depth of the concrete edge to be to the satisfaction of the Community Development Director and City Engineer.	PL	Building Permit Issuance
24.	**Backflow Prevention Devices.** The Landscape Plan shall show the location of all backflow prevention devises. The location and screening of the backflow prevention devices shall be reviewed and approved by City staff**.**	PL	Building Permit Issuance
25.	**Maintenance of Landscape.** All landscape areas on the site shall be enhanced and properly maintained at all times. Any proposed or modified landscaping to the site, including the removal or replacement of trees, shall require prior review and written approval from the Community Development Director.	PL	On-going
26.	**Noise Land Use Compatibility Analysis.** Per the Noise Land Use Compatibility Analysis dated April 2022, the project shall incorporate the following: a. Install resilient channels at the exterior walls for the buildings. b. Install sound-rated windows with a minimum rating of STC-39 at all south-facing residential units. c. Install standard windows with a minimum rating of STC-28 at all other residential units.	PL	Building Permit Issuance
BUILDING AND SAFETY			
27.	**Building Codes and Ordinances.** All project construction shall conform to all building codes and ordinances in effect at the time of building permit.	B	Through Completion
28.	**Construction Drawings.** Construction plans shall be fully dimensioned (including building elevations) accurately drawn (depicting all existing and proposed conditions on site), and prepared and signed by a California licensed Architect or Engineer. All structural calculations shall be prepared and signed by a California licensed Architect or Engineer. The site plan, landscape plan and details shall be consistent with each other.	B	Issuance of Building Permits
29.	**Building Permits.** To apply for building permits, Applicant/Developer shall submit electronic drawings for plan check. An annotated copy of the Conditions of Approval shall be included with the submittal. <u>The notations shall clearly indicate how all Conditions of Approval will or have been complied with</u>. Construction plans will not be accepted without the annotated resolutions included in the plan set. Applicant/Developer	B	Issuance of Building Permits

	will be responsible for obtaining the approvals of all participation non-City agencies prior to the issuance of building permits.		
30.	**As-Built Drawings.** All revisions made to the building plans during the project shall be incorporated into an "As Built" electronic file and submitted prior to the issuance of the final occupancy.	B	Occupancy
31.	**Addressing.** a. Provide a site plan with the City of Dublin's address grid overlaid on the plans (1 to 30 scale). Highlight all exterior door openings on plans. b. Address signage shall be provided as per the Dublin Commercial Security Code. Address will be required on all doors leading to the exterior of the building. Addresses shall be illuminated and be able to be seen from the street, four inches in height minimum.	B	Prior to Release of Addresses Prior to Permitting Prior to Occupancy
32.	**Engineer Observation.** The Engineer of record shall be retained to provide observation services for all components of the lateral and vertical design of the building, including nailing, hold-downs, straps, shear, roof diaphragm and structural frame of building. A written report shall be submitted to the City Inspector prior to scheduling the final frame inspection.	B	Prior to Scheduling the Final Frame Inspection
33.	**60-Foot No Build Covenant.** Pursuant to Dublin Municipal Code Section 7.32.130, the owner shall file with the Building Official a Covenant and Agreement Regarding Maintenance of Yards for an Oversized Building binding such owner, his heirs, and assignees, to set aside a 60-foot required yard as unobstructed space having no improvements. After execution by the owner and Building Official, such covenant shall be recorded in the Alameda County Recorder's Office and shall continue in effect so long as an oversized building remains or unless otherwise released by authority of the Chief Building Official.	B	Prior to Permitting (if frontage increase used to for allowable area)
34.	**Foundation.** Geotechnical Engineer for the soils report shall review and approve the foundation design. A letter shall be submitted to the Building Division on the approval.	B	Prior to Permit Issuance
35.	**CASp Reports.** Applicant shall obtain the services of a Certified Access Specialist for the review of the construction drawings and inspections for the building interior and site exterior. A written report shall be submitted to the City prior to approval of the permit application. Additionally, a written report shall be submitted to the City Building Inspector prior to scheduling the final inspection.	B	Prior to Permitting and Occupancy
36.	**Cool Roofs – CA Energy Code.** Flat roof areas shall have their roofing material coated with light colored gravel or painted with light colored or reflective material designed for cool roofs.	B	Through Completion
37.	**Air Conditioning Units**. Air conditioning units and ventilation ducts shall be screened from public view with materials compatible to the main building. Units shall be permanently installed on concrete pads or other non-	B	Occupancy of Building

	movable materials approved by the Chief Building Official and Director of Community Development.		
38.	**Plumbing Fixture Count.** The plumbing fixture count (e.g., water closets, lavatories, urinals, drinking fountains) shall meet the minimum requirements for the use as regulated by the CA Plumbing Code.	B	Prior to Permitting
39.	**Accessible Parking.** The required number of parking stalls, the design and location of the accessible parking stalls shall be as required by the CA Building Code, Chapter 11-B.	B	Through Completion
40.	**Green Parking.** The design and number of clean air/ EV ready stalls shall be as required by the CA Green Building Standards Code.	B	Through Completion
41.	**Retaining Walls**. All retaining walls over 30 inches in height and adjacent to a walkway shall be provided with guardrails. Retaining walls with a surcharge and retaining walls over 36 inches in height shall obtain permits and inspections from the Building and Safety Division.	B	Through Completion
42.	**Accessory Structures.** Building permits are required for all trash enclosures and associated amenities / structures and are required to meet the accessibility and building codes.	B	Through Completion
43.	**Temporary Fencing.** Temporary construction fencing shall be installed along perimeter of all work under construction.	B	Through Completion
44.	**Copies of Approved Plans.** Applicant shall provide City with one reduced (1/2 size) copy of the City of Dublin stamped approved plan.	B	30 Days After Permit and Each Revision Issuance
FIRE PREVENTION			
45.	No fire service lines shall pass beneath buildings.	F	Approval of Improvement Plans
46.	**New Fire Sprinkler System and Monitoring Requirements.** In accordance with The Dublin Fire Code, fire sprinklers shall be installed in the building. The system shall be in accordance with the NFPA 13, the CA Fire Code and CA Building Code. Plans and specifications showing detailed mechanical design, cut sheets, listing sheets and hydraulic calculations shall be submitted to the Fire Department for approval and permit prior to installation. This may be a deferred submittal. a. **Sprinkler Plans. (Deferred Submittal Item).** Submit detailed mechanical drawings of all sprinkler modifications, including cut sheets, listing sheets and calculations to the Fire Department for approval and permit prior to installation. b. All sprinkler system components shall remain in compliance with the applicable N.F.P.A. 13 Standard, the CA Fire Code and the CA Building Code. c. **Underground Plans. (Deferred Submittal Item).** Submit detailed shop drawings for the fire water supply system, including cut sheets, listing sheets and calculations to the Fire Department for approval and	F	Building Permit Issuance

	permit prior to installation. All underground and fire water supply system components shall be in compliance with the applicable N.F.P.A. 13, 24, 20, 22 Standards, the CA Fire Code and the CA Building Code**.** The system shall be hydrostatically tested and inspected prior to being covered. Prior to the system being connected to any fire protection system, a system flush shall be witnessed by the Fire Department. d. **Central Station Monitoring.** Automatic fire extinguishing systems installed within buildings shall have all control valves and flow devices electrically supervised and maintained by an approved central alarm station. Zoning and annunciation of central station alarm signals shall be submitted to the Fire Department for approval. e. Fire protection equipment shall be identified with approved signs constructed of durable materials, permanently installed and readily visible.		
47.	**Fire Access During Construction.** a. **Fire Access.** Access roads, turnaround, pullouts, and fire operation areas are fire lanes and shall be maintained clear and free of obstructions, including the parking of vehicles. b. **Entrances.** Entrances to job sites shall not be blocked, including after hours, other than by approved gates/barriers that provide for emergency access. c. **Site Utilities.** Site utilities that would require the access road to be dug up or made impassible shall be installed prior to construction commencing. d. Entrance flare, angle of departure, width, turning radii, grades, turnaround, vertical clearances, road surface, bridges/crossings, gates/key-switch, within a 150-foot distance to Fire Lane shall be maintained. e. **Personnel Access.** Route width, slope, surface and obstructions must be considered for the approved route to furthermost portion of the exterior wall. f. **All-weather access**. Fire access is required to be all-weather access. Show on the plans the location of the all-weather access and a description of the construction. Access roads must be designed to support the imposed loads of fire apparatus.	F	During Construction
48.	**Fire Alarm (Detection) System Required.** A Fire Alarm-Detection System shall be installed throughout the building so as to provide full property protection, including combustible concealed spaces, as required by NFPA 72. The system shall be installed in accordance with NFPA 72, CA Fire, Building, Electrical, and Mechanical Codes. If the system is intended to serve as an evacuation system, compliance with the horn/strobe requirements for the entire building must also be met. All automatic fire extinguishing systems shall be interconnected to the fire alarm system so as to activate an alarm if activated and to monitor control valves. Delayed egress locks shall meet requirements of C.F.C.	F	Occupancy

	a. **Fire Alarm Plans. (Deferred Submittal Item).** Submit detailed drawings of the fire alarm system, including floor plan showing all rooms, device locations, ceiling height and construction, cut sheets, listing sheets and battery and voltage drop calculations to the Fire Department for review and permit prior to the installation. Where employee work area's have audible alarm coverage, circuits shall be initially designed with a minimum 20 percent spare capacity for adding appliances to accommodate hearing impaired employee's. b. **Central Station Monitored Account.** Automatic fire alarm systems shall be monitored by an approved central alarm station. Zoning and annunciation of central station alarm signals shall be approved by the Fire Department. c. **Qualified Personnel.** The system shall be installed, inspected, tested, and maintained in accordance with the provisions of NFPA 72. Only qualified and experienced persons shall perform this work. Examples of qualified individuals are those who have been factory trained and certified or are NICET Fire Alarm Certified. d. **Inspection and Testing Documentation.** Performance testing of all initiating and notification devices in the presence of the Fire Inspector shall occur prior to final of the system. Upon this inspection, proof that the specific account is UL Certificated must be provided to the Fire Inspector.		
49.	**Fire Extinguishers**. Extinguishers shall be visible and unobstructed. Signage shall be provided to indicate fire extinguisher locations. The number and location of extinguishers shall be shown on the plans. Additional fire extinguishers maybe required by the fire inspector. Fire extinguisher shall meet a minimum classification of 2A 10BC. Extinguishers weighing 40 pounds or less shall be mounted no higher than five feet above the floor measured to the top of the extinguisher. Extinguishers shall be inspected monthly and serviced by a licensed concern annually.	F	Occupancy
50.	**FD Building Key Box.** A Fire Department key box shall be installed at the main entrance to the building. Note these locations on the plans. The key box should be installed approximately 5.5 feet above grade. The box shall be sized to hold the master key to the facility as well as keys for rooms not accessible by the master key. Specialty keys, such as the fire alarm control box key and elevator control keys shall also be installed in the box. The key box door and necessary keys are to be provided to the Fire Inspector upon the final inspection. The inspector will then lock the keys into the box.	F	Occupancy
51.	**Means of Egress.**	F	Occupancy

	Exit signs shall be visible and illuminated with emergency lighting when building is occupied.		
52.	**Main Entrance Hardware Exception.** It is recommended that all doors be provided with exit hardware that allows exiting from the egress side even when the door is in the locked condition. However, an exception for A-3, B, F, M, S occupancies and all churches does allow key-locking hardware (no thumb-turns) on the main exit when the main exit consists of a single door or pair of doors. When unlocked the single door or both leaves of a pair of doors must be free to swing without operation of any latching device. A readily visible, durable sign on or just above the door stating **"This door to remain unlocked whenever the building is occupied"** shall be provided. The sign shall be in letters not less than one inch high on a contrasting background. This use of this exception may be revoked for cause.	F	Occupancy
53.	**Maximum Occupant Load.** Posting of room capacity is required for any occupant load of 50 or more persons. Submittal of a seating plan on 8.5-inch by 11-inch paper is required prior to final occupancy**.**	F	Occupancy
54.	**Interior Finish.** Wall and ceiling interior finish material shall meet the requirements of Chapter 8 of the California Fire Code. Interior finishes will be field verified upon final inspection. If the product is not field marked and the marking visible for inspection, maintain the products cut-sheets and packaging that show proof of the products flammability and flame-spread ratings. Decorative materials shall be fire retardant.	F	Occupancy
55.	**General Inspection.** Upon inspection of the work for which this submittal was provided, a general inspection of the business and site will be conducted.	F	Occupancy
56.	**Addressing**. Addressing shall be illuminated or in an illuminated area. The address characters shall be contrasting to their background. If address is placed on glass, the numbers shall be on the exterior of the glass and a contrasting background placed behind the numbers. Building Address. The building shall be provided with all addresses or the assigned address range so as to be clearly visible from either direction of travel on the street the address references. The address characters shall not be less than 5 inches in height by 1-inch stroke. Larger sizes may be necessary depending on the setbacks and visibility.	F	Occupancy of any building
57.	**Fire Safety During Construction and Demolition.** a. Clearance to combustibles from temporary heating devices shall be maintained. Devices shall be fixed in place and protected from damage, dislodgement or overturning in accordance with the manufacturer's instructions. b. Smoking shall be prohibited except in approved areas. Signs shall be posted "NO SMOKING" in a conspicuous location in each structure or location in which smoking is prohibited.	F	Ongoing during construction and demolition

	c. Combustible debris, rubbish and waste material shall be removed from buildings at the end of each shift of work. d. Flammable and combustible liquid storage areas shall be maintained clear of combustible vegetation and waste materials.		
Dublin San Ramon Services District			
58.	The regulations that apply to development projects are codified in the Dublin San Ramon Services District (DSRSD) Code; the DSRSD "Standard Procedures, Specifications and Drawings for Design and Installation of Water and Wastewater Facilities" as amended from time to time; all applicable DSRSD Master Plans and all DSRSD policies. Prior to issuance of any building permit, complete improvement plans shall be submitted to DSRSD that conform to the pertinent documents.	DSRSD	Building Permit Issuance
59.	Planning and review fees/ inspection fees, and fees associated with a wastewater discharge permit shall be paid to DSRSD in accordance with the rates and schedules and at time of payment as established in the DSRSD Code. Planning and review fees are due after the 1st submittal of plans. Construction Permit and Inspection Fees are due prior to the issuance of a Construction Permit. Capacity Reserve Fees are due before the water meter can be set or the connection to the sewer system.	DSRSD	Permit Submittal and Construction Permit Issuance
60.	**For Construction of DSRSD Facilities.** All improvement plans for DSRSD facilities shall be signed by the District Engineer. Each drawing of improvement plans for DSRSD facilities shall contain a signature block for the District Engineer indicating approval of the sanitary sewer and/or water facilities shown. Prior to approval by the District Engineer, the applicant shall pay all required DSRSD fees, and provide an engineer's estimate of construction costs for the sewer and water systems, a faithful performance bond, and a comprehensive general liability insurance policy in the amounts and forms that are acceptable to DSRSD. The applicant shall allow at least 15 working days for final improvement drawing review by DSRSD before signature by the District Engineer.	DSRSD	Building Permit Issuance or Construction Permit Issuance
61.	All easement dedications for DSRSD facilities shall be by separate instrument irrevocably offered to DSRSD or by offer of dedication on the Final Map. Prior to approval by the City for Recordation, the Final Map shall be submitted to and approved by DSRSD for easement locations, widths, and restrictions.	DSRSD	Approval of Final Map
62.	All mains shall be sized to provide sufficient capacity to accommodate future flow demands in addition to each development project's demand. Layout and sizing of mains shall be in conformance with DSRSD utility master planning.	DSRSD	Approval of Improvement Plans
63.	The locations and widths of all proposed easement dedications for water and sewer lines shall be submitted to and approved by DSRSD.	DSRSD	Approval of Improvement Plans

64.	Water and sewer mains shall be located in public streets rather than in off street locations to the fullest extent possible. If unavoidable, then sewer or water easements must be established over the alignment of each sewer or water main in an off-street or private street location to provide access for future maintenance and/or replacement.	DSRSD	Approval of Improvement Plans
65.	Domestic and fire protection waterline systems for Tracts or Commercial Developments shall be designed to be looped or interconnected to avoid dead end sections in accordance with requirements of the DSRSD Standard Specifications and sound engineering practice.	DSRSD	Approval of Improvement Plans
66.	Sewers shall be designed to operate by gravity flow to DSRSD's existing sanitary sewer system. Pumping of sewage is discouraged and may only be allowed under extreme circumstances following a case by case review with DSRSD staff. Any pumping station will require specific review and approval by DSRSD of preliminary design reports, design criteria, and final plans and specifications. The DSRSD reserves the right to require payment of present worth 20-year maintenance costs as well as other conditions within a separate agreement with the applicant for any project that requires a pumping station.	DSRSD	Approval of Improvement Plans
67.	This project includes mixed use and/or multi-family residential units and is subject to the requirement of SB 7 (2016, Walk) as a condition of water service. Each individual residential unit shall be metered or submetered to measure water used by each unit. Water meters for each unit shall be shown on improvement plans. Exemptions may be made only for exempted uses listed in the legislation. If submetering is proposed in lieu or individual meters, plans reflecting the submeters and associated residential unit shall be submitted. DSRSD may not approve applications and issue construction permits without this submittal.	DSRSD	Approval of Improvement Plans
68.	This project will be analyzed by DSRSD to determine if it represents additional water and/or sewer capacity demands on the District. Applicant will be required to pay all incremental capacity reserve fees for water and sewer services as required by the project demands. All capacity reserve fees must be paid prior to installation of a water meter for water. If a water meter is not required, the capacity reserve fee shall be paid prior to issuance of a building permit. The District may not approve the building permit until capacity reserve fees are paid.	DSRSD	Building Permit Issuance
69.	No sewer line or waterline construction shall be permitted unless the proper utility construction permit has been issued by DSRSD. A construction permit will only be issued after all of the items in Condition No.59 have been satisfied.	DSRSD	Construction Permit Issuance
70.	Above ground backflow prevention devices/double detector check valves shall be installed on fire protection systems connected to the DSRSD water main. The applicant shall collaborate with the Fire Department and with DSRSD to size and configure its fire system.	DSRSD	Approval of Improvement Plans

71.	Any proposed irrigation for this project shall be designed for and connected to potable water. Unless explicitly stated otherwise by DSRSD, recycled water irrigation is unavailable for use for this project per DERWA recycled water moratorium Resolution No. 19-3 dated 3/24/2019.	DSRSD	Approval of Improvement Plans
72.	Development plans will not be approved until landscape plans are submitted and approved.	DSRSD	Approval of Improvement Plans
73.	Trash enclosures are required to drain to the sanitary sewer system and grease interceptors shall be installed within the trash enclosure area. The trash enclosure shall be roofed and graded to minimize rainwater or stormwater from entering the trash enclosure.	DSRSD	Approval of Improvement Plans
PUBLIC WORKS GENERAL CONDITIONS			
74.	**Conditions of Approval.** Applicant/Developer shall comply with the City of Dublin Public Works Standard Conditions of Approval contained below ("Standard Condition") unless specifically modified by Project Specific Conditions of Approval below.	PW	On-going
75.	**Zone 7 Impervious Surface Fees.** Applicant/Developer shall complete a "Zone 7 Impervious Surface Fee Application" and submit an accompanying exhibit for review by the Public Works Department. Fees generated by this application will be due at issuance of Building Permit.	PW	Approval of Parcel Map
PUBLIC WORKS – AGREEMENTS			
76.	**Stormwater Management Maintenance Agreement.** Developer or Property Owner shall enter into an Agreement with the City of Dublin that guarantees the property owner's perpetual maintenance obligation for all stormwater management measures installed as part of the project, including those on-site and within the public Rights of Way. In addition to stormwater management measures, drainage v-ditches, mitigation areas, and existing wetlands shall be included for reference, as applicable. Said Agreement is required pursuant to Provision C.3 of the Municipal Regional Stormwater NPDES Permit, Order No. R2-2009-0074. Said permit requires the City to provide verification and assurance that all treatment devices will be properly operated and maintained.	PW	Grading/ Sitework Permit Issuance
PUBLIC WORKS – PERMITS AND BONDS			
77.	**Encroachment Permit.** Applicant/Developer shall obtain an Encroachment Permit from the Public Works Department for all construction activity within the public right-of-way.	PW	Permit Issuance
78.	**Grading/Sitework Permit.** Applicant/Developer shall obtain a Grading or Sitework Permit from the Public Works Department for all grading and site improvements.	PW	Permit Issuance
79.	**Security.** Applicant/Developer shall provide faithful performance security to guarantee the on-site and off-site improvements, as well as payment security, as determined by the City Engineer (Note: The performance security shall remain in effect until one year after final inspection).	PW	Permit Issuance

80.	**Permits from Other Agencies.** Applicant/Developer shall obtain all permits and/or approvals required by other agencies including, but not limited to: • Dublin San Ramon Services District (DSRSD) • Alameda County Flood Control and Water Conservation District Zone 7 (Zone 7)	PW	Permit Issuance
PUBLIC WORKS – SUBMITTALS			
81.	**Parcel Map and Improvement Plan Submittal Requirements.** All submittals of plans shall comply with the requirements of the "City of Dublin Final Map Review Check List," "City of Dublin Public Works Department Improvement Plan Submittal Requirements", the "City of Dublin Improvement Plan Review Check List," and current Public Works and industry standards. A complete submittal of improvement plans shall include all civil improvements, joint trench, street lighting and on-site safety lighting, landscape plans, and all associated documents as required. Applicant/Developer shall not piecemeal the submittal by submitting various components separately.	PW	Approval of Parcel Map and Grading/ Sitework Permit Issuance
82.	**Improvement Plan Requirements from Other Agencies.** Applicant/Developer will be responsible for submittals and reviews to obtain the approvals of all participating non-City agencies namely the Alameda County Fire Department and the Dublin San Ramon Services District. The aforementioned agencies shall approve and sign the Improvement Plans.	PW	Grading/ Sitework Permit Issuance
83.	**Composite Exhibit.** Construction plan set shall include a Composite Exhibit showing all site improvements, utilities, landscaping improvements and trees, signs, etc. to be constructed to ensure that there are no conflicts among the proposed and existing improvements.	PW	Grading/ Sitework Permit Issuance
84.	**Geotechnical Report.** Applicant/Developer shall submit a Design Level Geotechnical Report, which includes but are not limited to grading, slope stability, pavement section, and additional information and/or clarifications as determined by the City Engineer.	PW	Grading/ Sitework Permit Issuance
85.	**Building Pads, Slopes and Walls.** Applicant/Developer shall provide the Public Works Department with a letter from a registered civil engineer or surveyor stating that the building pads have been graded to within 0.1 feet of the grades shown on the approved Grading Plans, and that the top & toe of banks and retaining walls are at the locations shown on the approved Grading Plans.	PW	Certificate of Occupancy
86.	**Hydrology and Hydraulic Calculations.** Hydrology and Hydraulic calculations for the entire parcel including undeveloped areas shall be submitted for approval to the City Engineer. Alameda County published an updated version of the Alameda County Hydrology and Hydraulics Manual. The H and H Manual includes updates to calculating runoff and should be used as the basis for your hydrology and hydraulics design of flood control facilities in Alameda County. The manual is available for download at: https://acfloodcontrol.org/	PW	Grading/ Sitework Permit Issuance

87.	**Stormwater Management Plan.** A final Stormwater Management Plan shall be submitted for review and approval by the City Engineer. Approval is subject to the Applicant/Developer providing the necessary plans, details, and calculations that demonstrate the plan complies with the standards issued by the San Francisco Bay Regional Water Quality Control Board and Alameda Countywide Clean Water Program. Landscape Based Stormwater Management Measures shall be irrigated and meet WELO requirements.	PW	Grading/ Sitework Permit Issuance
88.	**Onsite and Offsite Signing and Striping Plan.** A Traffic Signing and Striping Plan showing all proposed signing and striping within on-site parking lots, drive aisles, the public street, and the nearest intersection shall be submitted for review and approval by the City Engineer. Striping plans shall distinguish between existing striping to be removed and new striping to be installed. All striping in the public street shall be thermoplastic. All traffic striping along Inspiration Drive and Dublin Boulevard project frontages shall be removed and restriped to the satisfaction of the City Engineer.	PW	Grading/ Sitework Permit Issuance
89.	**Approved Plan Files.** Applicant/Developer shall provide the Public Works Department a PDF format file of approved site plans, including grading, improvement, landscaping & irrigation, joint trench and lighting.	PW	Grading/ Sitework Permit Issuance
90.	**Master Files.** Applicant/Developer shall provide the Public Works Department a digital vectorized file of the "master" files for the project, in a format acceptable to the City Engineer. Digital raster copies are not acceptable. The digital vectorized files shall be in AutoCAD 14 or higher drawing format. All objects and entities in layers shall be colored by layer and named in English. All submitted drawings shall use the Global Coordinate System of USA, California, NAD 83 California State Plane, Zone III, and U.S. foot.	PW	Certificate of Occupancy
91.	**Environmental Services Files**. Applicant/Developer shall provide to the Public Works Department GIS shape files, provided in a format acceptable to the City, all MRP Provision C.3 stormwater features, trash capture devices, mitigation measures, wetlands, v-ditches and public waste containers.	PW	Certificate of Occupancy
92.	**SB 1383 Compliance Reporting.** To comply with SB 1383, Applicant/Developer shall provide to the Public Works Department records indicating where SB 1383 compliant mulch or compost was applied in the project, the source and type of product, quantity of each product, and invoices demonstrating procurement.	PW	Certificate of Occupancy
93.	**Parking Lot Lighting.** The Applicant/Developer shall prepare a photometric plan for the site lighting to demonstrate that the minimum 1.0 foot candle lighting level is provided in accordance with the City of Dublin's requirements, or as otherwise approved by the City Engineer. The photometric plan shall show lighting levels which take into consideration poles, low walls and other obstructions. Exterior lighting shall be provided within the	PW	Grading/ Sitework Permit Issuance

	surface parking lots and on buildings and shall be of a design and placement so as not to cause glare onto adjoining properties, businesses or to vehicular traffic. Lighting used after daylight hours shall be adequate to provide for security needs. The parking lot lights shall be designed to eliminate any pockets of high and low illuminated areas.		
PUBLIC WORKS – PARCEL MAP, EASEMENTS AND ACCESS RIGHTS			
94.	**Parcel Map.** The Parcel Map shall be substantially in accordance with the Tentative Parcel Map approved with this application, unless otherwise modified by these conditions.	PW	Approval of Parcel Map
95.	**Dedications.** All rights-of-way and easement dedications required by these conditions or determined necessary by the City Engineer shall be shown on the Parcel Map.	PW	Approval of Parcel Map
96.	**Public Service Easements.** A Public Service Easement (PSE) shall be dedicated along public streets to allow for the proper placement of public utility vaults, boxes, appurtenances or similar items behind the back-of-sidewalk. Private improvements such as fences, gates or trellises shall not be located within the PSE.	PW	Approval of Parcel Map
97.	**Easement Dedication by Separate Instrument.** Easements to be dedicated by separate instrument shall be recorded concurrently with the parcel map.	PW	Approval of Parcel Map
98.	**Acquisition of Easements.** Applicant/Developer shall be responsible for obtaining all onsite and offsite easements, and/or obtain rights-of-entry from the adjacent property owners for any improvements not located on their property. The Developer shall prepare all required documentation for dedication of all easements on-site and off-site. The easements and/or rights-of-entry shall be in writing and copies furnished to the Public Works Department.	PW	Approval of Parcel Map
99.	**Abandonment of Easements.** Applicant/Developer shall obtain abandonment from all applicable public agencies of existing easements and rights-of-way within the project site that will no longer be used. Prior to completion of abandonment, the improvement plans may be approved if the Applicant/Developer can demonstrate to the satisfaction of the City Engineer that the abandonment process has been initiated.	PW	Approval of Parcel Map
100.	**Approval by Others.** The Applicant/Developer will be responsible for submittals and reviews to obtain the approvals of all applicable non-City agencies.	PW	Approval of Parcel Map
101.	**Encroachment of Structures within Proposed and Existing Easements.** Lighting standards, walls, C.3 treatment facilities, or any other structures encroaching within a proposed or existing public easement shall not be permitted unless otherwise approved by the City Engineer or easement holder. Any encroachment permitted to be located in an easement is subject to removal and replacement at the expense of the property owner when the easement rights are exercised by the easement holder.	PW	Grading/ Sitework Permit Issuance
PUBLIC WORKS – GRADING			

102.	**Grading Plan.** The Grading Plan shall be in conformance with the recommendation of the Geotechnical Report, the approved Tentative Map and Site Development Review, and the City design standards & ordinances. In case of conflict between the soil engineer's recommendation and the City ordinances, the City Engineer shall determine which shall apply.	PW	Grading/ Sitework Permit Issuance
103.	**Geotechnical Engineer Review and Approval**. The Project Geotechnical Engineer shall be retained to review all final grading plans and specifications. The Project Geotechnical Engineer shall approve all grading plans prior to City approval.	PW	Grading/ Sitework Permit Issuance
104.	**Site Grading Adjacent to Buildings.** The ground immediately adjacent to the foundation shall be sloped away from the building at a slope required by the California Building Code.	PW	Grading/ Sitework Permit Issuance
105.	**Grading Off-Haul.** The disposal site and haul truck route for any off-haul dirt materials shall be subject to the review and approval by the City Engineer prior to the issuance of a Grading Permit. If the Developer does not own the parcel which the proposed disposal site is located, the Developer shall provide the City with a Letter of Consent signed by the current owner, approving the placement off-haul material on their parcel. A Grading Plan may be required for the placement of the off-haul material.	PW	Grading/ Sitework Permit Issuance
106.	**Erosion Control Plan.** A detailed Erosion and Sediment Control Plan shall be included with the Grading Plan submittal. The plan shall include detailed design, location, and maintenance criteria of all erosion and sedimentation control measures. The plan shall also address site housekeeping best management practices.	PW	Grading/ Sitework Permit Issuance
107.	**NOI and SWPPP.** Prior to any clearing or grading, Developer shall provide the City evidence that a Notice of Intent (NOI) has been sent to the California State Water Resources Control Board per the requirements of the NPDES. A copy of the Storm Water Pollution Prevention Plan (SWPPP) shall be provided to the Public Works Department and be kept at the construction site.	PW	Grading/ Sitework Permit Issuance
PUBLIC WORKS – STORM DRAINAGE AND OTHER UTILITIES			
108.	**On-site Storm Drain System.** Storm drainage for the 10-year storm event shall be collected on-site and conveyed through storm drains to the public storm drain system. Show the size and location of existing and proposed storm drains and catch basins on the site plan. Show the size and location of public storm drain lines and the points of connection for the on-site storm drain system.	PW	Grading/ Sitework Permit Issuance
109.	**Overland Release.** Grading and drainage shall be designed so that surplus drainage (above and beyond that of the 10-year storm event) are not collected in site catch basins, is directed overland so as not to cause flooding of existing or proposed buildings.	PW	Grading/ Sitework Permit Issuance
110.	**Storm Drain Easements.** Private storm drain easements and maintenance roads shall be provided for all private storm drains or ditches that are located on private property. The Applicant/Developer shall be responsible for the acquisition	PW	Grading/ Sitework Permit Issuance

	of all storm drain easements from offsite property owners which are required for the connection and maintenance of all offsite storm drainage improvements.		
111.	**Storm Drain Inlet Markers.** All public and private storm drain inlets must be marked with storm drain markers that read: "No dumping, drains to creek," include the City Standard detail (CD-704) and a note to indicate that all public and private inlets shall be marked on the improvement plans. The markers may be purchased from the Public Work Department.	PW	Certificate of Occupancy
112.	**Fire Hydrants.** Fire hydrant locations shall be approved by the Alameda County Fire Department. A raised reflector blue traffic marker shall be shown on the signing and striping plan.	PW	Certificate of Occupancy
113.	**Dry Utilities.** Applicant/Developer shall construct gas, electric, telephone, cable TV, and communication improvements within the fronting streets and as necessary to serve the project and the future adjacent parcels as approved by the City Engineer and the various Public Utility agencies.	PW	Certificate of Occupancy
114.	**Dry Utility Locations.** All electric, telephone, cable TV, and communications utilities, shall be placed underground in accordance with the City policies and ordinances. All utilities shall be located and provided within public utility easements or public services easements and sized to meet utility company standards.	PW	Certificate of Occupancy
115.	**Utility Vaults and Boxes.** All utility vaults, boxes, and structures, unless specifically approved otherwise by the City Engineer, shall be underground and placed in landscaped areas and screened from public view. Landscape drawings shall be submitted to the City showing the location of all utility vaults, boxes, and structures and adjacent landscape features and plantings. The Joint Trench Plans shall be submitted along with the grading and/or improvement plans.	PW	Certificate of Occupancy
PUBLIC WORKS – STREET IMPROVEMENTS			
116.	**Public Improvements.** The public improvements shall be constructed generally as shown on the Site Development Review. However, the approval of the Tentative Map and Site Development Review is not an approval of the specific design of the drainage, traffic circulation, parking, stormwater treatment, sidewalks and street improvements.	PW	Grading/ Sitework Permit Issuance
117.	**Public Improvement Conformance.** All public improvements shall conform to the City of Dublin Standard Plans, current practices, and design requirements and as approved by the City Engineer.	PW	Grading/ Sitework Permit Issuance
118.	**Driveway Approach.** The proposed driveway approach shall be designed to be compliant with the most current City and ADA design standards.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
119.	**Curb, Gutter and Sidewalk.** Applicant/Developer shall remove and replace damaged, hazardous, or nonstandard curb, gutter and sidewalk along the project frontage. Contact the Public Works Department to mark the existing curb, gutter and sidewalk that will need to be removed and	PW	Grading/ Sitework Permit or Encroachment Permit Issuance

	replaced. Provide minimum five-foot-wide sidewalks along Dublin Boulevard and Inspiration Drive project frontages.		
120.	**Curb Ramps**. City standard curb ramps are required at all intersections. All curb ramps shall include truncated domes and meet the most current City and ADA design standards. Show curb ramp locations on the plans. Please note that all curb returns on public streets, when applicable, shall have directional or dual ADA ramps – one for each crosswalk and oriented to align parallel with the crosswalk. Provide ADA compliant curb ramps at the intersection of Dublin Boulevard and Inspiration Drive.	PW	Grading/ Site work Permit or Encroachment Permit Issuance
121.	**Street Lighting.** Street light standards and luminaries shall be designed and installed or relocated as determined by the City Engineer.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
122.	**Accessible Pedestrian Signals.** Accessible Pedestrian Signals shall be provided at the intersection of Dublin Boulevard and Inspiration Drive per the latest MUTCD and Caltrans standards.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
123.	**Street Restoration.** A pavement treatment, such as slurry seal or grind and overlay, will be required within the public streets fronting the site as determined by the Public Works Department. The type and limits of the pavement treatment shall be determined by the City Engineer based upon the number and proximity of trench cuts, extent of frontage and median improvements, extent of pavement striping and restriping, excessive wear and tear/damage due to construction traffic, etc.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
PUBLIC WORKS – ONSITE IMPROVEMENTS			
124.	**Surface Slopes.** Pavement surface slopes in parking lots and drive aisles shall be a minimum of 0.5 percent and a maximum of five percent (unless otherwise required at parking spaces for the disabled and at ramps at the parking structure and loading dock). Exceptions may be considered by the City Engineer to account for unusual design conditions.	PW	Grading/ Sitework Permit Issuance
125.	**Public Litter Cans.** Public litter cans are required on site to meet Dublin Municipal Code 7.98.120.	PW	Grading/ Sitework Permit Issuance
126.	**Project Signs.** All proposed project signs or monument signs shall be placed on private property and located outside of any easement areas unless specifically approved by the City Engineer. Any signage located in a public easement, if permitted, is subject to removal and replacement at the expense of the property owner if required by the easement holder.	PW	Grading/ Sitework Permit Issuance
127.	**Drive Aisle Width.** The parking lot aisles shall be as required in DMC 8.76.070.A.7 for the proposed parking stall configuration to allow for adequate onsite vehicle circulation for cars, trucks, and emergency vehicles.	PW	Grading/ Sitework Permit Issuance

128.	**Vehicle Parking.** All on-site vehicle parking spaces shall conform to the following: a. All parking spaces shall be double striped using four-inch white lines set two feet apart in accordance with City Standards and DMC 8.76.070.A.17. b. Twelve-inch-wide concrete step-out curbs shall be constructed at each parking space where one or both sides abut a landscaped area or planter. c. Where wheel stops are shown, individual six-foot-long wheel stops shall be provided within each parking space in accordance with City Standards. d. Parking stalls next to walls, fences and obstructions to vehicle door opening (including those in the parking structure) shall be an additional four feet in width per DMC 8.76.070.A.16. e. Sidewalks that are designated as an accessible path of travel shall have a minimum width of six feet when adjacent to parked vehicles that overhang the curb. Install wheel stops per City Standard if the sidewalk is less than six-foot-wide. f. Landscaped strips adjacent to parking stalls shall be unobstructed in order to allow for a minimum two-foot vehicular overhang at front of vehicles.	PW	Grading/ Sitework Permit Issuance
129.	**Visibility Triangle.** All improvements within the sight visibility triangle at all intersections and driveways, including but not limited to walls and landscaping, shall be a maximum height of 30 inches from the roadway surface elevation at the nearest lane.	PW	Grading/ Sitework Permit Issuance
130.	**Photometrics.** The Applicant/Developer shall provide a complete photometrics plan for both onsite and frontage roadways including the intersection of Dublin Blvd and Inspiration Drive. Include the complete data on photometrics, including the High, Average and Minimum values for illuminance and uniformity ratio. Street light standards and luminaries shall be designed and installed or relocated as determined by the City Engineer.	PW	Grading/ Sitework Permit Issuance
131.	**Bicycle Parking.** Applicant/Developer shall install long term (bike lockers) and short term (bike racks) bicycle parking. Provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for five percent of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack. Bicycle racks shall generate two points of contact on the frame of the bicycle. Provide secure long term bicycle parking for five percent of the vehicular parking spaces with a minimum of one bicycle parking facility. Locations of the bicycle parking shall be subject to the review and approval of the City Engineer.	PW	Grading/ Sitework Permit Issuance
132.	**Structures Located within Stormwater Facilities.** Structures such as light poles and curbs placed inside or within 10 feet of bio-retention areas, shall be investigated for structural stability. Structures shall not be located within a bio-retention area, however, if permitted, the area of the	PW	Grading/ Sitework Permit Issuance

	foundation shall be deducted from the effective bio-retention treatment area size.		
PUBLIC WORKS – NPDES			
133.	**Stormwater Treatment.** Consistent with Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP) Order No. R2-2015-0049, the Developer shall submit documentation including construction drawings demonstrating all stormwater treatment measures and hydromodification requirements as applicable are met.	PW	Grading/ Sitework Permit Issuance
134.	**Stormwater Requirements Checklist:** Applicant shall submit a "Stormwater Requirements Checklist for Tenant Improvement Projects (Minor Projects)" and accompanying required documentation. The form can be downloaded from the following webpage, under Stormwater Design Submittal Forms; the applicable checklist should be filled out according to the project scope: http://dublin.ca.gov/1656/Development-Permits---Stormwater-Require	PW	Grading/ Sitework Permit Issuance
135.	**Stormwater Source Control.** All applicable structural and operational stormwater source controls shall be implemented.	PW	Grading/ Sitework Permit Issuance
136.	**Stormwater Management Plan (SWMP).** The preliminary SWMP submitted for Site Development Review has been approved in concept. A final Stormwater Management Plan shall be submitted for review and approval by the City Engineer. Approval is subject to the Developer providing the necessary plans, details, and calculations that demonstrate the plan complies with the standards issued by the San Francisco Bay Regional Water Quality Control Board and Alameda Countywide Clean Water Program. Landscape Based Stormwater Management Measures shall be irrigated and meet WELO requirements.	PW	Grading/ Sitework Permit Issuance
137.	**Hydromodification Management Standards.** This project is subject to hydromodification management measures. The Applicant/Developer shall review the Bay Area Hydrology Model (BAHM) Review Worksheet for all projects that must meet Hydromodification Management Standards. The worksheet is available on the City's website at the following webpage: http://dublin.ca.gov/1656/Development-Permits---Stormwater-Require	PW	Grading/ Sitework Permit Issuance
138.	**SWPPP.** The Storm Water Pollution Prevention Plan (SWPPP) shall identify the Best Management Practices (BMPs) appropriate to the project construction activities. The SWPPP shall include the erosion and sediment control measures in accordance with the regulations outlined in the most current version of the ABAG Erosion and Sediment Control Handbook or State Construction Best Management Practices Handbook. The Developer is responsible for ensuring that all contractors implement all storm water pollution prevention measures in the SWPPP.	PW	Grading/ Sitework Permit Issuance

139.	**Maintenance Access.** Applicant/Developer shall design and construct maintenance access to all stormwater management measures. Maintenance access for equipment and personnel to overflow risers, cleanouts and other structures is required.	PW	Grading/ Sitework Permit Issuance
140.	**Phased Construction and Stormwater Management Measures.** Required stormwater treatment, hydromodification management, and trash capture devices shall be installed so that the designed treatment facilities and devices will have been constructed, installed, and operational for the impervious area that is built for a phased project. The runoff from any project phasing shall be adequately treated as designed in the approved Stormwater Management Plan (SWMP). Temporary facilities are not permitted.	PW	Grading/ Sitework Permit Issuance
141.	**Plants in Bio-retention Areas.** Plants within bio-retention areas shall be irrigated and selected from the pre-approved plant list provided in the Alameda County Clean Water Program C.3 Technical Guidance.	PW	Grading/ Sitework Permit Issuance
142.	**Clean Bay Blueprint.** The Applicant/Developer shall add the "Clean Bay Blueprint" to the building plans which can be found on the City website at the link below under Construction Stormwater Best Management Practices (BMPs): http://dublin.ca.gov/1656/Development-Permits---Stormwater-Require		Grading/ Sitework Permit Issuance
143.	**Trash Capture.** The project must include appropriate full trash capture devices for both private and public improvements. Specific details on the trash capture devices selected are required on the construction plan set demonstrating how MRP Provision C.10 (trash capture) requirements are met. A list of approved full trash capture devices may be found at the City's website at the following link: insert here. Please note that lead time for trash capture device delivery can be substantial. The applicant/contractor shall plan accordingly.	PW	Grading/ Sitework Permit Issuance
144.	**Solid Waste Requirements.** The Project must comply with all requirements in Dublin Municipal Code Chapter 7.98, including the following requirements: Install trash, recycling and organics collection containers along public and private sidewalks and community congregation areas. Install pet waste disposal stations	PW	Grading/ Sitework Permit Issuance
145.	**Waste Enclosure**. The waste enclosure shall meet all of the requirements set forth within the Dublin Municipal Code Section 7.98, including but not limited to providing sewer and water hook-ups as applicable. The improvement plans and/or building permit plans shall show additional information demonstrating these requirements are met. A standard plan for the waste enclosure can be downloaded at https://dublin.ca.gov/341/Standard-Plans in the "Stormwater Measures" section. A pedestrian accessible path of travel shall be provided for employees from the building to the waste enclosure in conformance with current accessibility requirements.	PW	Grading/ Sitework Permit Issuance

146.	**Garbage Truck Access**. The Applicant/Developer shall provide plans and details on anticipated garbage truck access and routes, in addition to example set-out diagrams for waste carts/bins placement on garbage day demonstrating adequate space available for carts/bins. Carts and bins shall not block street or driveway access.	PW	Grading/ Sitework Permit Issuance
147.	**SB 1383 Compliance.** To comply with SB 1383 procurement requirements, all mulch and compost used in stormwater management measures and general landscape areas shall meet SB 1383 procurement requirements. Specifically, compost must be produced at a permitted composting facility; digestate, biosolids, manure and mulch do not qualify as compost. Eligible mulch must be derived from organic materials and be produced at a permitted transfer station, landfill, or composting facility. Examples of allowed compost include arbor mulch and composted mulch.	PW	Grading/ Sitework Permit Issuance
PUBLIC WORKS - CONSTRUCTION			
148.	**Erosion Control Implementation.** The Erosion and Sediment Control Plan shall be implemented between October 1st and April 30th unless otherwise allowed in writing by the City Engineer. The Applicant/Developer will be responsible for maintaining erosion and sediment control measures for one year following the City's acceptance of the improvements.	PW	Start of Construction and On-going
149.	**Archaeological Finds.** If archaeological materials are encountered during construction, construction within 100 feet of these materials shall be halted until a professional Archaeologist who is certified by the Society of California Archaeology (SCA) or the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation measures.	PW	Start of Construction and On-going
150.	**Construction Activities.** Construction activities, including the idling, maintenance, and warming up of equipment, shall be limited to Monday through Friday, and non-City holidays, between the hours of 7:30 a.m. and 5:30 p.m. except as otherwise approved by the City Engineer. Extended hours or Saturday work will be considered by the City Engineer on a case-by-case basis. Note that the construction hours of operation within the public right of way are more restrictive.	PW	Start of Construction and On-going
151.	**Temporary Fencing.** Temporary Construction fencing shall be installed along the perimeter of all work under construction to separate the construction operation from the public. All construction activities shall be confined within the fenced area. Construction materials and/or equipment shall not be operated or stored outside of the fenced area or within the public right-of-way unless approved in advance by the City Engineer.	PW	Start of Construction and On-going
152.	**Construction Noise Management Plan.** Applicant/Developer shall prepare a construction noise management plan that identifies measures to be taken to minimize construction noise on surrounding developed properties. The plan shall include hours of construction	PW	Start of Construction Implementation, and On-going needed

	operation, use of mufflers on construction equipment, speed limit for construction traffic, haul routes and identify a noise monitor. Specific noise management measures shall be provided prior to project construction.		
153.	**Traffic Control Plan.** Closing of any existing pedestrian pathway and/or sidewalk during construction shall be implemented through a City approved Traffic Control Plan and shall be done with the goal of minimizing the impact on pedestrian circulation.	PW	Start of Construction and On-going
154.	**Construction Traffic Interface Plan.** Applicant/Developer shall prepare a plan for construction traffic interface with public traffic on any existing public street. Construction traffic and parking may be subject to specific requirements by the City Engineer.	PW	Start of Construction and On-going
155.	**Pest Control.** Applicant/Developer shall be responsible for controlling any rodent, mosquito, or other pest problem due to construction activities.	PW	On-going
156.	**Lighting Inspection.** Prior to occupancy, the Applicant/Developer shall request an inspection of the lighting levels throughout the site to determine if lighting is sufficient. If additional lights are required to be installed to meet the 1.0 foot-candle requirement, or for other safety or operational reasons, the Applicant shall do so prior to Occupancy.	PW	Certificate of Occupancy
157.	**Construction Traffic and Parking.** All construction related parking shall be off the public street.	PW	Start of Construction and On-going
158.	**Dust Control/Street Sweeping.** The Applicant/ Developer shall provide adequate dust control measures at all times during the grading and hauling operations. All trucks hauling export and import materials shall be provided with tarp cover at all times. Spillage of haul materials and mud-tracking on the haul routes shall be prevented at all times. The Applicant/Developer shall be responsible for sweeping of streets within, surrounding and adjacent to the project if it is determined that the tracking or accumulation of material on the streets is due to its construction activities.	PW	Start of Construction Implementation, and On-going needed
PUBLIC WORKS - SPECIAL CONDITIONS			
159.	**Overhead Utilities.** DMC Chapter 9.32 requires all existing and proposed utility distribution facilities within the subdivision and along project streets, except those exempted by the regulations of the Public Utilities Commission, supplying electric, communication or similar or associated services, installed in and for the purpose of supplying such service to any subdivision requiring the filing of a parcel map or tract map shall be placed underground unless otherwise granted an exception by the City Engineer on the merits of presented evidence as noted in DMC Section 9.32.040. The above ground utility lines along Dublin Boulevard are not installed in and does not provide service to the proposed subdivision.	PW	For Planning Commission Approval

	Furthermore, the City Engineer has reviewed and considered the reasons presented by the Applicant in a letter dated February 1, 2022, and supports a request for exception for the underground placement of existing overhead lines along Dublin Boulevard per DMC Section 9.32.040.		
160.	**Curb Ramps.** Curb returns and curb ramps at the northwest and northeast corner of the Dublin Blvd and Inspiration Drive intersection were found to be deficient and shall be upgraded to current City and ADA design standards.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
161.	**Sidewalk.** The Applicant/Developer shall design and construct a minimum five-foot-wide sidewalk clear of any obstructions along the property frontage on Inspiration Drive that will provide pedestrian access from Dublin Boulevard up to the project driveway. Sidewalk adjacent to the existing streetlights shall have a clear width of five feet.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
162.	**Street Trees Removal and Replacement.** Street trees along Inspiration Drive that are proposed for removal shall be replaced with the same species of tree or a specie that has been approved by the City Engineer.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
163.	**Public Access Easement.** A Public Access Easement (PAE) shall be dedicated to the City of Dublin if the existing right-of-way width on Inspiration Drive is not adequate to construct the proposed driveway approach and sidewalk.	PW	Approval of Parcel Map
164.	**Private Storm Drain Easement.** The Applicant/ Developer shall reserve a private storm drain easement on the Parcel Map benefitting the parcel to the north and for the purpose of conveying upstream storm drain runoff flowing through the property before entering the public storm drain system.	PW	Approval of Parcel Map
165.	**Relocation of Existing Utilities and Signs.** Existing utility boxes that will be in conflict with the proposed sidewalk shall be relocated, replaced, or adjusted to finish grade to meet ADA accessibility requirements. Existing signs that are within the proposed sidewalk shall be relocated behind the back of walk. All relocations and adjustments to meet this condition shall be at the Applicant/Developer's expense.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance
166.	**Existing Sidewalk Repairs.** All sidewalks fronting the project site including the Dublin Boulevard frontage sidewalk shall be reviewed for any deficiencies with respect to current accessibility standards and any found deficiencies shall be made compliant. Sidewalks shall be a minimum of five feet in width.	PW	Grading/ Sitework Permit or Encroachment Permit Issuance

PASSED, APPROVED, AND ADOPTED this 17th day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Mayor

ATTEST:

_____

City Clerk

Attachment 13

INSPIRATION ASSISTED LIVING

DUBLIN, CA

APN: 941-0022-006-00

DATED: SEPT. 23, 2021

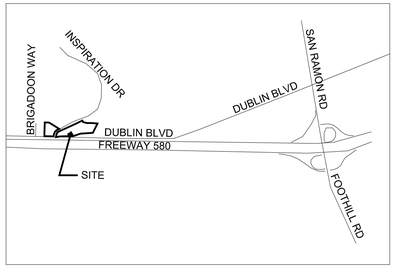
ARCHITECT:
LENITY ARCHITECTURE, INC
3150 KETTLE COURT SE
SALEM, OREGON 97301
503-399-1090

LANDSCAPE ARCHITECT:
LENITY ARCHITECTURE, INC
3150 KETTLE COURT SE
SALEM, OREGON 97301
503-399-1090

CIVIL ENGINEER:
PHILLIPPI ENGINEERING
425 MERCHANT STREET
VACAVILLE, CA 95688
707-451-6556

SHEET INDEX:

- A0.1 TITLE SHEET
- A1.1 ARCHITECTURAL SITE PLAN
- A2.1a FIRST FLOOR PLAN
- A2.1b SECOND FLOOR PLAN
- A2.1c THIRD FLOOR PLAN
- A2.1d ROOF PLAN
- A2.3 SECTIONS
- A3.1 PROPOSED MATERIAL & FINISHES
- A3.2 SITE DETAILS
- A4.1 PRECEDENT IMAGERY
- A5.1 RENDERINGS
- A5.2 RENDERINGS
- A5.3 ELEVATIONS
- A5.4 ELEVATIONS
- A5.5 ELEVATIONS
- E1.1 SITE LIGHTING PLAN
- L1.1 LANDSCAPE PLAN
- L1.2 LANDSCAPE PLAN



VICINITY MAP
NOT TO SCALE
DATE: 11/23/2021

PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

lenity architecture, inc.
3150 Kettle Court SE, Salem, Oregon 97301
P 503 399 1090 F 503 399 0565 W lenityarchitecture.com

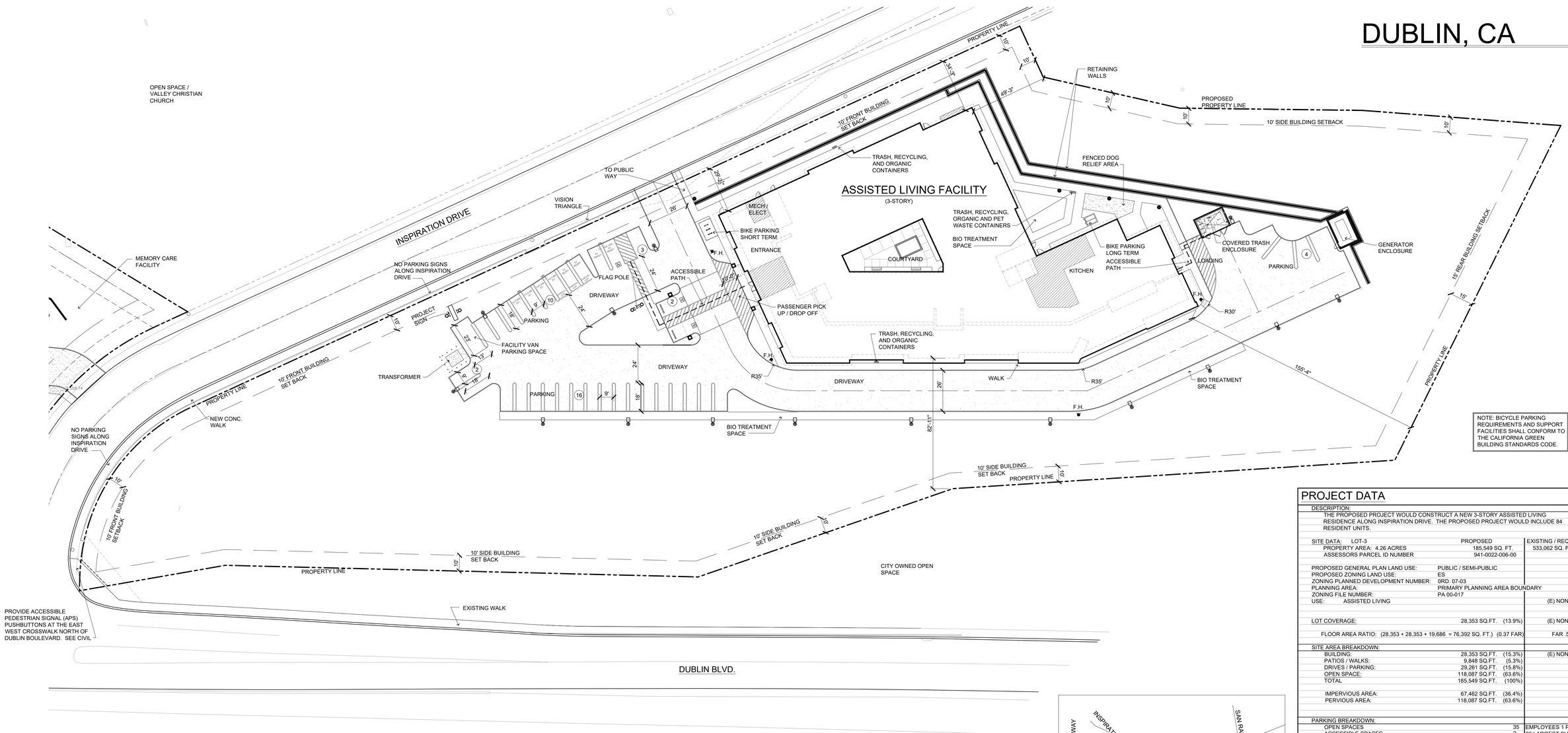
INSPIRATION ASSISTED LIVING

Dublin, CA

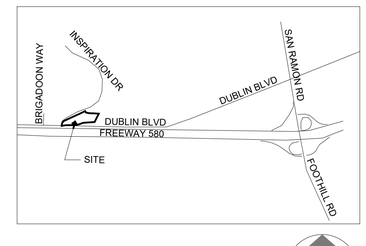
A0.1

FULCRUM

DUBLIN, CA



NOTE: BICYCLE PARKING REQUIREMENTS AND SUPPORT FACILITIES SHALL CONFORM TO THE CALIFORNIA GREEN BUILDING STANDARDS CODE.



VICINITY MAP

NOT TO SCALE

PROJECT DATA

DESCRIPTION:		
THE PROPOSED PROJECT WOULD CONSTRUCT A NEW 3-STORY ASSISTED LIVING RESIDENCE ALONG INSPIRATION DRIVE. THE PROPOSED PROJECT WOULD INCLUDE 84 RESIDENT UNITS.		
SITE DATA: LOT-3	PROPOSED	EXISTING / REQUIRED
PROPERTY AREA: 4.26 ACRES	185,549 SQ. FT.	533,062 SQ. FT.
ASSESSORS PARCEL ID NUMBER	941-0022-006-00	
PROPOSED GENERAL PLAN LAND USE:	PUBLIC / SEMI-PUBLIC	
PROPOSED ZONING LAND USE:	ES	
ZONING PLANNED DEVELOPMENT NUMBER:	0RD. 07-03	
PLANNING AREA:	PRIMARY PLANNING AREA BOUNDARY	
ZONING FILE NUMBER:	PA 00-017	
USE: ASSISTED LIVING		(E) NONE
LOT COVERAGE:	28,353 SQ.FT. (13.9%)	(E) NONE
FLOOR AREA RATIO: (28,353 + 28,353 + 19,686 = 76,392 SQ. FT.) (0.37 FAR)		FAR .50
SITE AREA BREAKDOWN:		
BUILDING:	28,353 SQ.FT. (15.3%)	(E) NONE
PATIOS / WALKS:	9,848 SQ.FT. (5.3%)	
DRIVES / PARKING:	29,261 SQ.FT. (15.8%)	
OPEN SPACE:	118,087 SQ.FT. (63.6%)	
TOTAL	185,549 SQ.FT. (100%)	
IMPERVIOUS AREA:	67,462 SQ.FT. (36.4%)	
PERVIOUS AREA:	118,087 SQ.FT. (63.6%)	
PARKING BREAKDOWN:		
OPEN SPACES	35	EMPLOYEES 1 PER 3
ACCESSIBLE SPACES	2	26 LARGEST SHIFT
TOTAL SPACES	37	26/3 = 9
ELECTRONIC VEHICLE READY SPACES:	(INCLUDES 1 EV HC VAN SPACE) 04	RESIDENTS 1 PER 3
ELECTRONIC VEHICLE FUTURE SPACES:	04	84 RESIDENTS
CLEAN AIR / VAN POOL SPACES:	02	84/3 = 28
BIKE PARKING:		TOTAL = 37 REQ.
SHORT TERM SPACES	06	
LONG TERM SPACES	02	
BUILDING SETBACK:		
MIN. FRONT YARD SETBACK:	10'-0"	20'-0"
MIN. SIDE YARD SETBACK:	10'-0"	10'-0"
MIN. REAR YARD SETBACK:	15'-0"	15'-0"
BUILDING HEIGHT MAX:		3 STORY MAX

SITE PLAN - LOT 3

DATE: 11/23/2021
1" = 30'

0 15 30 60 90

A1.1

PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

lenity architecture, inc.
3150 Kettle Court SE, Salem, Oregon 97301
P 503 399 1090 F 503 399 0565 W lenityarchitecture.com

INSPIRATION ASSISTED LIVING

Dublin, CA

FULCRUM

1 A2.1a FIRST FLOOR PLAN 1/16" = 1'-0"

AL BUILDING DATA:	
3 - STORIES	
84 UNITS 84 BEDS	
FIRST FLOOR:	28,353 SQ.FT.
SECOND FLOOR:	28,353 SQ.FT.
THIRD FLOOR:	19,686 SQ.FT.
FLOOR TOTAL:	76,392 SQ.FT.
FLOOR TO AREA RATIO (F.A.R.)	.37%

1ST FLOOR	
7 - A STUDIO UNITS	
24 - B ONE BEDROOM UNITS	
31 UNITS	28,353 SQ.FT.
2ND FLOOR	
10 - A STUDIO UNITS	
25 - B ONE BEDROOM UNITS	
35 UNITS	28,353 SQ.FT.
3RD FLOOR	
8 - A STUDIO UNITS	
10 - B ONE BEDROOM UNITS	
18 UNITS	19,686 SQ.FT.
84 UNITS TOTAL	

PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

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INSPIRATION ASSISTED LIVING

Dublin, CA

SCHEMATIC PLANS
DATE: 11/23/2021
1/16" = 1'-0"

A2.1a

FULCRUM

1 A2.1b SECOND FLOOR PLAN
1/16" = 1'-0"

AL BUILDING DATA:	
3 - STORIES	
84 UNITS 84 BEDS	
FIRST FLOOR:	28,353 SQ.FT.
SECOND FLOOR:	28,353 SQ.FT.
THIRD FLOOR:	19,686 SQ.FT.
FLOOR TOTAL:	76,392 SQ.FT.
FLOOR TO AREA RATIO (F.A.R.)	.37%

1ST FLOOR	
7 - A STUDIO UNITS	
24 - B ONE BEDROOM UNITS	
31 UNITS	28,353 SQ.FT.
2ND FLOOR	
10 - A STUDIO UNITS	
25 - B ONE BEDROOM UNITS	
35 UNITS	28,353 SQ.FT.
3RD FLOOR	
8 - A STUDIO UNITS	
10 - B ONE BEDROOM UNITS	
18 UNITS	19,686 SQ.FT.
84 UNITS TOTAL	

PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

SCHEMATIC PLANS
DATE: 11/23/2021
1/16" = 1'-0"

A2.1b

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INSPIRATION ASSISTED LIVING

Dublin, CA

FULCRUM

1 A2.1c THIRD FLOOR PLAN
1/16" = 1'-0"

AL BUILDING DATA:	
3 - STORIES	
84 UNITS 84 BEDS	
FIRST FLOOR:	28,353 SQ.FT.
SECOND FLOOR:	28,353 SQ.FT.
THIRD FLOOR:	19,686 SQ.FT.
FLOOR TOTAL:	76,392 SQ.FT.
FLOOR TO AREA RATIO (F.A.R.)	.37%

1ST FLOOR	
7 - A STUDIO UNITS	
24 - B ONE BEDROOM UNITS	
31 UNITS	28,353 SQ.FT.
2ND FLOOR	
10 - A STUDIO UNITS	
25 - B ONE BEDROOM UNITS	
35 UNITS	28,353 SQ.FT.
3RD FLOOR	
8 - A STUDIO UNITS	
10 - B ONE BEDROOM UNITS	
18 UNITS	19,686 SQ.FT.
84 UNITS TOTAL	

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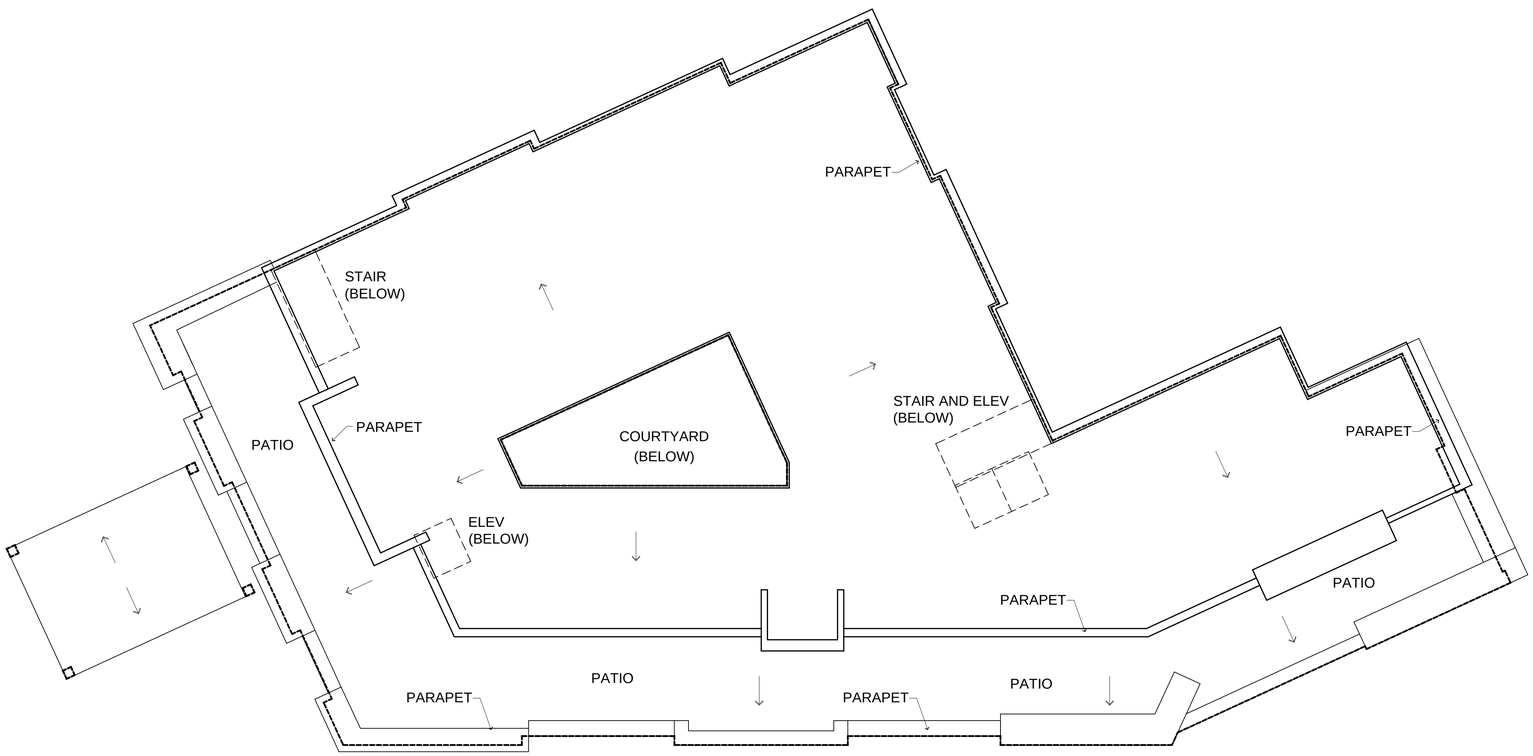
INSPIRATION ASSISTED LIVING

Dublin, CA

SCHEMATIC PLANS
DATE: 11/23/2021
1/16" = 1'-0"

A2.1c

FULCRUM



1
A2.1d
ROOF PLAN
1/16" = 1'-0"

PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

SCHEMATIC PLANS
DATE: 11/23/2021
1/16" = 1'-0"

A2.1d

FULCRUM

INSPIRATION ASSISTED LIVING

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architecture, inc.
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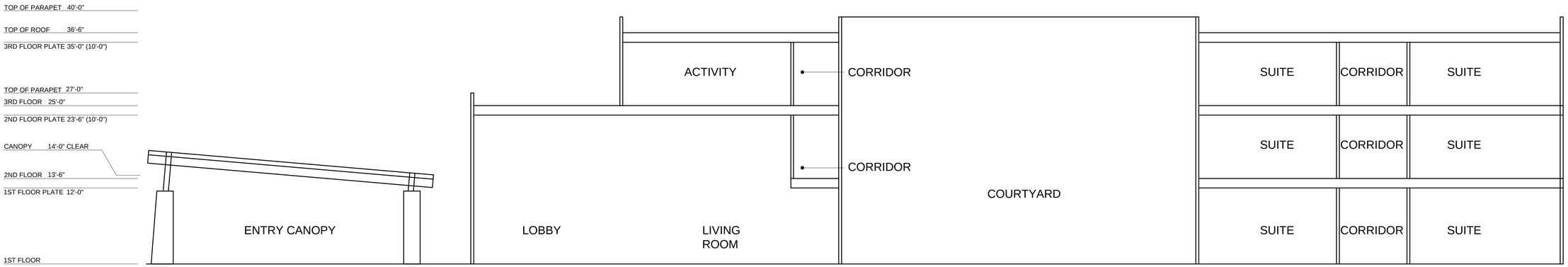
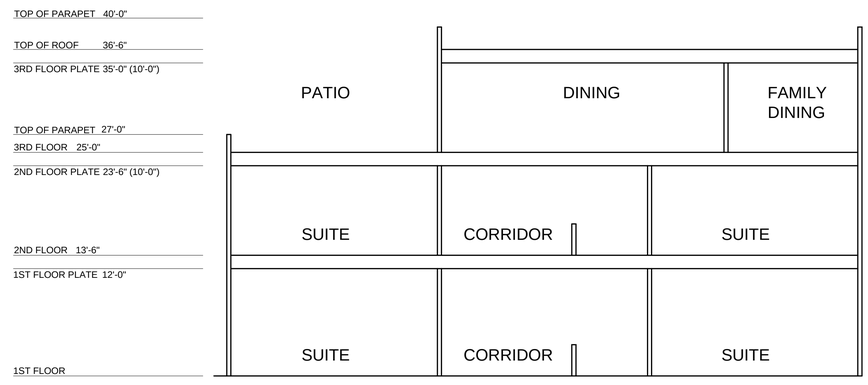
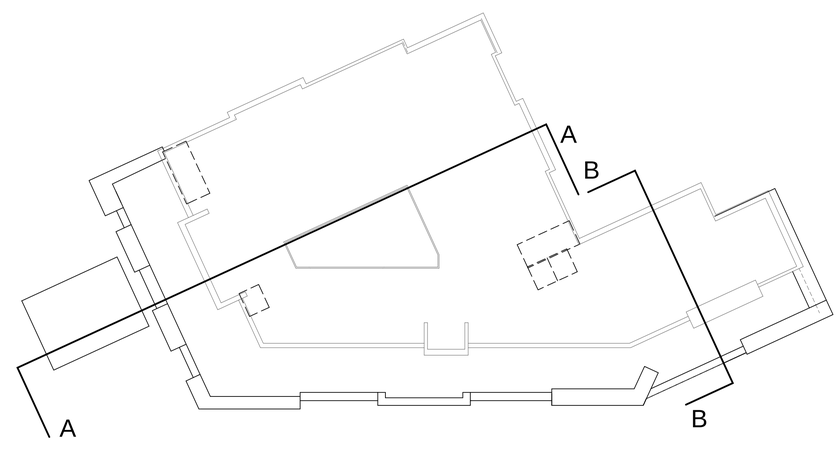


A SECTION
SCALE: 1/8" = 1'-0"



B SECTION
SCALE: 1/8" = 1'-0"



KEY PLAN
SCALE: NOT TO SCALE
DATE: 11/23/2021

PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

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Dublin, CA

FULCRUM

A2.3

1 2 3 4 5 6 7 8 9 10 11 12

NOTE: SEE SHEETS A5.3 - A5.5. FOR ELEVATIONS AND LOCATION OF MATERIAL CALL OUTS.

KEY NOTES - EXTERIOR MATERIALS & COLORS

1 SIDING 1	= SIDING JAMES HARDIE STYLE: IRON GRAY
2 SIDING 2	= SIDING JAMES HARDIE STYLE: PEARL GRAY
3 SIDING 3	= SIDING JAMES HARDIE STYLE: MONTEREY TAUPE
4 STONE	= STONE EL DORADO STONE STYLE: EUROPEAN LEDGE, COLOR: ZINC
5 AWN/RAIL	= AWNING / RAILING ALUMAWOOD COLOR: DESERT SAND
6 AWN/RAIL	= AWNING / RAILING ALUMAWOOD COLOR: SPANISH BROWN
7	= ROOF TRESPA MATEON COLOR: MONTRUEX AMBER
8 TRIM	= TRIM SW 2740 MINERAL GRAY
9 STUCCO 1	= STUCCO SAND FINISH SW 7071 GRAY SCREEN
10 STUCCO 2	= STUCCO SMOOTH FINISH SW 9541 WHITE SNOW
11 DOORS	= EXTERIOR STOREFRONT SYSTEM MFR: KAWNEER COLOR: DARK BRONZE ANODIZED
12 WINDOW	= EXTERIOR VINYL WINDOWS COLOR: DARK BRONZE

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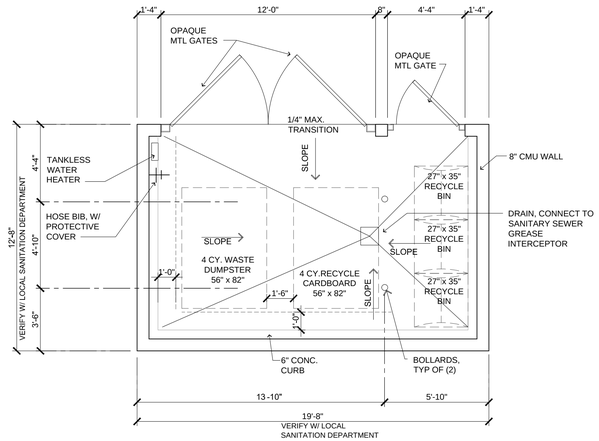
INSPIRATION ASSISTED LIVING

Dublin, CA

COLORS AND MATERIALS
DATE: 11/23/2021

A3.1

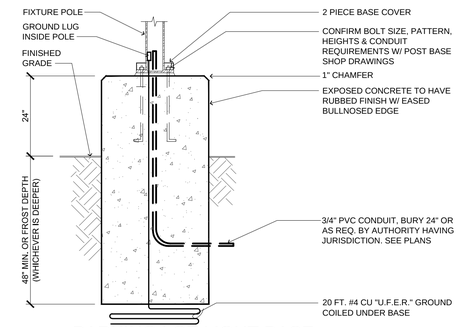
FULCRUM



7 TRASH AND RECYCLING ENCLOSURE
(PLAN) (UNDER SEPERATE PERMIT)

SCALE: 1/4" = 1'-0"

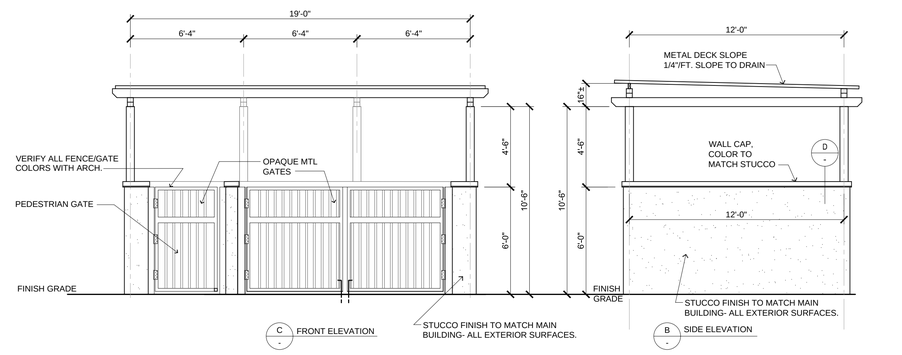
P:/FULCRUM/CA-DUBLIN/LOT-3/DETAILS/TRASH ENCL PLN

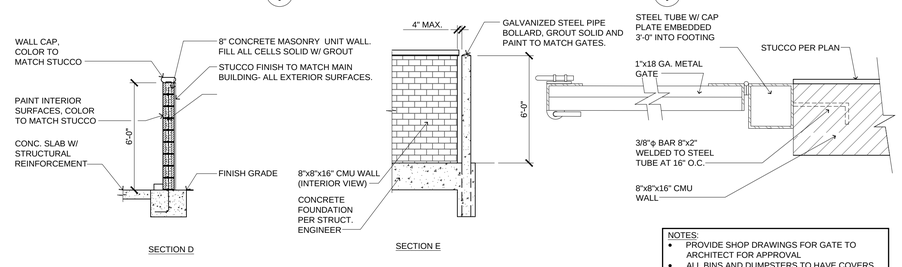


3 PARKING LOT LIGHT BASE

SCALE: 3/4" = 1'-0"

P:/FULCRUM/CA-DUBLIN/LOT-3/DETAILS/02850001



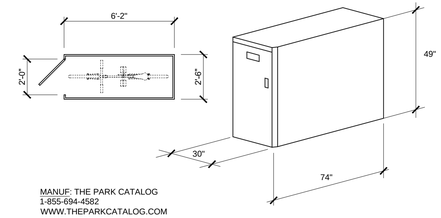


NOTES:
- PROVIDE SHOP DRAWINGS FOR GATE TO ARCHITECT FOR APPROVAL
- ALL BINS AND DUMPSTERS TO HAVE COVERS

6 TRASH AND RECYCLING ENCLOSURE
(ELEVATIONS AND DETAILS) (UNDER SEPERATE PERMIT)

SCALE: 1/4" = 1'-0"

P:/FULCRUM/CA-DUBLIN/LOT-3/DETAILS/TRASH ENCL ELEVATIONS



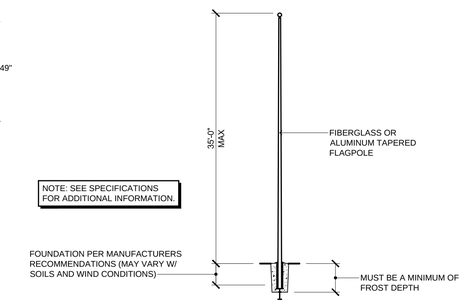
MANUF: THE PARK CATALOG
1-855-694-4582
WWW.THEPARKCATALOG.COM
MODEL # 537-1052

NOTE:
- INSTALL PER MANUFACTURER'S SPECIFICATIONS

5 BIKE LOCKER
(LONG TERM BIKE PARKING)

SCALE: 1/4" = 1'-0"

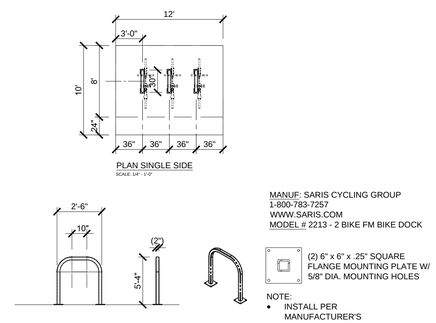
P:/FULCRUM/CA-DUBLIN/LOT-3/DETAILS/BIKE LOCKER



2 FLAG POLE
(GROUND SET CONE)

SCALE: NOT TO SCALE

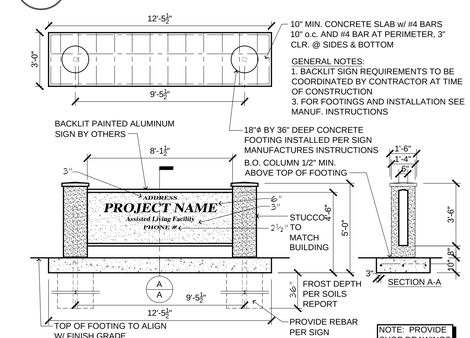
P:/FULCRUM/CA-DUBLIN/LOT-3/DETAILS/10350001



4 BIKE DOCK
(SHORT TERM BIKE PARKING)

SCALE: 1/8" = 1'-0"

P:/FULCRUM/CA-DUBLIN/LOT-3/DETAILS/02830032



1 PROJECT SIGN
(SEPERATE PERMIT REQUIRED)

SCALE: 1/4" = 1'-0"

P:/FULCRUM/CA-DUBLIN/LOT-3/DETAILS/PROJSIGN

SITE DETAILS

DATE: 11/23/2021

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INSPIRATION ASSISTED LIVING

Dublin, CA

A3.2

FULCRUM

PRECEDENT IMAGERY

DATE: 11/23/2021

A4.1

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INSPIRATION ASSISTED LIVING

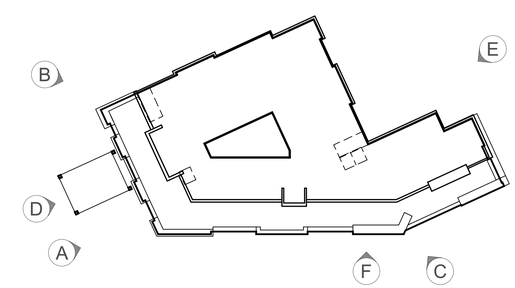
Dublin, CA

FULCRUM

A RENDERING
SCALE: N.T.S.

B RENDERING
SCALE: N.T.S.

C RENDERING
SCALE: N.T.S.



KEY PLAN

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Dublin, CA

RENDERINGS
DATE: 11/23/2021

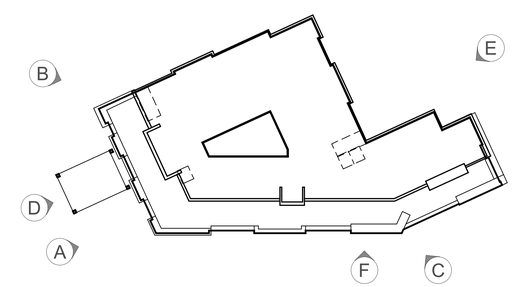
A5.1

FULCRUM

D RENDERING
SCALE: N.T.S.

F RENDERING
SCALE: N.T.S.

E RENDERING
SCALE: N.T.S.



KEY PLAN

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INSPIRATION ASSISTED LIVING

Dublin, CA

RENDERINGS
DATE: 11/23/2021

A5.2

FULCRUM

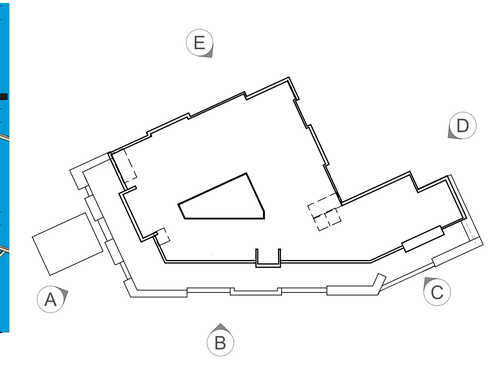
B ELEVATION - CONT.
(SOUTH)
SCALE: 1/8" = 1'-0"

B ELEVATION - CONT.
(SOUTH)
SCALE: 1/8" = 1'-0"

A ELEVATION
(WEST)
SCALE: 1/8" = 1'-0"

KEY NOTES - EXTERIOR MATERIALS & COLORS

1 SIDING 1	= SIDING JAMES HARDIE STYLE: IRON GRAY
2 SIDING 2	= SIDING JAMES HARDIE STYLE: PEARL GRAY
3 SIDING 3	= SIDING JAMES HARDIE STYLE: MONTEREY TAUPE
4 STONE	= STONE EL DORADO STONE STYLE: EUROPEAN LEDGE, COLOR: ZINC
5 AWN/RAIL	= AWNING / RAILING ALUMAWOOD COLOR: DESERT SAND
6 AWN/RAIL	= AWNING / RAILING ALUMAWOOD COLOR: SPANISH BROWN
7	= ROOF TRESPA MATEON COLOR: MONTRUEX AMBER
8 TRIM	= TRIM SW 2740 MINERAL GRAY
9 STUCCO 1	= STUCCO SAND FINISH SW 7071 GRAY SCREEN
10 STUCCO 2	= STUCCO SMOOTH FINISH SW 9541 WHITE SNOW
11 DOORS	= EXTERIOR STOREFRONT SYSTEM MFR: KAWNEER COLOR: DARK BRONZE ANODIZED
12 WINDOW	= EXTERIOR VINYL WINDOWS COLOR: DARK BRONZE



KEY PLAN

ELEVATIONS
DATE: 11/23/2021

A5.3

PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

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INSPIRATION ASSISTED LIVING

Dublin, CA

FULCRUM

C ELEVATION

SCALE: 1/8" = 1'-0"

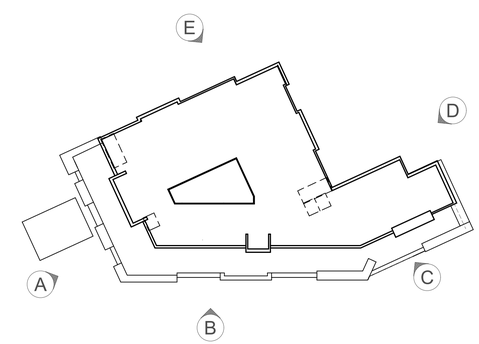
KEY NOTES - EXTERIOR MATERIALS & COLORS	
1 SIDING 1	= SIDING JAMES HARDIE STYLE: IRON GRAY
2 SIDING 2	= SIDING JAMES HARDIE STYLE: PEARL GRAY
3 SIDING 3	= SIDING JAMES HARDIE STYLE: MONTEREY TAUPE
4 STONE	= STONE EL DORADO STONE STYLE: EUROPEAN LEDGE, COLOR: ZINC
5 AWN/RAIL	= AWNING / RAILING ALUMAWOOD COLOR: DESERT SAND
6 AWN/RAIL	= AWNING / RAILING ALUMAWOOD COLOR: SPANISH BROWN
7	= ROOF TRESPA MATEON COLOR: MONTRUEX AMBER
8 TRIM	= TRIM SW 2740 MINERAL GRAY
9 STUCCO 1	= STUCCO SAND FINISH SW 7071 GRAY SCREEN
10 STUCCO 2	= STUCCO SMOOTH FINISH SW 9541 WHITE SNOW
11 DOORS	= EXTERIOR STOREFRONT SYSTEM MFR: KAWNEER COLOR: DARK BRONZE ANODIZED
12 WINDOW	= EXTERIOR VINYL WINDOWS COLOR: DARK BRONZE

C ELEVATION - CONT.

SCALE: 1/8" = 1'-0"

D ELEVATION (EAST)

SCALE: 1/8" = 1'-0"



KEY PLAN

ELEVATIONS

DATE: 11/23/2021

A5.4

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INSPIRATION ASSISTED LIVING

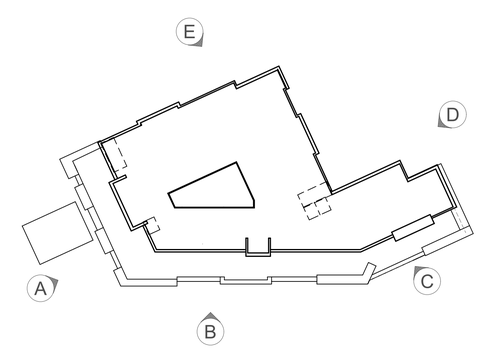
Dublin, CA

FULCRUM

E ELEVATION
(NORTH)
SCALE: 1/8" = 1'-0"

KEY NOTES - EXTERIOR MATERIALS & COLORS	
1 SIDING 1	= SIDING JAMES HARDIE STYLE: IRON GRAY
2 SIDING 2	= SIDING JAMES HARDIE STYLE: PEARL GRAY
3 SIDING 3	= SIDING JAMES HARDIE STYLE: MONTEREY TAUPE
4 STONE	= STONE EL DORADO STONE STYLE: EUROPEAN LEDGE, COLOR: ZINC
5 AWN/RAIL	= AWNING / RAILING ALUMAWOOD COLOR: DESERT SAND
6 AWN/RAIL	= AWNING / RAILING ALUMAWOOD COLOR: SPANISH BROWN
7	= ROOF TRESPA MATEON COLOR: MONTRUEX AMBER
8 TRIM	= TRIM SW 2740 MINERAL GRAY
9 STUCCO 1	= STUCCO SAND FINISH SW 7071 GRAY SCREEN
10 STUCCO 2	= STUCCO SMOOTH FINISH SW 9541 WHITE SNOW
11 DOORS	= EXTERIOR STOREFRONT SYSTEM MFR: KAWNEER COLOR: DARK BRONZE ANODIZED
12 WINDOW	= EXTERIOR VINYL WINDOWS COLOR: DARK BRONZE

E ELEVATION - CONT.
(NORTH)
SCALE: 1/8" = 1'-0"



KEY PLAN

ELEVATIONS
DATE: 11/23/2021

A5.5

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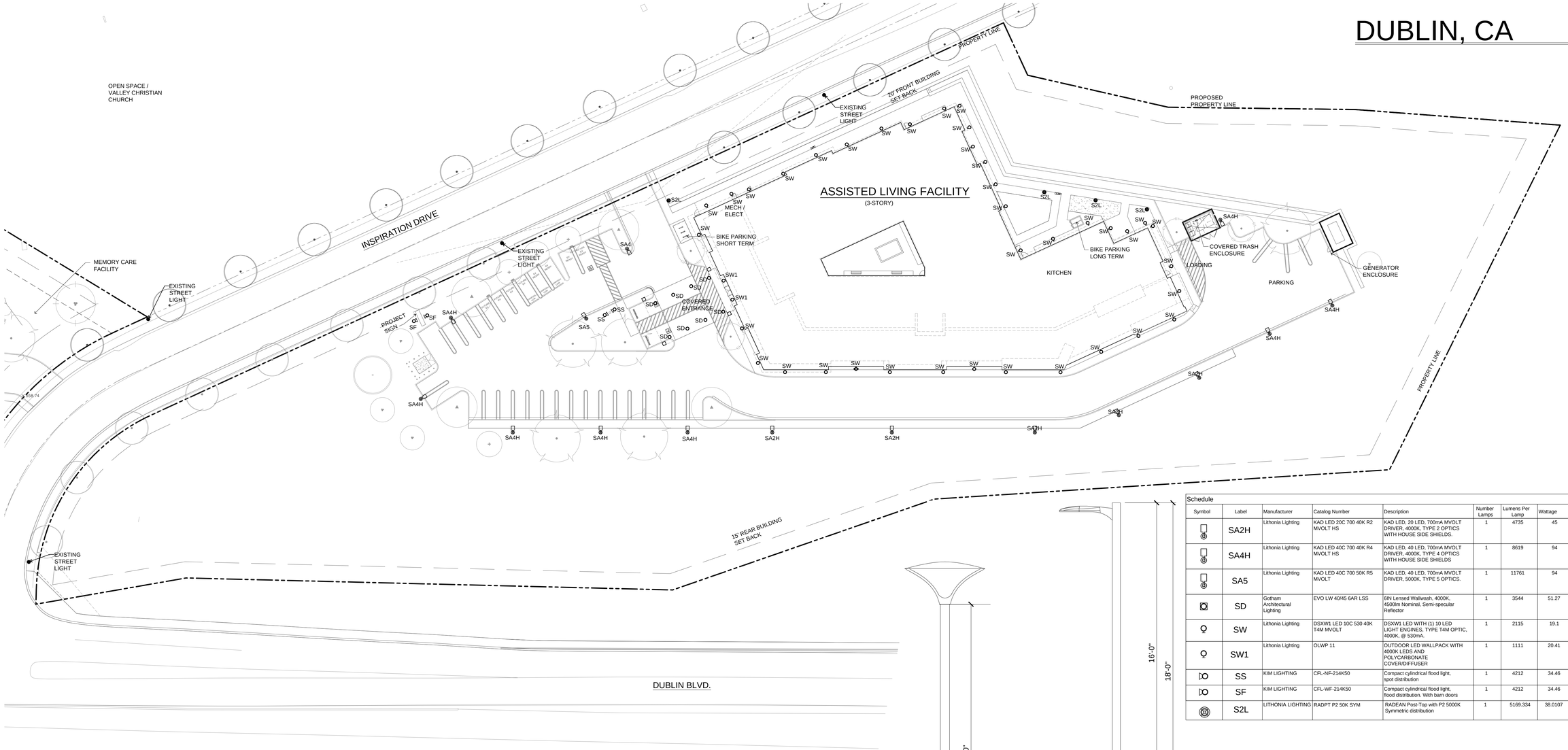
Dublin, CA

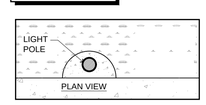
FULCRUM

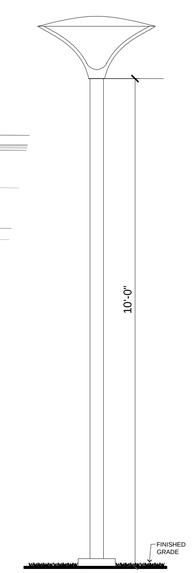
DUBLIN, CA



Schedule							
Symbol	Label	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Wattage
	SA2H	Lithonia Lighting	KAD LED 20C 700 40K R2 MVOLT HS	KAD LED, 20 LED, 700mA MVOLT DRIVER, 4000K, TYPE 2 OPTICS WITH HOUSE SIDE SHIELDS.	1	4735	45
	SA4H	Lithonia Lighting	KAD LED 40C 700 40K R4 MVOLT HS	KAD LED, 40 LED, 700mA MVOLT DRIVER, 4000K, TYPE 4 OPTICS WITH HOUSE SIDE SHIELDS	1	8619	94
	SA5	Lithonia Lighting	KAD LED 40C 700 50K R5 MVOLT	KAD LED, 40 LED, 700mA MVOLT DRIVER, 5000K, TYPE 5 OPTICS.	1	11761	94
	SD	Gotham Architectural Lighting	EVO LW 40/45 6AR LSS	6IN Lensed Wallwash, 4000K, 4500lm Nominal, Semi-specular Reflector	1	3544	51.27
	SW	Lithonia Lighting	DSXW1 LED 10C 530 40K T4M MVOLT	DSXW1 LED WITH (1) 10 LED LIGHT ENGINES, TYPE T4M OPTIC, 4000K, @ 530mA.	1	2115	19.1
	SW1	Lithonia Lighting	OLWP 11	OUTDOOR LED WALLPACK WITH 4000K LEDS AND POLYCARBONATE COVER/DIFFUSER	1	1111	20.41
	SS	KIM LIGHTING	CFL-NF-214K50	Compact cylindrical flood light, spot distribution	1	4212	34.46
	SF	KIM LIGHTING	CFL-WF-214K50	Compact cylindrical flood light, flood distribution. With barn doors	1	4212	34.46
	S2L	LITHONIA LIGHTING	RADPT P2 50K SYM	RADEAN Post-Top with P2 5000K Symmetric distribution	1	5169.334	38.0107

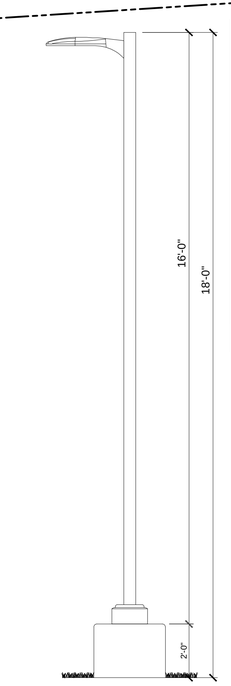
NOTE: FIXTURE AND POST BASE SHALL BE SAME COLOR.





TYPE S2L

PEDESTRIAN LED LIGHT POLE



TYPE SA_

PARKING LOT LED LIGHT POLE

SITE LIGHTING PLAN - LOT 3

DATE: 11/23/2021
1" = 30'

0 15 30 60 90

E1.1

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INSPIRATION ASSISTED LIVING

Dublin, CA

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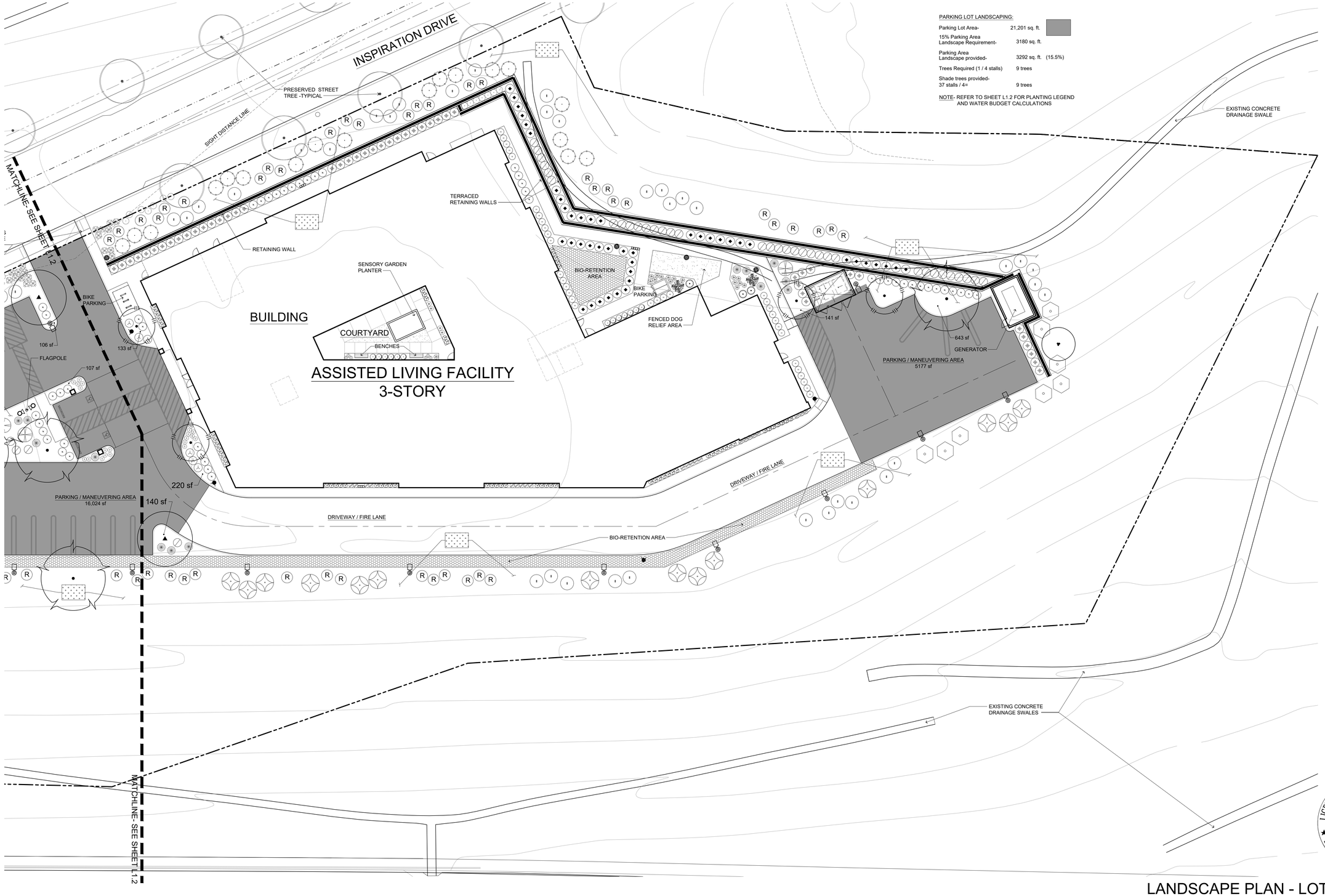
FULCRUM

960

PARKING LOT LANDSCAPING:

Parking Lot Area-	21,201 sq. ft.	
15% Parking Area Landscape Requirement-	3180 sq. ft.	
Parking Area Landscape provided-	3292 sq. ft.	(15.5%)
Trees Required (1 / 4 stalls)	9 trees	
Shade trees provided- 37 stalls / 4=	9 trees	

NOTE- REFER TO SHEET L1.2 FOR PLANTING LEGEND AND WATER BUDGET CALCULATIONS



LICENSED LANDSCAPE ARCHITECT
BRIAN D. LIND No 2947
EXP. 11 - 30 - 22
PRELIMINARY
STATE OF CALIFORNIA

LANDSCAPE PLAN - LOT 3

DATE: 11/23/2021
1" = 20'

0 10 20 40 60

PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

L1.1

lenity architecture, inc.
3150 Kettle Court SE, Salem, Oregon 97301
P 503 399 1090 F 503 399 0565 W lenityarchitecture.com

INSPIRATION ASSISTED LIVING

Dublin, CA

FULCRUM

WATER USE CALCULATIONS

TOTAL SITE LANDSCAPE AREA = 118,087 s.f.

MAXIMUM ANNUAL APPLIED WATER ALLOWANCE (MAAWA)

MAAWA (gallons)= (ETo) x (.62) x ((0.45 x LA) + (0.3 x SLA))

(46.2) x (.62) x ((0.45 x 118,087) + (0.3 x 0)) = MAAWA 1,522,118 gals.

ESTIMATED ANNUAL APPLIED WATER USE

(ETo) x (PF-Kc) x (HA) x (.62) / (IE)= EAAWU (HYDROZONE)

MODERATE HYDROZONE AREA (DRIP): (46.2) x (0.5) x (1179) x (.62) / (.81) = 20,846 gals. EAAWU

LOW HYDROZONE AREA (DRIP): (46.2) x (0.2) x (9003) x (.62) / (.81) = 63,675 gals. EAAWU

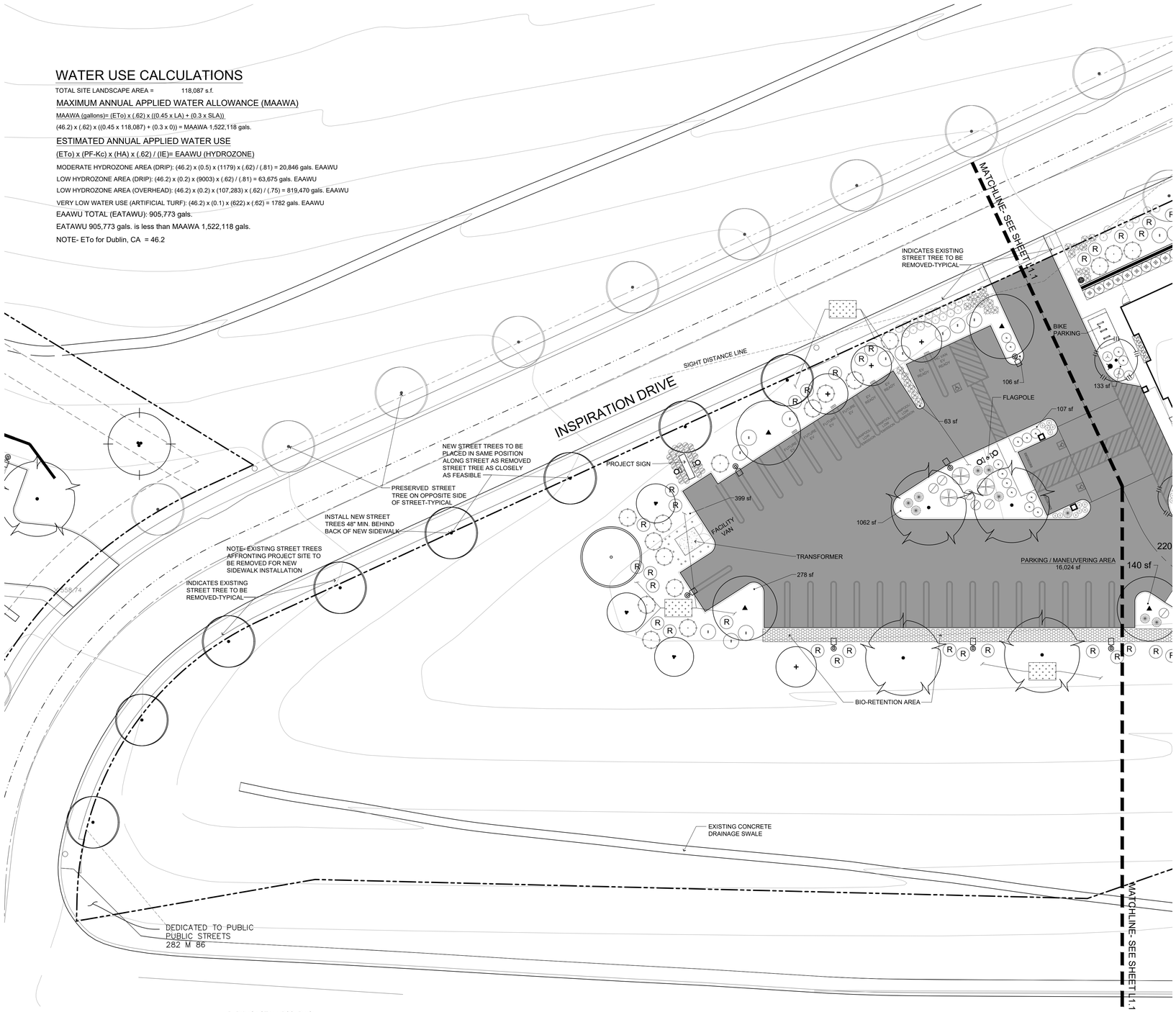
LOW HYDROZONE AREA (OVERHEAD): (46.2) x (0.2) x (107,283) x (.62) / (.75) = 819,470 gals. EAAWU

VERY LOW WATER USE (ARTIFICIAL TURF): (46.2) x (0.1) x (622) x (.62) = 1782 gals. EAAWU

EAAWU TOTAL (EATAWU): 905,773 gals.

EATAWU 905,773 gals. is less than MAAWA 1,522,118 gals.

NOTE- ETo for Dublin, CA = 46.2



PARKING LOT LANDSCAPING:

Parking Lot Area-	21,201 sq. ft.	
15% Parking Area Landscape Requirement-	3180 sq. ft.	
Parking Area Landscape provided-	3292 sq. ft.	(15.5%)
Trees Required (1 / 4 stalls)	9 trees	
Shade trees provided- 37 stalls / 4=	9 trees	

PLANTING LEGEND:

STREETSCAPE PLANTING

BOTANICAL / COMMON NAMES	QUANTITY	SIZE / FORM	SPACING	WUCOLS REGION 1
STREET TREE				
Prunus yedoensis (subst. for Bradford Pear-ex. trees) Yoshino Flowering Cherry	8	15 gal. Standard	Replace at ex. removed street tree spacing	Moderate
SHRUBS				
Ceanothus gloriosis 'Anchor Bay' Point Reyes Wild Lilac	TBD	5 gal.	7' o.c.	Low
Cistus 'Sunset' Magenta Rockrose	TBD	5 gal.	5' o.c.	Low
Phormium 'Sea Jade' Sea Jade New Zealand Flax	TBD	5 gal.	as shown	Low
Rosa rugosa 'Alba' White Rugosa Rose	TBD	5 gal.	5' o.c.	Low
GRASSES / GROUND COVERS / PERENNIALS				
Coreopsis lanceolata 'Early Sunrise' Double Flowered Yellow Tickseed	TBD	1 gal.	24" o.c.	Low
Pennisetum alopecuroides 'Little Bunny' Little Bunny Fountain Grass	TBD	1 gal.	30" o.c.	Low
Rosmarinus officinalis 'Prostratus' Rosemary	TBD	1 gal.	36" o.c.	Low

PROJECT SITE PLANTING

BOTANICAL / COMMON NAMES	QUANTITY	SIZE / FORM	MATURE HT. x WD.	WUCOLS REGION 1
SHADE TREE				
Pistacia chinensis 'Keith Davey' Chinese Pistache	5	24" box Standard	50' x 50'	Low
Ulmus 'Frontier' Frontier Elm	4	24" box Standard	40' x 30'	Low
EVERGREEN TREES				
Arbutus 'Marina' Marina Strawberry Tree	TBD	15 gal. Standard	35' x 35'	Low
Callistemon citrinus Lemon Bottlebrush	TBD	15 gal. Standard	20' x 15'	Low
Quercus agrifolia Coast Live Oak	TBD	15 gal. Multi-trunk	30' x 40'	Very Low
DECIDUOUS / ORNAMENTAL TREES				
Aesculus californica California Buckeye	TBD	15 gal. Natural form	30' x 30'	Very Low
Cercis occidentalis Western Redbud	TBD	15 gal. Natural form	20' x 15'	Very Low
Lagerstroemia indica x fauriei 'Muskogee' Muskogee Hybrid Crape Myrtle	4	15 gal. Standard	24' x 20'	Low
BACKGROUND / TALL SHRUBS				
Eleagnus pungens Silverberry	TBD	5 gal.	as shown	Low
Myrsine africana African Boxwood	TBD	5 gal.	4' o.c.	Low
Rhus integrifolia Lemonade Berry	TBD	5 gal.	as shown	Low
SHRUBS				
Gardenia jasminoides 'August Beauty' August Beauty Gardenia	TBD	5 gal.	as shown	Moderate
Mahonia eurybracteata 'Soft Caress' Soft Caress Mahonia	TBD	5 gal.	as shown	Moderate
Euonymus japonica 'Microphyllus Variegatus' Variegated Box-leaf Euonymus	TBD	5 gal.	3' o.c.	Low
Pittosporum tobira 'Dwarf Variegata' Dwarf Variegated Tobira	TBD	5 gal.	4' o.c.	Low
Rhaphiolepis indica 'Pinkie' India Hawthorn	TBD	5 gal.	4' o.c.	Low
Rosa x 'Noaschnee' White Flower Carpet Rose	TBD	5 gal.	3' o.c.	Moderate
Salvia greggii (Salmon) Autumn Sage	TBD	5 gal.	4' o.c.	Low
Sarcococca hookeriana humilis Sweet Sarcococca	TBD	5 gal.	as shown	Low
Westringia fruticosa 'Blue Gem' Blue Gem Coast Rosemary	TBD	5 gal.	5' o.c.	Low
GRASSES / PERENNIALS				
Anigozanthos 'Kanga Pink' Dwarf Pink Kangaroo Paw	TBD	1 gal.	as shown	Low
Calamagrostis x acutifolia 'Karl Foerster' Feather Reed Grass	TBD	1 gal.	as shown	Moderate
Dietes vegeta Fortnight Lily	TBD	1 gal.	as shown	Low
Hakonechloa macra 'Aureola' Japanese Forest Grass	TBD	1 gal.	as shown	Moderate
Lavandula angustifolia 'Munstead' Dwarf English Lavender	TBD	1 gal.	as shown	Low
Liriope muscari Big Blue Lily Turf	TBD	1 gal.	as shown	Moderate
GROUND COVER				
Myoporum parvifolium Creeping Myoporum	100% coverage	1 gal.	48" o.c.	Low
Deschampsia caespitosa (Tufted Hair Grass)	35% of area	1 gal.*	18" o.c.*	Low
Festuca californica (California Fescue)	35% of area			Low
Juncus patens 'Elk Blue' (California Gray Rush)	30% of area	*plugs or liners @ 12" o.c.)		Low
Artificial Turf- Dog Relief Area & Courtyard DuPont Forever Lawn or equal	470 s.f.			Very Low

NOTES:

1. Soil Preparation for planting areas, excluding bio-swales (per 1000 s.f.):
   4 cu. yds. organic compost free of biosolids & harmful pathogens
   100 lbs. Gro-Power Plus w/M (mycorrhizae) organic fertilizer
   Spread evenly and rototill into soil in two directions to a depth of 6-8".
   Adjust materials based upon Soil Analysis recommendations after completed.
2. Install a 3" minimum layer of 100% recycled mulch in all planted areas excluding Bio-retention planters. Submit sample to Owner and Landscape Architect for approval.
3. Landscaping shall be served by an automated irrigation system utilizing SMART Technology in compliance with the California Water Efficient Landscape Ordinance.
4. Plant selection within bio-retention areas shall be selected from the pre-approved Plant List provided in the Alameda County Clean Water Program C.3 Technical Guidance.

LICENSED LANDSCAPE ARCHITECT
BRIAN D. LIND No 2347
EXP. 11 - 30 - 22
PRELIMINARY
STATE OF CALIFORNIA

LANDSCAPE PLAN - LOT 3

DATE: 11/23/2021
1" = 20'

0 10 20 40 60

L1.2

PRELIMINARY - NOT FOR CONSTRUCTION 11/23/2021

INSPIRATION ASSISTED LIVING

Dublin, CA

lenity architecture, inc.
3150 Kettle Court SE, Salem, Oregon 97301
P 503 399 1090 F 503 399 0565 W lenityarchitecture.com

FULCRUM

INSPIRATION ASSISTED LIVING
TENTATIVE PARCEL MAP NUMBER 11241

FOR ADDITIONAL INFORMATION NOT SHOWN ON THIS MAP, SEE DESIGN REVIEW PACKAGE

Attachment 14

OWNER:
VALLEY CHRISTIAN CENTER OF DUBLIN, CALIFORNIA
A NON-PROFIT CORPORATION.
7500 INSPIRATION DRIVE
DUBLIN, CA 94568
(925) 560-6202

DEVELOPER:
FULCRUM REAL ESTATE DEVELOPMENT
475 GATE 5 ROAD
SAUSALITO, CA 94965
(415) 489-9301

ENGINEER:
PHILLIPPI ENGINEERING, INC.
425 MERCHANT STREET
VACAVILLE, CA 95688
(707) 451-6556

ENGINEER:
PHILLIPPI ENGINEERING, INC.
425 MERCHANT STREET
VACAVILLE, CA 95688
(707) 451-6556

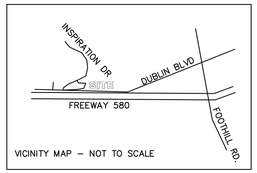
GEOTECHNICAL ENGINEER:
KC ENGINEERING COMPANY
865 COTTING LANE, SUITE A
VACAVILLE, CA 95688
(707) 447-4025

LEGAL DESCRIPTION:
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF DUBLIN, IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
Parcel 3 of Parcel Map 8310 as per Map recorded August 1, 2005 in Book 282 of Maps, Pages 86 through 89, Alameda County Records.
APN: 941-0022-006-00

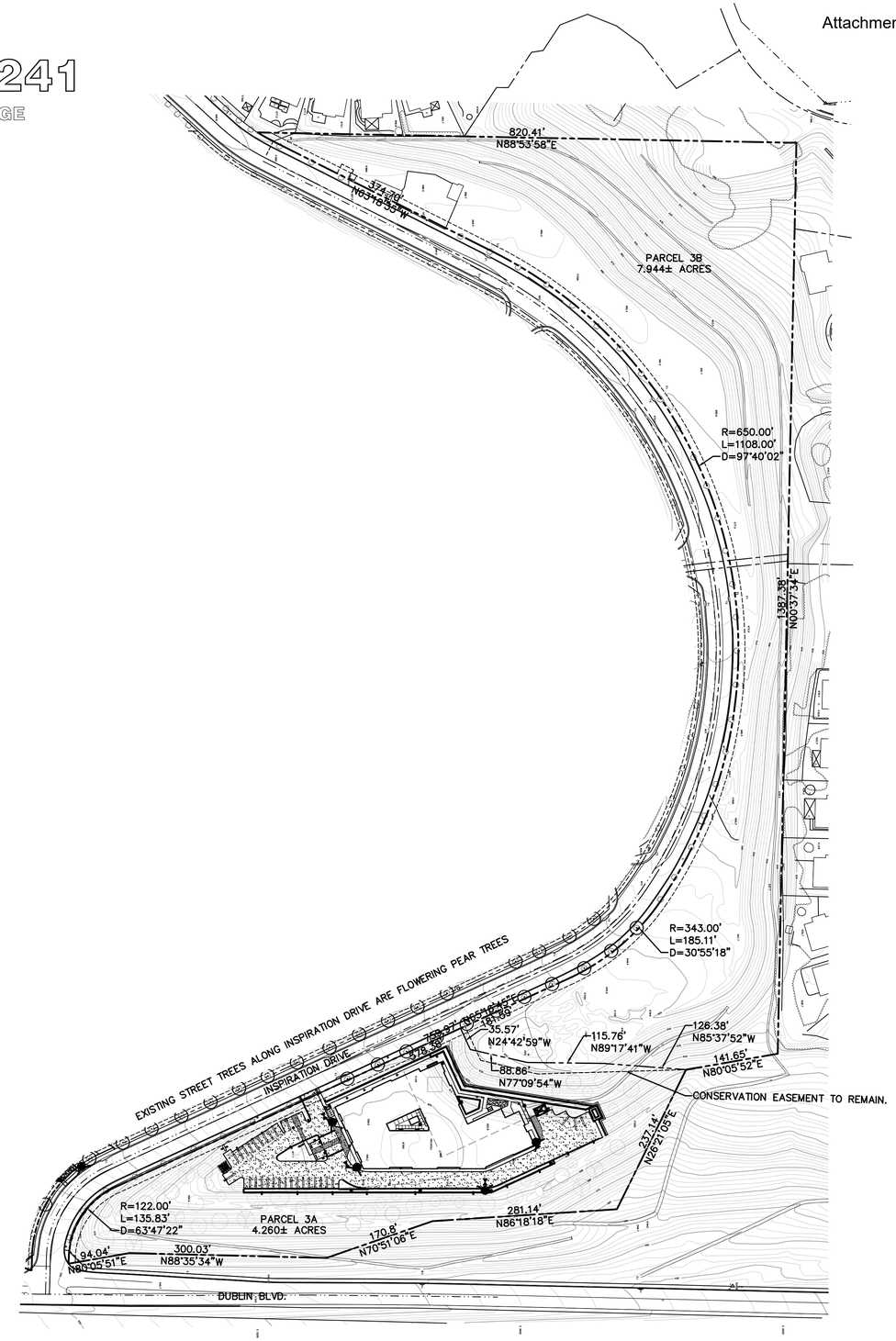
EXISTING LAND USE – UNDERDEVELOPED
PROPOSED GENERAL PLAN LAND USE – PUBLIC / SEMI-PUBLIC
PROPOSED ZONING LAND USE – ES
LOT COVERAGE – 28,353 SF
FLOOR AREA RATIO: 0.37

AERIAL SURVEY PROVIDED BY QUIET RIVER LAND SERVICES, INC.

FOR NOISE INFORMATION, SEE PROJECT INITIAL STUDY.



VICINITY MAP – NOT TO SCALE



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N

SCALE: 1"=100'

PHILLIPPI ENGINEERING
CIVIL ENGINEERING - LAND SURVEYING
425 MERCHANT STREET VACAVILLE, CA 95688
P.O.BOX 6556 VACAVILLE, CA 95696
OFFICE (707) 451-6556 FAX (707) 451-6555

DESIGNED BY: MLE
DRAFTED BY: MLE
CHECKED BY: PEI

PRELIMINARY

PROJECT NAME/LOCATION:
DUBLIN SENIOR CARE
DUBLIN CALIFORNIA

DRAWING TITLE:
TENTATIVE MAP
PARCEL 3

REVISIONS:		
NO.	DESCRIPTION	DATE

DRAWING FILE:
20190630 TM PARCEL 2.DWG

ISSUE DATE: 04/13/22
PROJECT NO.: 20190630
SHEET NO.: TM1

RESOLUTION NO. 22-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN

RECOMMENDING THAT THE CITY COUNCIL ADOPT A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION, AND APPROVE AN AMENDMENT TO THE ZONING MAP, AMENDMENTS TO PLANNED DEVELOPMENT ORDINANCE NO. 07-03 FOR THE VALLEY CHRISTIAN CENTER, A PLANNED DEVELOPMENT ZONING DISTRICT WITH RELATED STAGE 1 AND STAGE 2 DEVELOPMENT PLAN, A SITE DEVELOPMENT REVIEW PERMIT, AND TENTATIVE PARCEL MAP NO. 11241 RELATED TO THE INSPIRATION DRIVE ASSISTED LIVING PROJECT PLPA 2020-00045 (APN 941-0022-006-00)

WHEREAS, the Applicant, Steve Ring of Fulcrum Development, is proposing to develop an 84-bed assisted living facility on Parcel 3 of the Valley Christian Center Property located at 7500 Inspiration Drive. Requested approvals include amendments to Planned Development Ordinance No.07-03 for the Valley Christian Center, a Planned Development Rezoning with a related Stage 1 and Stage 2 Development Plan, a Site Development Review Permit, and a Tentative Parcel Map. These planning and implementing actions are collectively known as the "Inspiration Drive Assisted Living Project" or the "Project;" and

WHEREAS, the Project site is 4.68-acres located on the north west corner of Inspiration Drive and Dublin Boulevard, which is a portion of the larger 12.7-acres located on the east side of Inspiration Drive (Parcel 3; APN 941-0022-006-00); and

WHEREAS, the existing General Plan land use designation is Public/Semi-Public; and

WHEREAS, the Project site is located within Planned Development zoning district Ordinance No. 07-03; and

WHEREAS, minor amendments to Planned Development Ordinance No. 07-03 for the Valley Christian Center are necessary for consistency and ease of implementation; and

WHEREAS, the California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, in 2003, the City Council adopted a Resolution certifying an Environmental Impact Report (EIR), and adopted findings and a Mitigation Monitoring and Reporting Program for the Valley Christian Center Expansion/Master Plan project (Resolution No. 92-03, incorporated herein by reference); and

WHEREAS, in 2018, the City adopted a Supplemental Mitigated Negative Declaration supported by an Initial Study (2018 Supplemental IS/MND) to evaluate proposed changes to the

Valley Christian Center Expansion Program, including conversion of the softball field to a football athletic field, expansion of an existing athletic field to accommodate the relocated softball field, construction of a central plaza, and associated parking and landscape improvements; and

WHEREAS, the City prepared an Initial Study to determine whether supplemental environmental review was required for the proposed Project under CEQA standards. The Initial Study examined whether there were substantial changes to the proposed development, substantial changes in circumstances, or new information, any of which would result in new or more severe significant impacts than analyzed in the prior Valley Christian Center EIR and 2018 Supplemental MND or whether any other standards for supplemental environmental review were met; and

WHEREAS, upon completion of the Initial Study it was determined that there were new potentially significant impacts associated with the project related to aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and noise and, therefore, a Supplemental Mitigated Negative Declaration was prepared to analyze those impacts and included mitigation measures to reduce the impacts to less than significant; and

WHEREAS, the Supplemental Mitigated Negative Declaration/Initial Study was circulated for public review from November 18, 2021 - December 17, 2021; and

WHEREAS, the City of Dublin received no comment letters during the public review period; and

WHEREAS, a Staff Report, dated April 26, 2022, and incorporated herein by reference, described and analyzed the Project, including the Planned Development Rezoning with Stage 1 and Stage 2 Development Plans, Site Development Review Permit, Tentative Parcel Map and Supplemental Mitigated Negative Declaration; and

WHEREAS, the Planning Commission held a properly noticed public hearing on the Project, on April 26, 2022, at which time all interested parties had the opportunity to be heard; and

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED that the City of Dublin Planning Commission recommends that the City Council adopt a Resolution approving the Supplemental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project, which draft Resolution is included as Attachment 11 to the Staff Report, dated April 26, 2022 and incorporated herein by reference. This Planning Commission recommendation is based on the Staff Report analysis and recommendation, and on the findings set forth in the draft Resolution.

BE IT FURTHER RESOLVED that the Planning Commission recommends that that the City Council adopt an Ordinance attached as **Exhibit A** approving a Planned Development Zoning District with Stage 1 and Stage 2 Development Plan based on findings, as set forth in **Exhibit A**.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council approve the Resolution attached as **Exhibit B** approving the Site Development Review

Permit and Tentative Parcel Map No. 11241, based on the findings and conditions of approval, as set forth in **Exhibit B**.

BE IT FURTHER RESOLVED that the Planning Commission recommends that that the City Council adopt an Ordinance attached as **Exhibit C** amending the existing Planned Development Zoning District Ordinance No. 07-03, based on findings, as set forth in **Exhibit C**.

PASSED, APPROVED, AND ADOPTED this 26th day of April 2022 by the following vote:

AYES: **Benson, Grier, Tyler, Thalblum, Wright**

NOES:

ABSENT:

ABSTAIN:

DocuSigned by:
Cathryn Grier
3EAC72E0ACF74BD...
Planning Commission Chair

ATTEST:

DocuSigned by:
Kristie Wheeler
9EDB9DB87254493...
Assistant Community Development Director

INSPIRATION SENIOR LIVING

COMMUNITY ENGAGEMENT

SUMMARY

FULCRUM DEVELOPMENT

Fulcrum Real Estate and Development has been actively involved in the community since the earliest conceptual designs starting in Fall of 2019.

Enclosed is a list of community meetings and involvement to demonstrate how Fulcrum values the input from the neighborhoods and community that surrounds Inspiration Senior Living.

Being located on two separate parcels, Fulcrum understands that the closest neighborhoods include the California Highland Homeowners Association to the west of Parcel 2 and the Las Palmas Homeowners Association being adjacent on the east side of Parcel 3.

Beginning in September of 2019, Fulcrum and the Valley Christian Center presented the original conceptual drawings of the Parcel 2 Memory Care Center to the California Highland Association. The purpose of the meeting, held at the VCC, was to introduce Fulcrum and describe the vison of the VCC in trying to help take care of the elderly population of Dublin, CA.

With approximately 10 homeowners and the Association leadership in attendance, the open floor format was an interactive question and answer session that lasted a little over an hour and helped let the homeowners understand that the VCC and Fulcrum respects the privacy and setback issues and how the use for the parcel will be one that will not create significant traffic, noise or a negative impact to their adjoining neighborhood. Furthermore, the project will maintain, as best as possible, the mature landscape and trees that exist between the two properties. Overall, it was a successful meeting and Fulcrum promised to keep the Association informed as plans and ideas start to come together.

The enclosed summary is a description of the in person, video conferencing, and conference calls Fulcrum has done with the community. In addition to the outreach, Fulcrum created a website that is routinely updated with current information on the project, www.inspirationseniorliving.com. This website can be accessed by any interested parties and creates another communication tool.

In addition to the meetings within presented within this summary, Fulcrum has spoken with interested parties that have inquired about the project. Individuals include Hansen Hill homeowners, interested seniors from within the community asking about the timing and possible completion dates and Fulcrum has solicited comments and input from the Dublin Senior Community Center.

Lastly, Fulcrum has presented to the City Council their initial concepts on two public forums, November 19, 2019 and December 3, 2019. After public comment and discussion, the City Council, unanimously, permitted Fulcrum and Planning to continue exploring the feasibility of the Project with GPA Study.

Meeting Date: September 17, 2019

Agenda: Present initial sketches and site locations for the Memory Care and Assisted Living buildings.

Venue: Public Meeting with Printed out Presentation, Valley Christian Center Meeting Room

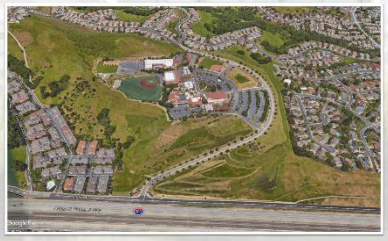
Start and Finish Time: 6:30 p.m. to approximately 8:00 p.m.

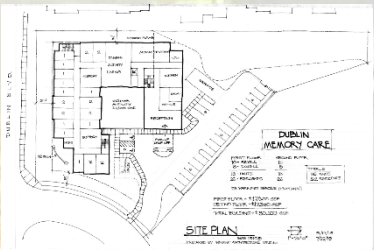
Attendees Invited: Sent email August 23, inviting California Highland Association Board member's and owners of condo's facing parcel 3 and community members.

Approximate Attendance: 18 attendees.

Summary: The purpose of the meeting was to present some initial concepts and ideas for the Memory Care and Assisted Living project located adjacent and within close vicinity of the California Highlands Association to the west of Parcel 2. Fulcrum presented simple architectural sketches and a possible location of the building and height. These sketches were very preliminary without civil engineering details. The scope was a 2-story building with approximately 50 residents.

Questions included: Will a walkway be created between Brigadoon and the subject parcel? Will the fencing and materials follow the guidelines of the agreement between the Association and the Valley Christian Center? Where is the proposed location of the driveway? What can be expected of staffing and any late-night shift changes? What will be the height of the building? Will you work with the Association to assure the design and site are appealing in nature?





Sample Slides from Presentation

Meeting Date: July 31, 2020

Agenda: Present the updated Parcel 2 memory care site plans, renderings, elevations, drawings, site location, and preliminary massing plan for the assisted living building on Parcel 3

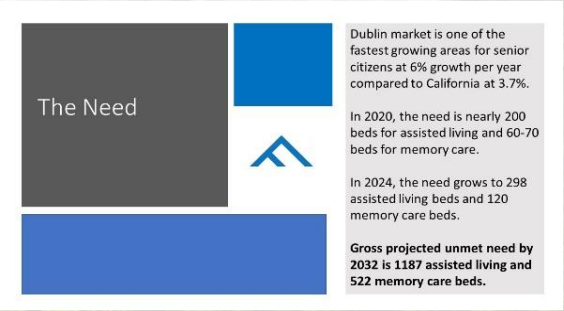
Venue: Video presentation

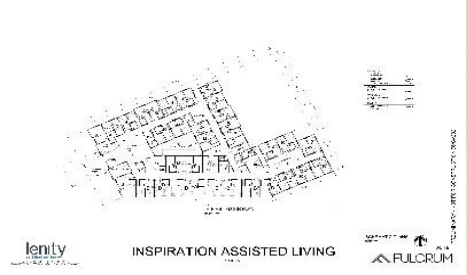
Start and Finish Time: 12:00 p.m. to 1:00 p.m.

Attendees Invited: Valley Christian Church Members and Visitors.

Attendees: Approximately 125.

Summary: Due to the COVID protocols, a video presentation was prepared for the virtual attendees. The presentation included interviews with the Fulcrum team and pertinent members of the Valley Christian Center. The presentation included a discussion on the design, schedule and need for senior care in the community of Dublin. We were asked prepared questions from the members of the VCC congregation.





Sample Slides from Presentation

Meeting Date: October 29, 2020

Agenda: Present our updated memory care site plans, renderings, elevations, and drawings for California Highlands.

Venue: Go To Video Conference Meeting due to COVID protocols.

Start and Finish Time: 5:30 p.m. to approximately 6:30 p.m.

Attendees Invited: California Highlands HOA and owners

Attendees: Approximately 12 board members and residents of California Highlands HOA.

Summary: The California Highland Association Board of Directors sent an invitation to all members of the Association to attend the video conference meeting to reintroduce the Fulcrum team allow an updated presentation of the Project. The presentation included formal submitted application material including elevations, renderings, colors, materials, site plans, landscaping, and details of the fencing between the two properties.

Questions included: Height of the fence and material? Would Fulcrum be willing to work with their landscaping firm to assure the current and newly proposed landscaping screening are incorporated with one another? Would the proposed generator be soundproofed sufficiently? Where will the mechanical systems be housed? Comments included "well-thought out and designed" and thanks was given for the time put in and recognizing the California Highlands Association needs.

Sample Slides from Presentation

Meeting Date: November 12, 2020

Agenda: Present our updated Parcel 2 memory care site plans, renderings, elevations, drawings, and site location and preliminary massing plan for the assisted living building on Parcel 3

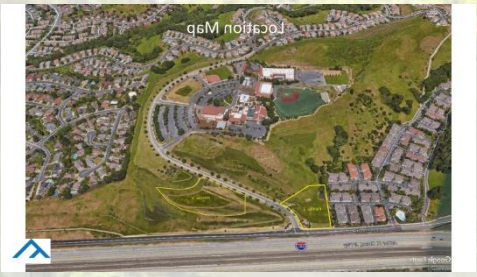
Venue: Zoom Video Conference Meeting

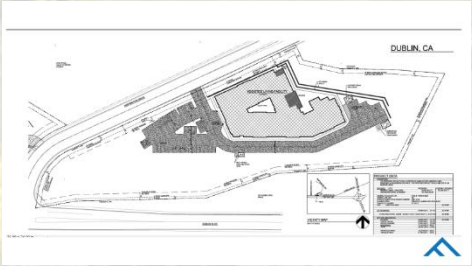
Start and Finish Time: 7:00 p.m. to 9:30 p.m.

Attendees Invited: Las Palmas Neighborhood HOA and owners

Attendees: Approximately 10 households dialed in.

Summary: With the assistance of Shirley Lewandowski, Fulcrum was able to invite as many members of the Las Palmas Neighborhood as possible. Fulcrum presented over the video conference a PowerPoint presentation that included the application materials for Parcel 2 and the conceptual plans and ideas for Parcel 3. Parcel 3 concepts were very preliminary and in the form of massing plans, however, a conversation ensued about the multiple concepts and building design sessions that had occurred during the previous 8 months. The Memory Care building was well received, and the colors and elevations were consider appropriate to the adjacent California Highlands. One of the homeowners had concern about the morning traffic which we assured would be addressed in the traffic study. Other questions include the potential noise from the school and freeway. They asked if the CEQA report uses the data from all the previous reports regarding the VCC. Very favorable comments were made about the time and thought put into the potential designs.





Sample Slides from Presentation

Meeting Date: December 17, 2020

Agenda: Present Parcel 2 memory care site plans, renderings, elevations, drawings, and site location and preliminary massing plan for the assisted living building on Parcel 3, with location and size presented.

Venue: Zoom Video Conferencing Meeting

Start and Finish Time: 6:00 p.m. to 7:30 p.m.

Attendees Invited: Fulcrum mailed out 175 post cards to the entire Hansen Hills neighborhood.

Attendees: 2

Summary: The HOA was unable to send out an invitation on our part due to homeowner's association guidelines so Fulcrum did a mass mailing to all the residents of the Hansen Hills Association for the scheduled Zoom meeting**.** The attendees were one active and one inactive participant. The presentation included the detailed plans for Parcel 2 and conceptual plans for Parcel 3. Questions were general in nature and included traffic impacts.

Please join us for an online presentation of

Inspiration Senior Living Project, Dublin CA

Located at the corners of Inspiration Drive and Dublin Blvd, Fulcrum Development invites you to view the early stages of the development vision and please bring your questions.

When: December 17, 2020

Time: 6:00 p.m.

Where to register: info@inspirationseniorliving.com or feel free to call us at 415-985-8606.

If you cannot make it, a recording will be available after the presentation.

Meeting Date: August 24, 2021

Agenda: Updated plans for the Project..

Venue: Zoom Video Conferencing Presentation

Start and Finish Time: 7:00 p.m. to 8:00 p.m..

Attendees Invited: Las Palmas Homeowners Association

Attendees: 12

Summary: Fulcrum presented the updated parcel 3 designs for submission to the City of Dublin. The response to the design and layout was very positive. The attendees asked questions regarding dust control during construction, timing on the construction start and finish dates and any projections on starting rents. The attendees appreciated the time taken and many renderings and concepts done to date. They are looking forward to the CEQA report and planning meetings.

Sample Slides from Presentation

Amy Million

From: JOANNE MIUMI <j5108@aol.com>
Sent: Tuesday, April 26, 2022 9:36 PM
To: Amy Million
Subject: NO vote on Inspiration Dr Memory Care and Assisted Living project

I am a long time resident of Dublin and have watched our city grow from the late 1970's. My children have attended Dublin schools and were followed by my grandkids. We have lived with the effects of over development decisions made by the City of Dublin. As main chauffeur for my kids and grandkids I have endured hours of unpleasant sitting in bumper to bumper traffic just delivering them and picking them up from school and sports. I have watched 2 and 3 story buildings obliterate the scenic views of our surrounding hills as I drive through town.

There are many issues that must be considered before approval of this project.

1. The 2 and 3 story structures are huge monstrosities for the location. If the buildings are hidden up higher in the Valley Christian campus behind trees and landscaped parking lots, then the buildings would blend in and be obtrusive.

The streets of Dublin Blvd and Inspiration Dr at that location are not wide and only one lane in each direction with a turning lane. Expansion is blocked by the freeway and it's wall. The large buildings would stick out like a sore thumb and block the views of all who drive past it or walk past it.

I read a section of the EIR where the report discusses views of the proposed development from 580 and views from downtown Dublin. More importantly, you need to consider another aspect of the environment. You need to consider the human environment. The input from the residents, neighbors and recreational visitors that walk and drive past the planned development are very important. They will see the development up close everyday.

They have purchased property and houses in the Hansen Ranch development to enjoy the wildlife and views of the rolling hills. They have a huge investment with their mortgages, property tax, insurance and upkeep. The humans need to enjoy their environment in their daily activities. It is not ok to only view the project from a distance.

2. The driveway entrances to both structures are situated on opposite sides of Inspiration Dr. Will the visitor cars/employee cars/vans or ambulances be allowed to make left and right turns into and out of the individual driveways? Or will traffic have to use Bay Laurel and Silvergate as an access point? The driveways are very close to the corner intersection and that may impede traffic flow.

There are long lines of cars using that intersection during school drop off and pickup.

We do not have public bus transport to this area.

When we drive up Inspiration Dr., we are always avoiding deer, coyotes, bicyclists, walkers and dogs and joggers. Will the public sidewalk remain in place? Will new sidewalks be installed? Will these private businesses offer benches for walkers to rest?

Dublin Blvd at this location has become an extension of 580. Drivers exit at Eden Canyon during periods of heavy freeway traffic and accidents and head to and through Dublin. Drivers race up Dublin Blvd to Schaefer Ranch going home.

3. There have been several grass fires along the hills on Dublin Blvd at this location through the years. Also along both sides of the 580 corridor close by. What type of precautions will City of Dublin take to protect the elderly residents of this community from grass fires?

4. Is this a private, non profit assisted living facility for church members only? There seems to be quite a few assisted living businesses being developed throughout the Tri-valley. If the projects are not profitable, can this property be sold to developers or converted to hotels or condos against neighbors wishes? What other acceptable uses can the building be converted to?

Business trends change. Demographics change. I heard that Valley Christian Church is now Brave Church. So who owns the property?

There are many empty businesses in Dublin. I do not want to have the hillside damaged. I do not want these huge, imposing buildings as a gateway to our homes.

Please consider carefully before making long term decisions that affect the local Dublin community.

Joanne Miumi

Sent from my iPhone
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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April 26, 2022

Via Email and Overnight Mail

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Re: Comments on Agenda Item 6.1 Inspiration Drive Memory Care and Assisted Living Projects (PLPA-2020-00044 and PLPA-2020-00045) (SCH Number 2021110251)

Dear Commissioners: Benson, Grier, Tyler, Thalblum, Write, Qaadri, Ms. Million, and Mr. Baker:

These comments are submitted on behalf of East Bay Residents for Responsible Development ("East Bay Residents") regarding Agenda Item 6.1, Inspiration Drive Memory Care and Assisted Living Projects (PLPA-2020-00044 and PLPA-2020-00045) (SCH Number 2021110251) (collectively the "Project"), proposed by Steven Ring of Fulcrum Real Estate Development ("Applicant") and regarding the 2021 Supplemental Mitigated Negative Declaration ("MND") prepared by the City of Dublin ("City") for the Project.[1]

[1] City of Dublin Community Development Department, Initial Study Mitigated Negative Declaration, Inspiration Drive Memory Care and Assisted Living Facility Project PLPA-2020-00044 & PLPA-2020-00045 ("MND").

printed on recycled paper

The Project proposes to develop a 55-bed memory care facility on Parcel 2 and an 84-bed assisted living facility on Parcel 3 of the Valley Christian Center ("VCC") site. The Project site is located at Assessor Parcel Number ("APN") 941-0022-003, 941-0022-004, 941-0022-005 and 941-0022-006 at 7500 Inspiration Drive in the City of Dublin, Alameda County, California. The site consists of four parcels, totaling 50.6 acres, which are part of the larger Valley Christian Center ("VCC") site. Requested approvals include a Planned Development Rezoning with Stage 1 and Stage 2 Development Plans, Site Development Review Permits, a Street Vacation, and Tentative Parcel Map 11241. The General Plan designation for the Project site is Public/Semi-Public. Parcel 2 is located within the A (Agricultural) zoning District, both Parcels 2 and 3 are located within the Planned Development zoning district Ordinance No. 07-03.[2] The Project relies on analysis in the 2003 Valley Christian Center Expansion/Master Plan Project Environmental Impact Report ("VCC EIR") and Mitigation Monitoring and Reporting Program ("VCC MMRP")[3] and the 2018 Supplemental Mitigated Negative Declaration ("2018 MND").[4]

The Dublin Planning Commission should not recommend that the City Council approve the MND or the Project entitlements, because the MND fails to comply with CEQA, as shown herein.

We have reviewed the MND, its technical appendices, and reference documents with the assistance of East Bay Residents' expert consultants whose comments and qualifications are attached. Based on our review of the MND, it is clear that the MND fails as an information document under CEQA and lacks substantial evidence to support its conclusions that the Project's significant impacts would be mitigated to the greatest extent feasible.

There is also substantial evidence supporting a fair argument that the Project's potentially significant environmental impacts are far more extensive than disclosed in the MND. East Bay Residents and their expert consultants have

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[2] Dublin Planning Commission, April 26, 2022, Regular Meeting Agenda Packet. Available at: https://d3n9y02raazwpg.cloudfront.net/dublin/b66f12f2-6db0-11ec-85e3-0050569183fa-ab7ea741-4587-411e-82f1-bcf7b0ec0e28-1650498883.pdf ("Agenda Packet").
[3] Final Environmental Impact Report, Valley Christian Center Expansion Program, PA #00-017, SCH # 2002012070 (March 2003).
[4] Supplemental Mitigated Negative Declaration / Initial Study, Valley Christian Center, Planning Application Number: PLPA-2014-00052 (June 8, 2018).

identified numerous potentially significant impacts that the MND either mischaracterizes, underestimates, or fails to identify. Moreover, many of the mitigation measures described in the MND will not, in fact, mitigate impacts to the extent claimed.

We prepared these comments with the assistance of air quality and hazards expert Matt Hagemann P.G., C.Hg, and Paul E Rosenfeld, Ph.D. of Soil Water Air Protection Enterprises ("SWAPE"); and expert environmental biologist and wildlife ecologist Scott Cashen M.S.

SWAPE's comments and curriculum vitae are attached hereto as Exhibit A.[5] SWAPE concludes that the Project may result in potentially significant construction air emissions and health risk from exposure to toxic air contaminants ("TACs") that were not adequately analyzed or mitigated in the MND. SWAPE also found the Project's operational emissions may exceed significance thresholds and are not adequately mitigated.

Mr. Cashen's comments and curriculum vitae are attached hereto as Exhibit B.[6] Mr. Cashen concludes that the Project's baseline analysis of existing sensitive natural communities is inaccurate and unsupported, rendering the MND inadequate under CEQA. Further, the MND fails to analyze and mitigate potentially significant impacts to special status plants and animals and fails to analyze and mitigate potentially significant impacts caused by habitat degradation and cumulative suburban sprawl. SWAPE's and Mr. Cashen's comment letters and all attachments thereto are incorporated by reference as if fully set forth herein.[7]

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[5] See **Exhibit A,** SWAPE, Comments on Inspiration Drive Memory Care Project ("SWAPE Comments").

[6] See **Exhibit B,** Scott Cashen, Comments on the Initial Study and Mitigated Negative Declaration for the Inspiration Drive Memory Care and Assisted Living Facility Project (April 23, 2022), ("Cashen Comments").

[7] East Bay Residents reserves the right to supplement these comments, and to file further comments at any and all future proceedings and hearings related to the Project. Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* ("*Bakersfield*") (2004) 124 Cal. App. 4th 1184, 1199-1203; *see Galante Vineyards v. Monterey Water Dist*. (1997) 60 Cal. App. 4th 1109, 1121.

I. STATEMENT OF INTEREST

East Bay Residents is an unincorporated association of individuals and labor organizations that may be adversely affected by the potential impacts associated with Project development. East Bay Residents includes the International Brotherhood of Electrical Workers Local 595, Plumbers & Steamfitters Local 342, Sheet Metal Workers Local 104, Sprinkler Fitters Local 483 their members and their families, and other individuals that live and/or work in the City of Dublin and Alameda County. East Bay Residents supports sustainable development in the East Bay. Residents has a strong interest in enforcing the State's environmental laws that encourage sustainable development and ensure a safe working environment for its members.

Individual members of East Bay Residents and its member organizations include Dublin residents Gary Bonnitti, Devin Kettle, and Connor Smith. The individual members live, work, recreate, and raise their families in the City of Dublin and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite.

In addition, East Bay Residents has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

II. LEGAL BACKGROUND

CEQA requires that lead agencies analyze any project with potentially significant environmental impacts in an EIR.[8] "Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions *before* they are made. Thus, the EIR protects not only the environment, but also

[8] See Pub. Resources Code § 21000; CEQA Guidelines § 15002.

informed self-government."[9] The EIR has been described as "an environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return."[10]

CEQA's purpose and goals must be met through the preparation of an EIR, except in certain limited circumstances.[11] CEQA contains a strong presumption in favor of requiring a lead agency to prepare an EIR. This presumption is reflected in the "fair argument" standard. Under that standard, a lead agency "shall" prepare an EIR whenever substantial evidence in the whole record before the agency supports a fair argument that a project may have a significant effect on the environment.[12]

In contrast, a mitigated negative declaration may be prepared only when, after preparing an initial study, a lead agency determines that a project may have a significant effect on the environment, but:

> (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review *would avoid the effects or mitigate the effects to a point where* <u>*clearly*</u> *no significant effect on the environment would occur*, and (2) there is *no substantial evidence* in light of the whole record before the public agency that the project, as revised, *may* have a significant effect on the environment.[13]

Courts have held that if "no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR."[14] The fair argument standard creates a "low threshold" favoring

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[9] *Citizens of Goleta Valley v. Bd. of Supervisors* (1990) 52 Cal.3d 553, 564 (internal citations omitted).
[10] *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.
[11] See Pub. Resources Code § 21100.
[12] Pub. Resources Code §§ 21080(d), 21082.2(d); CEQA Guidelines §§ 15002(k)(3), 15064(f)(1), (h)(1); *Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.* (1993) 6 Cal.4th 1112, 1123; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 82; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150-151; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1601-1602.
[13] Pub. Resources Code § 21064.5 (emphasis added).
[14] See, e.g., *Communities for a Better Environment. v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 319-320.
5883-005j

environmental review through an EIR, rather than through issuance of a negative declaration.[15] An agency's decision not to require an EIR can be upheld only when there is no credible evidence to the contrary.[16]

"Substantial evidence" required to support a fair argument is defined as "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached."[17] According to the CEQA Guidelines, when determining whether an EIR is required, the lead agency is required to apply the principles set forth in Section 15064, subdivision (f):

> [I]n marginal cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, the lead agency shall be guided by the following principle: If there is disagreement among expert opinion supported by facts over the significance of an effect on the environment, the Lead Agency shall treat the effect as significant and shall prepare an EIR.

Furthermore, CEQA documents, including EIRs and MNDs, must mitigate significant impacts through measures that are "fully enforceable through permit conditions, agreements, or other legally binding instruments."[18] Deferring formulation of mitigation measures to post-approval studies is generally impermissible.[19] Mitigation measures adopted after Project approval deny the public the opportunity to comment on the Project as modified to mitigate impacts.[20] If identification of specific mitigation measures is impractical until a later stage in the Project, specific performance criteria must be articulated and further approvals must be made contingent upon meeting these performance criteria.[21] Courts have

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[15] *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 928*; Citizens Action to Serve All Students v. Thornley* (1990) 222 Cal.App.3d 748, 754.
[16] *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th, 1307, 1318; see also *Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1002 ("If there was substantial evidence that the proposed project might have a significant environmental impact, evidence to the contrary is not sufficient to support a decision to dispense with preparation of an EIR and adopt a negative declaration, because it could be 'fairly argued' that the project might have a significant environmental impact").
[17] CEQA Guidelines § 15384(a).
[18] CEQA Guidelines § 15126.4(a)(2).
[19] *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308-309; Pub. Resources Code § 21061.
[20] *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1393; *Quail Botanical, supra,* 29 Cal.App.4th at p. 1604, fn. 5.
[21] *Gentry,* 36 Cal.App.4th at 1393.
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held that simply requiring a project applicant to obtain a future report and then comply with the report's recommendations is insufficient to meet the standard for properly deferred mitigation.[22]

Public Resources Code Section 21093 and CEQA Guidelines Section 15152 authorize the use of tiered EIRs covering broader general matters planning or policy level actions at the programmatic level, followed by more project-specific matters in focused or site-specific EIRs or negative declarations.[23] CEQA Guidelines Section 15152 provides that "where an EIR [or negative declaration] has been prepared and certified for a program, plan, policy or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy or ordinance should limit the [project-level] EIR or negative declaration on the later project to effects which: (1) were not examined as significant effects on the environment in the prior EIR; or (2) are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."[24]

The MND explains that, pursuant to CEQA Guidelines Section 15152, the MND is tiered off of the VCC EIR, which evaluated proposed improvements to the existing VCC to include an expanded church, as well as a private school.[25] The MND also explains that it is tiered off of the 2018 Supplemental MND, which analyzed proposed changes to the VCC Master Plan.[26] The 2018 MND evaluated whether the proposed changes to the development program for the VCC program would result in any new or substantially more severe significant environmental impacts than those analyzed in the VCC EIR.[27] The MND discusses the Project's air quality, biological resources, and hazardous materials impacts at a project level, pursuant to CEQA Guidelines Section 15152(d), as effects that were not previously

[22] *Id.*
[23] PRC § 21093; 14 CCR § 15152.
[24] 14 CCR § 15152(d).
[25] MND, p. 1.
[26] MND, p. 2.
[27] 2018 MND, p. 3.

analyzed at the project level in the VCC EIR or 2018 MND.[28] Accordingly, the issue of whether the MND's analysis and mitigation of these impacts is adequate, or whether an EIR is required, is subject to the fair argument standard.

Public Resources Code Section 21166 and CEQA Guidelines Section 15162 provide that when an environmental impact report or negative declaration has been prepared for a project, a subsequent or supplemental EIR is required where one or more of the following events occur:

(a) Substantial changes are proposed in the project which will require major revisions of the EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
(b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
(c) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR or Negative Declaration was certified as complete, becomes available that shows:
    a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
    Significant effects previously examined will be substantially more severe than shown in the previous EIR;
    b. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    c. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the

[28] See e.g. MND, pp. 46-47 (VCC EIR did not quantify construction emissions, so MND includes emission modeling); p. 51 ("VCC EIR did not evaluate the potential of the VCC to expose sensitive receptors to substantial pollutant concentrations; therefore, the exposure of sensitive receptors to pollutant concentrations would be a new impact as compared to the project evaluated in the VCC EIR."); p. 55 (MND includes a project-level Biological Resources Analysis for the current project); VCC EIR, p. 4 (stating that hazardous materials was a "topic[] not addressed in the EIR").

> environment, but the project proponents decline to adopt the mitigation measure or alternative.[29]

The MND applies these subsequent review standards to its consideration of the Project's greenhouse gas ("GHG") and transportation / vehicle miles travelled ("VMT") impacts, due to the changes in CEQA legal requirements for to analysis of these impacts.[30]

As shown herein, in addition to being new project-level impacts that were not evaluated in the VCC EIR, a subsequent or supplemental EIR ("supplemental EIR") is also required for the Project, rather than a supplemental MND, because the removal and relocation of the Conservation Easement on Parcel 3 constitutes substantial changes with respect to the circumstances under which the Project is being undertaken and should result in major revisions of the VCC EIR.

As explained herein, an EIR is required for the Project because there is substantial evidence supporting a fair argument that the Project has significant, unmitigated impacts that were not adequately disclosed and mitigated in the MND. The MND therefore fails to satisfy the basic purposes of CEQA. The MND fails to adequately disclose, investigate, and analyze the Project's potentially significant impacts, and fails to provide substantial evidence to conclude that impacts will be mitigated to a less than significant level. Because the MND lacks basic information regarding the Project's potentially significant impacts, the MND's conclusion that the Project will have a less than significant impact on the environment is unsupported.[31] The City failed to gather the relevant data to support its finding of no significant impacts. Moreover, substantial evidence shows that the Project may result in potentially significant impacts. Therefore, a fair argument can be made that the Project may cause significant impacts requiring the preparation of an EIR.

III. THE MND FAILS TO PROVIDE A COMPLETE AND ACCURATE BASELINE

The MND fails to adequately describe the environmental setting against which the Project's environmental impacts are to be measured for several critical aspects of the Project. This contravenes the fundamental purpose of the environmental review process, which is to determine whether there is a potentially substantial, adverse change compared to the existing setting. CEQA requires an

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[29] PRC § 21166; 14 CCR § 15162.
[30] See e.g. MND, pp. 92, 152.
[31] PRC § 21064.5.

Initial Study to include an accurate and complete identification of the environmental setting.[32] A lead agency thus must include a description of the physical environmental conditions, or "baseline," in the vicinity of the project as they exist at the time environmental review commences.[33] As the courts have repeatedly held, the impacts of a project must be measured against the "real conditions on the ground."[34] The description of the environmental setting constitutes the "baseline" physical conditions against which the lead agency assesses the significance of a project's impacts.[35] The MND fails to rely on expert opinion supported by facts, technical studies or other substantial evidence to document its findings related to the environmental baseline.[36]

A. The MND Fails to Provide Sufficient Baseline Information on Hazards and Hazardous Materials

The MND fails to provide a complete and accurate description of the Project's environmental setting related to hazards and hazardous materials, and thus, the MND's impact assessment for impacts to hazards are inadequate.

The VCC EIR did not analyze hazardous materials impacts at all, thus the City must perform a project-level analysis of these impacts for the Project.[37] The MND states that it reviewed the Cortese List (the California Department of Toxic Substances' list of hazardous waste facilities subject to corrective action as part of the Health and Safety Code), but did not perform a site-specific Phase I Environmental Site Assessment ("ESA") or any site-specific sampling related to hazardous contamination.[38] Hazardous materials experts from SWAPE explain that a review of the online regulatory databases to determine hazards and hazardous materials is an insufficient basis for determining the presence of onsite hazards.[39]

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[32] 14 CCR § 15063(d)(2).
[33] 14 CCR § 15125(a); *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal. 4th 310, 321 ("*CBE v. SCAQMD*").
[34] *CBE v.* SCAQMD, 48 Cal. 4th at 321; Save *Our Peninsula Com. v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 121-22; *City of Carmel-by-the-Sea v. Bd. of Supervisors of Monterey County* (1986) 183 Cal.App.3d 229, 246.
[35] 14 CCR § 15125(a); *CBE v.* SCAQMD, 48 Cal. 4th at 321.
[36] 14 CCR § 15063(a)(3).
[37] See VCC EIR, p. 4 (topics not considered – hazardous materials).
[38] MND, p. 98.
[39] SWAPE Comments, p. 1.

Absent an ESA, the City lacks substantial evidence, and the public lacks certainty, to conclude that no existing release, a past release, or a threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water may pose potentially significant hazards impacts during Project construction or o.[40] SWAPE concludes that a Phase I ESA is necessary to provide an adequate disclosure of hazards and hazardous materials on the Project site.[41] At present, the City has not provided substantial evidence to support its environmental setting analysis with respect to hazards and hazardous materials on the Project site.

B. The MND Fails to Provide Sufficient Baseline Information on Congdon's Tarplant and other Sensitive Plant Communities

The MND fails to provide a complete and accurate description of the Project's environmental setting related to Congdon's Tarplant and other sensitive and rare plants, and thus, the MND's impact assessment and proposed mitigation for impacts to Congdon's Tarplant and sensitive and rare plants are inadequate.

The MND fails to support is conclusions regarding the existence of sensitive natural plant species on the Project site, because the Applicant failed to conduct protocol level surveys to determine whether these species may occur onsite. Absent protocol level surveys for rare plants on the Project site, the MND's assertion that impacts to rare plants can be mitigated to less than significant levels are not supported by substantial evidence.

Biologist Mr. Cashen determined that the Applicant did not conduct adequate baseline surveys to establish the existing baseline conditions for rare plants. The MND defers the rare plant survey to a later date, after the public review process has closed and the project has been approved. This deprives the public of an opportunity to review the rare plant survey and ensure the survey accurately reflects conditions on the ground.

i. Congdon's Tarplant

The MND fails to provide an adequate baseline for Congdon's Tarplant because the Applicant has not conducted focused surveys to establish distribution

[40] SWAPE Comments, p. 2.
[41] *Id.*

and abundance of Congdon's Tarplant.[42] Congdon's Tarplant is listed as rare, under the rank 1B.1 by the California Native Plant Society. The presence of Congdon's Tarplant in the southeastern portion of the Project site (Parcel 3) in 2018 and the inferred presence of Congdon's Tarplant in the northeastern portion of the Project site (Parcel 1) in 2015, strongly suggests that the species may occur in other portions of the Project site. The MND's analysis regarding the Project's baseline with respect to Congdon's Tarplant is therefore not supported by substantial evidence, as required by CEQA.

Mitigation Measure BIO-3 provides that the Applicant shall retain a botanist to conduct rare plant surveys within the construction zone after the Project is approved. However, since the surveys have not been conducted, and the City will not receive any survey results until after the Project is approved, the City lacks substantial evidence to support a baseline analysis regarding the Congdon's Tarplant. The baseline information in the MND is entirely lacking, and the requisite baseline analysis of this rare plant is therefore impermissibly deferred, in violation of CEQA. An EIR must be prepared which adequately analyzes the environmental setting with respect to Congdon's Tarplant on the Project site before the City can approve the Project.

C. The MND Fails to Provide Sufficient Baseline Information on Oak Woodlands

The MND fails to provide a complete and accurate description of the Project's environmental setting related to Oak Woodlands including Coast Live Oak, and thus, the MND's impact assessment and proposed mitigation for impacts to Oak Woodlands are inadequate. Coast Live Oak trees are required to be protected by Dublin General Plan Section 7.4, but the MND fails to even analyze the baseline number of trees on the Project site.

The MND does not provide clarity regarding how many oak trees are onsite, and how many will be impacted or felled for project construction. The baseline analysis for Oak Woodlands is therefore not supported by substantial evidence. An EIR must be prepared which adequately analyzes the baseline for Oak Woodlands on the Project site.

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[42] Cashen Comments, p. 3.

The East Alameda County Conservation Strategy ("EACCS") provides that "During project-level analysis of parcels with proposed impacts, applicants will provide information on oak woodland stand size and species composition to the authorizing land use jurisdiction as part of the permit process for inclusion in the Conservation Strategy database."[43] The MND fails to include information as to the oak woodland stand size or the species composition on the Project site for public review or agency oversight as recommended by the EACCS.

D. The MND Fails to Provide Sufficient Baseline Information on California red-legged frog, White-tailed Kite, Loggerhead Shrike, grasshopper sparrow, Nuttall's Woodpecker, and Oak Titmouse

The MND fails to provide a complete and accurate description of the Project's environmental setting related to California red-legged frog, White-tailed Kite, Loggerhead Shrike, grasshopper sparrow, Nuttall's Woodpecker, and Oak Titmouse species, and thus, the MND's impact assessment and proposed mitigation for impacts to those species are inadequate. California red-legged frog are listed as threatened under the Endangered Species Act.[44] White-tailed Kite are listed as a Fully Protected Species by the California Department of Fish and Wildlife and are protected under the Federal Migratory Bird Treaty Act.

Mr. Cashen determined that the MND conflicts with the 2015 Biological Resources Assessment ("BRA").[45] The 2015 BRA found that six-special status animal species have a "moderate" potential to occur on the Project site, including the California red-legged frog, White-tailed Kite, Loggerhead Shrike, grasshopper sparrow, Nuttall's Woodpecker, and Oak Titmouse.[46] But the MND concludes that such species only have a potential to occur on the Project site. An EIR must be prepared which adequately analyzes the environmental setting with respect to these species on the Project site before the City can approve the Project.

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[43] East Alameda County Conservation Strategy, p. 3-20. Available at: http://www.eastalco-conservation.org/documents/eaccs_ch3_oct2010.pdf.
[44] U.S. Fish and Wildlife Service, Environmental Conservation Online System, California red-legged frog (*Rana draytonii*). Available at: https://ecos.fws.gov/ecp/species/2891.
[45] Cashen Comments, p. 2.
[46] Cashen Comments, p. 2; WRA Environmental Consultants, Biological Resources Assessment Dublin Valley Christian Center, Dublin, Alameda County, California (June 15, 2015).

E. The MND Fails to Provide Sufficient Baseline Information on Foraging Birds

The MND fails to provide a complete and accurate description of the Project's environmental setting related to the site's value as foraging habitat for birds, and thus, the MND's impact assessment and proposed mitigation for impacts to foraging birds are inadequate.

The 2015 BRA provides that the Project site provides foraging habitat for the pallid bat, hoary bat, golden eagle, northern harrier, ferruginous hawk, prairie falcon, and tricolored blackbird—all of which are special-status species.[47] Special status species means species that are designated as sensitive, rare, declining, or threatened across their range in California. The BRA provides that 13 special status species have the potential to occur on the Project site, but the Applicant made no effort to conduct focused surveys to determine the baseline levels of these species onsite. The MND's environmental setting analysis is therefore not based on substantial evidence in the record. An EIR must be prepared which adequately analyzes the environmental setting with respect to foraging birds on the Project site before the City can approve the Project.

IV. AN EIR IS REQUIRED BECAUSE THERE IS SUBSTANTIAL EVIDENCE SUPPORTING A FAIR ARGUMENT THAT THE PROJECT WILL HAVE SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS

A. The Change to the Conservation Easement is a New Circumstance Requiring the Preparation of the EIR

The MND cannot legally tier from the VCC EIR because the change to the borders of the Conservation Easement causes substantial changes in circumstances which will require major revisions in the VCC EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.[48] An EIR must be prepared which accurately reflects the significant environmental effects that will occur as a result of the adjustment of the boundary of the Conservation Easement on Parcel 3.

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[47] Cashen Comments, p. 3.
[48] PRC § 21166; 14 CCR § 15162(b).

Generally, a Conservation Easement is a limitation in a deed or other instrument which is binding on successive owners of the land, and "the purpose of which is to retain the land predominantly in its natural, scenic, historical, agricultural, forested, or open-space condition."[49] A conservation easement "shall be perpetual in duration."[50] The shifting of the easement contravenes the purpose of the easement, and constitutes a change in circumstance underlying the Project such that an EIR must be prepared.

The change in the Conservation Easement's borders constitutes a substantial change in circumstances requiring the preparation of an EIR to fully analyze impacts to biological resources and hydrology associated with Project construction and operation. The Conservation Easement includes habitat for the rare Congdon's Tarplant. In fact, Congdon's Tarplant was detected within the portion of the Conservation Easement in the most recent Biological Resources Analysis conducted for the Project.[51] The MND fails to analyze the impacts to the Congdon's Tarplant as a result of the change in the boundary of the Conservation Easement on Parcel 3. An EIR must be prepared due to this change in circumstance resulting in a significant environmental effect.

B. The City Lacks Substantial Evidence to Support the MND's Conclusion that the Project Would Result in Less than Significant Air Quality Impacts

The MND explains that the VCC EIR did not quantify construction emissions, and includes site-specific modeling to address Project impacts. However, the City's analysis of the Project's air quality emissions contains several errors and omissions which render it inadequate. As a result, the MND concludes, without support and contrary to substantial evidence, that the Project would not cause a new impact beyond that analyzed in the VCC EIR.

SWAPE concludes that the Project's demolition, site preparation, grading, building construction, architectural coating, and paving phases of the Project were inaccurately characterized in the City's modeling. As such, the MND underestimates the Project construction air emission impacts. SWAPE explains that by disproportionately altering and extending some of the individual construct phase lengths without proper justification, the MND's modeling assumes there are a

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[49] Cal. Civil Code § 815.1.
[50] *Id.* at § 815.2(b).
[51] Cashen Comments, p. 7.

greater number of days to complete construction.[52] This causes an improper reduction of emissions emitted per day.[53] SWAPE finds that the model may significantly underestimate the peak daily emissions associated with the construction phases of the Project.[54] Therefore, SWAPE finds that the MND's air emissions modeling and analysis is not supported by substantial evidence in the record.[55]

As a result of these errors and omissions, the MND's air quality analysis and modeling cannot be relied on to determine whether air quality impacts are new or more severe than those impacts analyzed in the VCC EIR.[56] An EIR must be prepared to adequately analyze and mitigate Project construction and operational air emissions.

C. Substantial Evidence Supports a Fair Argument that Project Construction and Operation Would Result in Significant, Unmitigated Health Risk Impacts

The MND's analysis of Project's health risk impact is inadequate because it omits an analysis of the Project's operational health risk impacts. SWAPE performed a screening level health risk analysis ("HRA") of the Project's construction and operational health risk impacts from exposure of sensitive receptors to Project-related air pollution, and concludes that the Project will result in significant, unmitigated health impacts that exceed thresholds and require mitigation. An EIR must be prepared to accurately disclose and mitigate these impacts.

CEQA requires a detailed analysis of the public health impacts from air pollutants that would be generated by a development project.[57] The City's analysis of the Project's health risk from construction emissions is inadequate. The MND

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[52] SWAPE Comments, p. 4.
[53] *Id.*
[54] *Id.*
[55] *Id.*
[56] *Id.*
[57] *Sierra Club,* 6 Cal.5th at 518–522; CEQA's statutory scheme and legislative intent also include an express mandate that agencies analyze human health impacts and determine whether the "***environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly***." (Public Resources Code § 21083(b)(3) (emphasis added).) Moreover, CEQA directs agencies to "take immediate steps to identify any critical thresholds for the ***health and safety of the people*** of the state and take all coordinated actions necessary to prevent such thresholds being reached." (Public Resources Code § 21000(d) (emphasis added).)

concludes, absent substantial evidence, that the Project's construction air quality emission impacts would be less than significant.[58] SWAPE found that the MND failed to provide input parameters and model output files to provide certainty that the health risk impact calculations are supported by substantial evidence. The VCC EIR did not evaluate the health risk of potential projects, in fact, the MND provides that the "VCC EIR did not evaluate the potential of the VCC to expose sensitive receptors to substantial pollutant concentrations; therefore, the exposure of sensitive receptors to pollutant concentrations would be a new impact as compared to the project evaluated in the VCC EIR."[59] Still, the City concludes, absent substantial evidence, that "construction of the proposed project would not exceed BAAQMD thresholds and would not expose nearby sensitive receptors to substantial pollutant concentrations" with the Implementation of Mitigation Measure AIR-2.[60] SWAPE concluded that the City's assertion that TAC emission exposure is not significant, is not supported by substantial evidence.[61]

SWAPE calculated the excess cancer risk associated with Project operation and found that the excess cancer risk for infants, children, and adults at the maximally exposed individual resident located approximately 350 meters away, over the course of Project operation, are approximately 0.701, 2.55, and 3.94 in one million, respectively.[62] SWAPE calculated that the excess cancer risk associated with Project operation is approximately 3.65 in one million.[63] SWAPE found that with the MND's construction-related cancer risk of 7.18 in one million, and estimates an excess cancer risk of approximately 10.83 in one million over the course of a residential lifetime (30 years) (p. 53, Table G).[64] As such, the lifetime cancer risk exceeds the BAAQMD threshold of 10 in one million, thus resulting in a potentially significant impact not addressed or mitigated by the MND.

The City did not conduct an HRA for the operation of the Project. This is particularly problematic because operation of the Project is expected to generate an estimated 329 average daily vehicle trips, which would produce additional exhaust emissions and continue to expose nearby, existing sensitive receptors to diesel particulate matter ("DPM") emissions during Project operation.[65]

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[58] MND, p. 53.
[59] MND, p. 51.
[60] MND, p. 84.
[61] MND, p. 53.
[62] SWAPE Comments, p. 7.
[63] *Id.*
[64] *Id.*
[65] SWAPE Comments, p. 7; MND, p. 150.

SWAPE concludes that the MND failed to evaluate the TAC emissions associated with Project operation or indicate the concentrations at which such pollutants would trigger adverse health effects. CEQA Guidelines require an EIR identify "relevant specifics of … health and safety problems caused by the physical changes."[66] The DEIR and its appendices make no mention of a health risk analysis (HRA). The DEIR's discussion of health impacts is therefore inadequate as a matter of law and the DEIR fails as an informational document.[67] The MND is insufficient because it fails to explain "why it was not feasible to provide an analysis that connected the air quality effects to human health consequences."[68]

The Office of Environmental Health Hazard Assessment ("OEHHA") recommends the preparation of HRAs where a project causes exposure exceeding 6 months, and should analyze the health risk over the lifetime of the Project estimated to be 30 years. SWAPE concludes that an EIR should be prepared which includes an HRA to analyze the health risks posed to nearby sensitive receptors from DPM emissions generated during Project operation.

Diesel exhaust contains nearly 40 toxic substances, including TACs and may pose a serious public health risk for residents in the vicinity of the facility. TACs are airborne substances that are capable of causing short-term (acute) and/or long-term (chronic or carcinogenic, i.e., cancer causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic chemical substances. The current California list of TACs includes approximately 200 compounds, including particulate emissions from diesel-fueled engines.

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[66] *Id.*
[67] *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 519; *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 134 Cal.App.4th 1184, *1220 (*"After reading the EIRs, the public would have no idea of the health consequences that result when more pollutants are added to a nonattainment basin. On remand, the health impacts resulting from the adverse air quality impacts must be identified and analyzed in the new EIRs.").
[68] *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 525.
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Diesel exhaust has been linked to a range of serious health problems including an increase in respiratory disease, lung damage, cancer, and premature death.[69,70,71] Fine DPM is deposited deep in the lungs in the smallest airways and can result in increased respiratory symptoms and disease; decreased lung function, particularly in children and individuals with asthma; alterations in lung tissue and respiratory tract defense mechanisms; and premature death.[72] Exposure to DPM increases the risk of lung cancer. It also causes non-cancer effects including chronic bronchitis, inflammation of lung tissue, thickening of the alveolar walls, immunological allergic reactions, and airway constriction.[73] DPM is a TAC that is recognized by state and federal agencies as causing severe health risk because it contains toxic materials, unlike $PM_{2.5}$ and PM_{10}.[74]

While the potential exposure period for the closest sensitive receptor may be only 20 months, the inherent toxicity of the TACs requires the City to first quantify the concentration released into the environment at each of the sensitive receptor locations through air dispersion modeling, calculate the dose of each TAC at that location, and quantify the cancer risk and hazard index for each of the chemicals of concern.[75] Following that analysis, then the City can make a determination of the relative significance of the emissions. The City's failure to perform such an analysis is clearly a major flaw in there MND and may be placing the residents of the adjacent structures at risk from the construction and operational phases of the

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[69] California Air Resources Board, Initial Statement of Reasons for Rulemaking, Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant, Staff Report, June 1998; see also California Air Resources Board, Overview: Diesel Exhaust & Health, https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health#:~:text=Diesel%20Particulate%20Matter%20and%20Health&text=In%201998%2C%20CARB%20identified%20DPM,and%20other%20adverse%20health%20effects.

[70] U.S. EPA, Health Assessment Document for Diesel Engine Exhaust, Report EPA/600/8-90/057F, May 2002.

[71] Environmental Defense Fund, Cleaner Diesel Handbook, Bring Cleaner Fuel and Diesel Retrofits into Your Neighborhood, April 2005; http://www.edf.org/documents/4941_cleanerdieselhandbook.pdf, accessed July 5, 2020.

[72] California Air Resources Board, Initial Statement of Reasons for Rulemaking, Proposed Identification of Diesel Exhaust as a Toxic Air Contaminant, Staff Report, June 1998.

[73] Findings of the Scientific Review Panel on The Report on Diesel Exhaust as adopted at the Panel's April 22, 1998 Meeting.

[74] Health & Safety Code § 39655(a) (defining "toxic air contaminant" as air pollutants "which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health. A substance that is listed as a hazardous air pollutant pursuant to subsection (b) of Section 112 of the federal act (42 U.S.C. Sec. 7412 (b)) is a toxic air contaminant.")

[75] SWAPE Comments, p. 4.

Project.[76] Further, SWAPE determined that the City's analysis disproportionately altered and extended some of the individual construction length phases without proper justification, thereby underestimating emissions associated with certain phases of construction and underestimated the health risks associated therewith.[77]

The MND lacks substantial evidence to support its conclusion that the Project would result in less than significant health risks from Project construction and operational TACs. The City must prepare an HRA in an EIR for the Project to quantify the Project's health risk impacts and mitigate any significant impacts to the greatest extent feasible.

D. The City Lacks Substantial Evidence to Support the MND's Conclusion that the Project's Energy Impacts are Less Than Significant

The City's analysis of the Project's energy impacts is inadequate. The MND concludes, absent substantial evidence, that the Project's energy impacts would not result in any new or more severe impacts compared to those previously identified in the VCC EIR, and no new mitigation is required. The evidence presented in the MND supporting this conclusion is not adequate.

SWAPE concludes that the MND relied on energy modeling that underestimates the Project's operational energy emissions.[78] SWAPE found that the modeling relied on Title 24 standards to reduce emissions in the model, but Title 24 standards are not required as mitigation for the Project.[79] As such, the MND's conclusion that energy impacts are not more severe than analyzed in the VCC EIR is based on inadequate data modeling.[80] An EIR must be prepared which accurately reflects the operational energy emissions of the project, and adequately mitigates such impacts.

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[76] *Id.*
[77] *Id.*
[78] SWAPE Comments, p. 6.
[79] *Id.*
[80] *Id.*

E. Substantial Evidence Supports a Fair Argument that the Project Is Likely to Result in Significant, Unmitigated Impacts to Biological Resources

The MND fails to comply with CEQA for failure to analyze and mitigate potentially significant impacts to biological resources. The MND's conclusions regarding the significance of impacts to biological resources is therefore not supported by substantial evidence. The MND also does not comport with a legislative policy underlying CEQA, to:

> Prevent the elimination of fish or wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities.[81]

Mr. Cashen reviewed the MND, relevant biological resources, and public data related to the Projects' impacts on several sensitive-status species. Mr. Cashen concludes that the Project is likely to have significant, unmitigated impacts on several species and their habitat. An EIR must be prepared which adequately analyzes and mitigates Project impacts to biological resources.

i. *California Red-Legged Frog*

The MND's analysis regarding Project impacts to California Red-Legged Frog ("CRLF") is not supported by substantial evidence. The 2015 BRA provides that the "CRLF may inhabit the wet riparian areas and uplands within the Study Area 200 feet of these wet areas."[82] But, the MND fails to analyze the significance of the Project's impacts on the upland habitat for CRLF, and only requires compensatory mitigation if CRLF are detected during one single pre-construction survey within 24 hours of initial ground disturbance.[83] Impacts to CRLF remain significant because the mitigation measures proposed by Mitigation Measure BIO-4 are not adequate to reduce impacts to less than significant, for the following reasons.

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[81] PRC § 21001(c).
[82] 2015 BRA, p. 22; Cashen Comments, p. 4.
[83] Cashen Comments, p. 4; Inspiration Drive Memory Care and Assisted Living Facility Project: Mitigation Monitoring or Reporting Program, p. 11 ("MMRP").

First, Mr. Cashen determined that a single pre-construction survey within 24 hours of initial ground disturbance is not sufficient to avoid impacts to CRLF, "due to their low detection rate."[84] Mr. Cashen cited substantial evidence that CRLF hide very effectively. The US Fish and Wildlife Service wrote that "Frogs foraging, resting, or dispersing in upland areas also may not be detected by surveys. A great deal of experience, especially with nighttime surveys, is necessary to ensure detection of frogs."[85] Absent adequate surveys, including nighttime surveys, the impacts of the Project on CRLF may be significant, and result in the extirpation of the frogs onsite. Pre-construction surveys should be conducted over the course of weeks, including nighttime surveys. In fact, the US Fish and Wildlife Service recommends in their Guidance on Site Assessment and Field Surveys for the California Red-Legged Frog that:

> This Guidance recommends a total of up to eight (8) surveys to determine the presence of CRF at or near a project site. Two (2) day surveys and four (4) night surveys are recommended during the breeding season; one (1) day and one (1) night survey is recommended during the non-breeding season. Each survey must take place at least seven (7) days apart. At least one survey must be conducted prior to August 15th. The survey period must be over a minimum period of 6 weeks (i.e., the time between the first and last survey must be at least 6 weeks). Throughout the species' range, the non-breeding season is defined as between July 1 and September 30.

Additionally, Mr. Cashen concluded that if surveys show that CRLF are found within the aquatic habitat, they are assumed present in upland habitat within 1 mile of the aquatic habitat.[86] As such, the Applicant should have assumed the Project area would be inhabited by CRLF, but the MND failed to conduct any such surveys, and rather deferred this analysis until after Project approval. Presence of the CRLF at the Project site requires compensatory mitigation and Section 7 consultation with the US Fish and Wildlife Service.[87]

Second, Mr. Cashen concluded that the relocation of the frogs will result in a significant impact that was not disclosed or analyzed in the MND, MMRP, or VCC EIR.[88] In fact, moving frogs from one site to another can spread parasites and diseases, especially chytridiomycosis, which is prevalent in California's amphibian

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[84] Cashen Comments, p. 8.
[85] *Id.*
[86] Cashen Comments, p. 8.
[87] *Id.*
[88] *Id.* at 9.

populations.[89] Mr. Cashen asserted that the California Department of Fish and Wildlife generally does not support the use of relocation, salvage, or transplantation as mitigation for impacts to rare, threatened, or endangered species.[90] The measure in Mitigation Measure BIO-4 providing that the frogs would be moved to a " S Fish and Wildlife/California Department of Fish and Wildlife approved relocation site" is not sufficient to ameliorate these issues because the MND does not provide the public certainty that 1) such a site exists; 2) which agency will identify an appropriate relocation site; 3) and has not provided any evidence that such a measure would adequately mitigate impacts to CRLF. In fact, evidence shows that MM BIO-4 would further negatively impact the CRLF, rather than mitigating it.

Third, the mitigation measures provided in BIO-4 constitute impermissibly deferred analysis and improperly deferred mitigation. The CEQA Guidelines provide that "[t]he specific details of a mitigation measure… may be developed after project approval when it is impractical or infeasible to include those details during the project's environmental review."[91] The MND does not state why specifying the potential "avoidance, preservation, creation and/or purchase of credits" was impractical or infeasible at the time the MND was drafted.[92]

In *Preserve Wild Santee v. City of Santee,* the city impermissibly deferred mitigation where the EIR did not state why specifying performance standards for mitigation measures "was impractical or infeasible at the time the EIR was certified."[93] The court determined that although the City must ultimately approve the mitigation standards, this does not cure these informational defects in the environmental review document.[94] Further, the court in *Endangered Habitats League, Inc. v. County of Orange*, held that mitigation that does no more than require a report to be prepared and followed, or allow approval by a county department without setting any standards is inadequate.[95] Here, the City impermissibly deferred mitigation with respect to the CRLF in violation of CEQA,

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[89] *Id.*
[90] *Id.*
[91] 14 CCR § 15126.4(a)(1)(B).
[92] MMRP, p. 12.
[93] *Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 281.
[94] *Id.*
[95] *Endangered Habitats League, Inc. v. County of Orange,* (2005) 131 Cal.App.4th 777, 794.

for failure to disclose and analyze the deferred mitigation measure that may be part of the Section 7 permitting process.[96] An EIR must be prepared which adequately analyzes and mitigates the impacts of the Project on CRLF in accordance with CEQA.

ii. *Congdon's Tarplant*

The MND's analysis of impacts to Congdon's Tarplant is not supported by substantial evidence. As discussed above, the MND fails to adequately analyze the baseline environmental setting with respect to existing Congdon's Tarplant on the Project site. This results in inadequate mitigation. The mitigation measures proposed in Mitigation Measure BIO-3 would not adequately analyze or mitigate impacts to Congdon's Tarplant on the Project site and within the existing Conservation Easement on Parcel 3.

Mitigation Measure BIO-3 proposes vague and unenforceable mitigation. Mitigation Measure BIO-3 states that "Impacts to special-status plants shall be avoided to the fullest extent feasible."[97] This measure is neither specific nor legally enforceable. MM BIO-3 further provides, that "Mature seeds shall be collected from all plants that are present and planted in a suitable mitigation area within the Parcel 3 Conservation Easement."[98] It is concerning that the City is merely shifting these rare plants from one Conservation Easement to a new conservation easement site, because the public cannot be certain the City will not allow for the later movement of the Conservation Easement's borders to support further development, as they did in the current Project.

Further, BIO-3 constitutes inadequate mitigation because neither the MND nor the MMRP provide any evidence that translocation of Congdon's Tarplant seeds is likely to succeed.[99] Mr. Cashen cites substantial evidence to support the argument that, for most plant species, attempts to establish new plant populations are experimental and often unsuccessful.[100] Additionally, Mr. Cashen cites the California Native Plant Society which has stated that "[l]osses of plant populations considered 'significant' under the California Environmental Quality Act (CEQA) or

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[96] MMRP, p. 12.
[97] *Id.* at 8.
[98] *Id.* at 10.
[99] Cashen Comments, p. 7.
[100] *Id.*; Fiedler PL, Mitigation-related transplantation, relocation and reintroduction projects involving endangered and threatened, and rare plant species in California, Final Report to the California Department of Fish and Game (1991).

the National Environmental Quality Act (NEPA) cannot be mitigated to less-than-significant levels using *ex situ* conservation techniques."[101] Mr. Cashen concludes that it is not sufficient that the soil type in Parcel 3 is the same for the translocation of the Congdon's Tarplant seeds.[102] But, rare plants may require a particular set of pollinators, fungi or other associate species, aspect, hydrological regime, microclimate, or some combination of these or other factors for survival.[103] As a result, CNPS cautions that: "[a]dequate studies of microhabitat selection, fecundity, essential pollinators, community relationships, and other important biological characteristics must be completed before seeds or other plant materials are removed from natural habitats for an *ex situ* conservation effort."[104]

The MND and the MMRP fail to analyze these factors and thus fail to adequately mitigate impacts to Congdon's Tarplant to less than significant levels. An EIR must be prepared which adequately analyzes and mitigates impacts to Congdon's Tarplant before the Project can be approved.

V. SUBSTANTIAL EVIDENCE SUPPORTS A FAIR ARGUMENT THAT THE PROJECT WILL RESULT IN SIGNIFICANT, UNMITIGATED CUMULATIVE IMPACTS

CEQA Guidelines Section 15152(f)(2) provides that "When assessing whether there is a new significant cumulative effect, the lead agency shall consider whether the incremental effects of the project would be considerable when viewed in the context of past, present, and probable future projects. At this point, the question is not whether there is a significant cumulative impact, but whether the effects of the project are cumulatively considerable. For a discussion on how to assess whether project impacts are cumulatively considerable, see Section 15064(i)."[105]

The MND fails to accurately characterize the significant cumulative impacts associated with the Project. CEQA requires an MND's cumulative impacts analysis evaluate the incremental impact of the project in conjunction with, or collectively

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[101] Cashen Comments, p. 7; California Native Plant Society, Policy on Appropriate Application of *Ex Situ* Conservation Techniques (1992). Available at: https://www.cnps.org/wp-content/uploads/2018/04/ex_situ-conservation.pdf.
[102] Cashen Comments, p. 7.
[103] *Id.* at 8; California Native Plant Society, Statement Opposing Transplanting as Mitigation for Impacts to Rare Plants (1998). Available at: https://www.cnps.org/wp-content/uploads/2018/04/transplanting2.pdf.
[104] Cashen Comments, p. 8.
[105] 14 CCR § 15152(f)(2).

with, other closely related past, present, and reasonably foreseeable probable future projects.[106] "Cumulative impacts" are defined as "two or more individual effects, which, when considered together, are considerable or which compound or increase other environmental impacts."[107] The purpose of this requirement is to avoid "piecemeal" approval of projects without consideration of the total environmental effects the project would have when taken together.[108] The adequacy of an EIR's discussion of cumulative impacts is determined by standard of practicality and reasonableness.[109]

The MND's statement that the Project will not result in any new cumulative impacts is not supported by substantial evidence. The MND fails to adequately analyze the cumulative impacts of suburban sprawl on rare plants including the Congdon's Tarplant.[110] Mr. Cashen concluded that the "analysis" in the VCC EIR was predicated on the belief that the project would not cumulatively impact any special-status plants or animals.[111] It is now known that at least one special-status species, the Congdon's Tarplant would be directly impacted by the Project.[112] The 2018 Supplemental IS/MND did not rectify the deficiency because it merely cited the "analysis" in the VCC EIR: that "No cumulatively considerable impacts were identified with the VCC project in 2004, as documented in the final EIR."[113]

As Mr. Cashen demonstrated in his comments, Congdon's Tarplant has been documented at the following project sites (recently proposed or approved) in the City of Dublin: SCS Dublin, East Ranch (Croak Property), Boulevard (Dublin Crossing), Ikea Retail Center, and Zeiss Innovation Center. None of these projects were contemplated in the VCC EIR (or 2018 Supplemental IS/MND).[114] Collectively, the proposed Project, in conjunction with the projects listed above, would eliminate most of the Congdon's Tarplant populations remaining in the City of Dublin.[115] Mr. Cashen concluded that this impact would be very significant and because the

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[106] *Id.*; 14 CCR § 15355(b); *City of Long Beach v. Los Angeles Unified School Dist.* (2009) 176 Cal.App.4th 889, 905.
[107] 14 CCR § 15355.
[108] Cecily Talbert Barclay and Matthew S. Gray, California Land Use and Planning Law (Solano Press, 37th ed. 2020) p. 180.
[109] *Environmental Protection & Information Center v. California Dept. of Forestry & Fire Protection* (2008) 44 Cal.4th 459, 525; 14 CCR § 15130(b).
[110] Cashen Comments, p. 6.
[111] *Id.*
[112] *Id.*
[113] 2018 Supplemental IS/MND, p. 90.
[114] Cashen Comments, p. 6.
[115] *Id.*

Project does not adhere to the terms of the EACCS, its incremental contribution to the impact would be cumulatively considerable.[116] An EIR must be prepared which accurately analyzes and mitigates the Project's cumulatively considerable impacts to sensitive and rare biological resources.

VI. THE CITY LACKS SUBSTANTIAL EVIDENCE TO APPROVE THE PROJECT'S LAND USE PERMITS

A. The City Lacks Substantial Evidence to Make the Findings Required for the Tentative Parcel Map No. 11241

Tentative Map approval requires that the following findings are made and supported by substantial evidence in the public record, including: "The subdivision design and proposed improvement will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat"; and "The design of the subdivision or type of improvement will not cause serious public health concerns."[117]

As detailed above, the Project may result in significant impacts to biological resources and their habitats. As such, the City cannot make the necessary findings that the Project will not cause substantial environmental damage to fish or wildlife as required by the Dublin Municipal Code.

Additionally, the City cannot make the necessary finding, supported by substantial evidence, that the Project will not result in serious public health concerns. As demonstrated above, and in SWAPE comment letter and expert modeling, the Project may result in a significant cancer risk associated with toxic air contaminants and diesel particulate matter emissions. The City cannot make the necessary findings required under the Tentative Parcel Map approval, and cannot approve the Project absent adequate mitigation as detailed herein and in expert comments attached.

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[116] *Id.*
[117] Dublin Municipal Code § 9.08(c)(4) and (5).

VII. CONCLUSION

There is substantial evidence supporting a fair argument that the Project may result in potentially significant adverse impacts that were not identified in the MND, nor the VCC EIR, and thus have not been adequately analyzed or mitigated. The City also lacks substantial evidence to support many of the MND's significance conclusions, in violation of CEQA.

We urge the City to fulfill its responsibilities under CEQA by withdrawing the MND and preparing a legally adequate EIR to address the potentially significant impacts described in this comment letter and the attached letters from SWAPE and Mr. Cashen. This is the only way the City and the public will be able to ensure that the Project's significant environmental impacts are mitigated to less than significant levels.

Sincerely,

Kelilah D. Federman

KDF:ljl

Exhibits

5883-005j

EXHIBIT A

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Subject: Comments on the Inspiration Drive Memory Care and Assisted Living Facility Project (SCH No. 2021110251)

Dear Ms. Federman,

We have reviewed the November 2021 Initial Study ("IS") for the Inspiration Drive Memory Care and Assisted Living Facility Project ("Project") located in the City of Dublin ("City"). The Project proposes to construct a 35,000-square-foot ("SF") memory care facility and 75,112-SF assisted living facility, as well as 62 parking spaces on the 50.6-acre site.

Our review concludes that the IS fails to adequately evaluate the Project's hazards and hazardous materials, air quality, and health risk impacts. As a result, emissions and health risk impacts associated with construction and operation of the proposed Project are underestimated and inadequately addressed. An Environmental Impact Report ("EIR") should be prepared to adequately assess and mitigate the potential hazards and hazardous materials, air quality, and health risk impacts that the project may have on the environment.

Hazards and Hazardous Materials

Inadequate Analysis and Disclosure of Impacts

The IS fails to include a Phase I Environmental Site Assessment ("ESA") for the Project site. The IS instead relies only on an online review of regulatory databases to determine hazards and hazardous materials impacts, which is an insufficient basis for determining the presence of onsite hazards. As outlined below, a Phase I ESA is necessary to adequately identify and disclose environmental issues that may require mitigation.

Under CEQA, the preparation of a Phase I ESA is standard industry practice for identifying and disclosing conditions that may present impacts to the public, workers, or the environment, and which may require further investigation, including environmental sampling and cleanup. Phase I ESAs are conducted to identify conditions that would indicate a release of hazardous substances according to ASTM International ("ASTM") standards.[1] Essential components of a Phase I ESA include:

- a review of regulatory agency databases to identify sites in the vicinity of the subject property that are undergoing assessment or cleanup activities;
- a site inspection;
- interviews with people knowledgeable about the property; and
- recommendations for further actions to address potential hazards.

The principal objective of a Phase I ESA is to identify any "recognized environmental conditions" ("RECs"). A REC is the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water. If RECs are found, a Phase II ESA is usually conducted. A Phase II ESA includes the collection of environmental samples to identify the magnitude and extent of contamination and if cleanup is needed to reduce public exposure to contamination.

To provide an adequate basis for disclosure of hazards and hazardous materials impacts, the preparation of a Phase I ESA is necessary. If RECs are identified in the Phase I ESA, a Phase II ESA should be prepared to include the collection of soil samples to determine if contamination exists. Any contamination that is found to be above regulatory screening levels, including California Department of Toxic Substances Control Soil Screening Levels[2], should be further evaluated in coordination with regulatory agencies to include the Regional Water Quality Control Board and the California Department of Toxic Substances Control.

Air Quality

Unsubstantiated Input Parameters Used to Estimate Project Emissions

The IS's air quality analysis relies on emissions calculated with CalEEMod.2016.3.2 (p. 47).[3] CalEEMod provides recommended default values based on site-specific information, such as land use type, meteorological data, total lot acreage, project type and typical equipment associated with project type. If more specific project information is known, the user can change the default values and input project-specific values, but the California Environmental Quality Act ("CEQA") requires that such changes be justified by substantial evidence. Once all of the values are inputted into the model, the Project's construction and operational emissions are calculated, and "output files" are generated. These output files disclose to the reader what parameters are utilized in calculating the Project's air pollutant

[1] http://www.astm.org/Standards/E1527.htm
[2] https://dtsc.ca.gov/wp-content/uploads/sites/31/2019/04/HHRA-Note-3-June-2020-A.pdf
[3] "CalEEMod Version 2016.3.2." California Air Pollution Control Officers Association (CAPCOA), November 2017, *available at:* http://www.aqmd.gov/caleemod/archive/download-version-2016-3-2.

emissions and make known which default values are changed as well as provide justification for the values selected.

When reviewing the Project's CalEEMod Output Sheets, provided as Appendix B to the IS, we found that several model inputs were not consistent with information disclosed in the IS. As a result, the Project's construction and operational emissions are underestimated. An EIR should be prepared to include an updated air quality analysis that adequately evaluates the impacts that construction and operation of the Project will have on local and regional air quality.

Unsubstantiated Changes to Individual Construction Phase Lengths

Review of the CalEEMod output files demonstrates that the "Inspiration Drive Memory Care and Assisted Living Facility Project" model includes several changes to the default individual construction phase lengths (see excerpt below) (Appendix B, pp. 221, 255, 283).

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	20.00	30.00
tblConstructionPhase	NumDays	300.00	335.00
tblConstructionPhase	NumDays	20.00	30.00
tblConstructionPhase	NumDays	10.00	30.00

As a result of these changes, the model includes the following construction schedule (see excerpt below) (Appendix B, pp. 225, 259, 287):

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days
1	Site Preparation	Site Preparation	1/3/2022	2/11/2022	5	30
2	Grading	Grading	2/14/2022	3/25/2022	5	30
3	Building Construction	Building Construction	3/28/2022	7/7/2023	5	335
4	Paving	Paving	7/10/2023	8/18/2023	5	30
5	Architectural Coating	Architectural Coating	8/21/2023	9/29/2023	5	30

As you can see from the excerpt above, the grading phase is increased by 50%, from the default value of 20 to 30 days; the building construction phase is increased by 12%, from the default value of 300 to 335 days; the paving phase is increased by 50%, from the default value of 20 to 30 days; and the architectural coating phase is increased by 200%, from the default value of 10 to 30 days. As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[4] According to the "User Entered Comments & Non-Default Data" table, the justification provided for these changes is:

[4] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* http://www.aqmd.gov/caleemod/user's-guide, p. 1, 14.

> "Construction of the proposed project is anticipated to begin in early 2022 and would occur over an approximately 20-month period" (Appendix B, pp. 220, 254, 282).

Furthermore, regarding the Project's anticipated construction schedule, the IS states:

> "Construction of the proposed project is anticipated to begin in late 2022 or early 2023 and would occur over an approximately 20-month period" (p. 13).

However, these changes remain unsupported. While the IS indicates the total construction duration of 20 months, the IS fails to mention or justify the individual construction phase lengths. This is incorrect, as according to the CalEEMod User's Guide:

> "CalEEMod was also designed to allow the user to change the defaults to reflect site- or project-specific information, when available, provided that the information is supported by substantial evidence as required by CEQA." [5]

Here, as the IS only justifies the total construction duration of 20 months, the IS fails to provide substantial evidence to support the revised individual construction phase lengths. As such, we cannot verify the changes.

These unsubstantiated changes present an issue, as the construction emissions are improperly spread out over a longer period of time for some phases, but not for others. According to the CalEEMod User's Guide, each construction phase is associated with different emissions activities (see excerpt below).[6]

> *Demolition* involves removing buildings or structures.
>
> *Site Preparation* involves clearing vegetation (grubbing and tree/stump removal) and removing stones and other unwanted material or debris prior to grading.
>
> *Grading* involves the cut and fill of land to ensure that the proper base and slope is created for the foundation.
>
> *Building Construction* involves the construction of the foundation, structures and buildings.
>
> *Architectural Coating* involves the application of coatings to both the interior and exterior of buildings or structures, the painting of parking lot or parking garage striping, associated signage and curbs, and the painting of the walls or other components such as stair railings inside parking structures.
>
> *Paving* involves the laying of concrete or asphalt such as in parking lots, roads, driveways, or sidewalks.

Thus, by disproportionately altering and extending some of the individual construction phase lengths without proper justification, the model assumes there are a greater number of days to complete the construction activities required by the prolonged phases. As such, there will be less construction activities required per day and, consequently, less pollutants emitted per day. As a result, the model

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[5] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* http://www.aqmd.gov/caleemod/user's-guide, p. 13, 14.

[6] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* http://www.aqmd.gov/caleemod/user's-guide, p. 32.

may underestimate the peak daily emissions associated with some phases of construction and should not be relied upon to determine Project significance.

Incorrect Application of Energy-Related Operational Mitigation Measure

Review of the CalEEMod output files demonstrates that the "Inspiration Drive Memory Care and Assisted Living Facility Project" model includes the following energy-related operational mitigation measures (see excerpt below) (Appendix B, pp. 242, 275, 303):

5.1 Mitigation Measures Energy

Exceed Title 24

As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[7] According to the "User Entered Comments & Non-Default Data" table, the justification provided for the inclusion of the energy-related operational mitigation measure is:

> "Assuming compliance with the 2019 CALGreen Code" (Appendix B, pp. 220, 254, 282).

Furthermore, the IS states:

> "The proposed project would comply with the 2019 CALGreen Code, which was accounted for in the analysis." (p. 49).

However, the inclusion of the above-mentioned energy-related operational mitigation measure is unsupported, as the IS fails to demonstrate that the Project intends to *exceed* Title 24 standards. According to the CalEEMod User's Guide, the "Exceed Title 24" mitigation measure corresponds with CAPCOA's Mitigation Measure BE-1.[8] Furthermore, CAPCOA indicates that buildings must exceed Title 24 Building Envelope Energy Efficiency Standards by a specific percentage to be consistent with the BE-1 mitigation strategy (see excerpt below).[9]

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[7] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* http://www.aqmd.gov/caleemod/user's-guide, p. 1, 14.

[8] "CalEEMod User's Guide." California Air Pollution Control Officers Association (CAPCOA), May 2021, *available at:* http://www.aqmd.gov/caleemod/user's-guide, p. 58, 59.

[9] "Quantifying Greenhouse Gas Mitigation Measures." California Air Pollution Control Officers Association (CAPCOA), August 2010, *available at:* http://www.aqmd.gov/docs/default-source/ceqa/handbook/capcoa-quantifying-greenhouse-gas-mitigation-measures.pdf, p. 64, Table 6-1.

Energy						
Category	Measure Number	Strategy	BMP	Grouped With #	Range of Effectiveness	
					Percent Reduction in GHG Emissions	Basis
Building Energy Use	BE-1	Buildings exceed Title 24 Building Envelope Energy Efficiency Standards by X% (X is equal to the percentage improvement selected for the project			For a 10% improvement over 2008 Title 24: Non-Residential electricity use: 0.2-5.5%; natural gas use: 0.7-10% Residential electricity use: 0.3-2.6%; natural gas use: 7.5-9.1%	
	BE-2	Install Programmable Thermostat Timers	x		BMP	
	BE-3	Obtain Third-party HVAC Commissioning and Verification of Energy Savings	x	BE-1	BMP	
	BE-4	Install Energy Efficient Appliances			Residential building: 2-4% Grocery Stores: 17-22%	Appliance Electricity Use
	BE-5	Install Energy Efficient Boilers			1.2-18.4%	Fuel Use

Thus, as the IS does not require the Project to exceed Title 24 Standards, this measure is not applicable to the proposed Project. By incorrectly including an energy-related operational mitigation measure, the model underestimates the Project's operational emissions and should not be relied upon to determine Project significance.

Diesel Particulate Matter Health Risk Emissions Inadequately Evaluated

The IS estimates that the maximum mitigated cancer risk posed to nearby, existing sensitive receptors as a result of Project construction would be 7.18 in one million, which would not exceed the Bay Area Air Quality Management District ("BAAQMD") significance threshold of 10 in one million (see excerpt below) (p. 53, Table G).

Table G: Mitigated Inhalation Health Risks from Project Construction to Off-Site Receptors

	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Maximally Exposed Individual	7.18	0.01	0.03
BAAQMD Thresholds	10.0	1.0	0.30
Exceed Threshold?	**No**	**No**	**No**

Source: LSA (March 2021).

However, the IS fails to mention or evaluate the toxic air contaminant ("TAC") emissions associated with Project operation whatsoever. Thus, the IS's evaluation of the Project's potential health risk impacts, as well as the subsequent less-than-significant impact conclusion, is incorrect for six reasons.

First, the IS's construction-related health risk analysis ("HRA") is unsubstantiated, as the IS fails to provide the input parameters and modeling output files. According to the IS:

> "This refined assessment was conducted using CARB's exposure methodology, with the air dispersion modeling performed using the USEPA dispersion model AERMOD. The model provides a detailed estimate of exhaust concentrations based on site and source geometry, source emissions strength, distance from the source to the receptor, and site-specific meteorological data. Table F, below, identifies the results of the analysis utilizing the standard Tier 2 construction equipment. Model snap shots of the sources are provided in Appendix C" (53).

However, upon review of the AERMOD Model Snap Shots, provided as Appendix C to the IS, we found the IS fails to include exact numerical input parameters or output files for the model. As such, we cannot verify the calculation of the Project's construction-related cancer risk is accurate.

Second, by failing to prepare a quantified operational HRA, the Project is inconsistent with CEQA's requirement to make "a reasonable effort to substantively connect a project's air quality impacts to likely health consequences."[10] This poses a problem, as operation of the Project is expected to generate an estimated 329 average daily vehicle trips, which would produce additional exhaust emissions and continue to expose nearby, existing sensitive receptors to diesel particulate matter ("DPM") emissions during Project operation (p. 150). However, the IS fails to evaluate the TAC emissions associated with Project operation or indicate the concentrations at which such pollutants would trigger adverse health effects. Thus, without making a reasonable effort to connect the Project's operational TAC emissions to the potential health risks posed to nearby receptors, the IS is inconsistent with CEQA's requirement to correlate Project-generated emissions with potential adverse impacts on human health.

Third, the Office of Environmental Health Hazard Assessment ("OEHHA"), the organization responsible for providing guidance on conducting HRAs in California, released its most recent *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments* in February 2015. This guidance document describes the types of projects that warrant the preparation of an HRA. According to OEHHA:

> "Exposure from projects lasting more than 6 months should be evaluated for the duration of the project. In all cases, for assessing risk to residential receptors, the exposure should be assumed to start in the third trimester to allow for the use of the ASFs (OEHHA, 2009)."[11]

Furthermore, OEHHA recommends that an exposure duration of 30 years should be used to estimate the individual cancer risk at the maximally exposed individual resident ("MEIR").[12] While the IS fails to provide the expected lifetime of the proposed Project, we can reasonably assume that the Project would operate for at least 30 years, if not more. Therefore, operation of the Project also exceeds the 6-month requirements set forth by OEHHA and should be evaluated for the entire 30-year residential exposure

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[10] "Sierra Club v. County of Fresno." Supreme Court of California, December 2018, a*vailable at:* https://ceqaportal.org/decisions/1907/Sierra%20Club%20v.%20County%20of%20Fresno.pdf.
[11] "Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 8-18.
[12] "Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 2-4.

duration as indicated by OEHHA guidance. These recommendations reflect the most recent state health risk policies, and as such, an EIR should be prepared to include an analysis of health risk impacts posed to nearby sensitive receptors from DPM emissions generated during Project operation.

Fourth, the BAAQMD requires projects within 1,000 feet of an existing sensitive receptor or source to evaluate the cancer risk associated with Project operation (see excerpt below):[13]

Table 2-1 Air Quality CEQA Thresholds of Significance*		
Pollutant	**Construction-Related**	**Operational-Related**
Project-Level		
Risk and Hazards for new sources and receptors (Individual Project)*	Same as Operational Thresholds**	Compliance with Qualified Community Risk Reduction Plan OR Increased cancer risk of >10.0 in a million Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute) Ambient $PM_{2.5}$ increase: > 0.3 µg/m^3 annual average Zone of Influence: 1,000-foot radius from property line of source or receptor

Thus, as the IS demostrates that there are existing sensitive receptors at the residential developments immediately adjacent to the Project site, an analysis of the health risk posed to nearby, existing receptors from Project operation should have been conducted pursuant to the BAAQMD (p. 43).

Fifth, by claiming a less than significant impact without conducting a quantified operational HRA for nearby, existing sensitive receptors, the IS fails to compare the excess health risk impact to the applicable BAAQMD threshold of 10 in one million.[14] Specifically, regarding the operational TAC emissions threshold, the BAAQMD states:

> "The Lead Agency shall determine whether operational-related TAC and $PM_{2.5}$ emissions generated as part of a proposed project siting a new source or receptor would expose existing or new receptors to levels that exceed BAAQMD's applicable Thresholds of Significance stated below:
>
> - Compliance with a qualified Community Risk Reduction Plan;
> - An excess cancer risk level of more than 10 in one million…"[15]

[13] "California Environmental Quality Act Air Quality Guidelines." BAAQMD, May 2017, *available at*: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 2-2, Table 2-1.
[14] "California Environmental Quality Act Air Quality Guidelines." BAAQMD, May 2017, *available at*: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 2-5.
[15] "California Environmental Quality Act Air Quality Guidelines." BAAQMD, May 2017, *available at*: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 5-3.

Thus, pursuant to CEQA and the BAAQMD, an analysis of the health risk posed to nearby, existing receptors from Project operation should have been conducted.

Sixth, while the IS includes an HRA evaluating the health risk impacts to nearby, existing receptors as a result of Project construction, the HRA fails to evaluate the combined lifetime cancer risk to nearby, existing receptors as a result of Project construction and operation together. According to OEHHA guidance "the excess cancer risk is calculated separately for each age grouping and then summed to yield cancer risk at the receptor location."[16] However, the IS's HRA fails to sum each age bin to evaluate the total cancer risk over the course of the Project's total construction and operation. This is incorrect and thus, an updated analysis should quantify and sum the entirety of the Project's construction and operational cancer risks to compare to the BAAQMD threshold of 10 in one million, as referenced by the IS (p. 53).

Screening-Level Analysis Demonstrates Significant Impacts

In order to conduct our screening-level risk assessment we relied upon AERSCREEN, which is a screening level air quality dispersion model.[17] The model replaced SCREEN3, and AERSCREEN is included in the OEHHA and the California Air Pollution Control Officers Associated ("CAPCOA") guidance as the appropriate air dispersion model for Level 2 health risk screening assessments ("HRSAs").[18, 19] A Level 2 HRSA utilizes a limited amount of site-specific information to generate maximum reasonable downwind concentrations of air contaminants to which nearby sensitive receptors may be exposed. If an unacceptable air quality hazard is determined to be possible using AERSCREEN, a more refined modeling approach is required prior to approval of the Project.

We prepared a preliminary HRA of the Project's operational health risk impact to residential sensitive receptors using the annual $PM_{2.5}$ exhaust estimates from the IS's CalEEMod output files, as recommended by the BAAQMD.[20] Consistent with recommendations set forth by OEHHA, we assumed residential exposure begins during the third trimester stage of life. [21] Subtracting the 671-day construction period from the total residential duration of 30 years, we assumed that after Project construction, the sensitive receptor would be exposed to the Project's operational DPM for an additional 28.16 years.[22] The IS's operational CalEEMod emissions indicate that operational activities will

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[16] "Guidance Manual for preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf p. 8-4

[17] "AERSCREEN Released as the EPA Recommended Screening Model," U.S. EPA, April 2011, *available at:* http://www.epa.gov/ttn/scram/guidance/clarification/20110411_AERSCREEN_Release_Memo.pdf

[18] "Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf.

[19] "Health Risk Assessments for Proposed Land Use Projects." CAPCOA, July 2009, *available at:* http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA_HRA_LU_Guidelines_8-6-09.pdf.

[20] "California Environmental Quality Act Air Quality Guidelines." BAAQMD, May 2017, *available at*: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 8-8.

[21] "Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 8-18.

[22] See Attachment B for health risk calculations.

generate approximately 24 pounds of DPM per year throughout operation. The AERSCREEN model relies on a continuous average emission rate to simulate maximum downward concentrations from point, area, and volume emission sources. To account for the variability in daily vehicle trips over Project operation, we calculated an average DPM emission rate by the following equation:

$$Emission\ Rate\ \left(\frac{grams}{second}\right) = \frac{24.2\ lbs}{365\ days} \times \frac{453.6\ grams}{lbs} \times \frac{1\ day}{24\ hours} \times \frac{1\ hour}{3{,}600\ seconds} = \mathbf{0.000348\ g/s}$$

Using this equation, we estimated an operational emission rate of 0.000348 g/s. Operation was simulated as a 50.6-acre rectangular area source in AERSCREEN, with approximate dimensions of 640- by 320-meters. A release height of three meters was selected to represent the height of stacks of operational equipment and other heavy-duty vehicles, and an initial vertical dimension of one and a half meters was used to simulate instantaneous plume dispersion upon release. An urban meteorological setting was selected with model-default inputs for wind speed and direction distribution. The population of Dublin was obtained from U.S. 2020 Census data.[23]

The AERSCREEN model generates maximum reasonable estimates of single-hour DPM concentrations from the Project Site. The United States Environmental Protection Agency ("U.S. EPA") suggests that the annualized average concentration of an air pollutant be estimated by multiplying the single-hour concentration by 10% in screening procedures.[24] According to the IS the nearest sensitive receptors are residential properties located 15 feet, or approximately 5 meters, to the west of the Project site (p. 119). However, review of the AERSCREEN output files demonstrates that the MEIR is located approximately 350 meters from the Project site. Thus, the single-hour concentration estimated by AERSCREEN for Project operation is approximately 0.09792 µg/m^3 DPM at approximately 350 meters downwind. Multiplying this single-hour concentration by 10%, we get an annualized average concentration of 0.009792 µg/m^3 for Project operation at the MEIR.

We calculated the excess cancer risk to the MEIR using applicable HRA methodologies prescribed by OEHHA, as recommended by BAAQMD.[25] Specifically, guidance from OEHHA and the California Air Resources Board ("CARB") recommends the use of a standard point estimate approach, including high-point estimate (i.e. 95th percentile) breathing rates and age sensitivity factors ("ASF") in order to account for the increased sensitivity to carcinogens during early-in-life exposure and accurately assess risk for susceptible subpopulations such as children. The residential exposure parameters, such as the daily breathing rates ("BR/BW"), exposure duration ("ED"), age sensitivity factors ("ASF"), fraction of

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[23] "Dublin." U.S. Census Bureau, 2020, *available at:* https://datacommons.org/place/geoId/0620018.

[24] "Screening Procedures for Estimating the Air Quality Impact of Stationary Sources Revised." U.S. EPA, October 1992, *available at:* http://www.epa.gov/ttn/scram/guidance/guide/EPA-454R-92-019_OCR.pdf.

[25] "California Environmental Quality Act Air Quality Guidelines." BAAQMD, May 2017, *available at:* http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 56; see also "Recommended Methods for Screening and Modeling Local Risks and Hazards." BAAQMD, May 2011, *available at:* http://www.baaqmd.gov/~/media/Files/Planning%20and%20Research/CEQA/BAAQMD%20Modeling%20Approach.ashx, p. 65, 86.

time at home ("FAH"), and exposure frequency ("EF") utilized for the various age groups in our screening-level HRA are as follows:

Exposure Assumptions for Residential Individual Cancer Risk

Age Group	Breathing Rate (L/kg-day)[26]	Age Sensitivity Factor[27]	Exposure Duration (years)	Fraction of Time at Home[28]	Exposure Frequency (days/year)[29]	Exposure Time (hours/day)
3rd Trimester	361	10	0.25	0.85	350	24
Infant (0 – 2)	1090	10	2	0.85	350	24
Child (2 – 16)	572	3	14	0.72	350	24
Adult (16 – 30)	261	1	14	0.73	350	24

For the inhalation pathway, the procedure requires the incorporation of several discrete variates to effectively quantify dose for each age group. Once determined, contaminant dose is multiplied by the cancer potency factor ("CPF") in units of inverse dose expressed in milligrams per kilogram per day (mg/kg/day^{-1}) to derive the cancer risk estimate. Therefore, to assess exposures, we utilized the following dose algorithm:

$$Dose_{AIR,\,per\ age\ group} = C_{air} \times EF \times \left[\frac{BR}{BW}\right] \times A \times CF$$

where:

$Dose_{AIR}$ = dose by inhalation (mg/kg/day), per age group

[26] "Air Toxics NSR Program Health Risk Assessment Guidelines." BAAQMD, December 2016, available at: https://www.baaqmd.gov/~/media/files/planning-and-research/permit-modeling/hra_guidelines_12_7_2016_clean-pdf.pdf?la=en#:~:text=To%20assess%20potential%20inhalation%20exposure%20to%20offsite%20workers%2C%20OEHHA%20recommended,for%20an%20eight%2Dhour%20day, p. 6; see also "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf.

[27] "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 8-5 Table 8.3.

[28] "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 5-24; see also: "Air Toxics NSR Program Health Risk Assessment Guidelines." BAAQMD, December 2016, available at: https://www.baaqmd.gov/~/media/files/planning-and-research/permit-modeling/hra_guidelines_12_7_2016_clean-pdf.pdf?la=en#:~:text=To%20assess%20potential%20inhalation%20exposure%20to%20offsite%20workers%2C%20OEHHA%20recommended,for%20an%20eight%2Dhour%20day, p. 4, 5.

[29] "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 5-24.

C_{air} = concentration of contaminant in air (µg/m3)
EF = exposure frequency (number of days/365 days)
BR/BW = daily breathing rate normalized to body weight (L/kg/day)
A = inhalation absorption factor (default = 1)
CF = conversion factor (1x10-6, µg to mg, L to m3)

To calculate the overall cancer risk, we used the following equation for each appropriate age group:

$$Cancer\ Risk_{AIR} = Dose_{AIR} \times CPF \times ASF \times FAH \times \frac{ED}{AT}$$

where:

$Dose_{AIR}$ = dose by inhalation (mg/kg/day), per age group
CPF = cancer potency factor, chemical-specific $(mg/kg/day)^{-1}$
ASF = age sensitivity factor, per age group
FAH = fraction of time at home, per age group (for residential receptors only)
ED = exposure duration (years)
AT = averaging time period over which exposure duration is averaged (always 70 years)

Consistent with the 671-day construction schedule, the annualized average concentration for operation was used for the remainder of the 30-year exposure period, which makes up the latter 0.41 years of the infant stage of life, the entire child stage of life (2 – 16 years), and the entire adult stage of life (16 – 30 years). The results of our calculations are shown in the table below.

The Maximally Exposed Individual at an Existing Residential Receptor

Age Group	Emissions Source	Duration (years)	Concentration (ug/m3)	Cancer Risk
3rd Trimester	Construction	0.25	*	*
	Construction	*1.49*	*	*
	Operation	*0.51*	*9.792E-03*	*7.01E-07*
Infant (0 – 2)	Total	2		7.01E-07
Child (2 – 16)	Operation	14	9.792E-03	2.55E-06
Adult (16 – 30)	Operation	14	9.792E-03	3.94E-07
Lifetime		**30**		**3.65E-06**

* Cancer risk from Project construction calculated separately in the IS.

As demonstrated in the table above, the excess cancer risks for infants, children, and adults at the MEIR located approximately 350 meters away, over the course of Project operation, are approximately 0.701,

2.55, and 3.94 in one million, respectively. The excess cancer risk associated with Project operation is approximately 3.65 in one million. When summing the Project's operational cancer risk, as estimated by SWAPE, with the IS's construction-related cancer risk of 7.18 in one million, we estimate an excess cancer risk of approximately 10.83 in one million over the course of a residential lifetime (30 years) (p. 53, Table G).[30] As such, the lifetime cancer risk greatly exceeds the BAAQMD threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the IS.

An agency must include an analysis of health risks that connects the Project's air emissions with the health risk posed by those emissions. Our analysis represents a screening-level HRA, which is known to be conservative and tends to err on the side of health protection.[31] The purpose of the screening-level construction and operational HRA shown above is to demonstrate the link between the proposed Project's emissions and the potential health risk. Our screening-level HRA demonstrates that construction and operation of the Project could result in a potentially significant health risk impact, when correct exposure assumptions and up-to-date, applicable guidance are used. Therefore, since our screening-level HRA indicates a potentially significant impact, an EIR should be prepared and include updated, quantified air pollution model as well as an updated, quantified refined HRA which adequately and accurately evaluates health risk impacts associated with both Project construction and operation.

Disclaimer

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties.

Sincerely,

Matt Hagemann, P.G., C.Hg.

[30] Calculated: 3.65 in one million + 7.18 in one million = 10.83 in one million.

[31] "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, *available at:* https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf, p. 1-5

Paul E. Rosenfeld, Ph.D.

Attachment A: Health Risk Calculations
Attachment B: AERSCREEN Output Files
Attachment C: Matt Hagemann CV
Attachment D: Paul E. Rosenfeld CV

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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Geologic and Hydrogeologic Characterization
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
Industrial Stormwater Compliance
CEQA Review

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist
California Certified Hydrogeologist
Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 30 years of experience in environmental policy, contaminant assessment and remediation, stormwater compliance, and CEQA review. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) and directed efforts to improve hydrogeologic characterization and water quality monitoring. For the past 15 years, as a founding partner with SWAPE, Matt has developed extensive client relationships and has managed complex projects that include consultation as an expert witness and a regulatory specialist, and a manager of projects ranging from industrial stormwater compliance to CEQA review of impacts from hazardous waste, air quality and greenhouse gas emissions.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2104, 2017;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt's responsibilities have included:

- Lead analyst and testifying expert in the review of over 300 environmental impact reports and negative declarations since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at more than 100 industrial facilities.
- Expert witness on numerous cases including, for example, perfluorooctanoic acid (PFOA) contamination of groundwater, MTBE litigation, air toxins at hazards at a school, CERCLA compliance in assessment and remediation, and industrial stormwater contamination.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.

With Komex H2O Science Inc., Matt's duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.
- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted

public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9.

Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, Oxygenates in Water: Critical Information and Research Needs.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific

principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt is currently a part time geology instructor at Golden West College in Huntington Beach, California where he taught from 2010 to 2014 and in 2017.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Coloradao.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal repesentatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F**. 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examinations, 2009-2011.

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Paul Rosenfeld, Ph.D.

Chemical Fate and Transport & Air Dispersion Modeling

Principal Environmental Chemist

Risk Assessment & Remediation Specialist

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.

M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.

B.A. Environmental Studies, U.C. Santa Barbara, 1991. Thesis on wastewater treatment.

Professional Experience

Dr. Rosenfeld has over 25 years' experience conducting environmental investigations and risk assessments for evaluating impacts to human health, property, and ecological receptors. His expertise focuses on the fate and transport of environmental contaminants, human health risk, exposure assessment, and ecological restoration. Dr. Rosenfeld has evaluated and modeled emissions from oil spills, landfills, boilers and incinerators, process stacks, storage tanks, confined animal feeding operations, industrial, military and agricultural sources, unconventional oil drilling operations, and locomotive and construction engines. His project experience ranges from monitoring and modeling of pollution sources to evaluating impacts of pollution on workers at industrial facilities and residents in surrounding communities. Dr. Rosenfeld has also successfully modeled exposure to contaminants distributed by water systems and via vapor intrusion.

Dr. Rosenfeld has investigated and designed remediation programs and risk assessments for contaminated sites containing lead, heavy metals, mold, bacteria, particulate matter, petroleum hydrocarbons, chlorinated solvents, pesticides, radioactive waste, dioxins and furans, semi- and volatile organic compounds, PCBs, PAHs, creosote, perchlorate, asbestos, per- and poly-fluoroalkyl substances (PFOA/PFOS), unusual polymers, fuel oxygenates (MTBE), among other pollutants. Dr. Rosenfeld also has experience evaluating greenhouse gas emissions from various projects and is an expert on the assessment of odors from industrial and agricultural sites, as well as the evaluation of odor nuisance impacts and technologies for abatement of odorous emissions. As a principal scientist at SWAPE, Dr. Rosenfeld directs air dispersion modeling and exposure assessments. He has served as an expert witness and testified about pollution sources causing nuisance and/or personal injury at sites and has testified as an expert witness on numerous cases involving exposure to soil, water and air contaminants from industrial, railroad, agricultural, and military sources.

Professional History:

Soil Water Air Protection Enterprise (SWAPE); 2003 to present; Principal and Founding Partner
UCLA School of Public Health; 2007 to 2011; Lecturer (Assistant Researcher)
UCLA School of Public Health; 2003 to 2006; Adjunct Professor
UCLA Environmental Science and Engineering Program; 2002-2004; Doctoral Intern Coordinator
UCLA Institute of the Environment, 2001-2002; Research Associate
Komex H_2O Science, 2001 to 2003; Senior Remediation Scientist
National Groundwater Association, 2002-2004; Lecturer
San Diego State University, 1999-2001; Adjunct Professor
Anteon Corp., San Diego, 2000-2001; Remediation Project Manager
Ogden (now Amec), San Diego, 2000-2000; Remediation Project Manager
Bechtel, San Diego, California, 1999 – 2000; Risk Assessor
King County, Seattle, 1996 – 1999; Scientist
James River Corp., Washington, 1995-96; Scientist
Big Creek Lumber, Davenport, California, 1995; Scientist
Plumas Corp., California and USFS, Tahoe 1993-1995; Scientist
Peace Corps and World Wildlife Fund, St. Kitts, West Indies, 1991-1993; Scientist

Publications:

Remy, L.L., Clay T., Byers, V., **Rosenfeld P. E.** (2019) Hospital, Health, and Community Burden After Oil Refinery Fires, Richmond, California 2007 and 2012. *Environmental Health.* 18:48

Simons, R.A., Seo, Y. **Rosenfeld, P**., (2015) Modeling the Effect of Refinery Emission On Residential Property Value. Journal of Real Estate Research. 27(3):321-342

Chen, J. A, Zapata A. R., Sutherland A. J., Molmen, D.R., Chow, B. S., Wu, L. E., **Rosenfeld, P. E.,** Hesse, R. C., (2012) Sulfur Dioxide and Volatile Organic Compound Exposure To A Community In Texas City Texas Evaluated Using Aermod and Empirical Data. *American Journal of Environmental Science*, 8(6), 622-632.

Rosenfeld, P.E. & Feng, L. (2011). *The Risks of Hazardous Waste.* Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2011). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Agrochemical Industry*, Amsterdam: Elsevier Publishing.

Gonzalez, J., Feng, L., Sutherland, A., Waller, C., Sok, H., Hesse, R., **Rosenfeld, P.** (2010). PCBs and Dioxins/Furans in Attic Dust Collected Near Former PCB Production and Secondary Copper Facilities in Sauget, IL. *Procedia Environmental Sciences*. 113–125.

Feng, L., Wu, C., Tam, L., Sutherland, A.J., Clark, J.J., **Rosenfeld, P.E.** (2010). Dioxin and Furan Blood Lipid and Attic Dust Concentrations in Populations Living Near Four Wood Treatment Facilities in the United States. *Journal of Environmental Health*. 73(6), 34-46.

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Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equivalency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. *Organohalogen Compounds*, 70, 002252-002255.

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. *Organohalogen Compounds*, 70, 000527-000530.

Hensley, A.R. A. Scott, J. J. J. Clark, **Rosenfeld, P.E.** (2007). Attic Dust and Human Blood Samples Collected near a Former Wood Treatment Facility. *Environmental Research*. 105, 194-197.

Rosenfeld, P.E., J. J. J. Clark, A. R. Hensley, M. Suffet. (2007). The Use of an Odor Wheel Classification for Evaluation of Human Health Risk Criteria for Compost Facilities. *Water Science & Technology* 55(5), 345-357.

Rosenfeld, P. E., M. Suffet. (2007). The Anatomy Of Odour Wheels For Odours Of Drinking Water, Wastewater, Compost And The Urban Environment. *Water Science & Technology* 55(5), 335-344.

Sullivan, P. J. Clark, J.J.J., Agardy, F. J., **Rosenfeld, P.E.** (2007). *Toxic Legacy, Synthetic Toxins in the Food, Water, and Air in American Cities.* Boston Massachusetts: Elsevier Publishing

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash. *Water Science and Technology*. 49(9),171-178.

Rosenfeld P. E., J.J. Clark, I.H. (Mel) Suffet (2004). The Value of An Odor-Quality-Wheel Classification Scheme For The Urban Environment. *Water Environment Federation's Technical Exhibition and Conference (WEFTEC) 2004.* New Orleans, October 2-6, 2004.

Rosenfeld, P.E., and Suffet, I.H. (2004). Understanding Odorants Associated With Compost, Biomass Facilities, and the Land Application of Biosolids. *Water Science and Technology*. 49(9), 193-199.

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash, *Water Science and Technology*, 49(9), 171-178.

Rosenfeld, P. E., Grey, M. A., Sellew, P. (2004). Measurement of Biosolids Odor and Odorant Emissions from Windrows, Static Pile and Biofilter. *Water Environment Research*. 76(4), 310-315.

Rosenfeld, P.E., Grey, M and Suffet, M. (2002). Compost Demonstration Project, Sacramento California Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Integrated Waste Management Board Public Affairs Office*, Publications Clearinghouse (MS–6), Sacramento, CA Publication #442-02-008.

Rosenfeld, P.E., and C.L. Henry. (2001). Characterization of odor emissions from three different biosolids. *Water Soil and Air Pollution*. 127(1-4), 173-191.

Rosenfeld, P.E., and Henry C. L., (2000). Wood ash control of odor emissions from biosolids application. *Journal of Environmental Quality.* 29, 1662-1668.

Rosenfeld, P.E., C.L. Henry and D. Bennett. (2001). Wastewater dewatering polymer affect on biosolids odor emissions and microbial activity. *Water Environment Research*. 73(4), 363-367.

Rosenfeld, P.E., and C.L. Henry. (2001). Activated Carbon and Wood Ash Sorption of Wastewater, Compost, and Biosolids Odorants. *Water Environment Research*, 73, 388-393.

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Chollack, T. and **P. Rosenfeld. (**1998). Compost Amendment Handbook For Landscaping. Prepared for and distributed by the City of Redmond, Washington State.

Rosenfeld, P. E. (1992). The Mount Liamuiga Crater Trail. *Heritage Magazine of St. Kitts*, 3(2).

Rosenfeld, P. E. (1993). High School Biogas Project to Prevent Deforestation On St. Kitts. *Biomass Users Network*, 7(1).

Rosenfeld, P. E. (1998). Characterization, Quantification, and Control of Odor Emissions From Biosolids Application To Forest Soil. Doctoral Thesis. University of Washington College of Forest Resources.

Rosenfeld, P. E. (1994). Potential Utilization of Small Diameter Trees on Sierra County Public Land. Masters thesis reprinted by the Sierra County Economic Council. Sierra County, California.

Rosenfeld, P. E. (1991). How to Build a Small Rural Anaerobic Digester & Uses Of Biogas In The First And Third World. Bachelors Thesis. University of California.

Presentations:

Rosenfeld, P.E., "The science for Perfluorinated Chemicals (PFAS): What makes remediation so hard?" Law Seminars International, (May 9-10, 2018) 800 Fifth Avenue, Suite 101 Seattle, WA.

Rosenfeld, P.E., Sutherland, A; Hesse, R.; Zapata, A. (October 3-6, 2013). Air dispersion modeling of volatile organic emissions from multiple natural gas wells in Decatur, TX. *44th Western Regional Meeting, American Chemical Society.* Lecture conducted from Santa Clara, CA.

Sok, H.L.; Waller, C.C.; Feng, L.; Gonzalez, J.; Sutherland, A.J.; Wisdom-Stack, T.; Sahai, R.K.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Atrazine: A Persistent Pesticide in Urban Drinking Water. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Feng, L.; Gonzalez, J.; Sok, H.L.; Sutherland, A.J.; Waller, C.C.; Wisdom-Stack, T.; Sahai, R.K.; La, M.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Bringing Environmental Justice to East St. Louis, Illinois. *Urban Environmental Pollution.* Lecture conducted from Boston, MA.

Rosenfeld, P.E. (April 19-23, 2009). Perfluoroctanoic Acid (PFOA) and Perfluoroactane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*, Lecture conducted from Tuscon, AZ.

Rosenfeld, P.E. (April 19-23, 2009). Cost to Filter Atrazine Contamination from Drinking Water in the United States" Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tuscon, AZ.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P**. (20-22 July, 2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. Brebbia, C.A. and Popov, V., eds., *Air Pollution XVII: Proceedings of the Seventeenth International Conference on Modeling, Monitoring and Management of Air Pollution*. Lecture conducted from Tallinn, Estonia.

Rosenfeld, P. E. (October 15-18, 2007). Moss Point Community Exposure To Contaminants From A Releasing Facility. *The 23rd Annual International Conferences on Soils Sediment and Water.* Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). The Repeated Trespass of Tritium-Contaminated Water Into A Surrounding Community Form Repeated Waste Spills From A Nuclear Power Plant. *The 23rd Annual International*

Conferences on Soils Sediment and Water. Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). Somerville Community Exposure To Contaminants From Wood Treatment Facility Emissions. The *23rd Annual International Conferences on Soils Sediment and Water*. Lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld P. E. (March 2007). Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP). *The Association for Environmental Health and Sciences (AEHS) Annual Meeting*. Lecture conducted from San Diego, CA.

Rosenfeld P. E. (March 2007). Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florala, Alabama. *The AEHS Annual Meeting.* Lecture conducted from San Diego, CA.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (August 21 – 25, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006*. Lecture conducted from Radisson SAS Scandinavia Hotel in Oslo Norway.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (November 4-8, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *APHA 134 Annual Meeting & Exposition.* Lecture conducted from Boston Massachusetts.

Paul Rosenfeld Ph.D. (October 24-25, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. Mealey's C8/PFOA. *Science, Risk & Litigation Conference.* Lecture conducted from The Rittenhouse Hotel, Philadelphia, PA.

Paul Rosenfeld Ph.D. (September 19, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, *Toxicology and Remediation PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel, Irvine California.

Paul Rosenfeld Ph.D. (September 19, 2005). Fate, Transport, Toxicity, And Persistence of 1,2,3-TCP. *PEMA Emerging Contaminant Conference.* Lecture conducted from Hilton Hotel in Irvine, California.

Paul Rosenfeld Ph.D. (September 26-27, 2005). Fate, Transport and Persistence of PDBEs. *Mealey's Groundwater Conference.* Lecture conducted from Ritz Carlton Hotel, Marina Del Ray, California.

Paul Rosenfeld Ph.D. (June 7-8, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. *International Society of Environmental Forensics: Focus On Emerging Contaminants*. Lecture conducted from Sheraton Oceanfront Hotel, Virginia Beach, Virginia.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Fate Transport, Persistence and Toxicology of PFOA and Related Perfluorochemicals. *2005 National Groundwater Association Ground Water And Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation. *2005 National Groundwater Association Ground Water and Environmental Law Conference.* Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. and Rob Hesse R.G. (May 5-6, 2004). Tert-butyl Alcohol Liability and Toxicology, A National Problem and Unquantified Liability. *National Groundwater Association. Environmental Law Conference*. Lecture conducted from Congress Plaza Hotel, Chicago Illinois.

Paul Rosenfeld, Ph.D. (March 2004). Perchlorate Toxicology. *Meeting of the American Groundwater Trust*. Lecture conducted from Phoenix Arizona.

Hagemann, M.F., **Paul Rosenfeld, Ph.D.** and Rob Hesse (2004). Perchlorate Contamination of the Colorado River. *Meeting of tribal representatives*. Lecture conducted from Parker, AZ.

Paul Rosenfeld, Ph.D. (April 7, 2004). A National Damage Assessment Model For PCE and Dry Cleaners. *Drycleaner Symposium. California Ground Water Association*. Lecture conducted from Radison Hotel, Sacramento, California.

Rosenfeld, P. E., Grey, M., (June 2003) Two stage biofilter for biosolids composting odor control. *Seventh International In Situ And On Site Bioremediation Symposium Battelle Conference* Orlando, FL.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. (February 20-21, 2003) Understanding Historical Use, Chemical Properties, Toxicity and Regulatory Guidance of 1,4 Dioxane. *National Groundwater Association. Southwest Focus Conference. Water Supply and Emerging Contaminants*.. Lecture conducted from Hyatt Regency Phoenix Arizona.

Paul Rosenfeld, Ph.D. (February 6-7, 2003). Underground Storage Tank Litigation and Remediation. *California CUPA Forum*. Lecture conducted from Marriott Hotel, Anaheim California.

Paul Rosenfeld, Ph.D. (October 23, 2002) Underground Storage Tank Litigation and Remediation. *EPA Underground Storage Tank Roundtable*. Lecture conducted from Sacramento California.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Understanding Odor from Compost, *Wastewater and Industrial Processes. Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Using High Carbon Wood Ash to Control Compost Odor. *Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Grey, M. A. (September 22-24, 2002). Biocycle Composting For Coastal Sage Restoration. *Northwest Biosolids Management Association*. Lecture conducted from Vancouver Washington..

Rosenfeld, P.E. and Grey, M. A. (November 11-14, 2002). Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Soil Science Society Annual Conferenc*e. Lecture conducted from Indianapolis, Maryland.

Rosenfeld. P.E. (September 16, 2000). Two stage biofilter for biosolids composting odor control. *Water Environment Federation.* Lecture conducted from Anaheim California.

Rosenfeld. P.E. (October 16, 2000). Wood ash and biofilter control of compost odor. *Biofest.* Lecture conducted from Ocean Shores, California.

Rosenfeld, P.E. (2000). Bioremediation Using Organic Soil Amendments. *California Resource Recovery Association*. Lecture conducted from Sacramento California.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. *Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings*. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., and C.L. Henry. (1999). An evaluation of ash incorporation with biosolids for odor reduction. *Soil Science Society of America*. Lecture conducted from Salt Lake City Utah.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Brown and Caldwell.* Lecture conducted from Seattle Washington.

Rosenfeld, P.E., C.L. Henry. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. *Biofest.* Lecture conducted from Lake Chelan, Washington.

Rosenfeld, P.E, C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., C.L. Henry, R. B. Harrison, and R. Dills. (1997). Comparison of Odor Emissions From Three Different Biosolids Applied to Forest Soil. *Soil Science Society of America*. Lecture conducted from Anaheim California.

Teaching Experience:

UCLA Department of Environmental Health (Summer 2003 through 20010) Taught Environmental Health Science 100 to students, including undergrad, medical doctors, public health professionals and nurses. Course focused on the health effects of environmental contaminants.

National Ground Water Association, Successful Remediation Technologies. Custom Course in Sante Fe, New Mexico. May 21, 2002. Focused on fate and transport of fuel contaminants associated with underground storage tanks.

National Ground Water Association; Successful Remediation Technologies Course in Chicago Illinois. April 1, 2002. Focused on fate and transport of contaminants associated with Superfund and RCRA sites.

California Integrated Waste Management Board, April and May, 2001. Alternative Landfill Caps Seminar in San Diego, Ventura, and San Francisco. Focused on both prescriptive and innovative landfill cover design.

UCLA Department of Environmental Engineering, February 5, 2002. Seminar on Successful Remediation Technologies focusing on Groundwater Remediation.

University Of Washington, Soil Science Program, Teaching Assistant for several courses including: Soil Chemistry, Organic Soil Amendments, and Soil Stability.

U.C. Berkeley, Environmental Science Program Teaching Assistant for Environmental Science 10.

Academic Grants Awarded:

California Integrated Waste Management Board. $41,000 grant awarded to UCLA Institute of the Environment. Goal: To investigate effect of high carbon wood ash on volatile organic emissions from compost. 2001.

Synagro Technologies, Corona California: $10,000 grant awarded to San Diego State University.
Goal: investigate effect of biosolids for restoration and remediation of degraded coastal sage soils. 2000.

King County, Department of Research and Technology, Washington State. $100,000 grant awarded to University of Washington: Goal: To investigate odor emissions from biosolids application and the effect of polymers and ash on VOC emissions. 1998.

Northwest Biosolids Management Association, Washington State. $20,000 grant awarded to investigate effect of polymers and ash on VOC emissions from biosolids. 1997.

James River Corporation, Oregon: $10,000 grant was awarded to investigate the success of genetically engineered Poplar trees with resistance to round-up. 1996.

United State Forest Service, Tahoe National Forest: $15,000 grant was awarded to investigating fire ecology of the Tahoe National Forest. 1995.

Kellogg Foundation, Washington D.C. $500 grant was awarded to construct a large anaerobic digester on St. Kitts in West Indies. 1993

Deposition and/or Trial Testimony:

In the Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants
Case No.: No. 0i9-L-2295
Rosenfeld Deposition, 5-14-2021
Trial, October 8-4-2021

In the Circuit Court of Cook County Illinois
Joseph Rafferty, Plaintiff vs. Consolidated Rail Corporation and National Railroad Passenger Corporation d/b/a AMTRAK,
Case No.: No. 18-L-6845
Rosenfeld Deposition, 6-28-2021

In the United States District Court For the Northern District of Illinois
Theresa Romcoe, Plaintiff vs. Northeast Illinois Regional Commuter Railroad Corporation d/b/a METRA Rail, Defendants
Case No.: No. 17-cv-8517
Rosenfeld Deposition, 5-25-2021

In the Superior Court of the State of Arizona In and For the Cunty of Maricopa
Mary Tryon et al., Plaintiff vs. The City of Pheonix v. Cox Cactus Farm, L.L.C., Utah Shelter Systems, Inc.
Case Number CV20127-094749
Rosenfeld Deposition: 5-7-2021

In the United States District Court for the Eastern District of Texas Beaumont Division
Robinson, Jeremy et al *Plaintiffs*, vs. CNA Insurance Company et al.
Case Number 1:17-cv-000508
Rosenfeld Deposition: 3-25-2021

In the Superior Court of the State of California, County of San Bernardino
Gary Garner, Personal Representative for the Estate of Melvin Garner vs. BNSF Railway Company.
Case No. 1720288
Rosenfeld Deposition 2-23-2021

In the Superior Court of the State of California, County of Los Angeles, Spring Street Courthouse
Benny M Rodriguez vs. Union Pacific Railroad, A Corporation, et al.
Case No. 18STCV01162
Rosenfeld Deposition 12-23-2020

In the Circuit Court of Jackson County, Missouri
Karen Cornwell, *Plaintiff,* vs. Marathon Petroleum, LP, *Defendant.*
Case No.: 1716-CV10006
Rosenfeld Deposition. 8-30-2019

In the United States District Court For The District of New Jersey
Duarte et al, *Plaintiffs,* vs. United States Metals Refining Company et. al. *Defendant.*
Case No.: 2:17-cv-01624-ES-SCM
Rosenfeld Deposition. 6-7-2019

In the United States District Court of Southern District of Texas Galveston Division
M/T Carla Maersk, *Plaintiffs,* vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS "Conti Perdido" *Defendant.*
Case No.: 3:15-CV-00106 consolidated with 3:15-CV-00237
Rosenfeld Deposition. 5-9-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants
Case No.: No. BC615636
Rosenfeld Deposition, 1-26-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants
Case No.: No. BC646857
Rosenfeld Deposition, 10-6-2018; Trial 3-7-19

In United States District Court For The District of Colorado
Bells et al. Plaintiff vs. The 3M Company et al., Defendants
Case No.: 1:16-cv-02531-RBJ
Rosenfeld Deposition, 3-15-2018 and 4-3-2018

In The District Court Of Regan County, Texas, 112th Judicial District
Phillip Bales et al., Plaintiff vs. Dow Agrosciences, LLC, et al., Defendants
Cause No.: 1923
Rosenfeld Deposition, 11-17-2017

In The Superior Court of the State of California In And For The County Of Contra Costa
Simons et al., Plaintiffs vs. Chevron Corporation, et al., Defendants
Cause No C12-01481
Rosenfeld Deposition, 11-20-2017

In The Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants
Case No.: No. 0i9-L-2295
Rosenfeld Deposition, 8-23-2017

In United States District Court For The Southern District of Mississippi
Guy Manuel vs. The BP Exploration et al., Defendants
Case: No 1:19-cv-00315-RHW
Rosenfeld Deposition, 4-22-2020

In The Superior Court of the State of California, For The County of Los Angeles
Warrn Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC
Case No.: LC102019 (c/w BC582154)
Rosenfeld Deposition, 8-16-2017, Trail 8-28-2018

In the Northern District Court of Mississippi, Greenville Division
Brenda J. Cooper, et al., *Plaintiffs,* vs. Meritor Inc., et al., *Defendants*
Case Number: 4:16-cv-52-DMB-JVM
Rosenfeld Deposition: July 2017

In The Superior Court of the State of Washington, County of Snohomish
Michael Davis and Julie Davis et al., Plaintiff vs. Cedar Grove Composting Inc., Defendants
Case No.: No. 13-2-03987-5
Rosenfeld Deposition, February 2017
Trial, March 2017

In The Superior Court of the State of California, County of Alameda
Charles Spain., Plaintiff vs. Thermo Fisher Scientific, et al., Defendants
Case No.: RG14711115
Rosenfeld Deposition, September 2015

In The Iowa District Court In And For Poweshiek County
Russell D. Winburn, et al., Plaintiffs vs. Doug Hoksbergen, et al., Defendants
Case No.: LALA002187
Rosenfeld Deposition, August 2015

In The Circuit Court of Ohio County, West Virginia
Robert Andrews, et al. v. Antero, et al.
Civil Action N0. 14-C-30000
Rosenfeld Deposition, June 2015

In The Iowa District Court For Muscatine County
Laurie Freeman et. al. Plaintiffs vs. Grain Processing Corporation, Defendant
Case No 4980
Rosenfeld Deposition: May 2015

In the Circuit Court of the 17th Judicial Circuit, in and For Broward County, Florida
Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality, Defendant.
Case Number CACE07030358 (26)
Rosenfeld Deposition: December 2014

In the County Court of Dallas County Texas
Lisa Parr et al, *Plaintiff*, vs. Aruba et al, *Defendant.*
Case Number cc-11-01650-E
Rosenfeld Deposition: March and September 2013
Rosenfeld Trial: April 2014

In the Court of Common Pleas of Tuscarawas County Ohio
John Michael Abicht, et al., *Plaintiffs,* vs. Republic Services, Inc., et al., *Defendants*
Case Number: 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)
Rosenfeld Deposition: October 2012

In the United States District Court for the Middle District of Alabama, Northern Division
James K. Benefield, et al., *Plaintiffs*, vs. International Paper Company, *Defendant*.
Civil Action Number 2:09-cv-232-WHA-TFM
Rosenfeld Deposition: July 2010, June 2011

In the Circuit Court of Jefferson County Alabama
Jaeanette Moss Anthony, et al., *Plaintiffs*, vs. Drummond Company Inc., et al., *Defendants*
Civil Action No. CV 2008-2076
Rosenfeld Deposition: September 2010

In the United States District Court, Western District Lafayette Division
Ackle et al., *Plaintiffs*, vs. Citgo Petroleum Corporation, et al., *Defendants*.
Case Number 2:07CV1052
Rosenfeld Deposition: July 2009

EXHIBIT B

April 25, 2022

Ms. Kelilah D. Federman
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080

Subject: Comments on the Initial Study and Mitigated Negative Declaration for the Inspiration Drive Memory Care and Assisted Living Facility Project

Dear Ms. Federman:

This letter contains my comments on the Initial Study and Mitigated Negative Declaration ("IS/MND") prepared by the City of Dublin ("City") for the Inspiration Drive Memory Care and Assisted Living Facility Project ("Project"). Fulcrum Real Estate Development ("Applicant") is proposing construction of two buildings and associated landscaping, parking, and utility improvements. The Memory Care building would be constructed in "Parcel 2," while the Assisted Living building would be constructed in a portion of "Parcel 3." Both parcels are located within the Valley Christian Center ("VCC") site at 7500 Inspiration Drive in the City of Dublin.

I am an environmental biologist with 29 years of professional experience in wildlife biology and natural resources management. I have served as a biological resources expert for over 150 projects in California. My experience and scope of work in this regard has included assisting various clients with evaluations of biological resource issues; preparation and peer review of environmental compliance documents prepared pursuant to the California Environmental Quality Act ("CEQA") and the National Environmental Policy Act ("NEPA"); and preparation of written comments that address deficiencies with CEQA and NEPA documents. My work has included written and oral testimony for the California Energy Commission, California Public Utilities Commission, and Federal courts. My educational background includes a B.S. in Resource Management from the University of California at Berkeley, and a M.S. in Wildlife and Fisheries Science from the Pennsylvania State University. A copy of my current curriculum vitae is attached hereto.

The comments herein are based on my review of the environmental documents prepared for the Project, a review of scientific literature pertaining to biological resources known to occur in the Project area, my work on several other projects in the region, and the knowledge and experience I have acquired during my 29-year career in the field of natural resources management.

ENVIRONMENTAL SETTING

Sensitive Natural Communities

Sensitive natural communities in California are classified through application of the state standards embodied in the Survey of California Vegetation.[1] This is reflected in the California Department of Fish and Wildlife's ("CDFW") *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* ("Protocols").[2] The Applicant's biological resources consultant, WRA, did not use the statewide standards (described in the Protocols) to classify vegetation at the Project site.[3] This precludes: (a) the ability to assess the Project's impacts on sensitive natural communities, and (b) the City's ability to make the determination that the Project would have "no impact" on sensitive natural communities.

Special-Status Plants and Animals

WRA's biologist visited the Project site on May 20, 2015.[4] During the site visit, the Study Area (Project site) was traversed on foot to determine: (1) plant communities present within the Study Area, (2) if existing conditions provided suitable habitat for any special-status plant or wildlife species, and (3) if sensitive habitats are present.[5] WRA's Biological Resources Assessment ("BRA") acknowledges that the site visit was not designed to determine presence or absence of any special-status species.[6]

The WRA biologist revisited the Project site on March 5, 2018.[7] In addition, a biologist from LSA Associates visited the Project site on February 18, 2021.[8] Focused surveys for plants and animals were not conducted during either of these site visits. Instead, the site visits were conducted to confirm site conditions had not changed significantly since WRA's 2015 site assessment.[9]

The IS/MND states: "[a] total of 77 (42 plants and 35 animals) special-status species were evaluated for the VCC project. Of these only two, Congdon's tarplant and California red-legged

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[1] California Department of Fish and Wildlife. 2022. VegCAMP [website]. Available at: <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities>.

[2] California Department of Fish and Wildlife. 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. p. 9.

[3] WRA. 2015. Biological Resources Assessment [BRA], Dublin Valley Christian Center, p. 7: "[b]iological communities present in the Study Area were classified based on existing plant community descriptions described in the *Preliminary Descriptions of the Terrestrial Natural Communities of California* (Holland 1986)."

[4] BRA, p. 6.

[5] *Ibid.*

[6] *Ibid*, pp. 1 and 9.

[7] WRA. 2018. Dublin Valley Christian Center Biological Site Conditions Update [BRA Update]. p. 1.

[8] LSA Associates. 2021. Biological Resources Analysis for the Inspiration Drive Memory Care and Assisted Living Facilities in Dublin, California. Memorandum to City of Dublin, p. 2.

[9] BRA Update, p. 1.

frog, have the potential to occur on the site and could be impacted by the proposed project."[10] This statement conflicts with the BRA, which identified six special-status animal species with "moderate" potential to occur at the Project site: California red-legged frog, white-tailed kite, loggerhead shrike, grasshopper sparrow, Nuttall's woodpecker, and oak titmouse.[11] In addition, Appendix B to the BRA states that the Project site provides foraging habitat for the pallid bat, hoary bat, golden eagle, northern harrier, ferruginous hawk, prairie falcon, and tricolored blackbird—all of which are special-status species. Therefore, according to the BRA, 13 special-status animal species have the potential to occur at the Project site. There have been no efforts (i.e., focused surveys) to determine which of these species occur at the Project site, and thus, which species would be impacted by the Project.

Congdon's Tarplant (*Centromadia parryi* ssp. *congdonii*) and Other Special-Status Plants

Congdon's tarplant (Rare Plant Rank 1B.1) has been detected at the Project site.[12] During the 20 May 2015 site visit, two tarplant individuals (*Centromadia* sp.) were observed in the northeast portion of the Study Area. WRA believed the plants were Congdon's tarplant; however, the plants could not be identified to the species level due to the timing of the site visit.[13] During the 5 March 2018 site visit, approximately five individuals of the genus *Centromadia* were observed in a man-made stormwater detention basin outside of the VCC Project footprint (but within the footprint of the currently proposed Assisted Living facility). A portion of one of the senesced annual plants was collected for identification, and it was determined to be Congdon's tarplant.[14]

The presence of Congdon's tarplant in the southeastern portion of the Study Area (Parcel 3) in 2018, and the inferred presence of Congdon's tarplant in the northeastern portion of the Study Area (Parcel 1) in 2015, strongly suggests that the species could occur in other portions of the Study Area. However, focused surveys to establish the distribution and abundance of Congdon's tarplant at the Project site have never been conducted. Information on the size and distribution of the Congdon's tarplant population at the site is essential to the public's: (a) understanding of the severity of Project impacts on species, and (b) ability to evaluate the sufficiency of the mitigation proposed in the IS/MND.

The fact that WRA detected only a few Congdon's tarplant individuals at the site is not evidence that the site lacks a significant population. Congdon's tarplant is an annual forb that blooms from June to November.[15] After blooming, it almost always withers and decays before the next growing season. Therefore, it's entirely possible that the Project site contains hundreds (or thousands) of Congdon's tarplants, but only five senesced individuals were detectable when WRA conducted the 5 March 2018 site visit.

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[10] IS/MND, p. 64.
[11] BRA, pp. 14 through 18.
[12] IS/MND, p. 64.
[13] 2018 Supplemental IS/MND, p. 44.
[14] BRA Update, p. 2.
[15] IS/MND, p. 64.

The BRA identifies 27 rare plant species that WRA believed were "unlikely" to occur at the Project site.[16] The IS/MND does not address these 27 species (i.e., it assumes they are absent from the site). Even if the 27 plant species are unlikely to occur at the Project site, there is no basis for assuming they would not be impacted by the Project until protocol-level (focused) botanical surveys have been conducted. The CDFW Protocols state:

> "It is appropriate to conduct a botanical field survey when:
>
> - Natural (or naturalized) vegetation occurs in an area that may be directly or indirectly affected by a project (project area), and it is unknown whether or not special status plants or sensitive natural communities occur in the project area;
> - Special status plants or sensitive natural communities have historically been identified in a project area; or
> - Special status plants or sensitive natural communities occur in areas with similar physical and biological properties as a project area."[17]

Although the Project site satisfies these three criteria, no protocol-level surveys have been conducted for the Project. Conducting botanical surveys after the CEQA review process terminates, as proposed in Mitigation Measure BIO-3, does not rectify the issue because it precludes the public (and resource agencies) from understanding the magnitude and severity of the Project's impacts on rare plants.[18] Furthermore, because the compensatory mitigation requirements in Mitigation Measure BIO-3 are limited to Congdon's tarplant, it is impossible for the City to make the determination that the Project would be not have significant impacts on other rare plant species until surveys are conducted to confirm absence of those species.

IMPACTS

California Red-legged Frog ("CRLF")

The BRA states: "CRLF may inhabit the wet riparian areas and uplands within the Study Area 200 feet of these wet areas."[19] The BRA then states: "[i]mpacts to these areas may require consultation with the USFWS and compensatory mitigation."[20] The IS/MND fails to analyze the significance of the Project's impacts on upland habitat for the CRLF, and it only requires compensatory mitigation if CRLF are detected during a single pre-construction survey. This is not an effective approach to mitigating the Project's potentially significant impacts because detection of CRLF in uplands is difficult, and thus, surveys of uplands cannot be used to support

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[16] BRA, Appendix B.

[17] California Department of Fish and Wildlife. 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. p. 4.

[18] Mitigation Measure BIO-3 requires rare plant surveys "for Congdon's Tarplant *or for other species* within the project site."

[19] BRA, p. 22. There is no scientific basis for the BRA's determination that CRLF would be limited to upland areas within 200 feet of wet areas. The USFWS defines upland habitat for the CRLF as: "[u]pland areas adjacent to or surrounding breeding and non-breeding aquatic and riparian habitat up to a distance of 1.6 kilometer (1 mile)." *See* U.S. Fish and Wildlife Service. 2010. Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the California Red-legged Frog; Final Rule. Federal Register 75(51):12816-12959.

[20] *Ibid.*

a negative finding.[21] As a result, Project impacts on upland habitat for the CRLF remain potentially significant.

Eastern Alameda County Conservation Strategy

The IS/MND acknowledges the Project site is located in Conservation Zone 1 of the East Alameda County Conservation Strategy ("EACCS" or "Conservation Strategy"). The EACCS, which was prepared by the resource agencies in partnership with the City of Dublin, was designed to provide an effective framework to protect, enhance, and restore natural resources in eastern Alameda County. According to the IS/MND: "[t]he City of Dublin utilizes the EACCS as guidance for environmental permitting for public projects, and private development projects are encouraged to use the EACCS as a resource."[22] The IS/MND then states: "[w]ith implementation of the mitigation measures identified above, the project would be consistent with the EACCS."[23] This statement is false for three main reasons:

First, implementing the EACCS requires the Applicant to conduct protocol surveys, or alternatively, to assume presence of focal species.[24] Focal species that occur, or have the potential to occur at the Project site include the California red-legged frog, Alameda whipsnake, golden eagle, and Congdon's tarplant.[25] The Applicant has not conducted protocol-level surveys for any of these species, and the IS/MND only assumes presence of Congdon's tarplant.

Second, the EACCS establishes "general" and "species-specific" avoidance and minimization measures that need to be implemented to reduce effects on focal species.[26] The IS/MND does not require the Applicant to implement those avoidance and minimization measures.

Third, the core of the Conservation Strategy for the focal species is the application of standardized mitigation ratios.[27] Implementation of these mitigation ratios ensures project impacts to focal species and their habitat are offset in a biologically effective manner.[28] Projects that impact habitat for the California red-legged frog require mitigation at a ratio of 2.5:1 to 3.5:1 (depending on the locations of impacts and compensatory mitigation in relation to critical habitat).[29] Projects that impact habitat for Congdon's tarplant require mitigation at a ratio

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[21] *See* U.S. Fish and Wildlife Service. 2005. Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog. Available at: <https://www.fws.gov/sacramento/es/Survey-Protocols-Guidelines/Documents/crf_survey_guidance_aug2005.pdf >.

[22] IS/MND, p. 70.

[23] *Ibid.*

[24] ICF International. 2010. Final Draft East Alameda County Conservation Strategy. Prepared for East Alameda County Conservation Strategy Steering Committee. October 2010. pp. 5-16 and -17.

[25] BRA, Appendix B. Although the Project site does not provide nesting habitat for golden eagles, it provides foraging habitat.

[26] ICF International. 2010. Final Draft East Alameda County Conservation Strategy. Prepared for East Alameda County Conservation Strategy Steering Committee. October 2010. Tables 3-2 and 3-3.

[27] *Ibid*, p. 3-41.

[28] *Ibid. See also* U.S. Fish and Wildlife Service. 2012. Programmatic Biological Opinion for U.S. Army Corps of Engineers (Corps) Permitted Projects Utilizing the East Alameda County Conservation Strategy that May Affect Federally Listed Species in East Alameda County, California (Corps File Number 2011-00230S). pp. 8 and 9.

[29] *Ibid*, Table 3-7.

of 5:1 (based on the size of the population that is effected or protected). Projects that impact grassland or scrub communities that do not provide habitat for focal species require mitigation at a ratio of 3:1.[30] The IS/MND fails to incorporate the standardized mitigation ratios established in the EACCS.

For these reasons, the mitigation measures proposed in the IS/MND *are not* consistent with the EACCS, and thus, are not sufficient to offset the Project's impacts to less-than-significant levels.

Cumulative Impacts

The IS/MND's discussion of cumulative impacts is limited to the following statements: "[c]umulative impacts associated with implementation of the proposed project were considered and evaluated in the VCC EIR and the 2018 Supplemental IS/MND. No new cumulative impacts or substantially more severe significant cumulative impacts were identified as a result of implementing the proposed project."[31]

There has been no scientific analysis of the Project's contribution to cumulative impacts. The VCC EIR did not provide scientific analysis; it merely made the conclusory statement that: "[i]mpacts of the project on biological impacts are limited and would not be considered cumulative."[32] Furthermore, the "analysis" in the VCC EIR was predicated on the belief that the project would not impact any special-status plants or animals.[33] It is now known that at least one special-status species (Congdon's tarplant) would be directly impacted by the currently proposed Project.

The 2018 Supplemental IS/MND did not rectify the deficiency because it merely cited the "analysis" in the VCC EIR: "*No cumulatively considerable impacts were identified with the VCC project in 2004, as documented in the final EIR*."[34]

Congdon's tarplant has been documented at the following project sites (recently proposed or approved) in the City of Dublin: SCS Dublin, East Ranch (Croak Property), Boulevard (Dublin Crossing), Ikea Retail Center, and Zeiss Innovation Center. None of these projects were contemplated in the VCC EIR (or 2018 Supplemental IS/MND). Collectively, the proposed Project, in conjunction with the projects listed above, would eliminate most of the Congdon's tarplant populations remaining in the City of Dublin.[35] This impact would be very significant, and because the Project does not adhere to the terms of the EACCS, its incremental contribution to the impact would be cumulatively considerable.

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[30] *Ibid*, pp. 3-14 and -17.

[31] IS/MND, p. 174.

[32] Draft EIR for the Valley Christian Center Expansion Program, p. 112.

[33] *Ibid*, p. 41.

[34] 2018 Supplemental IS/MND, p. 90.

[35] California Natural Diversity Database. 2022. RareFind 5 [Internet]. California Department of Fish and Wildlife [Apr 5, 2022].

MITIGATION

Mitigation Measure BIO-3: Congdon's Tarplant

Mitigation Measure BIO-3 states:

> "If exclusion zones and avoidance of impacts on a special-status plant species are not feasible, then the loss of individuals or occupied habitat of a special-status plant species shall be compensated for through the acquisition, protection, and subsequent management of other existing occurrences. Mature seeds shall be collected from all the plants that are present and planted in a suitable mitigation area within the Parcel 3 conservation easement. The mitigation area for replanting shall be identified by a qualified botanist before the start of work on the project. The conservation easement portion of Parcel 3 supports the same soil type (Diablo clay 15-30 percent) as the detention basin within the proposed assisted living facility area, so mitigation for Congdon's tarplant is feasible within the easement."

The proposed mitigation is vague because the IS/MND fails to identify criteria for the "acquisition, protection, and subsequent management of other existing occurrences." For example, the IS/MND does not identify how much land would need to be acquired, nor does it identify the mechanism that would ensure the land is properly protected and managed. Moreover, the mitigation measure subsequently suggests that the mitigation efforts would be limited to planting seeds in an area that is already protected (by a conservation easement) and not known to contain "existing occurrences" of Congdon's tarplant.

Congdon's tarplant was detected within the portion of the conservation easement that would be directly impacted by the Project.[36] As mitigation, the IS/MND proposes to reestablish the plants in another portion of the conservation easement. The IS/MND provides no evidence that the proposed mitigation strategy (i.e., collecting and planting seeds) is likely to succeed. Indeed, for most plant species, attempts to establish new plant populations are experimental and often unsuccessful.[37] As a result, the California Native Plant Society ("CNPS") has stated that "[l]osses of plant populations considered 'significant' under the California Environmental Quality Act (CEQA) or the National Environmental Quality Act (NEPA) cannot be mitigated to less-than-significant levels using *ex situ* conservation techniques."[38]

The fact that proposed mitigation area has the same soil type as the impact area is not evidence that the mitigation effort would be successful; many other variables affect the presence and viability of a plant population. Rare plants are often specialists that exploit a particular and unusual combination of habitat attributes. In addition to soil type, rare plants may require a particular set of pollinators, mycorhizal fungi or other associate species, aspect, hydrological

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[36] LSA Associates. 2021. Biological Resources Analysis for the Inspiration Drive Memory Care and Assisted Living Facilities in Dublin, California. Memorandum to City of Dublin, p. 3.

[37] Fiedler PL. 1991. Mitigation-related transplantation, relocation and reintroduction projects involving endangered and threatened, and rare plant species in California. Final Report to the California Department of Fish and Game.

[38] California Native Plant Society. 1992. Policy on Appropriate Application of *Ex Situ* Conservation Techniques. Available at: <https://www.cnps.org/wp-content/uploads/2018/04/ex_situ-conservation.pdf>.

regime, microclimate, or some combination of these or other factors for survival.[39] As a result, CNPS cautions that: "[a]dequate studies of microhabitat selection, fecundity, essential pollinators, community relationships, and other important biological characteristics must be completed before seeds or other plant materials are removed from natural habitats for an *ex situ* conservation effort."[40] The IS/MND does not consider these factors; it merely assumes that that all land with Diablo clay soil provides appropriate habitat for Congdon's tarplant.

The deficiencies described above are exacerbated by the IS/MND's deferral of success criteria, and monitoring and reporting requirements, for Mitigation Measure BIO-3. Preparation of a mitigation and monitoring plan ("plan") after the CEQA review process terminates does not rectify the issue because there are no assurances that the plan would contain appropriate success criteria (for example), nor would there be any ability for the scientific community to comment on the adequacy of the plan.

For the reasons described above, and because Mitigation Measure BIO-3 does not comply with the terms of the EACCS, Project impacts to Congdon's tarplant and potentially other rare plant species remain significant.

MM BIO-4 California Red-legged Frog

Mitigation Measure BIO-4 states:

> "For any development near on-site riparian areas, a qualified biologist shall conduct pre-construction surveys for CRLF species within 24 hours of initial ground disturbance. If individuals are found, work shall not begin until they are moved out of the construction zone to a U.S. Fish and Wildlife Service/California Department of Fish and Wildlife approved relocation site. If no species are found, no mitigation shall be required."

There are two problems with this component of the proposed mitigation. First, a single pre-construction survey would not be sufficient to avoid impacts to CRLF due to their low detection rate. According to the USFWS:

> "Frogs hide in heavy vegetation and under banks, in holes, in cracks and under objects. A researcher may be able to locate a collared frog by radio to within one square meter and still not be able to see it. Frogs foraging, resting, or dispersing in upland areas also may not be detected by surveys. A great deal of experience, especially with nighttime surveys, is necessary to insure detection of frogs. Because of these difficulties associated with surveying for the frog, negative survey results do not necessarily indicate an absence of the species, even if conducted by highly qualified biologists. Frogs actually seen during surveys probably represent a relatively small subsample of those actually present. Therefore, in areas where frogs have been found in the vicinity and suitable

[39] California Native Plant Society. 1998. Statement Opposing Transplantation as Mitigation for Impacts to Rare Plants. Available at: <https://www.cnps.org/wp-content/uploads/2018/04/transplanting2.pdf>

[40] California Native Plant Society. 1992. Policy on Appropriate Application of *Ex Situ* Conservation Techniques. Available at: <https://www.cnps.org/wp-content/uploads/2018/04/ex_situ-conservation.pdf>.

> habitat is present, suitable habitat accessible to frog populations occurring within five miles should be presumed to be occupied by the species."[41]

The survey protocol for CRLF entails eight surveys (three day surveys and five night surveys), with at least seven days between each survey.[42] WRA did not conduct *any* surveys for CRLF. Therefore, in accordance with USFWS guidance and the EACCS, the City must assume presence of CRLF at the Project site, irrespective of the results of the pre-construction survey. As stated in the IS/MND, presence of CRLF at the Project site requires compensatory mitigation and Section 7 consultation with the USFWS.

Second, relocating frogs has the potential to cause significant impacts that were not disclosed or analyzed in the IS/MND. For example, moving frogs from one site to another can spread parasites and diseases, especially chytridiomycosis, which is prevalent in California's amphibian populations.[43] As a result, CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species.[44] The provision for moving frogs to an "approved relocation site" does not eliminate the issue because there are no assurances that the agency (USFWS or CDFW) would conduct the assessment needed to identify an appropriate relocation site, nor is it likely that such an assessment could be conducted when ground disturbance is imminent.

Mitigation Measure BIO-4 further states:

> "If CRLF are found on the project site then the project Applicant shall provide information to support Section 7 consultation with the U.S. Fish & Wildlife Service (USFWS) and the project Applicant shall ensure no net loss of habitat that shall be achieved through avoidance, preservation, creation and/or purchase of credits. The final selected measures may be part of the Section 7 permitting process."

Contrary to what the IS/MND suggests, the City cannot rely on deferred mitigation and the undetermined permitting requirements of other agencies to conclude impacts would be reduced to less-than-significant levels. The USFWS participated in the development of the EACCS and determined that a compensation ratio of 2.5:1 to 3.5:1 was required to mitigate project impacts to

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[41] U.S. Fish and Wildlife Service. 2017 Mar. California Red-legged Frog (*Rana draytonii*) Fact Sheet. p. 1.

[42] U.S. Fish and Wildlife Service. 2005. Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog. p. 6.

[43] Dodd CK Jr., Seigel RA. 1991. Relocation, repatriation, and translocation of amphibians and reptiles: Are they conservation strategies that work? Herpetologica 47(3):336-350. *See also* Germano JM, Field KJ, Griffiths RA, Clulow S, Foster J, Harding G, Swaisgood RR. 2015. Mitigation-driven translocations: Are we moving wildlife in the right direction? Frontiers in Ecology and the Environment 13. *See also* Germano JM, Bishop PJ. 2008. Suitability of amphibians and reptiles for translocation. Conservation Biology 23(1):7-15.

[44] California Department of Fish and Wildlife. 2021 Feb 22. Notice of Preparation of a Draft Environmental Impact Report, South Ontario Logistics Center Specific Project, State Clearinghouse No. 2021010318. Comment letter submitted to A Vaughn, City of Ontario. pp. 10 and 11.

CRLF habitat in eastern Alameda County.[45] Because Mitigation Measure BIO-4 defers formulation of the compensatory mitigation requirement and does not require compliance with the EACCS, impacts to CRLF habitat remain potentially significant.

Sincerely,

Scott Cashen, M.S.
Senior Biologist

[45] ICF International. 2010. Final Draft East Alameda County Conservation Strategy. Prepared for East Alameda County Conservation Strategy Steering Committee. October 2010. Table 3-7 and pp. 5-16 through -18. *See also* U.S. Fish and Wildlife Service. 2012. Programmatic Biological Opinion for U.S. Army Corps of Engineers (Corps) Permitted Projects Utilizing the East Alameda County Conservation Strategy that May Affect Federally Listed Species in East Alameda County, California (Corps File Number 2011-00230S). pp. 8 through 10.

Scott Cashen, M.S.
Senior Wildlife Biologist

Scott Cashen has 28 years of professional experience in natural resources management. During that time he has worked as a field biologist, forester, environmental consultant, and instructor of Wildlife Management. Mr. Cashen focuses on CEQA/NEPA compliance issues, endangered species, scientific field studies, and other topics that require a high level of scientific expertise.

Mr. Cashen has knowledge and experience with numerous taxa, ecoregions, biological resource issues, and environmental regulations. As a biological resources expert, Mr. Cashen is knowledgeable of the various agency-promulgated guidelines for field surveys, impact assessments, and mitigation. Mr. Cashen has led field investigations on several special-status species, including ones focusing on the yellow-legged frog, red-legged frog, desert tortoise, steelhead, burrowing owl, California spotted owl, northern goshawk, willow flycatcher, Peninsular bighorn sheep, red panda, and various forest carnivores.

Mr. Cashen is a recognized expert on the environmental impacts of renewable energy development. He has been involved in the environmental review process of over 100 solar, wind, biomass, and geothermal energy projects. Mr. Cashen's role in this capacity has encompassed all stages of the environmental review process, from initial document review through litigation support. Mr. Cashen provided expert witness testimony on several of the Department of the Interior's "fast-tracked" renewable energy projects. His testimony on those projects helped lead agencies develop project alternatives and mitigation measures to reduce environmental impacts associated with the projects.

Mr. Cashen was a member of the independent scientific review panel for the Quincy Library Group project, the largest community forestry project in the United States. As a member of the panel, Mr. Cashen was responsible for advising the U.S. Forest Service on its scientific monitoring program, and for preparing a final report to Congress describing the effectiveness of the Herger-Feinstein Forest Recovery Act of 1998.

AREAS OF EXPERTISE

- CEQA, NEPA, and Endangered Species Act compliance issues
- Comprehensive biological resource assessments
- Endangered species management
- Renewable energy development
- Scientific field studies, grant writing and technical editing

EDUCATION

M.S. Wildlife and Fisheries Science - The Pennsylvania State University (1998)
Thesis: *Avian Use of Restored Wetlands in Pennsylvania*
B.S. Resource Management - The University of California, Berkeley (1992)

PROFESSIONAL EXPERIENCE

Litigation Support / Expert Witness

Mr. Cashen has served as a biological resources expert for over 125 projects subject to environmental review under the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act (NEPA). As a biological resources expert, Mr. Cashen reviews CEQA/NEPA documents and provides his clients with an assessment of biological resource issues. He then submits formal comments on the scientific and legal adequacy of the project's environmental documents (e.g., Environmental Impact Report). If needed, Mr. Cashen conducts field studies to generate evidence for legal testimony, or he can obtain supplemental testimony from his deep network of species-specific experts. Mr. Cashen has provided written and oral testimony to the California Energy Commission, California Public Utilities Commission, and U.S. district courts. His clients have included law firms, non-profit organizations, and citizen groups.

REPRESENTATIVE EXPERIENCE

Solar Energy

- Abengoa Mojave Solar Project
- Avenal Energy Power Plant
- Beacon Solar Energy Project
- Blythe Solar Power Project
- Calico Solar Project
- California Flats Solar Project
- Calipatria Solar Farm II
- Carrizo Energy Solar Farm
- Catalina Renewable Energy
- Fink Road Solar Farm
- Genesis Solar Energy Project
- Heber Solar Energy Facility
- Imperial Valley Solar Project
- Ivanpah Solar Electric Generating
- Maricopa Sun Solar Complex
- McCoy Solar Project
- Mt. Signal and Calexico Solar
- Panoche Valley Solar
- San Joaquin Solar I & II
- San Luis Solar Project
- Stateline Solar Project
- Solar Gen II Projects
- SR Solis Oro Loma
- Vestal Solar Facilities
- Victorville 2 Power Project
- Willow Springs Solar

Geothermal Energy

- Casa Diablo IV Geothermal
- East Brawley Geothermal
- Mammoth Pacific 1 Replacement
- Orni 21 Geothermal Project
- Western GeoPower Plant

Wind Energy

- Catalina Renewable Energy
- Ocotillo Wind Energy Project
- SD County Wind Energy
- Searchlight Wind Project
- Shu'luuk Wind Project
- Tres Vaqueros Repowering Project
- Tule Wind Project
- Vasco Winds Relicensing Project

Biomass Facilities

- CA Ethanol Project
- Colusa Biomass Project
- Tracy Green Energy Project

Other Development Projects

- Cal-Am Desalination Project
- Carnegie SVRA Expansion Project
- Lakeview Substation Project
- Monterey Bay Shores Ecoresort
- Phillips 66 Rail Spur
- Valero Benecia Crude By Rail
- World Logistics Center

Project Management

Mr. Cashen has managed several large-scale wildlife, forestry, and natural resource management projects. Many of the projects have required hiring and training field crews, coordinating with other professionals, and communicating with project stakeholders. Mr. Cashen's experience in study design, data collection, and scientific writing make him an effective project manager, and his background in several different natural resource disciplines enable him to address the many facets of contemporary land management in a cost-effective manner.

REPRESENTATIVE EXPERIENCE

Wildlife Studies

- Peninsular Bighorn Sheep Resource Use and Behavior Study: (*CA State Parks*)
- "KV" Spotted Owl and Northern Goshawk Inventory: (*USFS, Plumas NF*)
- Amphibian Inventory Project: (*USFS, Plumas NF*)
- San Mateo Creek Steelhead Restoration Project: (*Trout Unlimited and CA Coastal Conservancy, Orange County*)
- Delta Meadows State Park Special-Status Species Inventory: (*CA State Parks, Locke*)

Natural Resources Management

- Mather Lake Resource Management Study and Plan – (*Sacramento County*)
- Placer County Vernal Pool Study – (*Placer County*)
- Weidemann Ranch Mitigation Project – (*Toll Brothers, Inc., San Ramon*)
- Ion Communities Biological Resource Assessments – (*Ion Communities, Riverside and San Bernardino Counties*)
- Del Rio Hills Biological Resource Assessment – (*The Wyro Company, Rio Vista*)

Forestry

- Forest Health Improvement Projects – (*CalFire, SD and Riverside Counties*)
- San Diego Bark Beetle Tree Removal Project – (*SDG&E, San Diego Co.*)
- San Diego Bark Beetle Tree Removal Project – (*San Diego County/NRCS*)
- Hillslope Monitoring Project – (*CalFire, throughout California*)

Biological Resources

Mr. Cashen has a diverse background with biological resources. He has conducted comprehensive biological resource assessments, habitat evaluations, species inventories, and scientific peer review. Mr. Cashen has led investigations on several special-status species, including ones focusing on the foothill yellow-legged frog, mountain yellow-legged frog, desert tortoise, steelhead, burrowing owl, California spotted owl, northern goshawk, willow flycatcher, Peninsular bighorn sheep, red panda, and forest carnivores.

REPRESENTATIVE EXPERIENCE

Biological Assessments/Biological Evaluations ("BA/BE")

- Aquatic Species BA/BE – Reliable Power Project (*SFPUC*)
- Terrestrial Species BA/BE – Reliable Power Project (*SFPUC*)
- Management Indicator Species Report – Reliable Power Project (*SFPUC*)
- Migratory Bird Report – Reliable Power Project (*SFPUC*)
- Terrestrial and Aquatic Species BA – Lower Cherry Aqueduct (*SFPUC*)
- Terrestrial and Aquatic Species BE – Lower Cherry Aqueduct (*SFPUC*)
- Terrestrial and Aquatic Species BA/BE – Public Lands Lease Application (*Society for the Conservation of Bighorn Sheep*)
- Terrestrial and Aquatic Species BA/BE – Simon Newman Ranch (*The Nature Conservancy*)
- Draft EIR (Vegetation and Special-Status Plants) - Wildland Fire Resiliency Program (*Midpeninsula Regional Open Space District*)

Avian

- Study design and Lead Investigator - Delta Meadows State Park Special-Status Species Inventory *(CA State Parks: Locke)*
- Study design and lead bird surveyor - Placer County Vernal Pool Study *(Placer County: throughout Placer County)*
- Surveyor - Willow flycatcher habitat mapping *(USFS: Plumas NF)*
- Surveyor - Tolay Creek, Cullinan Ranch, and Guadacanal Village restoration projects *(Ducks Unlimited/USGS: San Pablo Bay)*
- Study design and Lead Investigator - Bird use of restored wetlands research *(Pennsylvania Game Commission: throughout Pennsylvania)*
- Study design and surveyor - Baseline inventory of bird species at a 400-acre site in Napa County *(HCV Associates: Napa)*
- Surveyor - Baseline inventory of bird abundance following diesel spill *(LFR Levine-Fricke: Suisun Bay)*

- Study design and lead bird surveyor - Green Valley Creek Riparian Restoration Site *(City of Fairfield: Fairfield, CA)*
- Surveyor - Burrowing owl relocation and monitoring *(US Navy: Dixon, CA)*
- Surveyor - Pre-construction burrowing owl surveys *(various clients: Livermore, San Ramon, Rio Vista, Napa, Victorville, Imperial County, San Diego County)*
- Surveyor - Backcountry bird inventory *(National Park Service: Eagle, Alaska)*
- Lead surveyor - Tidal salt marsh bird surveys (*Point Reyes Bird Observatory: throughout Bay Area*)
- Surveyor – Pre-construction surveys for nesting birds (*various clients and locations)*

Amphibian

- Crew Leader - Red-legged frog, foothill yellow-legged frog, and mountain yellow-legged frog surveys *(USFS: Plumas NF)*
- Surveyor - Foothill yellow-legged frog surveys *(PG&E: North Fork Feather River)*
- Surveyor - Mountain yellow-legged frog surveys *(El Dorado Irrigation District: Desolation Wilderness)*
- Crew Leader - Bullfrog eradication *(Trout Unlimited: Cleveland NF)*

Fish and Aquatic Resources

- Surveyor - Hardhead minnow and other fish surveys *(USFS: Plumas NF)*
- Surveyor - Weber Creek aquatic habitat mapping (*El Dorado Irrigation District: Placerville, CA*)
- Surveyor - Green Valley Creek aquatic habitat mapping *(City of Fairfield: Fairfield, CA)*
- GPS Specialist - Salmonid spawning habitat mapping *(CDFG: Sacramento River)*
- Surveyor - Fish composition and abundance study (*PG&E: Upper North Fork Feather River and Lake Almanor*)
- Crew Leader - Surveys of steelhead abundance and habitat use *(CA Coastal Conservancy: Gualala River estuary)*
- Crew Leader - Exotic species identification and eradication *(Trout Unlimited: Cleveland NF)*

Mammals

- Principal Investigator – Peninsular bighorn sheep resource use and behavior study (*California State Parks: Freeman Properties*)

- Scientific Advisor –Study on red panda occupancy and abundance in eastern Nepal *(The Red Panda Network: CA and Nepal)*
- Surveyor - Forest carnivore surveys *(University of CA: Tahoe NF)*
- Surveyor - Relocation and monitoring of salt marsh harvest mice and other small mammals *(US Navy: Skagg's Island, CA)*
- Surveyor – Surveys for Monterey dusky-footed woodrat. Relocation of woodrat houses (*Touré Associates: Prunedale*)

Natural Resource Investigations / Multiple Species Studies

- Scientific Review Team Member – Member of the scientific review team assessing the effectiveness of the US Forest Service's implementation of the Herger-Feinstein Quincy Library Group Act.
- Lead Consultant - Baseline biological resource assessments and habitat mapping for CDF management units *(CDF: San Diego, San Bernardino, and Riverside Counties)*
- Biological Resources Expert – Peer review of CEQA/NEPA documents (*various law firms, non-profit organizations, and citizen groups)*
- Lead Consultant - Pre- and post-harvest biological resource assessments of tree removal sites *(SDG&E: San Diego County)*
- Crew Leader - T&E species habitat evaluations for Biological Assessment in support of a steelhead restoration plan *(Trout Unlimited: Cleveland NF)*
- Lead Investigator - Resource Management Study and Plan for Mather Lake Regional Park *(County of Sacramento: Sacramento, CA)*
- Lead Investigator - Biological Resources Assessment for 1,070-acre Alfaro Ranch property *(Yuba County, CA)*
- Lead Investigator - Wildlife Strike Hazard Management Plan *(HCV Associates: Napa)*
- Lead Investigator - Del Rio Hills Biological Resource Assessment *(The Wyro Company: Rio Vista, CA)*
- Lead Investigator – Ion Communities project sites (*Ion Communities: Riverside and San Bernardino Counties*)
- Surveyor – Tahoe Pilot Project: Validation of California's Wildlife Habitat Relationships (CWHR) Model *(University of California: Tahoe NF)*

Forestry

Mr. Cashen has five years of experience working as a consulting forester on projects throughout California. Mr. Cashen has consulted with landowners and timber operators on forest management practices; and he has worked on a variety of forestry tasks including selective tree marking, forest inventory, harvest layout, erosion control, and supervision of logging operations. Mr. Cashen's experience with many different natural resources enable him to provide a holistic approach to forest management, rather than just management of timber resources.

REPRESENTATIVE EXPERIENCE

- Lead Consultant - CalFire fuels treatment projects *(SD and Riverside Counties)*
- Lead Consultant and supervisor of harvest activities – San Diego Gas and Electric Bark Beetle Tree Removal Project *(San Diego)*
- Crew Leader - Hillslope Monitoring Program *(CalFire: throughout California)*
- Consulting Forester – Forest inventories and timber harvest projects *(various clients throughout California)*

Grant Writing and Technical Editing

Mr. Cashen has prepared and submitted over 50 proposals and grant applications. Many of the projects listed herein were acquired through proposals he wrote. Mr. Cashen's clients and colleagues have recognized his strong scientific writing skills and ability to generate technically superior proposal packages. Consequently, he routinely prepares funding applications and conducts technical editing for various clients.

PERMITS

U.S. Fish and Wildlife Service Section 10(a)(1)(A) Recovery Permit for the Peninsular bighorn sheep

PROFESSIONAL ORGANIZATIONS / ASSOCIATIONS

The Wildlife Society

Cal Alumni Foresters

Mt. Diablo Audubon Society

OTHER AFFILIATIONS

Scientific Advisor and Grant Writer – *The Red Panda Network*

Scientific Advisor – *Mt. Diablo Audubon Society*

Grant Writer – *American Conservation Experience*

TEACHING EXPERIENCE

Instructor: Wildlife Management - The Pennsylvania State University, 1998

Teaching Assistant: Ornithology - The Pennsylvania State University, 1996-1997

PUBLICATIONS

Gutiérrez RJ, AS Cheng, DR Becker, S Cashen, et al. 2015. Legislated collaboration in a conservation conflict: a case study of the Quincy Library group in California, USA. Chapter 19 *in*: Redpath SR, et al. (eds). Conflicts in Conservation: Navigating Towards Solutions. Cambridge Univ. Press, Cambridge, UK.

Cheng AS, RJ Gutiérrez RJ, S Cashen, et al. 2016. Is There a Place for Legislating Place-Based Collaborative Forestry Proposals?: Examining the Herger-Feinstein Quincy Library Group Forest Recovery Act Pilot Project. Journal of Forestry.

LSA

CARLSBAD
CLOVIS
IRVINE
LOS ANGELES
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

MEMORANDUM

DATE: May 10, 2022

TO: Amy Million, Principal Planner

FROM: Shanna Guiler, AICP Associate/Environmental Planner
Theresa Wallace, AICP Principal/Environmental Planner

SUBJECT: Inspiration Drive Memory Care and Assisted Living Project Supplemental Initial Study/Mitigated Negative Declaration - Response to Comments

In accordance with Section 15074 of the CEQA Guidelines, prior to approving a project, the decision-making body of the lead agency shall consider the proposed environmental document together with any comments received during the public review process. Although there is no legal requirement to formally respond to comments on a proposed Mitigated Negative Declaration (MND) as there is for an Environmental Impact Report (EIR), this memorandum provides a response to the written comments received on the Inspiration Drive Memory Care and Assisted Living Project Supplemental Initial Study/Mitigated Negative Declaration (Supplemental IS/MND) to aid the City of Dublin (City) decision-makers in their review of the project.

The Draft Supplemental IS/MND was available for public review and comment from November 18, 2021 to December 17, 2021. No comment letters were received during the public review period. On April 26, 2022, the City received one comment letter on behalf of East Bay Residents for Responsible Development. Generally, the commenter suggests that the Supplemental IS/MND does not comply with CEQA and requests preparation of an EIR. This assertion is based on the commenter's opinion that the Initial Study's evaluation of several technical topics is inadequate. Responses to the specific comments provided in this letter are provided herein. However, it should be noted that prior to publication of the Supplemental IS/MND, the City first prepared an Initial Study to determine if the CEQA standards for supplemental review were triggered by the proposed project including whether if the proposed project could have a new or substantially more severe significant effect on the environment than was already identified in the Valley Christian Center Expansion Project EIR (VCC EIR) or the 2018 Supplemental Initial Study/Mitigated Negative Declaration (2018 Supplemental IS/MND). Since an EIR had already been prepared, this determination is subject to the substantial evidence test, not the fair argument test as alleged by the commenters. Based on the evaluation of all environmental issue topics in the Initial Study, the City determined that, in light of the whole record and based on substantial evidence, a Supplemental MND should be prepared.

The Supplemental IS/MND includes an evaluation of all environmental Issue topics outlined in the CEQA Guidelines in accordance with CEQA's supplemental review standards. In addition, consistent with CEQA Guidelines Section 15097 the City has prepared a Mitigation Monitoring and Reporting

Program (MMRP) that is based on the mitigation measures identified in the VCC EIR and the 2018 Supplemental IS/MND, as well as any modifications required for the proposed project. The MMRP identifies each required mitigation measure, the schedule or timing for implementation, and the parties responsible for implementing and monitoring the required action. The MMRP is designed to ensure implementation of the mitigation measures identified in the IS/MND and would be required as part of the project approval. The project applicant would be required to implement the MMRP as a condition of project approval.

It should be noted that the existence of public controversy over the environmental effects of a project does not in and of itself require the preparation of an EIR if there is no substantial evidence before the City that the project may have a significant effect on the environment. Substantial evidence must consist of facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

Specific points raised by the commenter that relate to the adequacy of the IS/MND are responded to below. Based on a review of all of the comments received on the IS/MND, the City has determined that, consistent with the conclusions in the Supplemental IS/MND, there is no substantial evidence that with implementation of the recommended mitigation measures and required regulatory measures, the standards for preparation of a supplemental EIR are triggered.

Comment 1: The MND Fails to Provide Sufficient Baseline Information on Hazards and Hazardous Materials

The comment, which begins on page 9 of the comment letter, asserts that the Supplemental IS/MND fails to provide sufficient baseline information related to hazards and hazardous materials because a Phase 1 Environmental Site Assessment was not prepared.

As described in Section 8, Hazards and Hazardous Materials, of the Supplemental IS/MND, the project site includes development of Parcels 2 and 3 within the larger VCC site. Both Parcels 2 and 3 are currently undeveloped. Parcel 1 is developed with the existing VCC complex, which consists of a church and a preschool through grade 12 private school, with associated parking, landscaping, sports and play fields, lighting and other infrastructure. The project site is surrounded by residential development. No industrial uses or identified hazardous materials sites are located on or in proximity to the project site. There is no indication that hazardous materials are present on the project site; therefore, preparation of a Phase 1 Environmental Site Assessment was not warranted. Further, as stated in the Supplemental IS/MND, construction and operation of the proposed project would entail the use of limited quantities of commercially-available hazardous materials, which are required to be handled in accordance with federal, State, and local regulations.

Comment 2: The MND Fails to Provide Sufficient Baseline Information on Congdon's Tarplant and other Sensitive Plant Communities

The comment asserts that the Supplemental IS/MND fails to provide sufficient baseline information related to Congdon's tarplant and other sensitive plant communities because protocol level surveys were not conducted.

A *Biological Resources Analysis for the Inspiration Drive Memory Care and Assisted Living Facilities in Dublin, California* (Biological Resources Analysis) was prepared for the proposed project, which included review of on-line biological resources databases and documents, including the VCC EIR, the Biological Resources Assessment (2015), Biological Site Conditions Update (2018) and the letter report from Jane Valerius Environmental Consulting and a reconnaissance-level field survey to assess existing site conditions and to confirm prior findings. The results of the Biological Resources Analysis, including a description of existing conditions on the project site, is provided in Section 4, Biological Resources, of the Supplemental IS/MND. Species observed during the survey are noted in the Supplemental IS/MND. The survey's purpose was to assess which species may or may not occur in the habitats present onsite. In light of the prior biological surveys conducted on the site, a reconnaissance level survey is considered sufficient for CEQA analysis of the proposed project and protocol level surveys are not required.

As described in the Supplemental IS/MND, a total of 77 (42 plants and 35 animals) special-status species were evaluated for the VCC project. Of these only two, Congdon's tarplant and California red-legged frog, have the potential to occur on the site and could be impacted by the proposed project. Potential impacts to these special-status species are described in Section 4.a of the Supplemental IS/MND and mitigation measures are identified to reduce potential impacts to these species to a less-than-significant level. These mitigation measures include additional focused surveys, monitoring and other measures to avoid, minimize, and mitigate impacts to special-status species. Additional wildlife species noted in the comment letter include special-status bats and bird; these species are addressed further below in Response to Comment 5.

Comment 3: The MND Fails to Provide Sufficient Baseline Information on Oak Woodlands

The comment asserts that the Supplemental IS/MND fails to provide sufficient baseline information related to oak woodlands. As described in Response to Comment 2 above, the results of the Biological Resources Analysis prepared for the proposed project, including a description of existing conditions on the project site is provided in Section 4, Biological Resources, of the Supplemental IS/MND. The Supplemental IS/MND identified riparian woodland on Parcel 2, of which two species of oaks are a component, along with two species of willows, with much of the understory composed of weedy no-native species such as poison hemlock, Pampas grass, and Himalayan blackberry. As stated in the Supplemental IS/MND, the proposed project would avoid all impacts to this woodland, therefore, no oaks or other trees would be impacted.

Comment 4: The MND Fails to Provide Sufficient Baseline Information on California red-legged frog, White-tailed Kite, Loggerhead Shrike, grasshopper sparrow, Nuttall's Woodpecker, and Oak Titmouse

The comment asserts that the Supplemental IS/MND fails to provide sufficient baseline information related to several special-status species. As described in Response to Comment 2 above, the information provided in the Supplemental IS/MND is based on the Biological Resources Analysis prepared for the proposed project, which included a site-specific reconnaissance survey of the project site to assess existing site conditions, and prior biological surveys of the project site. The results of the Biological Resources Analysis, including a description of existing conditions on the project site is provided in Section 4, Biological Resources, of the Supplemental IS/MND. In light of

the prior biological surveys conducted on the site, a reconnaissance level survey is considered sufficient for CEQA analysis of the proposed project.

The Supplemental IS/MND adequately describes the potential for California red-legged frog (CRLF) to occur within and adjacent to the project site. Given that there is no suitable breeding habitat for CRLF on or near the project site and, based on the adjacent land use discussed in the Supplemental IS/MND, there is a very low probability of CRLF dispersing to the site. However, the Supplemental IS/MND acknowledges that given the presence of a corridor of undeveloped upland habitat, between the detention basin at the western end of the residential area and the drainage on Parcel 2, the presence of a dispersing frog in the drainage, though unlikely, cannot be completely ruled out. Mitigation Measure BIO-4, originally identified in the 2018 Supplemental IS/MND and VCC EIR, was modified to reflect current regulatory requirements and standard practices for addressing CRLF and would be implemented to reduce potential impacts to CRLF, if present, to less than significant. Mitigation Measure BIO-4 requires pre-construction surveys and requires work halt until CRLF are moved out of the construction zone to a U.S. Fish and Wildlife Service/California Department of Fish and Wildlife approved relocation site.

Nuttall's woodpecker and oak titmouse are identified as bird species of concern by the United States Fish and Wildlife Service.[1] However, these two native species are common in woodland habitats, particularly with oaks, throughout California including many urban areas with trees. These species and other native birds including all of the bird species noted in comment letter are protected under the Migratory Bird Treaty Act and the California Department of Fish and Game Code. As required by Mitigation Measure BIO-1, preconstruction nesting bird surveys and establishment of appropriate nest buffers, should an active nest be found, would reduce potential impacts to protected birds to a less than significant level.

Comment 5: The MND Fails to Provide Sufficient Baseline Information on Foraging Birds

The comment asserts that the Supplemental IS/MND fails to provide sufficient baseline information related to foraging birds because it does not evaluate all of the species identified in the 2015 Biological Resources Assessment. The comment notes that the project site provides potential foraging habitat for the pallid bat, hoary bat, golden eagle, northern harrier, ferruginous hawk, prairie falcon, and tricolored blackbird—all of which are special-status species. The potential for the project to provide foraging habitat for these species is addressed further below.

Pallid bats roost in crevices in rock outcrops, in expansion joints under bridges, large hollow trees, and in abandoned or little used buildings such as barns. Pallid bats typically forage in open habitats with access to large terrestrial insects. No suitable roosting sites for pallid bats were observed on or adjacent to the project site. While potential foraging habitat exists on the site, much of the project site is covered with dense non-native annual grasses, which would likely limit ground foraging by these bats. Even though pallid bats could occasionally fly over the site during their nocturnal foraging activity the site is unlikely to be an important foraging area given its relatively small size,

[1] United States Fish and Wildlife Service Migratory Bird Program (2021). Birds of Conservation Concern 2021. United States Fish and Wildlife Service.

dense grass cover, and the presence of extensive foraging habitat available in the hills to the east. Therefore, the proposed project would not result in significant impacts to this species.

Horny bats are migratory, roost singly in trees, and are powerful flyers that forage on the wing over large areas. This species could occasionally forage over the site; however, given that no potential roosting trees would be impacted by the proposed project, no significant impacts to this species would occur.

Golden eagle, ferruginous hawk, and prairie falcons are raptors that typically occur in extensive wild areas supporting grasslands and other open habitats. None of these species would be expected to regularly forage on the areas to be impacted by the proposed project due to its small size. The northern harrier could forage on the site occasionally; however, this species also generally occurs in more extensive areas of open habitat and would not be expected to regularly forage on the relatively small areas of grassland on the project site. The extensive open areas in the hills to the east provide good foraging habitat for golden eagles and northern harrier but ferruginous hawk, and prairie falcons would be considered rare irregular winter visitors to extensive grassland in this area. Therefore, the proposed project would not result in significant impacts to these species.

During the nesting season, tricolored blackbirds require open habitats with a high abundance of large insects near their nesting colonies. During the non-nesting season, tricolored blackbirds often join large mixed flocks of other blackbird species and Eurasian starlings, typically in agricultural areas with fallow fields and feed lots. The project site would not be considered important foraging habitat for tricolored blackbirds due to its small size, generally dense grass cover, and lack of nearby tricolored blackbird nesting colonies. Therefore, the proposed project would not result in significant impacts to these species.

Comment 6: The Change to the Conservation Easement is a New Circumstance Requiring the Preparation of the EIR

The comment asserts that the MND cannot tier from the VCC EIR because the change to the borders of the Conservation Easement causes substantial changes in circumstances, which will require major revisions in the VCC EIR. The existing Conservation Easement was approved as part of the VCC Expansion Project. It was included as part of the approval of Planned Development Ordinance No. 07-03 and not a result of the environmental review and associated mitigation measures. As described in the Supplemental IS/MND, the project does not impact the existing Conservation Easement previously required for the VCC Expansion Project. Instead, it creates new areas of Conservation Easement in addition to the existing Conservation Easement. The existing and proposed areas of Conservation Easement were included as part of the proposed project and evaluated in the Supplemental IS/MND.

It should be noted that the additional area proposed to be placed within a Conservation Easement is no longer part of the requested approvals and therefore, its inclusion in the CEQA analysis is not required.

Comment 7: The City Lacks Substantial Evidence to Support the MND's Conclusion that the Project Would Result in Less than Significant Air Quality Impacts

The comment asserts that the demolition, site preparation, grading, building construction, architectural coating, and paving phases of the project were inaccurately characterized in the air quality impact modeling. As such, the commenter believes that the Supplemental IS/MND underestimates the project construction air emission impacts.

LSA conducted the construction impact analysis properly and consistent with current Bay Area Air Quality Management District (BAAQMD) requirements and best practices. Air quality modeling was conducted based on project specific construction information provided by the project applicant, including construction duration and types of construction equipment, rather than the model defaults used by SWAPE. Use of project-specific inputs to the model is consistent with current regulatory requirements and provides a more accurate assessment of project impacts than use of model defaults. Therefore, the modeling conducted by SWAPE overestimates the project's construction period air quality impacts.

Comment 8: Substantial Evidence Supports a Fair Argument that Project Construction and Operation Would Result in Significant, Unmitigated Health Risk Impacts

The comment asserts that the Supplemental IS/MND's analysis of the project's health risk impact is inadequate because it omits an analysis of the project's operational health risk impacts and understates the project's construction health risk impacts.

Construction Health Risk Impacts. As described in the Supplemental IS/MND, LSA conducted a health risk assessment (HRA) for project construction impacts and Mitigation Measure AIR-2 is required to reduce impacts to a less-than-significant level. LSA did a full air dispersion model, which is more detailed than the outdated SCREEN model used by SWAPE. LSA's impact assessment is consistent with the BAAQMD CEQA Guidelines. Mitigation Measure AIR-2 requires that the contractors use cleaner construction equipment and exhaust filters. LSA's analysis shows that this measure would reduce cancer impacts associated with project construction from toxic air contaminants to a less than significant level.

Operation Health Risk Impacts. SWAPE incorrectly prepared an operational HRA to assert that health risk impacts during project operation would be significant. Operational health risk impacts can occur with diesel-fueled traffic. The proposed project would have occasional truck deliveries, but the overwhelming majority of vehicles would be automobiles associated with employees and visitors. These gasoline powered vehicles would not generate toxic air contaminants, resulting in an increase in cancer risk. The SWAPE analysis improperly used particulate emissions from all automobiles, which are gasoline fueled and do not have a toxic cancer risk profile. Because SWAPE's operational health risk analysis used inaccurate assumptions about sources of operational health risks, their analysis overstates the potential health risks associated with operation of the proposed project. As described above, diesel particulate matter would not be generated by the proposed project; therefore, no operational toxic air contaminants would be generated. There would be no operation-related health risk impacts.

Comment 9: The City Lacks Substantial Evidence to Support the MND's Conclusion that the Project's Energy Impacts are Less Than Significant

The comment asserts that the City's analysis of the Project's energy impacts is inadequate because the MND relied on energy modeling that underestimates the Project's operational energy emissions.

The version of CalEEMod that was used in the analysis was based on 2016 Title 24. The proposed project would be constructed to 2020 standards; therefore, adjustments were made to reflect the increased energy efficiency that will be realized under the latest Title 24 requirements. The adjustments were based on current Title 24 energy requirements, to which the project will be required to adhere. As described above, the duration of construction had to be expanded to reflect the anticipated construction schedule provided by project applicant; therefore, the default values were adjusted in the model to accurately reflect the project's impacts.

Comment 10: Substantial Evidence Supports a Fair Argument that the Project Is Likely to Result in Significant, Unmitigated Impacts to Biological Resources

The comment asserts that the MND fails to comply with CEQA for failure to analyze and mitigate potentially significant impacts to biological resources.

California red-legged frog. Please refer to Response to Comment 3 above. Given that there is no suitable breeding habitat for CRLF on or near the project site and, based on the adjacent land uses discussed in the Supplemental IS/MND, there is a very low probability of CRLF dispersing to the site. Nevertheless, Mitigation Measure BIO-4, as modified, was included in the Supplemental IS/MND to reduce potential impacts to CRLF, if present, to less than significant.

Congdon's tarplant. The Supplemental IS/MND acknowledges the previous detection of Congdon's tar plant on the project site and provided a viable survey and mitigation protocol to address Congdon's tar plant, as described in Mitigation Measure BIO-3. Mitigation Measure BIO-3 was modified to reflect current regulatory requirements and standard practices to reduce impacts to small, isolated occurrences of rare annual plants to a level of non-significance under CEQA. Mitigation Measure BIO-3 correctly outlines the requirements for pre-construction, protocol level surveys to be conducted prior to project ground disturbance and requires appropriate mitigation and monitoring be implements should species be identified as a result of such surveys. As such, implementation of Mitigation Measure BIO-3 would reduce potential impacts to Congdon's tarplant to a less than significant level.

Comment 11: Substantial Evidence Supports a Fair Argument that the Project will Result in Significant, Unmitigated Cumulative Impacts

The comment asserts that the MND fails to accurately characterize the significant cumulative impacts associated with the project.

The CEQA Guidelines require a discussion of significant environmental impacts that would result from project-related actions in combination with "closely related past, present, and probable future projects: located in the immediate vicinity (CEQA Guidelines Section 15130[b][1][A]). Cumulative

environmental impacts are those impacts that by themselves are not significant, but when considered with impacts occurring from other projects in the vicinity would result in a cumulative impact. Related projects considered to have the potential of creating cumulative impacts in association with the proposed project consist of projects that are reasonably foreseeable and that would be constructed or operated during the life of the proposed project.

The proposed project would be located in a highly developed urban area that is largely built out. No other construction projects are anticipated in the immediate area of the project within this timeframe. As described in the Supplemental IS/MND, the majority of environmental impacts associated with the proposed project would be temporary, construction-related and would be reduced to less than significant with implementation of the mitigation measures identified in the Supplemental IS/MND. Operational impacts would also be reduced to less than significant with implementation of identified mitigation measures. Therefore, the proposed project would not make a considerable contribution toward a cumulative impact. Therefore, cumulative impacts would be less than significant, and the project's contribution to cumulative impacts would not be cumulatively considerable.

Comment 12: The City Lacks Substantial Evidence to Make the Findings Required for the Tentative Parcel Map No. 11241

The comment asserts that the project may result in significant impacts to biological resources and their habitats and may result in a significant cancer risk associated with toxic air contaminants and diesel particulate matter emissions. As such, the City cannot make the necessary findings that the project will not cause substantial environmental damage to fish or wildlife or result in a serious public health concern, as required by the Dublin Municipal Code.

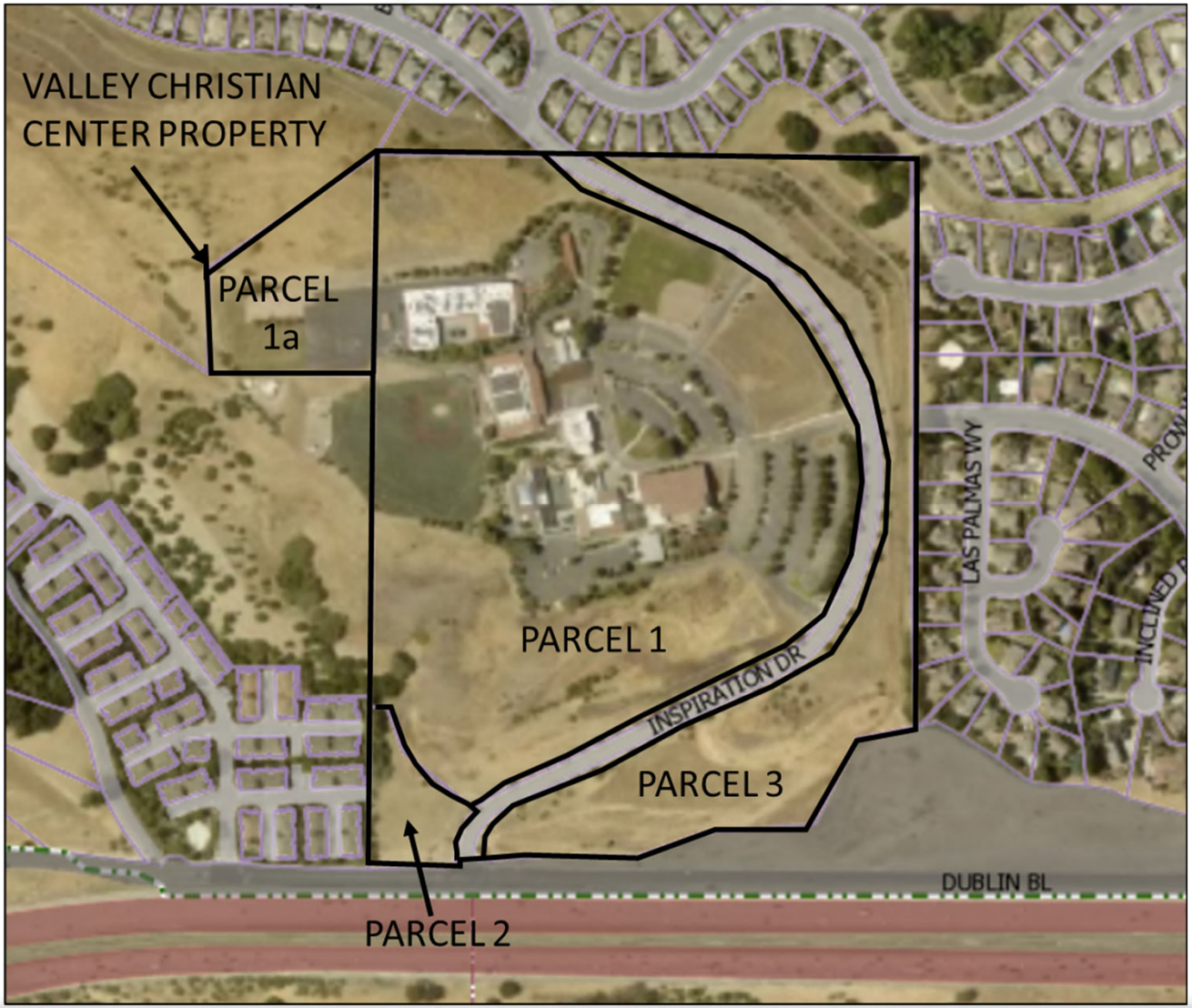
As described in the Supplemental IS/MND and reiterated in the responses above, the majority of environmental impacts associated with the proposed project would be temporary, construction-related and would be reduced to less than significant with implementation of the mitigation measures and required regulatory measures identified in the Supplemental IS/MND. Operational impacts would also be reduced to less than significant with implementation of identified mitigation measures and required regulatory measures. Therefore, the proposed project would not cause substantial environmental damage to fish or wildlife or result in a serious public health concern.

DUBLIN
CALIFORNIA

Inspiration Drive Memory Care and Assisted Living Projects

City Council
May 17, 2022

Project Location



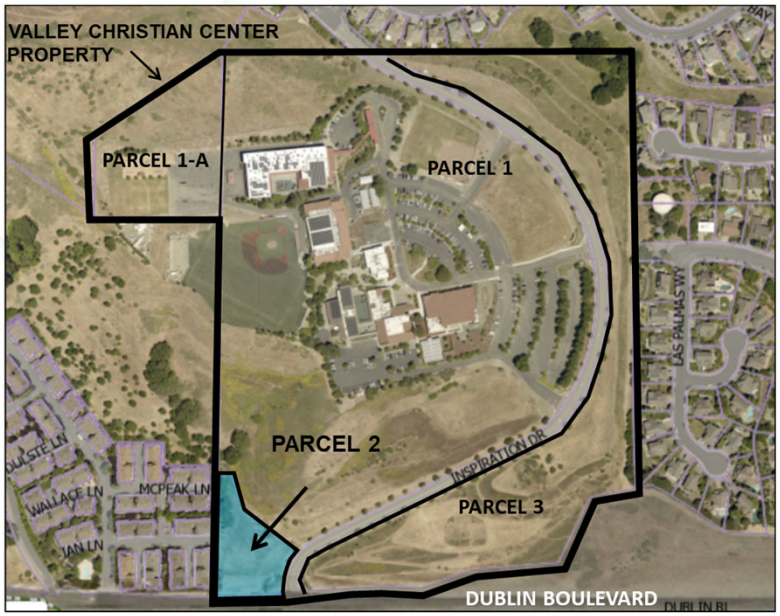
DUBLIN

Proposed Projects

- Memory Care – Parcel 2 (PLPA-2020-00044)
  - 55 bed memory care facility
  - 2-stories, approximately 35,000 square feet
- Assisted Living – Parcel 3 (PLPA-2020-00045)
  - 84 bed assisted living facility
  - 3-stories, approximately 75,400 square feet

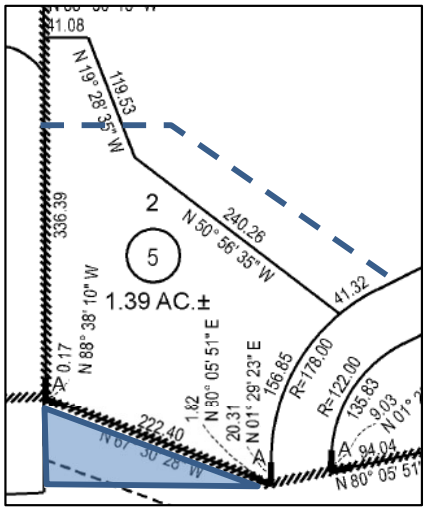
Project Applications
Memory Care – Parcel 2

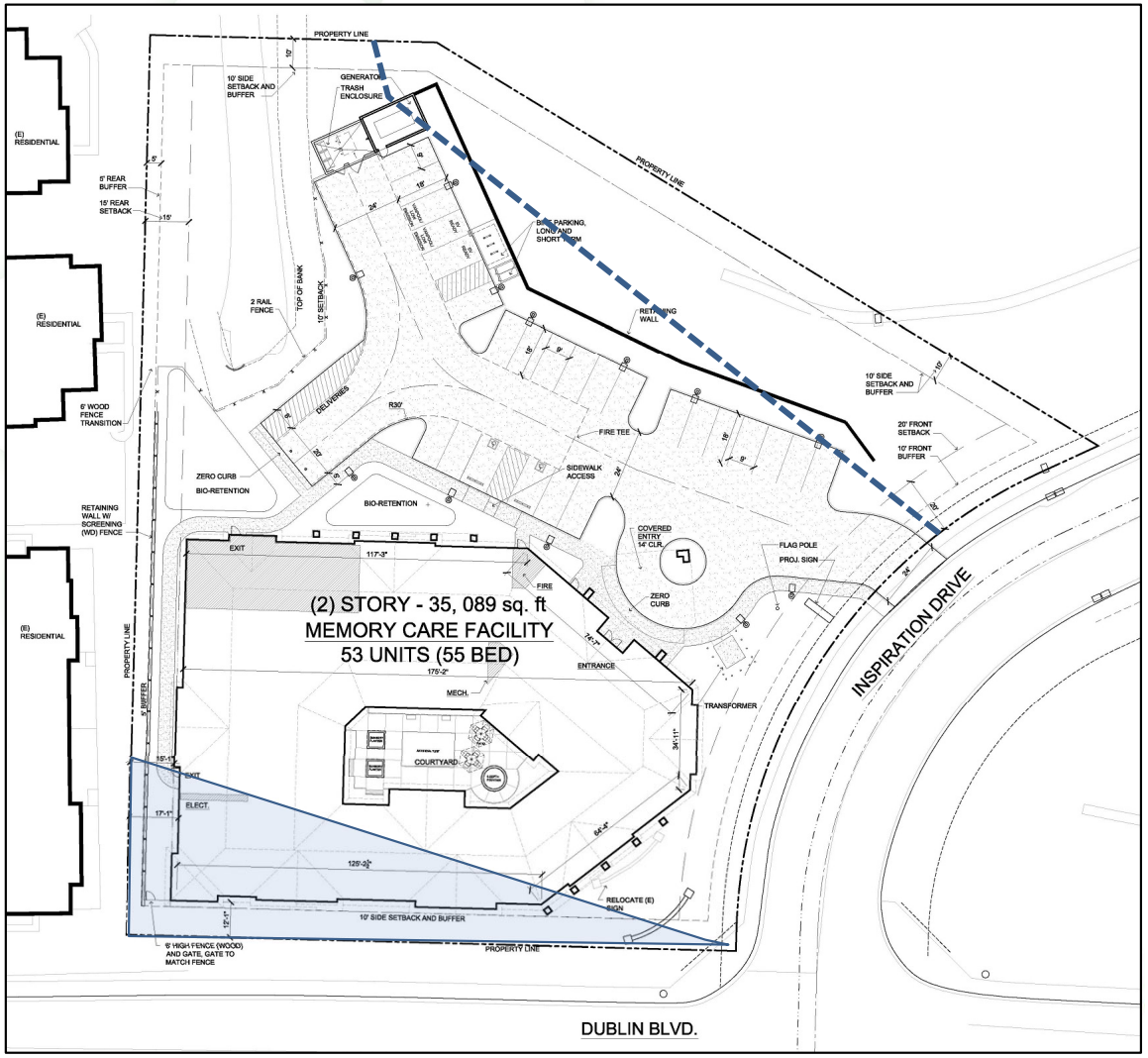
- Planned Development Rezone
- Site Development Review Permit
- Street Vacation
- Purchase and Sale Agreement



DUBLIN

Memory Care – Site Plan





DUBLIN

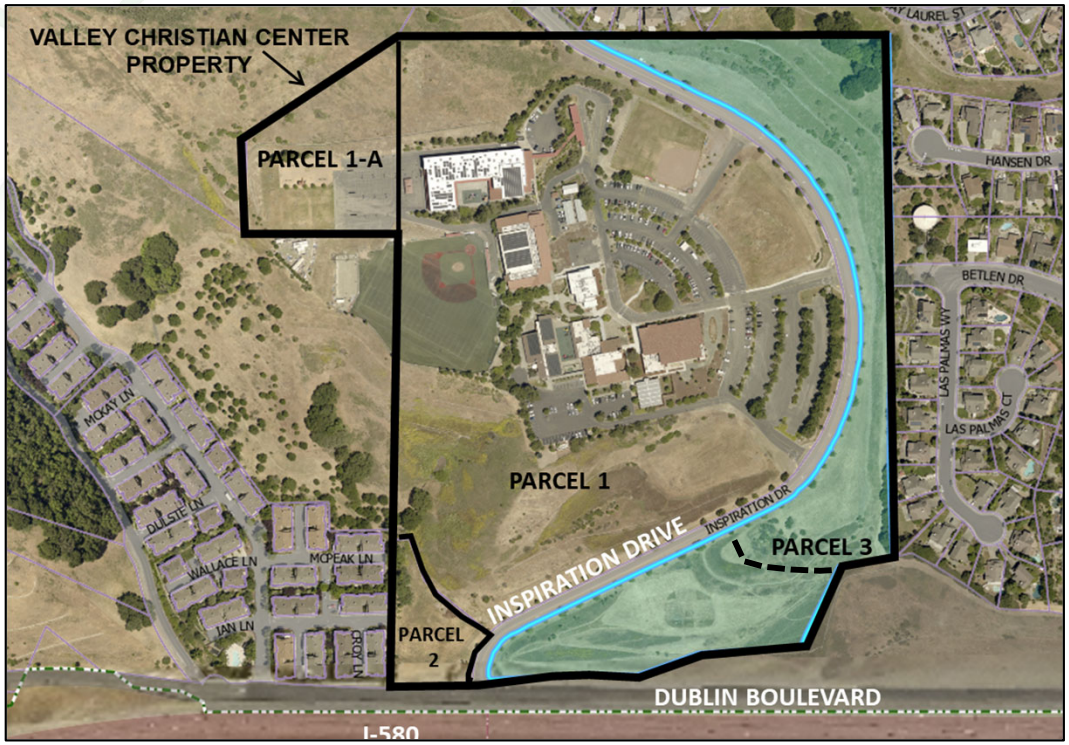
Memory Care

Memory Care
Planned Development Rezone

- Existing PD Ordinance No. 07-03 (Agricultural Zoning)
- Stage 1 and 2 Development Plan
  - Development Standards
  - Architectural Standards
  - Allowable Uses
  - Landscaping
  - Project Phasing

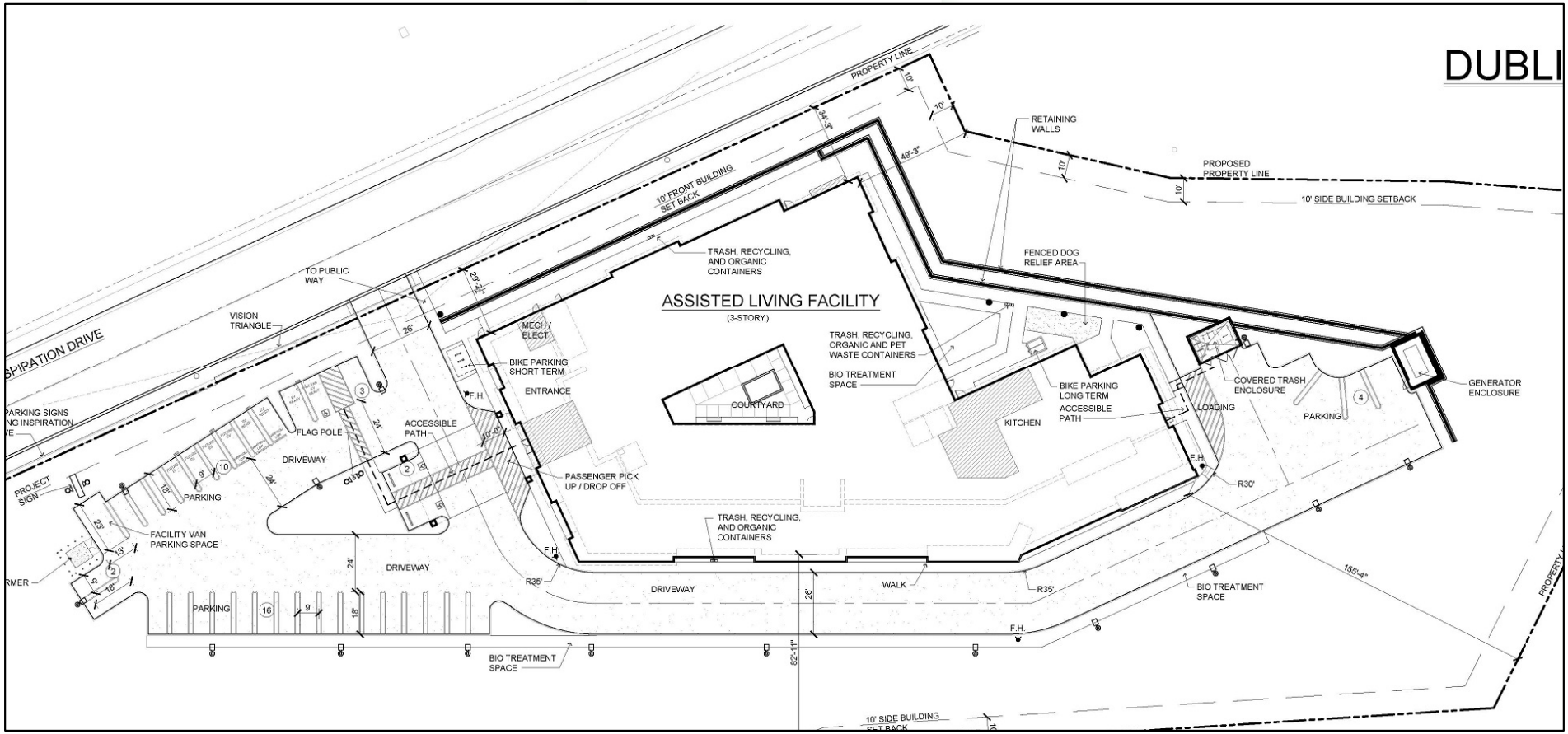
Project Applications
Assisted Living Facility – Parcel 3

- Planned Development Rezone
- Site Development Review Permit
- Tentative Parcel Map



DUBLIN

Assisted Living – Site Plan



DUBLIN

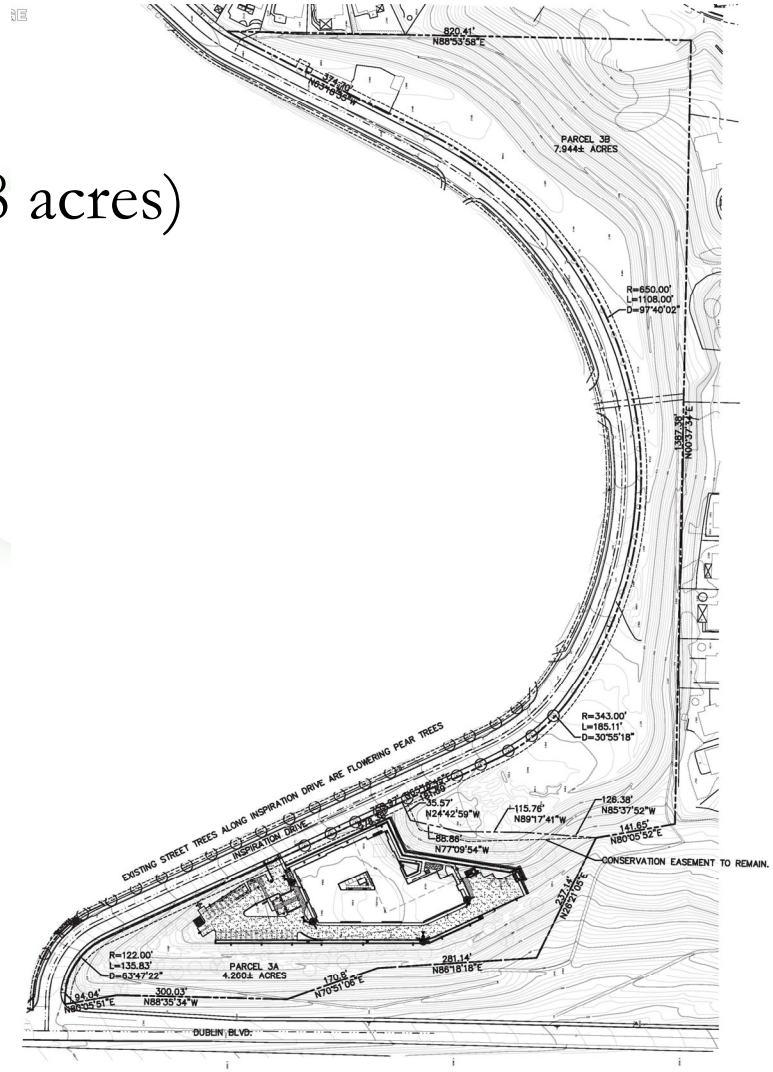
Assisted Living

Assisted Living
Planned Development Rezone

- Existing PD Ordinance No. 07-03 (Future Study Area)
- Stage 1 and 2 Development Plan
  - Development Standards
  - Architectural Standards
  - Allowable Uses
  - Landscaping
  - Project Phasing

Assisted Living
Vesting Tentative Map

- Two Parcels
  - Conservation Easement (northern 8 acres)
  - Development (southern 4.6 acres)



Valley Christian Center Planned Development Amendment

- Valley Christian Center – Parcel 1
- Existing PD Ordinance No. 07-03
- Stage 1 Development Plan
  - Remove Parcels 2 and 3
  - No other changes

Environmental Review

- Environmental Review
  - Valley Christian Center EIR 2003
  - Supplemental Mitigated Negative Declaration 2018
  - Initial Study/Supplemental Mitigated Negative Declaration
    - aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and noise
    - Mitigation Monitoring and Reporting Program
  - Public Review Period November 18 to December 17
    - April 26, 2022, letter from East Bay Residents for Responsible Development

Recommendation

Conduct the public hearing, deliberate and Adopt a **Resolution** Adopting a Supplemental Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and:

- Waive the reading and INTRODUCE the **Ordinance** Amending the Zoning Map and Approving a Planned Development Rezone with a related Stage 1 and Stage 2 Development Plan for the Inspiration Drive Memory Care Project;
- Adopt the **Resolution** Approving a Site Development Review Permit for the Inspiration Drive Memory Care Project;
- Adopt the **Resolution** Summarily Vacating Unused Right-of-Way on Dublin Boulevard and Reservation of a Public Service Easement;
- Adopt the **Resolution** Approving a Purchase and Sale Agreement with Valley Christian Center

Recommendation cont'd.

- Waive the reading and INTRODUCE the **Ordinance** Amending the Zoning Map and Approving a Planned Development Rezone with a related Stage 1 and Stage 2 Development Plan for the Inspiration Drive Assisted Living Project;
- Adopt the **Resolution** Approving a Site Development Review Permit and Tentative Parcel Map No. 11241 for the Inspiration Drive Assisted Living Project;
- Waive the reading and INTRODUCE the **Ordinance** Amending Planned Development Ordinance No. 07-03 for the Valley Christian Center

May 17, 2022

SB 343

Senate Bill 343 mandates supplemental materials that have been received by the City Clerk's office that relate to an agenda item after the agenda packets have been distributed to the City Council be available to the public.

The attached documents were received in the City Clerk's office after distribution of the May 17, 2022, Regular City Council meeting agenda packet.

Item 6.1

Amy Million

From: Raman Narayanan <ramanhk@yahoo.com>
Sent: Sunday, May 15, 2022 4:31 PM
To: Amy Million
Subject: Re: Notice of Intent (NOI) to Adopt a Supplemental Mitigated Negative Declaration for Inspiration Drive Memory Care and Assisted Living Project (PLPA-2020-00044 & PLPA-2020-00045)

Hello Amy,

Below are the points collectively compiled from many many residences, last time hardly anything was discussed on

the concerns.

- The properties are being developed next to our neighborhood and there has not been any impact assessment on us (Hansen Ranch). There are many homes along the Inspiration Drive/Circle which is the main access road for all of us. Development of the proposed projects would significantly impact the emergency exit route in case of fire or any other natural calamity. Risk of urban wildfire has increased tremendously because of population growth on fire prone hill sides like ours and the effects of climate change and drought conditions.

- Normally, senior people prefer warmer conditions to live. Being residents, we know that this area is very windy and cold throughout the year and the area is uphill & downhill. These conditions would be very inconvenient for the senior citizens. We notice when our parents come to stay with us, these conditions make their stay uncomfortable.

- Dublin Blvd and Inspiration Drive are single-lane roads. There is already a lot of traffic on the road during Valley Christian High School hours. During commute hours, freeway drivers also avoid the freeway and drive on Dublin Blvd past Inspiration Drive. With so many seniors living in Memory Care and Assisted Living, the probability of emergency vehicles rushing in and out of the area with sirens blaring will make the traffic situation on the road worse, potentially also stopping school and commute hour traffic. Traffic study conducted by City was done in COVID times which do not represent real time traffic conditions.

- Proposed projects would alter the existing visual character of the project sites and degrade the existing visual character and quality of the site and its surroundings. **How can someone (Church) own the views as claimed by the City.**

- Implementation of the proposed projects would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

- Proposed development work for these projects would result in cumulative increase of pollutants during the construction phase that would span for several years. This would have a knock-on effect on air quality in the area. With so many children living around the neighborhood and one never know the long-term impact on all these

- Construction activities associated with the proposed projects would elevate noise level at the site and surrounding area.

- Project construction activities would expose residents (Cal Highlands) and structures to excessive ground borne vibration levels.

- This area (Dublin Blvd and Inspiration Drive) is greatly used by neighborhood residents for walking and jogging/biking. These projects would adversely affect these activities for a long time.

- Why was the Hansen ranch community never reached out, does it not impact us? Only the Highland community was reached out, but there are so many residences along Inspiration Drive who will be affected.

- The eco balance will be lost forever in the entire 2 neighborhoods. Huge Environment impact. Just wildlife is one example, long term due to dust, etc is simply unknown due to the close proximity with residences.

- Would like to know the reason for this venue when most of the other similar facilities in Dublin and nearby are at 50% occupancy only.

- The number of residences ultimately planned will be equivalent to the entire Hansen Ranch community, has any check been made on water resources and the impact in drought situations?

Warm Regards,

Raman
[redacted]

Agenda Item 6.2

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Dublin Districts—Public Hearing 2: Program Update and Community Feedback Opportunity
Prepared by: John Stefanski, Assistant to the City Manager

EXECUTIVE SUMMARY:

The City Council will hold a public hearing to give the community an opportunity to provide input regarding potential boundaries and district composition. At the February 15, 2022, meeting, the City Council adopted a Resolution Declaring its Intention to Transition From an At-Large Election System to a District-Based Election System. Pursuant to Elections Code section 10010, the City is required to hold at least two public hearings over a period of no more than 30 days before any map or maps of the boundaries for the proposed voting districts are drawn. Representatives from National Demographics Corporation will provide a brief presentation prior to the public hearing to detail the map drawing and community outreach process.

STAFF RECOMMENDATION:

Receive the presentation, open the public hearing, receive public comment, and close the public hearing.

FINANCIAL IMPACT:

The cost of the City's consultant team of Tripepi Smith and National Demographics Corporation (NDC) includes approximately $59,000 in project management, community outreach, and translation fees, and $50,000 in Demographer Fees. Staff has also budgeted a contingency for translation services (Mandarin and Punjabi) or additional community meetings, should they be necessary, for a total not-to-exceed amount of $125,000.

Additionally, the City may be required to reimburse a prospective plaintiff for its documented attorney's fees and costs, up to $30,000 (plus an annual adjustment for inflation).

DESCRIPTION:

Background

On February 15, 2022, the City Council adopted Resolution 17-22 Declaring its Intention to Transition from an At-Large Election System to a District-Based Election System in conformance with the California Voting Rights Act of 2001 (CVRA). The Resolution declares the City's intent to consider adoption of an ordinance establishing district-based elections beginning with the November 2024 regular municipal election.

Under Elections Code Section 10010, a city is required to hold at least five public hearings during the transition process. The first two public hearings will give the community an opportunity to provide input on the composition of the districts before any maps are drawn. Subsequently, draft district maps will be drawn by the city's demographer, and two additional public hearings will be held for the public to provide input regarding the content of the draft maps and the proposed sequence of elections. The maps must be published at least seven days before the public hearings. The fifth, and final, public hearing will be for the governing body to consider an ordinance that establishes the district-based elections and approves the maps.

District Drawing Factors

The public is requested to provide input regarding Communities of Interest and other local factors that should be considered while drafting district maps. A Community of Interest is a neighborhood or group that would benefit from being in the same district because of shared interests, views, or characteristics. Examples of these include, but are not limited to:

- Natural dividing lines such as major roads, hills, or highways.
- Areas around parks and other neighborhood landmarks/amenities.
- School attendance areas.
- Common issues, neighborhood activities, or legislative/election concerns; and
- Shared demographic characteristics, such as:
    - Similar levels of income, education, or linguistic insolation.
    - Languages spoken at home.
    - Single-family and multi-family housing unit areas.

The district boundary maps must meet certain criteria. In particular, the districts must be roughly equal in population, excluding persons incarcerated in federal prisons. However, persons incarcerated at Santa Rita Jail are included in the population count for the districts (Elec. Code, § 21601, subd. (a)).

The districts are further subject to the following criteria in order of priority:

- Geographical contiguity.
- Minimize the division of any local neighborhood or local community of interest.
- Easily identified and understood by residents.
- Geographical compactness. (Elec. Code, § 21601, subd. (c).)

Community Outreach

In April, the City of Dublin launched an extensive and robust outreach process to ensure that the Dublin community is engaged and empowered to participate in the districting process. Staff began by creating dedicated districting web pages on the City website, and expanded to a multi-media outreach approach. To date, outreach has included weekly districting social media posts on Facebook, Instagram, Twitter, and Nextdoor, two press releases, emails to website districting subscribers, calls and emails to civic and community business organizations, and a process flyer posted to the website and distributed at the Dublin farmer's market.

In addition to print and digital outreach, the City hosted two Community Workshops for the public and sent out a Citywide Community Workshop postcard to all Dublin postal customers. The workshops provided an informal setting for community members to learn about the districting process and mapping tools, share their thoughts on their neighborhoods and communities of interest, and ask questions. The first Community Workshop took place on April 28 on Zoom, and the second Community Workshop was held in person at The Wave Community Room on May 4. Meeting resources from the Community Workshops were posted to the Dublin districting web pages. The virtual workshop held on April 28, 2022 had a total attendance of 43 unique viewers, including staff and consultants. The in-person workshop held on May 4, 2022 at The Wave Community Room had a total attendance of 10.

The City has already received multiple maps and feedback on Communities of Interest and will continue its extensive outreach efforts to ensure that the public's voice is heard throughout the process. Public input received on potential Communities of Interest can be found in Attachment 1.

Next Steps

Interested community members are strongly encouraged to visit the Dublin Districts webpage at www.dublin.ca.gov/dublindistricts. There individuals can subscribe for program updates and find all materials relating to the transition to district-based elections. Anyone with questions or comments on this process can email the City at dublindistricts@dublin.ca.gov or call the District Formation Call Line at 925-574-4875.

The tentative schedule for future hearing dates and workshops regarding the City's potential transition from at-large to district-based elections is as follows:

Table 1: Tentative Schedule

Date	Meeting	Topics
Thursday **April 28, 2022** **6:00 p.m.**	Virtual Workshop 1	Overview of Process, Parameters, Mapping Tools; Community Feedback. (Done)
Wednesday **May 4, 2022** **6:00 p.m.**	In-Person Workshop 2	Overview of Process, Parameters, Mapping Tools; Community Feedback. (Done)
Tuesday **May 17, 2022**	Public Hearing 2	Map Drawing Criteria, Communities of Interest; Mapping Tools; Community

7:00 p.m.		Feedback.
Tuesday **June 21, 2022** **7:00 p.m.**	Public Hearing 3	NDC and Community Draft Maps; Community Feedback.
Tuesday **July 19, 2022** **7:00 p.m.**	Public Hearing 4	NDC and Community Revised Maps; City Council Selects Finalist(s); Sequencing of District Elections.
Tuesday **August 16, 2022** **7:00 p.m.**	Public Hearing 5	City Council Final Map Selection; Introduction of Ordinance.
Tuesday **September 6, 2022** **7:00 p.m.**	City Council Consent Calendar	Second Reading of Ordinance.

The City may adjust this schedule to include additional public outreach or special City Council meetings. All interested parties are encouraged to subscribe to program updates at www.dublin.ca.gov/dublindistricts to stay up to date.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City published a Public Hearing Notice in the *East Bay Times* and posted on www.dublin.ca.gov/dublindistricts on May 11, 2022. Individuals subscribed to the Dublin Districts notification list were emailed regarding this meeting. The City Council Agenda was posted.

ATTACHMENTS:

1) Community Feedback Received

Attachment 1

Community Feedback Submitted to City

As of May 6, 2022

From: Chandra Singh
To: Dublin Districts
Subject: OUR NEIGHBOR - MURRAY ELEMENTARY SCHOOL
Date: Monday, May 2, 2022 8:19:20 AM

Hi,

We have a common interest. My family bought a house [redacted].

Do we predict the scholar GROWTH in the coming decade? For past year 2021-22 , I see good traffic at school morning / afternoon
On DAVONA STREET.

Our community do contain CHURCHES. CHURCH OF LATER DAY SAINTS AND SAINT PHILIP LUTHERAN.

I am interested. Our DISTRICT has all ethnicities.

We can later discuss MAPS.

Best,

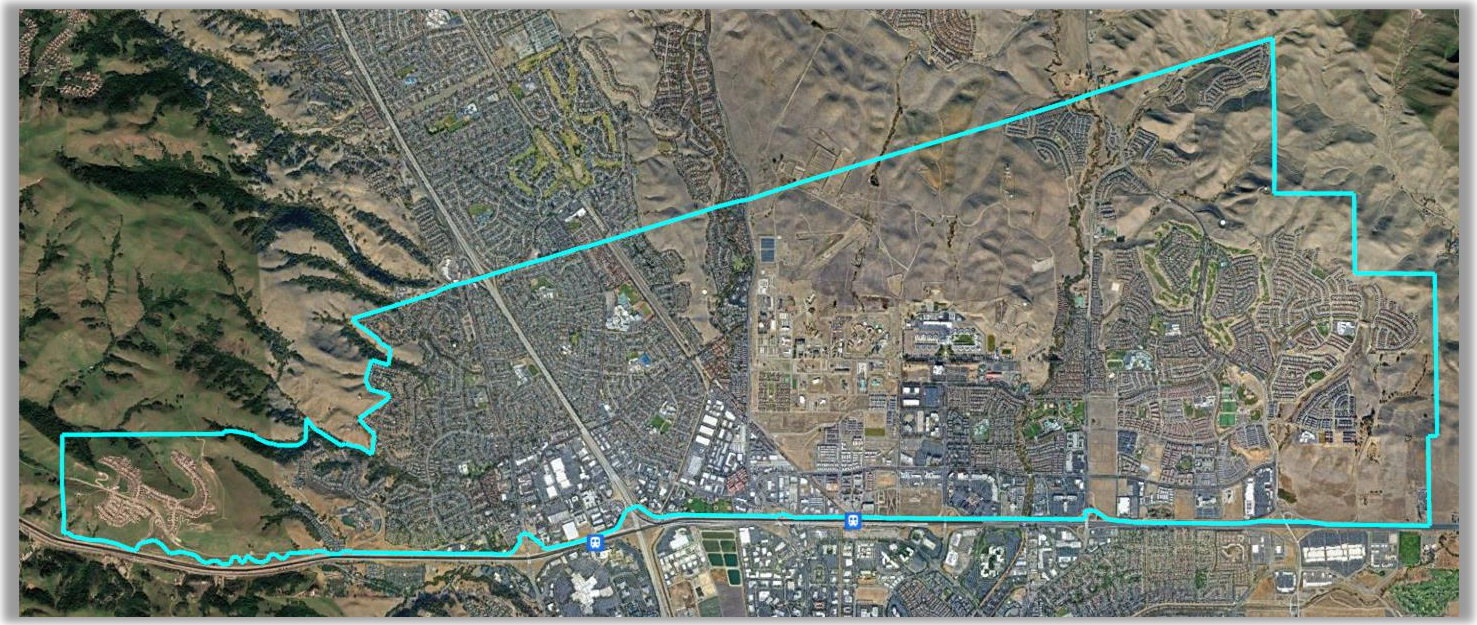
Chandra Mohan Singh
[redacted]
DUBLIN 94568-1240
CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

May 4, Dublin District Formation Workshop Feedback

Dublin Communities of Interest:

- Middle School Boundaries
    - There is a larger impacted area on the East Side, this has created challenges for how kids commute to school.
- School attendance zones
- Dublin Green neighborhood
- Tassajara meadows neighborhood
    - Many families, school communities, both Dublin High and elementary schools
- Summer Glen neighborhood
- Intersection of Dublin Boulevard & Arnold Road
    - Large newer developments and overcrowded
- "Central Dublin"
    - East of "Central Dublin" – everything developed after 1997, newer families
    - West Dublin – older and more engaged

NDC
National Demographics Corporation



City of Dublin
Public Hearing 2

May 17, 2022

Election Systems

1. "At Large"
2. "From District" or "Residence" Districts
3. "By District"

The California Voting Rights Act was written to specifically encourage by-district elections.

California Voting Rights Act (CVRA)

- Under the Federal Voting Rights Act (passed in 1965), a jurisdiction must fail 4 factual tests before it is in violation of the law
- The California VRA makes it significantly easier for plaintiffs to force jurisdictions into "by-district" election systems by eliminating two of the US Supreme Court Gingles tests:
  - ~~Can the protected class constitute the majority of a district?~~
  - Does the protected class vote as a bloc?
  - Do the voters who are not in the protected class vote in a bloc to defeat the preferred candidates of the protected class?
  - ~~Do the "totality of circumstances" indicate race is a factor in elections?~~
- **Liability is now determined only by the presence of racially polarized voting**

NDC

CVRA Impact

- Switched (or in the process of switching) as a result of CVRA:
  - At least 240 school districts
  - 34 Community College Districts
  - Over 165 cities
  - 35 water and other special districts
- Cases So Far:
  - Palmdale, Santa Clara and Santa Monica went to trial on the merits. Palmdale and Santa Clara lost. Santa Monica is awaiting a decision.
  - Modesto and Palmdale each spent about $1.8 million on their defense (in addition to the attorney fee awards in those cases).
  - Santa Monica has spent an estimated $7 million so far. Plaintiffs in Santa Monica requested $22 million in legal fees after the original trial.
- Key settlements:
  - Palmdale: $4.7 million
  - Modesto: $3 million
  - Highland: $1.3 million
  - Anaheim: $1.1 million
  - Whittier: $1 million
  - Santa Barbara: $600,000
  - Tulare Hospital: $500,000
  - Camarillo: $233,000
  - Compton Unified: $200,000
  - Madera Unified: about $170,000
  - Hanford Joint Union Schools: $118,000
  - Merced City: $42,000
- **An estimated $16 million in total settlements and court awards so far**

Districting Timeline

Step	Description
Public Hearing 1 April 19, 2022	Overview of Process, Outreach Preview, Mapping Tools, Communities of Interest; Community Feedback.
Workshops (1) April 28, 2022 (2) May 4, 2022 6:00 p.m.	Overview of Process, Parameters, Mapping Tools; Community Feedback.
Public Hearing 2 May 17, 2022 7:00 p.m.	Map Drawing Criteria, Communities of Interest; Mapping Tools; Community Feedback.
June 5, 2022 5:00 p.m.	Deadline to submit draft maps for Council consideration at the June 21st Public Hearing.
Public Hearing 3 June 21, 2022 7:00 p.m.	NDC and Community Draft Maps; Community Feedback.
July 6, 2022 5:00 p.m.	Deadline to submit draft maps for Council consideration at the July 19th Public Hearing.

Districting Timeline (cont.)

Step	Description
Public Hearing 4 July 19, 2022 7:00 pm	NDC and Community Revised Maps; City Council Selects Finalist(s); Sequencing of District Elections.
Public Hearing 5 August 16, 2022 7:00 pm	City Council Final Map Selection; Introduction of Ordinance.
City Council Consent Calendar September 6, 2022 7:00 pm	Second Reading of Ordinance.

Districting Rules and Goals

1. Federal Laws

Equal Population

Federal Voting Rights Act

No Racial Gerrymandering

2. California Criteria for Cities

1. **Geographically contiguous**
2. **Undivided neighborhoods and "communities of interest"**
   (Socio-economic geographic areas that should be kept together)
3. **Easily identifiable boundaries**
4. **Compact**
   (Do not bypass one group of people to get to a more distant group of people)

Prohibited:

"Shall not favor or discriminate against a political party."

3. Other Traditional Districting Principles

Respect voters' choices / continuity in office

Future population growth

Demographic Summary

Estimates using official 2020 demographic data and NDC's estimated total population figures.

Each of the 4 districts must contain about 17,867 people.

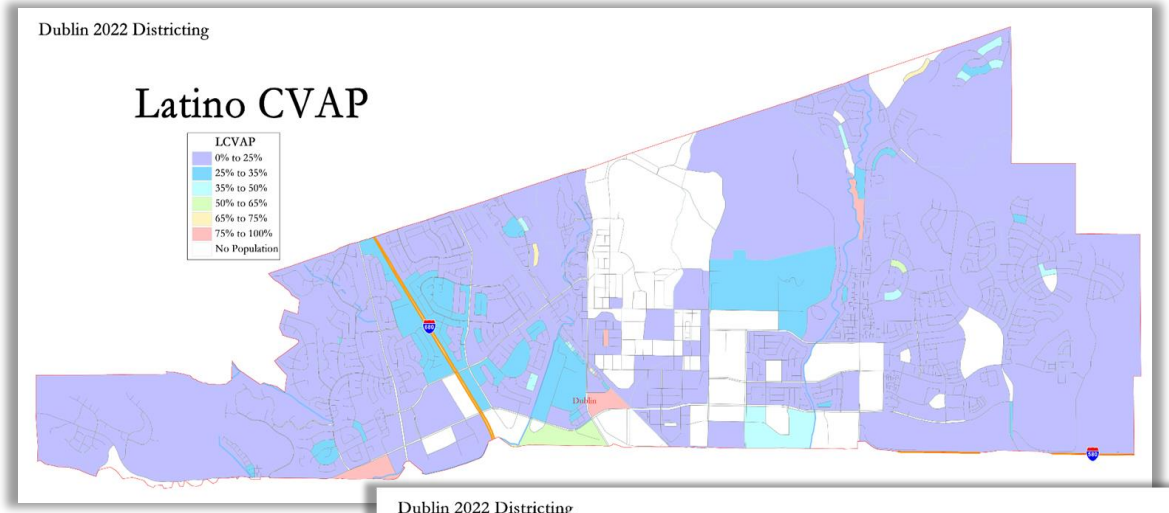
Category	Field	Total
2020 Census	Total Population	71,468
Total Pop.	Hispanic/Latino	11%
	NH White	25%
	NH Black	4%
	NH Asian/PacIsl.	58%
	NH Native Amer.	1%
Citizen Voting Age Pop	Total	35,769
	Hisp	12%
	NH White	41%
	NH Black	5%
	Asian/PacIsl.	41%
	Native Amer.	1%
Voter Registration (Nov 2020)	Total	34,207
	Latino est.	11%
	Spanish-Surnamed	10%
	Asian-Surnamed	26%
	Filipino-Surnamed	3%
	NH White est.	54%
	NH Black	5%
Voter Turnout (Nov 2020)	Total	29,128
	Latino est.	10%
	Spanish-Surnamed	10%
	Asian-Surnamed	26%
	Filipino-Surnamed	3%
	NH White est.	54%
	NH Black	5%
Voter Turnout (Nov 2018)	Total	18,235
	Latino est.	10%
	Spanish-Surnamed	10%
	Asian-Surnamed	21%
	Filipino-Surnamed	3%
	NH White est.	59%
	NH Black est.	5%

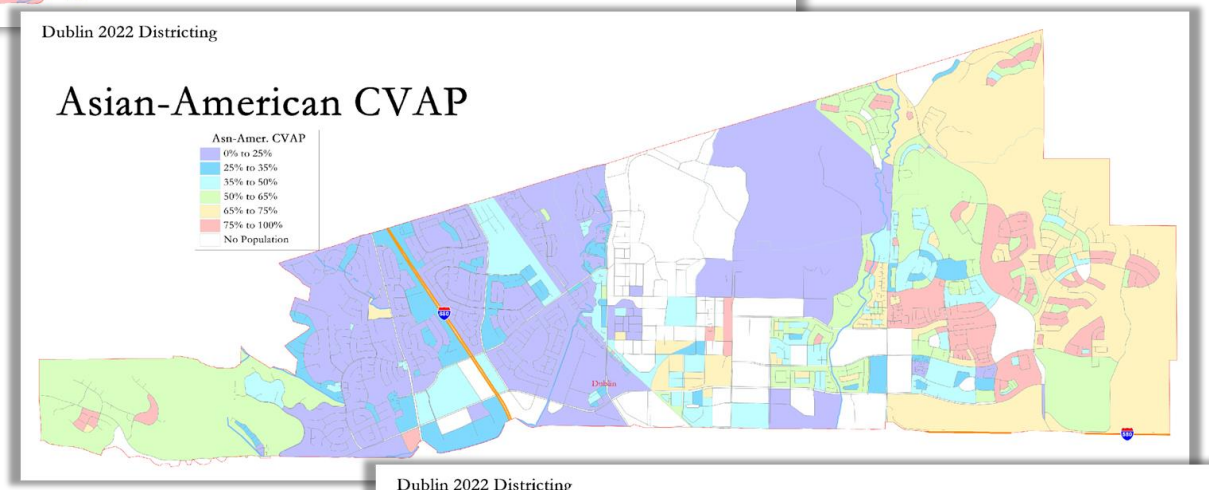
Category	Field	Total
Age	age0-19	28%
	age20-60	58%
	age60plus	14%
Immigration	immigrants	39%
	naturalized	51%
Language spoken at home	English	52%
	Spanish	5%
	Asian-lang	27%
	Other lang	16%
Language Fluency	Speaks Eng. "Less than Very Well"	15%
Education (among those age 25+)	hs-grad	22%
	bachelor	38%
	graduatedegree	30%
Child in Household	child-under18	47%
Pct of Pop. Age 16+	employed	72%
Household Income	income 0-25k	5%
	income 25-50k	7%
	income 50-75k	7%
	income 75-200k	47%
	income 200k-plus	34%
Housing Stats	single family	70%
	multi-family	30%
	rented	35%
	owned	65%

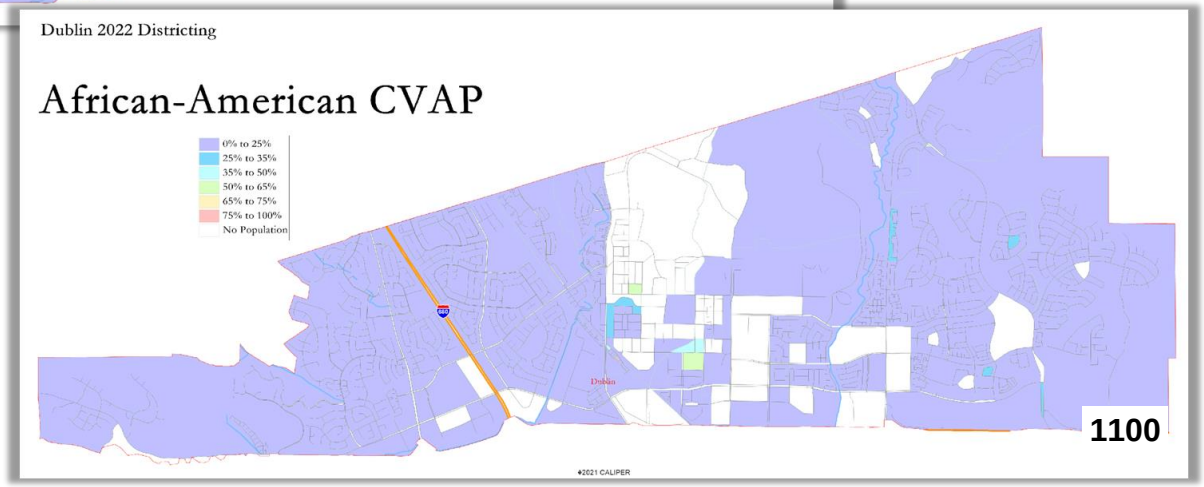
Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population data from 2016-2020 Special Tabulation data. Age, Immigration, and other demographics from the 2015-2019 American Community Survey 5-year data. Turnout and Registration data from California Statewide Database ("Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate).

NDC

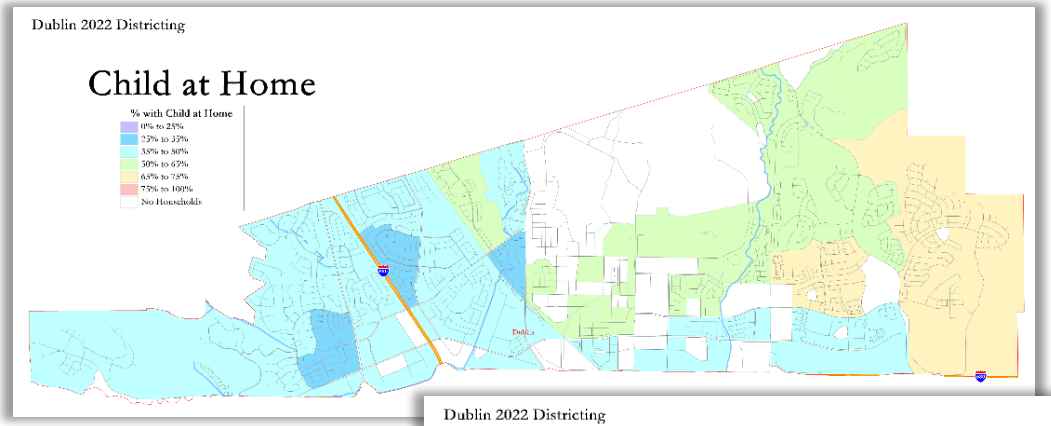
CVAP by Race/Ethnicity

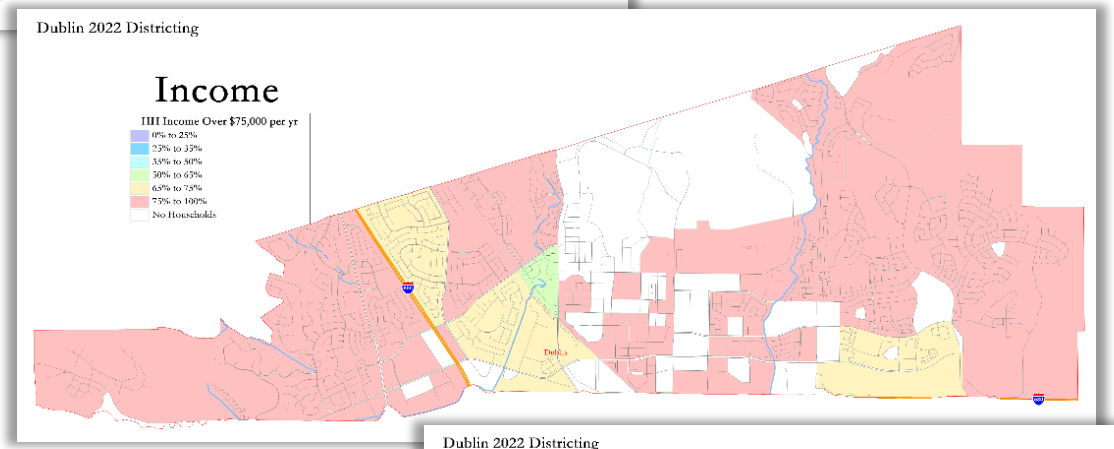


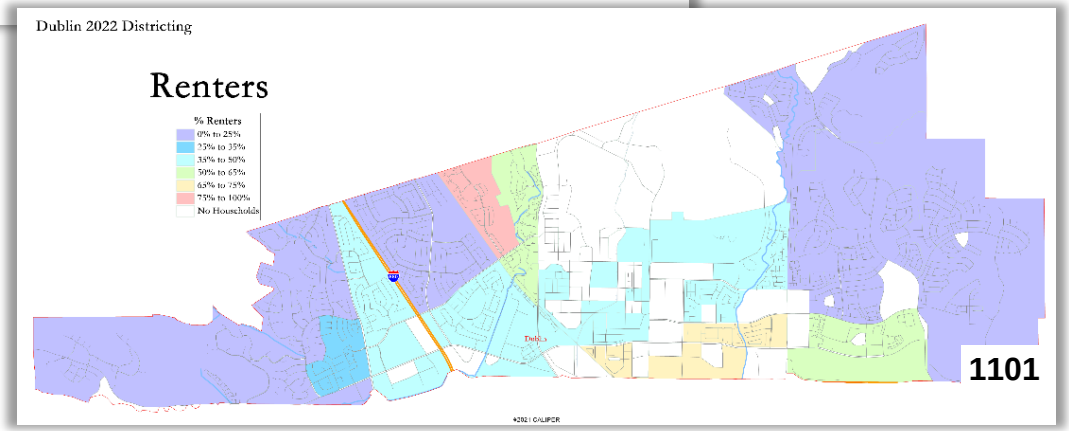




Other Socio-Economic Demographics

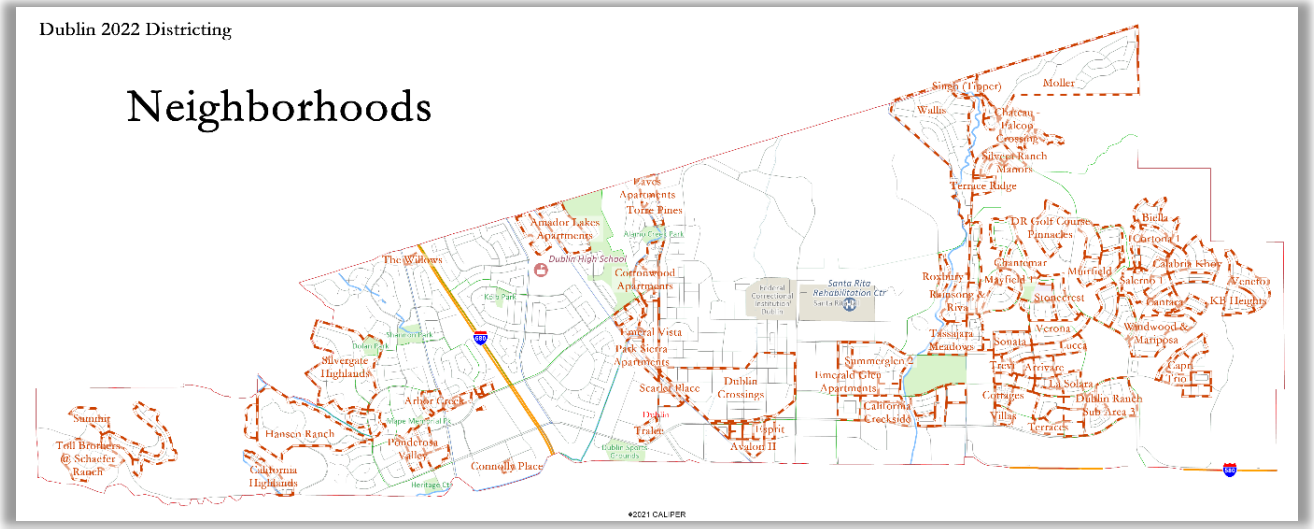


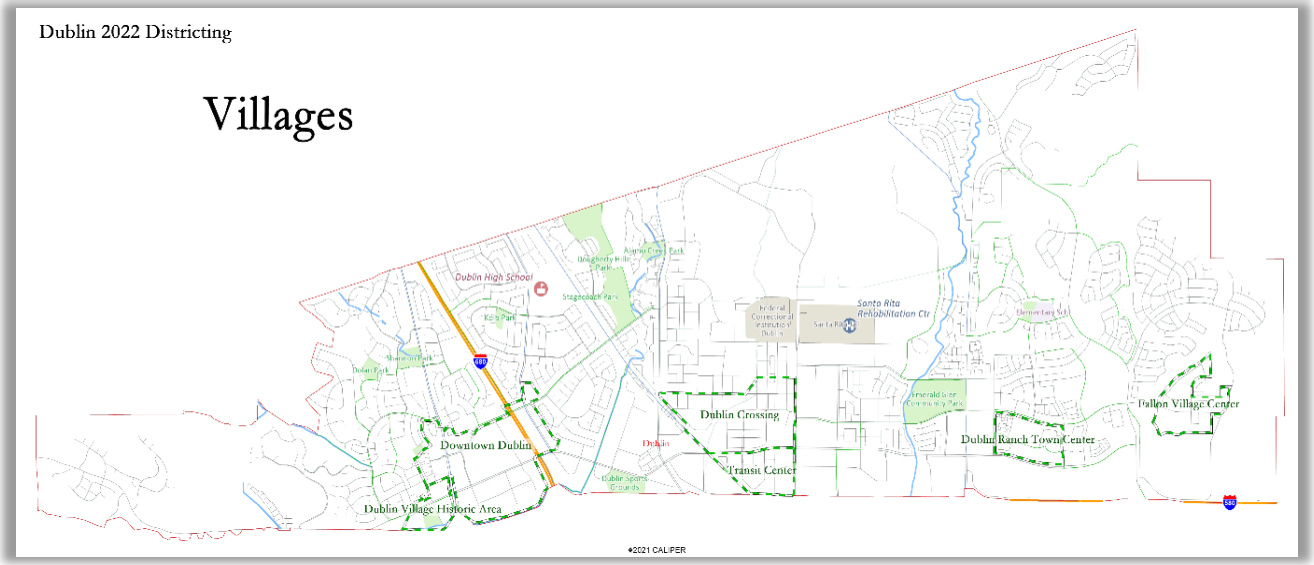




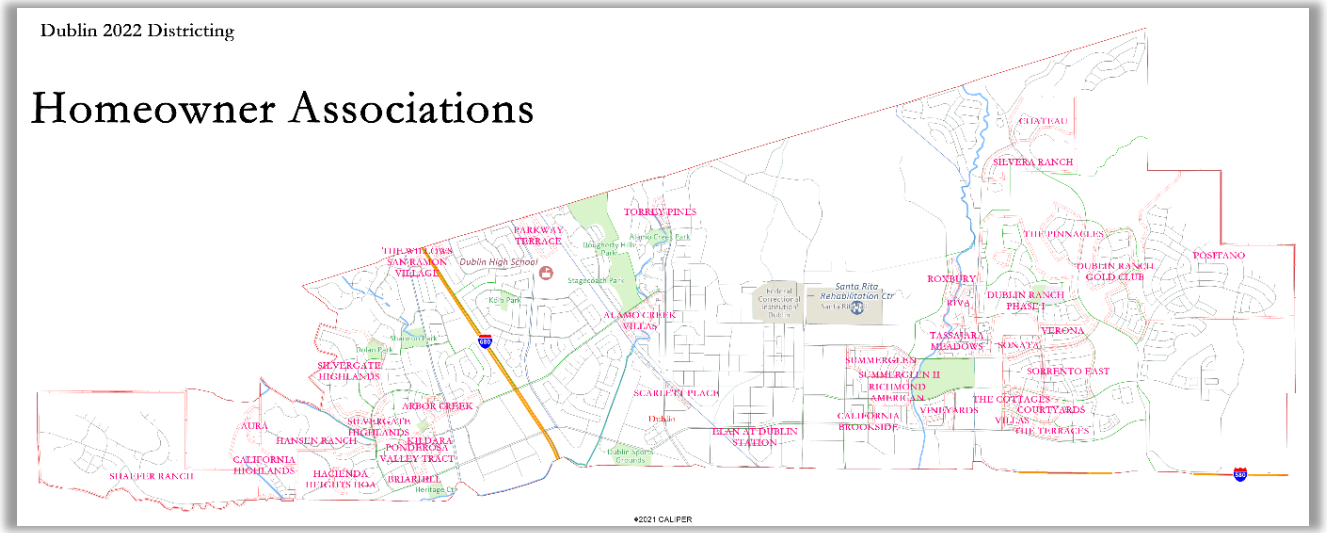
These data are only available at the Block Group and Tract level of geography, not the more granular Census Block level.

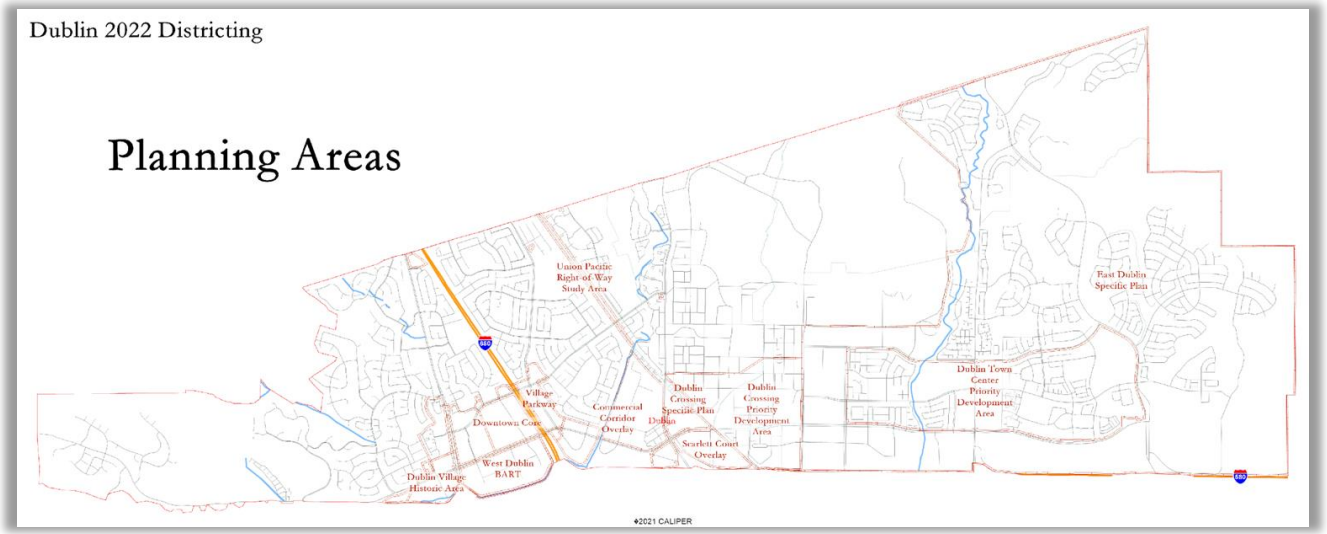
Possible Neighborhoods / Communities





Possible Neighborhoods / Communities





Beyond Neighborhoods: Defining Communities of Interest

1st Question: What defines your community?

- Geographic Area, plus
- Shared issue or characteristic
  - Shared social or economic interest
  - Impacted by city policies
- Tell us "your community's story"

2nd Question: Would this community benefit from being "included within a single district for purposes of its effective and fair representation"?

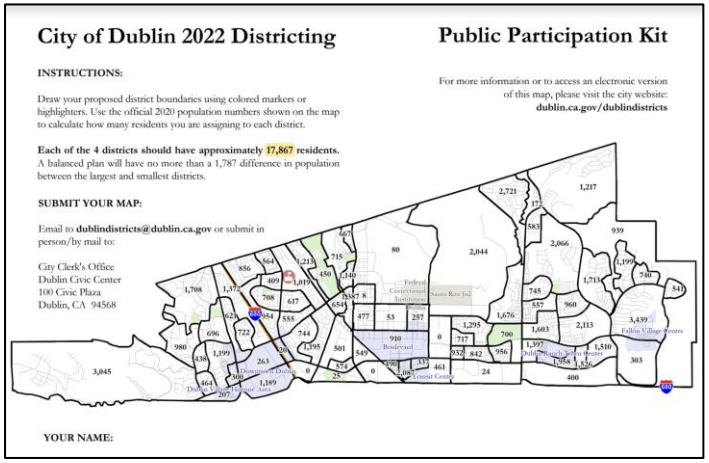
- Or would it benefit more from having multiple representatives?

Definitions of Communities of Interest may <u>not</u> include relationships with political parties, incumbents, or political candidates.

Public Mapping and Map Review Tools

Different tools for different purposes, levels of technical skill, and interest

- Simple "review draft maps" tool
- Paper "Draw a draft map" tool
- Powerful, data-rich online "Draw a draft map" tool



City of Dublin 2022 Districting

Public Participation Kit

INSTRUCTIONS:

Draw your proposed district boundaries using colored markers or highlighters. Use the official 2020 population numbers shown on the map to calculate how many residents you are assigning to each district.

Each of the 4 districts should have approximately 17,867 residents. A balanced plan will have no more than a 1,787 difference in population between the largest and smallest districts.

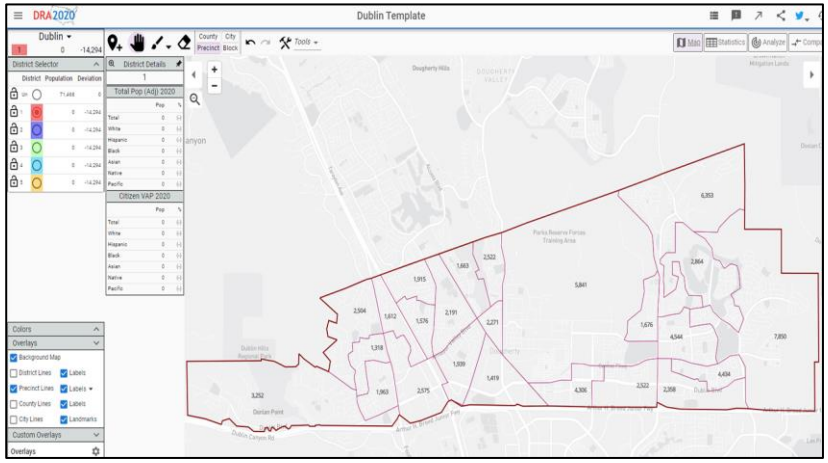
SUBMIT YOUR MAP:

Email to **dublindistricts@dublin.ca.gov** or submit in person/by mail to:

City Clerk's Office
Dublin Civic Center
100 Civic Plaza
Dublin, CA 94568

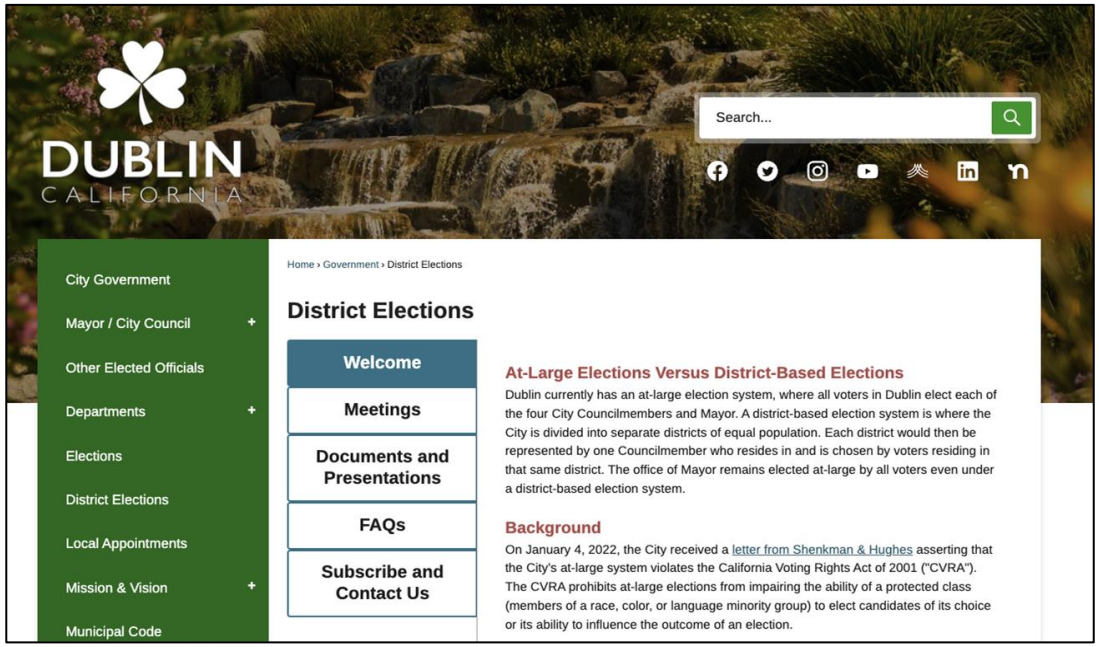
For more information or to access an electronic version of this map, please visit the city website: **dublin.ca.gov/dublindistricts**

YOUR NAME:



Whether you use the online mapping tool, the paper kit, or just draw on a napkin, we welcome your maps!

Share Your Thoughts/Continue Engagement



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Email: dublindistricts@dublin.ca.gov

Agenda Item 7.1

STAFF REPORT

CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Draft 2023 – 2031 Housing Element
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

Each California city and county must update its General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. Dublin's current Housing Element is for the 2014 – 2022 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023 – 2031 planning period. In order to meet that mandate, the Housing Element Update must be adopted by the City Council and certified by the California Department of Housing and Community Development (HCD) prior to that date. Staff prepared the Draft 2023 – 2031 Housing Element and it was available for public review between April 15 and May 15, 2022. The City Council is now being asked to review the Draft 2023 – 2031 Housing Element and consider directing Staff to submit it to HCD for review.

STAFF RECOMMENDATION:

Adopt the **Resolution** Directing Staff to Submit the Draft 2023 – 2031 Housing Element to the California Department of Housing and Community Development for Review.

FINANCIAL IMPACT:

In July 2020, the City Council approved a consulting services agreement between the City and Kimley-Horn to assist Staff with preparation of the Housing Element Update. Kimley-Horn's contract amount is $403,000. The cost to prepare the Housing Element Update will be offset in part by grants totaling $401,436, including $55,000 from an approved Senate Bill 2 Planning Grant, $300,000 from the Local Early Action Planning (LEAP) Grant Program, and $46,436 from the Regional Early Action Planning (REAP) Grant Program. The City's Fiscal Year 2021-22 Budget sufficiently covers the remaining cost.

DESCRIPTION:

Background

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law mandates that local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process.

RHNA is the state-mandated process to identify the number of housing units, by affordability level, that each jurisdiction must accommodate in the Housing Element of its General Plan. As part of this process, the California Department of Housing and Community Development (HCD) identifies the total housing need for the nine-county Bay Area for an eight-year period, also referred to as the Regional Housing Needs Determination (RHND). The Association of Bay Area Governments (ABAG) is responsible for creating a methodology for distributing the RHND across local jurisdictions, resulting in each jurisdiction's RHNA. Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low-, low-, moderate-, and above-moderate-income). The City filed an appeal of the Draft RHNA based on direction from the City Council with an emphasis on past performance and lack of suitable land, as well as the properties where the City does not have land-use authority. The City's appeal was rejected by the ABAG Administrative Committee.

On December 16, 2021, the ABAG Executive Board adopted the Final Regional Housing Needs Allocation Plan: San Francisco Bay Area, 2023 – 2031. The plan allocates 3,719 housing units to the City of Dublin. Table 1 shows the City's final RHNA by household income category for the 2023 – 2031 planning period. The City's updated Housing Element must demonstrate how it can accommodate its RHNA.

Table 1: Dublin's 2023 – 2031 Regional Housing Needs Allocation

	Very-Low-	Low-	Moderate-	Above-Moderate-	Total
Final Allocation	1,085	625	560	1,449	3,719

Staff prepared the Draft 2023-2031 Housing Element Update. The Draft Housing Element includes the following components:

- **Chapter 1: Introduction.** Contains a summary of the content, organization, and statutory considerations of the Housing Element.
- **Chapter 2: Housing Plan.** Describes Dublin's housing plan, including goals, policies, programs, and objectives.
- **Appendix A: Review of Past Performance.** Evaluates the housing programs and quantified objectives outlined in the past Housing Element and the City's efforts in meeting the program requirements and achieving the quantified objectives.

- **Appendix B: Community Profile.** Contains an analysis of the City's population, household and employment base, and the characteristics of the housing stock.
- **Appendix C: Housing Constraints, Resources, and Affirmatively Furthering Fair Housing.** Summarizes governmental and non-governmental constraints on production, maintenance, and affordability of housing and provides a summary of housing resources, including funding and financial considerations, as well as a fair housing analysis.
- **Appendix D: Adequate Sites Analysis.** Identifies candidate sites by income category to meet the City's RHNA.
- **Appendix E: Housing Plan Programs Summary.** Summarizes Chapter 2.
- **Appendix F: Community Engagement Summary.** Summarizes the City's community engagement efforts to achieve public participation of all economic segments of the community.
- **Appendix G: Glossary of Terms.** Defines terms and acronyms using in the Housing Element.

The City Council is being asked to review the Draft 2023 – 2031 Housing Element and adopt the Resolution (Attachment 1) directing Staff to submit the Draft 2023 – 2031 Housing Element (Attachment 2) to HCD for review. The Resolution permits Staff to make non-substantive edits identified in the Staff Report, changes discussed by the City Council, and other non-substantive changes to carry out the intent of the Resolution.

Analysis

The following discussion focuses on two key components of the Draft 2023 – 2031 Housing Element, Chapter 2: Housing Plan and Appendix D: Adequate Sites Analysis.

Chapter 2: Housing Plan

The Housing Element must identify specific programs to implement stated policies and achieve goals and objectives, including specific actions the City will take. Programs must also identify: a specific implementation timeframe; responsible party; a description of the responsible party's specific role in implementation; and specific, measurable outcomes, whenever possible.

Chapter 2 includes housing programs that reflect the results and analyses of the City's local housing needs, available land and financial resources, and mitigation of identified governmental and non-governmental constraints, which are contained in Appendix B: Community Profile and Appendix C: Housing Constraints Resources, and Affirmatively Furthering Fair Housing. Many of the proposed housing programs are continuations of successful programs from the 2014 – 2022 Housing Element.

In accordance with State law, the following are new notable housing programs included in the Draft 2023 – 2031 Housing Element:

- **Program A.5: Preserve and Monitor Affordable Units At-Risk of Converting to Market-Rate Units.** Assisted housing are units whose construction, financing, sales prices, or rents have been subsidized by federal, state, or local housing programs. There are 59 assisted multi-family units at-risk of converting from affordable to market-rate units during the ten years following the beginning of the planning period which starts in January 2023. The City is committed to preserving its stock of affordable housing and will provide technical

assistance, seek additional nonprofit and for-profit partners, and facilitate financial assistance for assisted affordable housing units at-risk of conversion to market-rate units. The City will maintain an inventory and establish an early warning system for assisted housing units that have the potential to convert to market rate.

- **Program B.8: Accessory Dwelling Unit Monitoring Program.** The City will continue to track accessory dwelling unit (ADU) applications, location, affordability, and other important features to ensure adequate ADU development is occurring to meet the City's 2023 – 2031 construction goals and evaluate the need to adjust programs and policies if the pace of construction is less than anticipated. Should changes need to be made due to a gap in the number of ADUs projected and the number of ADUs permitted, the City will make changes proportional to the gap identified. This may include, but is not limited to, further streamlining and incentivizing ADU construction, rezoning non-residential sites, or similar actions
- **Program B.9: Non-Vacant Adequate Sites to Satisfy By-Right Requirements of Assembly Bill 1397.** State law requires that any non-vacant site identified in a prior Housing Element to accommodate lower-income households must be zoned at a minimum of 30 units per acre and allow residential use by right for housing developments in which at least 20% of the units are affordable to lower-income households, if they are to continue being considered an adequate site to accommodate the lower-income RHNA. Four non-vacant sites, located in Downtown Dublin, that were identified in the 2014-2022 Housing Element are shown to be suitable for lower-income housing in the Housing Element Sites Inventory. Therefore, the City is required by statute to permit at least 30 units per acre, which it does, on these sites and to allow residential use by right for housing developments when at least 20% of the proposed units are affordable to lower-income households. The City will amend the Downtown Dublin Specific Plan to allow these units by right and exclude them from the Development Pool and Community Benefit Agreement requirement.
- **Program B.10: Objective Design Standards and Streamlined Ministerial Review.** Senate Bill 35 requires local jurisdictions to provide a streamlined ministerial approval process for eligible multi-family residential developments, subject to objective zoning and design review standards. Eligible projects must include a specified level of affordability, be on an infill site, comply with existing general plan or zoning provisions, and comply with other requirements such as location and demolition restrictions. In March 2022, the City adopted Citywide Multi-Family Objective Design Standards (MFODS) and Zoning Ordinance Amendments to ensure that objective zoning and design review standards are in place for multi-family residential projects requesting a streamlined ministerial approval process. The City will continue to implement the Citywide MFODS.
- **Program B.14: Residential Incentives.** The Sites Inventory identifies several sites that allow residential and non-residential uses, including the non-vacant sites in Downtown Dublin, the Public/Semi-Public sites, the Alameda County Surplus Property Authority's property, and the Hacienda Crossings shopping center. To encourage residential development on these sites and maximize the development potential identified in the Sites Inventory, the City will promote existing residential incentives and identify potential new incentives as appropriate.

- **Program C.2: Safety Element and Environmental Justice Policies.** Senate Bill 1035 requires that the City revise the General Plan Safety Element to identify flood hazards and address the risk of fire hazards in certain lands upon each revision of the Housing Element. Additionally, Senate Bill 1000 requires that the City incorporate environmental justice policies within the General Plan. The City will amend the General Plan in accordance with the requirements of SB 1035 and SB 1000.
- **Program E.1: Affirmatively Furthering Fair Housing.** Pursuant to Assembly Bill 686, the City will affirmatively further fair housing by taking meaningful actions that foster inclusive communities free from barriers which restrict access to opportunities based on protected classes, as defined by State law. To accomplish this, the City will collaborate with local and regional organizations to review any housing discrimination complaints, assist in dispute resolution, and refer select complainants to appropriate state or federal agencies for further investigation, action, and resolution.
- **Program E.4: Low-Barrier Navigation Centers.** Senate Bill 48 requires approval 'by right' of certain low-barrier navigation centers that meet specified requirements. Low-barrier navigation centers are generally defined as service-enriched temporary living facilities focused on the transition of persons experiencing homelessness or at risk of becoming homeless into permanent housing. Low-barrier navigation centers connect individuals to income, public benefits, health services, and housing. To comply with State law, the City will adopt regulations and procedures for this type of use and establish a ministerial approval process.
- **Program E.5: Housing for Persons with Developmental Disabilities.** The housing needs of persons with developmental disabilities are typically not fully addressed by local zoning regulations. Persons with disabilities may require modifications to existing units, a varying range of supportive services, and affordable housing. To accommodate residents with developmental disabilities, the City will encourage construction and rehabilitation of housing with supportive services targeted for persons with developmental disabilities. The City will also seek State and Federal funding in support of housing construction and rehabilitation targeted for persons with developmental disabilities.
- **Program E.6: Farmworker and Employee Housing.** California Health and Safety Code Sections 17021.5 and 17021.6 require agricultural employee housing to be permitted by-right, without a Conditional Use Permit or other discretionary permit, in single-family residential zoning districts for six or fewer persons and in agricultural zones with no more than 12 units or 36 beds. The City will amend the Dublin Municipal Code to comply with the Health and Safety Code Sections 17021.5, 17021.6, and 17021.8, as well as define agricultural and employee housing in a manner consistent with applicable Health and Safety Code Sections.

Appendix D: Adequate Sites Analysis

The Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the RHNA. Characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., susceptibility to flooding, slope instability or erosion, and environmental considerations) and location (e.g., proximity to transit, job centers, and public or community services). Land suitable

for residential development includes vacant sites that are zoned for residential development, underutilized sites that are zoned for residential development and capable of being redeveloped at a higher density or with greater intensity, and vacant and underutilized sites that are not zoned for residential development, but can be redeveloped, and/or rezoned, for residential use.

On November 2, 2021, and March 15, 2022, the City Council received a status report on the Housing Element Update and Preliminary Sites Inventory to accommodate the City's RHNA of 3,719 units. After accounting for pipeline projects, ADUs, and existing zoning to accommodate the RHNA, the Preliminary Sites Inventory identified a "remaining need" of 644 units. The City Council directed Staff to allocate 150 lower-income units to the future affordable housing site on the SCS Property and allocate the balance of the remaining need to the vacant Alameda County Surplus Property Authority's property at the Transit Center and Hacienda Crossings shopping center.

Since that time, several events triggered the need to make adjustments to the Sites Inventory. The approval for the East Ranch project was repealed, resulting in the loss of 68 lower-income housing units that had been included in the Preliminary Sites Inventory. Additionally, the City received a formal application for the SCS Dublin project, which includes up to 100 units on the affordable housing site – 50 units less than anticipated in the Preliminary Sites Inventory. Also, ABAG released the draft "Using ADUs to Satisfy RHNA" technical memorandum, which resulted in eight fewer moderate-income units than had been included in the Preliminary Sites Inventory. Staff reallocated these units to the Alameda County Surplus Property Authority's property at the Transit Center and Hacienda Crossings shopping center. This also resulted in allocating additional above moderate-income units to satisfy the City Council's direction that 50% of the units on these sites are above-moderate income. Table 2 illustrates a remaining need of 720 units to accommodate the City's RHNA based on these changes.

Table 2: Sites Inventory				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	(344)	(184)	(1,572)	(2,100)
Accessory Dwelling Units	(149)	(74)	(25)	(248)
5th Cycle Sites	0	(252)	(573)	(825)
Public/Semi-Public Sites	(134)	0	0	(134)
Downtown Dublin	(363)	(50)	0	(413)
Remaining Need	720	0	(721)	

Table 3 demonstrates how the remaining need will be accommodated on the Alameda County Surplus Property at the Transit Center, Hacienda Crossings shopping center, and the SCS Property.

Table 3: Distribution of Remaining Need				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total

Table 3: Distribution of Remaining Need				
Alameda County Surplus Property at the Transit Center	323	0	322	645
Hacienda Crossings	297	0	297	594
SCS Property	100	0	0	100
Total	720	0	619	1,339

Appendix D: Adequate Sites Analysis includes the Sites Inventory and provides detailed information on the sites identified to meet the City's RHNA.

Public Review

The Draft Housing Element was available for public review from April 15 to May 15, 2022. The public comment received prior to publishing this report is included within the Public Feedback Form as Attachment 3. The public comment does not raise significant issues that require substantive modifications to the Draft Housing Element.

While the Housing Element was out for public review, ABAG issued a "Summary of Housing Element Review Letters." The Summary includes a review of 33 comment letters from HCD to jurisdictions in regions with earlier Housing Element deadlines. The most frequent comments are grouped into the following five categories: Affirmatively Furthering Fair Housing (AFFH); public participation; sites inventory; government constraints; and policies and programs. Additionally, the City has been participating in the ABAG-sponsored Alameda County Housing Collaborative, which provides technical and other assistance to Alameda County jurisdictions to support preparation of their Housing Elements. The Housing Collaborative performed a peer review of the Draft Housing Element. Based upon this feedback, Staff recommends the following modifications to the Draft Housing Element, prior to submitting it to HCD for review:

- Appendix B: Add a column to Table B-30: Occupied Units by Type and Tenure, outlining the total number of renters and owner-occupied units.
- Appendix B: Clarify the estimated number of units in need of replacement and rehabilitation in the Section D: Housing Challenges.
- Appendix C: Add language on HCD and ECHO Housing's fair housing enforcement in the Section A.1: Fair Housing Enforcement and Outreach Capacity.
- Appendix C: Add language in Section A.1: Non-Governmental Constraints, to clarify that densities identified in the Sites Inventory are not considered a constraint because land uses designations in Dublin already include minimum and maximum density requirements which preclude development applications at lower densities.
- Appendix C: Add a matrix in Section D: Affirmatively Furthering Fair Housing (AFFH) summarizing the AFFH issues and how they relate to the Housing Plan programs.
- Appendix F: Add a table summarizing the community feedback received, related policies and programs, and the City's response to said feedback.

Project Schedule and Next Steps

The Housing Element must be updated and certified by HCD by January 2023 for the 2023 – 2031 planning period. Additionally, the Housing Element Update will trigger recent State law

requirements to amend the General Plan, including policies regarding environmental justice and amendments to the Safety Element. Staff is currently preparing those General Plan Amendments, along with the analysis of the Draft Housing Element Update and related General Plan Amendments under the California Environmental Quality Act (CEQA). Table 4 below summarizes the key dates to ensure the City receives HCD certification by the January 2023 deadline.

Table 4: Key Dates	
Step / Task	**Date(s)**
Public Review of Draft Housing Element	April 15 – May 15, 2022
HCD 90-Day Review of Draft Housing Element	May – August 2022
Environmental Review	June – November 2022
Prepare General Plan Safety Element and Environmental Justice Policy Amendments	June – November 2022
Revise Housing Element in Response to HCD's Comments	August – November 2022
Adopt Housing Element Update (Planning Commission Review and City Council Adoption)	November 2022 – January 2023

ENVIRONMENTAL DETERMINATION:

Pursuant to the requirements of the California Environmental Quality Act (CEQA), the City will prepare the necessary environmental review for the Draft 2023 – 2031 Housing Element. However, the City Council's action to direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review is exempt from CEQA pursuant to CEQA Guidelines Section 15262, as the project involves only feasibility or planning studies for possible future actions which have not been approved or adopted.

PLANNING COMMISSION REVIEW:

On April 26, 2022, the Planning Commission reviewed the Draft 2023 – 2031 Housing Element and adopted Resolution No. 22-06 (Attachment 4) recommending that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review.

STRATEGIC PLAN INITIATIVE:

Strategy 3: Create More Affordable Housing Opportunities.
Objective E: Update the City's General Plan Housing Element in accordance with state law and to ensure an adequate supply of sites to accommodate the City's Regional Housing Needs Allocation for the period 2023 – 31.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City implemented an outreach and engagement program to inform the community and seek input regarding the Housing Element Update. Between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback. Staff also hosted two Housing Element Workshops on January 19 and February 17, 2022. The workshops provided an

overview of the Housing Element, RHNA, Preliminary Sites Inventory, and required policy and program topics, and provided an opportunity for the community to provide feedback. The community was notified of these engagement opportunities through the City's social media, website, push notifications, and email. Additionally, Staff held one-on-one meetings with the property owners of the "Additional Sites" identified to satisfy the "remaining need" for sites to accommodate the RHNA. The City also has a Housing Element Update webpage on the City's website that serves as a landing place for information. The Planning Commission held a study session on March 8, 2022, and reviewed the Draft 2023 – 2031 Housing Element on April 26, 2022. The City Council also held meetings to receive updates regarding the Housing Element Update on February 18, 2020, October 6, 2020, June 15, 2021, November 2, 2021, and March 15, 2022. The feedback and information received through these outreach efforts was used to help create the proposed policies and programs to address the housing needs.

In accordance with State law, a public notice was published in the East Bay Times and posted at several locations throughout the City. Additionally, the City Council Agenda and the Staff Report for this public meeting was also made available on the City's website.

ATTACHMENTS:

1) Resolution Directing Staff to Submit the Draft 2023 – 2031 Housing Element to the California Department of Housing and Community Development for Review
2) Draft 2023 – 2031 Housing Element
3) Public Feedback Form
4) Planning Commission Resolution No. 22-06

RESOLUTION NO. XX – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

DIRECTING STAFF TO SUBMIT THE DRAFT 2023 – 2031 HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR REVIEW

WHEREAS, the State of California requires cities and counties to adopt a comprehensive, long-term General Plan for the physical development of the City; and

WHEREAS, the Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the community; and

WHEREAS, State law requires Housing Elements to be updated and certified by the California Department of Housing and Community Development (HCD) every eight years; and

WHEREAS, the City of Dublin prepared the Draft 2023 – 2031 Housing Element in accordance with State law; and

WHEREAS, the Draft 2023 – 2031 Housing Element includes goals which to accomplish the following:

- Expand housing choice and multi-modal transportation opportunities for existing and future Dublin residents;
- Expand housing opportunities for all economic segments of Dublin's population;
- Use public and private resources to maintain and enhance existing residential neighborhood character;
- Provide housing opportunities for all Dublin residents, regardless of race, color, ancestry, national origin, religion, age, gender, gender identity and expression, marital status, familial status, medical condition or disability, military or veteran status, source of income, sexual orientation, or any other protected characteristic; and
- Promote energy efficiency and conservation throughout Dublin; and

WHEREAS, the Draft 2023 – 2031 Housing Element includes specific Housing Programs to implement the goals outlined above; and

WHEREAS, the Housing Programs are grouped into the following six categories:

- Housing Conservation and Preservation
- Housing Production
- Adequate Housing Sites
- Removal of Governmental Constraints
- Promoting Equal Housing Opportunity
- Green Building Program; and

WHEREAS, on February 18, 2020, the City Council received an informational report about the upcoming sixth cycle Regional Housing Needs Allocation (RHNA) and Housing Element Update; and

WHEREAS, on October 6, 2020, the City Council received a status update on RHNA and the Housing Element Update and provided feedback; and

WHEREAS, on November 2, 2021, the City Council conducted a Study Session on the RHNA and Housing Element Update, with focus on the Preliminary Sites Inventory. The City Council directed staff to disperse lower-income housing sites throughout Dublin and prioritized the Alameda County Surplus Property Authority properties at the Transit Center and the Hacienda Crossings shopping center as sites to accommodate the remaining need; and

WHEREAS, between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback that will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. The 10-question survey, available in English and Mandarin, focused on housing needs, desired housing locations, community assistance, fair housing, the vision for housing, and demographics; and

WHEREAS, on January 19, 2022, and February 17, 2022, the City held Community Workshops to solicit input from the development community, service providers, housing advocates, residents, and property owners; and

WHEREAS, on March 8, 2022, the Planning Commission conducted a Study Session on the Housing Element Update; and

WHEREAS, on March 15, 2022, the City Council received a status report on the Housing Element Update and provided feedback on the Preliminary Sites Inventory, including: 1) the distribution of units on the additional sites to meet the remaining need; 2) the selection of sites identified in Downtown Dublin; and 3) holding units identified in Downtown Dublin outside of the Downtown Dublin Specific Plan Development Pool; and

WHEREAS, the Draft Housing Element was available for public review from April 15 to May 15, 2022; and

WHEREAS, on April 26, 2022, the Planning Commission reviewed the Draft 2023 – 2031 Housing Element and adopted Resolution No. 22-06 recommending that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review; and

WHEREAS, a Staff Report was submitted to the City Council recommending that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review; and

WHEREAS, on May 17, 2022, the City Council reviewed the Draft 2023 – 2031 Housing Element; and

WHEREAS, the California Environmental Quality Act (CEQA), together with State Guidelines and City of Dublin CEQA Guidelines and Procedures, require certain projects be reviewed for environmental impacts and environmental documents be prepared; and

WHEREAS, pursuant to CEQA, the City will prepare the necessary environmental review for the Draft 2023 – 2031 Housing Element. However, the City Council's action to direct Staff to

submit the Draft 2023 – 2031 Housing Element to HCD for review is exempt from CEQA pursuant to CEQA Guidelines Section 15262, as the project involves only feasibility or planning studies for possible future actions which have not approved or adopted.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this Resolution.

BE IT FURTHER RESOLVED that the City Council does hereby direct Staff to make non-substantive edits identified in the staff report, changes discussed by the City Council, and other non-substantive changes to carry out the intent of this Resolution and submit the Draft 2023 – 2031 Housing Element to HCD for review.

PASSED, APPROVED, AND ADOPTED this 17th day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

DUBLIN
CALIFORNIA

2023-2031
Draft Housing Element

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City of Dublin 2023-2031 Housing Element

PUBLIC REVIEW DRAFT

APRIL 15, 2022

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CHAPTER 1:
INTRODUCTION

A. Role of the Housing Element

The Housing Element is a State-mandated chapter of the City's General Plan. The purpose of the Housing Element is to identify and plan for the City's existing and projected housing needs of all economic segments of the community. The Housing Element contains a detailed outline and work program of the City's goals, policies, programs, and objectives that preserve, improve, and ensure housing for a sustainable future. Each eight-year planning cycle, the City is allocated a specific number of housing units to plan for – this is referred to as the Regional Housing Needs Allocation (RHNA) determined by the Association of Bay Area Governments (ABAG). The RHNA quantifies current and future housing growth for all cities and counties within the ABAG region. Through research and analysis, the Housing Element identifies available candidate housing sites and establishes policies and programs to accommodate the RHNA. The Housing Element is a critical tool for the City to plan for growth within the community over the eight-year cycle.

B. State Policy and Authorization

1. Background

As a mandated chapter of the Dublin General Plan, the Housing Element must meet all requirements of existing state law. Goals, policies, programs, and objectives developed within the Housing Element are implemented within a designated timeline to ensure the City accomplishes the identified actions, as well as maintains compliance with state law. The California Department of Housing and Community Development (HCD) reviews each Housing Element for compliance with state law and certification by HCD is required for a Housing Element to be found in full compliance.

2. State Requirements

State Housing Element Law (California Government Code Article 10.6) establishes the requirements for the Housing Element. California Government Code Section 65588 requires that local governments review and revise the Housing Element of their comprehensive General Plans no less than once every eight years.

The following overarching Housing Element goals are included in California Government Code Section 65580 to ensure every resident has access to housing and a suitable living environment:

a) The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order.
b) The successful development of housing requires cooperative participation of government and the private sector to expand housing opportunities and accommodate the housing needs of Californians in all economic levels.
c) The provisions of housing, in particular to units affordable to lower and moderate-income households, requires the cooperation of all levels of the government.
d) Local and State governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for housing needs of

all economic segments of the community.

e) The Legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the State in addressing regional housing needs.

f) Designating and maintaining a supply of land and adequate sites suitable, feasible, and available for the development of housing sufficient to meet the locality's housing need for all income levels is essential to achieving the State's housing goals and the purposes of this article.

Table 1-1 summarizes the Housing Element requirements mandated by the State and identifies where these requirements are addressed in this document.

Table 1-1: Housing Element Requirements

Housing Element Requirement(s)	Gov. Code Chapter	Reference in Housing Element
Analysis of employment trends.	Section 65583.a	Appendix B.B.1
Projection and quantification of existing and projected housing needs for all income groups.	Section 65583.a	Appendix B
Analysis and documentation of the City's housing characteristics, including cost for housing compared to ability to pay, overcrowding, and housing condition.	Section 65583.a	Appendix B.F
An inventory of land suitable for residential development including vacant sites and sites having redevelopment potential.	Section 65583.a	Appendix D
Analysis of existing and potential governmental constraints upon the maintenance, improvement or development of housing for all income levels.	Section 65583.a	Appendix C.A.2
Analysis of existing and potential nongovernmental (private sector) constraints upon maintenance, improvement or development of housing for all income levels.	Section 65583.a	Appendix C.A.1
Analysis concerning the needs of the homeless.	Section 65583.a	Appendix B.E.7
Analysis of special housing needs: handicapped, elderly, large families, farm workers, and female-headed households.	Section 65583.a	Appendix B.E
Analysis of opportunities for energy conservation with respect to residential development.	Section 65583.a	Appendix C.D.1
Identification of Publicly Assisted Housing Developments.	Section 65583.a	Appendix C.E.2
Identification of Units at Risk of Conversion to Market Rate Housing.	Section 65583.a	Appendix C.E.2
Identification of the City's goal relative to the maintenance, improvement, and development of housing.	Section 65583.a	Chapter 2.1
Analysis of quantified objectives and policies relative to the maintenance, improvement, and development of housing.	Section 65583.b	Chapter 2.3
Identification of adequate sites that will be made available through appropriate action with required public services and facilities for a variety of housing types for all income levels.	Section 65583.c(1)	Appendix D
Identification of strategies to assist in the development of adequate housing to meet the needs of low and moderate-income households.	Section 65583.c(2)	Appendix D

Table 1-1: Housing Element Requirements		
Housing Element Requirement(s)	**Gov. Code Chapter**	**Reference in Housing Element**
Description of the Public Participation Program in the formulation of Housing Element Goals, Policies, and Programs.	Section 65583.d	Appendix F
Description of the Regional Housing Needs Allocation (RHNA) prepared by the Association of Bay Area Governments.	Section 65583.e	Appendix C.B.1
Analysis of Fair Housing, including Affirmatively Furthering Fair Housing.	Section 8899.50	Appendix C.D
Review of the effectiveness of the past Housing Element, including the City's accomplishments during the previous planning period.	Section 65583.f	Appendix A
Source: State of California, Department of Housing and Community Development.		

3. Regional Housing Needs Allocation

The Regional Housing Needs Allocation (RHNA) is the methodology used for determining future housing need, by income category, within the State and is based on growth in population, households, and employment. The statewide determination, which is referred to as the Regional Housing Needs Determination (RHND), is under the administration of HCD. The quantified housing need is then allocated among the State's 18 Metropolitan Planning Organizations (MPOs) – ABAG for the City of Dublin.

In accordance with California Government Code Section 65583, ABAG is tasked with creating a methodology for distributing the RHND to its member jurisdictions. This distribution results in each jurisdiction's RHNA. The City's RHNA is divided into four income categories, which are based on the Alameda County Area Median Income (AMI) for an assumed family of four. **Table 1-2** identifies the City's RHNA by household income category for the 2023-2031 planning period.

Table 1-2: City of Dublin 6th Cycle RHNA by Income Category		
Income Category	**Percent of Area Median Income (AMI)**	**RHNA**
Very Low-Income	0-50% AMI	1,085
Low-Income	51-80% AMI	625
Moderate-Income	81-120%AMI	560
Above Moderate-Income	>120% AMI	1.449
	Total RHNA	**3,719**

4. Relationship to Other General Plan Elements

The Housing Element works in conjunction with other Dublin General Plan Elements, such as the development policies contained in the Land Use Element. The Land Use Element is the guide for decision makers on the pattern, distribution, density, and intensity of land uses that help the City achieve its vision for the future. By designating residential development, the General Plan establishes the densities and types of housing units constructed in the City. Land use patterns and decisions are influenced by population and economic growth (which create market demand), transportation access and opportunities, the availability of infrastructure, environmental constraints, and quality of life reflected in

parks and recreational opportunities, and cultural amenities. The presence and potential for jobs affects the current and future demand for housing at the various income levels in the City.

The Housing Element also works with the Circulation and Scenic Highways Element to connect housing, community resources and services, employment, and recreation. Dublin's Circulation and Scenic Highways Element supports continuing programs to improve travel by vehicles, bikes, and walking, and provides guidance on expanding the options for transit and active transportation. In conjunction with the Housing Element, the Circulation and Scenic Highways Element provides policies and incentives that consider the types of infrastructure essential for residential housing units in addition to mitigating the effects of growth in the City.

The Housing Element has been reviewed for consistency with the City's other General Plan Elements, and the policies and programs in the Housing Element are consistent with the policy direction contained in other parts of the General Plan. As portions of the General Plan are amended in the future, the Housing Element will be reviewed to ensure that internal consistency is maintained.

5. Public Participation

Public participation is a vital component to the Housing Element update process. Public engagement creates opportunities for community members to provide their input and feedback, information which then directs the Housing Element's goals, policies and programs. Government Code Section 65583 requires local governments to make diligent and continued efforts to achieve public participation of all economic segments of the community. Meaningful community participation ensures that a variety of stakeholders and community members are offered a platform to engage in the City's planning process.

The City completed the following public participation efforts as part of the process to update the Housing Element:

- Two Virtual Community Workshops
- Meetings with the Planning Commission and City Council
- Online Survey in English and Mandarin
- Social Media Outreach
- Direct Mailings
- Informational Webpage
- One-on-One Meetings with Property Owners

As required by Government Code Section 65585(b)(2), all written comments regarding the Housing Element made by the public have previously been provided to each member of the City Council. **Appendix F: Community Engagement Summary** contains a summary of all public comments regarding the Housing Element received by the City during the update process.

6. Data Sources

The data used for the completion of the Housing Element comes from a variety of sources. These include, but are not limited to:

- United States Census, 2010 and 2020
- American Community Survey

- Plan Bay Area 2040 and 2050
- California Department of Housing and Urban Development, Comprehensive Housing Affordability Strategy (CHAS), 2013-2017
- California Department of Economic Development
- Home Mortgage Disclosure Act (HMDA)
- Real Estate websites, including Zillow and Redfin
- CalEnviroScreen 4.0
- Urban Displacement Project, University of California Berkeley
- California Department of Housing and Community Development (HCD) Affirmatively Furthering Fair Housing (AFFH) Data Viewer
- University of California Davis Center for Regional Change and Rabobank
- AllTransit

The data sources represent the best data available at the time the Housing Element was prepared. The original source documents contain the assumptions and methods used to compile the data.

7. Housing Element Organization

The Housing Element includes the following Chapters:

Chapter 1: Introduction contains a summary of the content, organization, and statutory considerations of the Housing Element.

Chapter 2: Housing Plan describes Dublin's housing plan, including needs, goals, policies, programs, and objectives.

Appendices:

Appendix A: Review of Past Performance

Appendix B: Community Profile

Appendix C: Housing Constraints, Resources, and Affirmatively Furthering Fair Housing

Appendix D: Adequate Sites Analysis

Appendix E: Housing Plan Programs Summary

Appendix F: Community Engagement Summary

Appendix G: Glossary of Terms

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CHAPTER 2:
HOUSING PLAN

Housing Plan

The Housing Plan described in this Chapter includes the City's goals, policies, programs, and objectives for the 2023-2031 planning period. The Housing Plan addresses the need to plan for additional housing opportunities, remove constraints to affordable housing, improve the existing housing stock, and provide equal opportunities for all current and future residents of Dublin.

These goals, policies, and programs were developed based on:

- Review of the City's 5th Planning Cycle Housing Element;
- Input and feedback from the community, stakeholders, and decisionmakers;
- New State law requirements; and
- Analysis provided in the Community Profile and the Constraints, Resources, and Fair Housing Chapters of this 2023-2031 Housing Element.

1. Housing Goals and Policies

The following describes the goals and policies the City intends to implement to meet its RHNA and address its housing needs.

A. Range of Housing Types

Continuing to provide a balanced inventory of housing types (e.g., single-family, duplexes, apartments, and condominiums), cost, and style will fulfill a variety of housing needs. In addition, providing regulatory and financial assistance will be essential to support the production of affordable housing.

Goal A: Expand housing choice and multi-modal transportation opportunities for existing and future Dublin residents.

- **Policy A.1:** Ensure the provision of a variety of housing types to fulfill the City's RHNA.
- **Policy A.2:** Facilitate development of affordable housing through use of financial and/or regulatory incentives, where appropriate and subject to funding availability.
- **Policy A.3:** Maintain streamlined procedures for processing new residential development applications.
- **Policy A.4:** Encourage the development of residential units intended for special groups, including seniors, large households, persons with disabilities, and the homeless.
- **Policy A.5:** Promote affordable housing opportunities adjacent to public transportation and within walking or cycling distance to places of employment, commerce, recreation, and services.
- **Policy A.6:** Support existing emergency shelter programs in the Tri-Valley area.

B. Housing Opportunities for Segments of the Population

A key element in satisfying the housing needs of all segments of the community is the provision of adequate sites for housing of all types, sizes, and prices. The City's General Plan and Zoning Ordinance determine where housing may be located, thereby affecting the supply of land available for residential development. The following goals and policies support the expansion of housing opportunities in Dublin.

Goal B: Expand housing opportunities for all economic segments of Dublin's population.

- **Policy B.1:** Encourage development of affordable housing by non-profit organizations primarily engaged in housing construction or management.
- **Policy B.2:** Provide and/or facilitate ongoing technical and financial support to affordable housing developers.
- **Policy B.3:** Negotiate with developers to encourage the development of housing that is affordable to extremely low-income households.
- **Policy B.4:** Continue to allow accessory dwelling units in residential zoning districts and the C-1 zoning district as a means of expanding rental housing opportunities.
- **Policy B.5:** Continue to support the development of affordable housing for first-time homebuyers.

C. Maintain and Enhance Residential Neighborhoods

In general, housing over 30 years old may need rehabilitation and major repairs, such as a new roof, termite damage repair, foundation work, and plumbing. With 31.5 percent of Dublin's housing stock built prior to 1990, preventive maintenance is essential to avoid housing deterioration. Some households, particularly those that have owned their homes for many years and have relatively low house payments, may be able to afford repairs or monthly payments for rehabilitation loans; however, other households, especially lower-income households, may have difficulty maintaining their homes. Assisting these lower-income households will help preserve and enhance the City's existing housing stock.

Goal C: Use public and private resources to maintain and enhance existing residential neighborhood character.

- **Policy C.1:** Continue to provide assistance for the rehabilitation of substandard and deteriorating units.
- **Policy C.2:** Encourage the preservation, rehabilitation, and/or replacement of single-family residences in order to maintain and enhance the established neighborhood character.

D. Promote Equal Housing Opportunities

The City seeks to expand the range of housing opportunities in Dublin, including housing for seniors, lower- and moderate-income residents, persons with disabilities, large families, families with female-headed households, and persons experiencing homelessness. In order to make adequate provision for the housing needs of all segments of the community, the City must also ensure equal and fair housing opportunities are available to all residents.

Goal D: Provide housing opportunities for all Dublin residents, regardless of race, color, ancestry, national origin, religion, age, gender, gender identity and expression, marital status, familial status, medical condition or disability, military or veteran status, source of income, sexual orientation, or any other protected characteristic.

- **Policy D.1:** Support services and programs that fight housing discrimination; promote agencies and organizations that provide assistance to victims of housing discrimination.
- **Policy D.2:** Promote housing with supportive services to meet the special housing needs of all Dublin residents.
- **Policy D.3:** Encourage the provision of housing to meet the needs of households of all sizes.

E. Promote Energy Efficiency and Conservation

In September 2020, the City Council adopted the Climate Action Plan 2030 and Beyond (CAP 2.0), establishing the next phase of climate action planning and implementation. Strategies of CAP 2.0 include 100 percent renewable and carbon-free electricity, building efficiency and electrification, sustainable mobility and land use, materials and waste management, and municipal leadership measures. CAP 2.0 establishes the City's commitment to reducing greenhouse gas (GHG) emissions and strive for carbon neutrality by 2045, resulting in cleaner air, more versatile and flexible transportation, new opportunities for economic growth, reductions in localized flooding risks, and greater energy independence from fossil fuels. Energy conservation can be achieved through environmentally sensitive site planning techniques and implementing building codes that require use of construction materials that maximize energy efficiency. Conserving energy has the dual benefit of reducing housing costs and improving environmental quality.

Goal E: Promote energy efficiency and conservation throughout Dublin.

- **Policy E.1:** Promote the use of Green Building techniques in all residential development.
- **Policy E.2:** Ensure all new residential development complies with the California Green Building Standards Code and Dublin Green Building Standards Code.
- **Policy E.3:** Encourage residential projects to obtain green building certifications, such as GreenPoint Rating and Leadership in Energy and Environmental Design.
- **Policy E.4:** Continue to require the recycling of construction waste.
- **Policy E.5:** Utilize site planning techniques to allow passive energy efficiencies through solar access, landscaping, and building orientation.
- **Policy E.6:** Seek opportunities to educate the public about energy efficiency and conservation.

2. Housing Programs

The goals and policies outlined in the prior section address Dublin's identified housing needs and are implemented through a series of housing programs. These programs are offered primarily through the Planning and Housing Divisions of the City's Community Development Department and through regional partnerships. Dublin residents may also be eligible for assistance under programs administered by the County of Alameda. Housing programs define the specific actions the City will undertake to achieve the stated goals and policies. The City's housing programs for addressing community housing needs are grouped into the following categories:

- Housing Conservation and Preservation
- Housing Production
- Adequate Housing Sites
- Removal of Governmental Constraints
- Promoting Equal Housing Opportunity
- Green Building Program

A. Housing Conservation and Preservation

Approximately 31.5 percent of housing units in Dublin were constructed prior to 1990 and are likely to have rehabilitation needs, such as new plumbing, roof repairs, foundation work, and other major repairs. Other housing conservation needs include preservation of existing multi-family rental apartments at-risk of converting to condominiums.

Program A.1: Housing Rehabilitation Assistance

Using Community Development Block Grant (CDBG) funds, the Alameda County Community Development Agency administers minor home rehabilitation grants and home improvement loan assistance.

- Alameda County Healthy Homes Department Minor Home Rehabilitation Program provides grants up to $3,000 to low-income homeowners for minor plumbing, carpentry, and electrical repairs and can be used for railings, grab bars, toilets, water heaters, doors, locks, and more.
- Renew Alameda County is a home improvement loan assistance program for low-income homeowners, which aims to help keep existing homeowners in their homes and maintain existing housing stock in a safe, livable condition.

Between 2015 and 2021, the Alameda County Community Development Agency has provided 22 Minor Home Repair Grants, one Housing Rehabilitation Loan, and two Accessibility Improvements Grants in Dublin.

Additionally, in 2020, the City created and began administering the Dublin Home Rehabilitation Program to provide supplemental assistance to homeowners that may have received a grant or loan through the County's programs and need additional funding assistance or were turned down because they were not able to meet all of the County's criteria. The program provides grants of up to $5,000 for rehabilitation and beautification projects.

Objectives:

- Continue to support the Alameda County Community Development Agency to implement the Minor Home Improvement Program (including accessibility grants) and Renew Alameda County and promote the Dublin Home Rehabilitation Program with the goal of assisting 32 households between 2023 and 2031.

Timeframe: Review annually; 2023-2031
Responsible Agency: Alameda County Community Development Agency; Community Development Department
Funding Source: CDBG; Alameda County Measure A-1 Bond Fund; Dublin General Fund
Relevant Policies: Policy C.1; Policy C.2

Program A.2: Housing Choice Voucher Rental Assistance

The Housing Choice Voucher Program extends rental subsidies to extremely low- and very low-income households, including families, seniors, and the disabled. The program offers a voucher that pays the difference between the current fair market rent (FMR) as established by the U.S. Department of Housing and Urban Development (HUD) and what a tenant can afford to pay (i.e., 30 percent of household income). The Housing Authority of Alameda County administers the program in Dublin. Given the continued need

for rental assistance, the City supports and encourages the provision of additional subsidies through the Housing Choice Voucher Program.

Objectives:

- Continue to support the assistance of 350 lower-income households each year between 2023 and 2031.
- Continue to refer interested households to the Housing Authority of Alameda County.

Timeframe: Review annually; 2023-2031
Responsible Agency: Housing Authority of Alameda County
Funding Source: HUD Section 8
Relevant Policies: Policy A.1; Policy D.2; Policy D.3

Program A.3: Code Enforcement

The Planning Division and Building and Safety Division of the Community Development Department carry out code compliance and inspection activities to preserve and maintain the livability and quality of neighborhoods. City Staff investigates potential violations of property maintenance standards as defined in the Dublin Municipal Code. When violations are identified or cited, Staff ensures code compliance by encouraging property owners to seek assistance through available housing rehabilitation programs.

The City will continue to enforce property maintenance standards and abate substandard structures. When code violations are unable to be resolved through voluntary compliance, administrative citations, or abatement, the nuisance may be abated by the City. All costs incurred by the City in abating the nuisance shall be chargeable to the property owner where the abatement occurred.

Objectives:

- Continue to enforce local ordinances relating to property maintenance and substandard housing both proactively and on a complaint basis.
- Conduct residential inspections to ensure property maintenance standards are met and to abate substandard structures.
- Perform annual review of City ordinances.

Timeframe: On a case-by-case basis; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy C.1; Policy C.2

Program A.4: Condominium Conversion Ordinance

The City values its rental housing stock as an important means of meeting the housing needs of all income segments of the community. In 2005, the City Council passed a Condominium Conversion Ordinance to preserve the existing rental housing stock. The Ordinance establishes an annual maximum of seven percent of the total number of multi-family units in developments of 21 or more rental units that can be converted. The Ordinance also establishes tenant notification and relocation assistance requirements, limits rent increases once a notice of intent to convert has been filed and gives tenants the right to purchase units. Condominium conversions are also subject to the City's Inclusionary Zoning Regulations.

The City will continue to implement the Condominium Conversion Ordinance to preserve the existing multi-family rental housing stock in Dublin.

Objectives:

- Monitor conversion activities annually.

Timeframe: Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Permit Processing Fees
Relevant Policies: Policy A.1; Policy B.5

Program A.5: Preserve and Monitor Affordable Units At-Risk of Converting to Market Rate

Assisted housing are units whose construction, financing, sales prices, or rents have been subsidized by federal, state, or local housing programs. There are 59 assisted multi-family units at-risk of converting from affordable to market-rate units during the 10 years following the beginning of the planning period (2023-2033). The City is committed to preserving its stock of affordable housing and will provide technical assistance, seek additional nonprofit and for-profit partners, and facilitate financial assistance for assisted affordable housing units at-risk of conversion to market-rate units. The City will continue to work with property owners to develop strategies and potential solutions to maintain affordability controls on assisted units.

The City will also maintain an inventory and establish an early warning system for assisted housing units that have the potential to convert to market rate. This will include an annual review of the conversion status of all assisted housing in the City. The City will also pursue partnership opportunities with non-profit entities to preserve affordable housing in the City.

Objectives:

- Maintain an inventory and establish an early warning system for assisted housing units that have the potential to convert to market-rate units.
- Outreach to and coordinate with property owners with assisted housing units at-risk of converting to market-rate units to preserve affordability.

Timeframe: Develop the warning system within three years of adopting the 2023-2031 Housing Element; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy B.2

B. Housing Production

The City implements various programs to encourage a diversity of housing types. Part of this diversity is addressed through the RHNA, which encourages the construction of housing for all economic segments in the community. Housing diversity is important to ensure that all households, regardless of age, income level, and household type, have the opportunity to find housing suited to their need and lifestyle. The following programs support the production of diverse housing opportunities.

Program B.1: Mixed-Use Development

Locating high-density residential uses in compact mixed-use projects where residents have convenient access to jobs, shopping, services, recreation, and multi-modal transportation options can produce several community benefits. Many residents within these areas are less dependent upon single-occupancy vehicles resulting in decreased congestion, reduced greenhouse gas emissions, and allow more of their income to be used for other necessary expenses.

The City will continue to promote high-density mixed-use projects through the following actions:

- Promote high-density mixed-use development projects on opportunity sites in the Downtown Dublin Specific Plan area and near public transportation;
- Continue to implement the Downtown Dublin Specific Plan;
- Promote high-density mixed-use development near the two Dublin Bay Area Rapid Transit (BART) stations;
- Use the Planned Development Zoning process to allow flexible development standards such as alternatives for parking, building height, floor area ratio, lot coverage limits, and residential density, to promote mixed-use developments; and
- Provide incentives for affordable housing in mixed-use projects, including reduced parking requirements, use of the Affordable Housing Fund, assistance in accessing state and federal subsidies, and density bonuses.

Objectives:

- Facilitate the construction of 300 residential units within mixed-use projects between 2023-2031.
- Continue to incentivize mixed-use projects through flexible development standards and other means.

Timeframe: Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Affordable Housing Fund; General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.5; Policy B.2; Policy B.5

Program B.2: Affordable Housing Developers

Recognizing that affordable housing cannot be supplied solely by market-rate developers, the City will cooperate with affordable housing developers to expand the supply of lower-income units, including extremely low-income units. The City has a proven track record in facilitating the development of affordable housing. During the 2014-2022 Housing Element cycle, Valor Crossing, Amador Station, and the Regional Street Senior Affordable Apartments projects were facilitated by the City and include a range of affordable units, including units for extremely low-income households.

The City will offer application and technical assistance in accessing local, state, and federal funding for affordable housing by applying for such funding on behalf of affordable housing developers when eligible applicants are limited to public agencies and providing technical assistance or documentation necessary to support applications for funding by affordable housing developers upon request.

The City will also write letters of support (for projects that have received Planning Division entitlements by the City).

Objectives:

- Negotiate a specific incentive package for each project, with increased incentives for projects that include units for extremely low-income households, seniors, and persons with disabilities.
- Provide application/technical assistance as needed.
- Provide assistance to affordable housing developers to facilitate the construction of 100 affordable housing units between 2023-2031, with the goal of achieving 20 affordable units for extremely low-income households and/or persons with special housing needs.
- Contact developers to discuss affordable housing opportunities.

Timeframe: On a case-by-case basis; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Affordable Housing Fund; General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.3; Policy B.1; Policy B.2; Policy B.3

Program B.3: Density Bonus

The City adopted a Density Bonus Ordinance in March 2007 to comply with State law (SB 1818 enacted 2005 and SB 435 enacted 2006). In November 2019, the City adopted Ordinance No.14-19 amending the Density Bonus Ordinance to comply with current State law. Density bonuses are infrequently used in Dublin because the City's High-Density Residential land use designation does not have a maximum upper density limit. In addition to density increases, the Density Bonus Ordinance has other provisions that could facilitate the expansion of housing opportunities. The City will continue to annually review its Density Bonus Ordinance and make necessary revisions to ensure compliance with State law.

The City will also continue working with developers on a case-by-case basis to provide regulatory concessions, waivers, and incentives to assist with the development of affordable and senior housing. Regulatory concessions, waivers, and incentives could include, but are not limited to, reductions to off-street parking requirements and modified or waived development standards.

Objectives:

- Review and, as necessary, revise the Density Bonus Ordinance to ensure compliance with State law.
- Continue to implement the Density Bonus Ordinance and provide the Ordinance to developers and other interested parties.
- Maintain updated information on the City's affordable housing incentives, such as density bonus and fee deferment, on the City's website.

Timeframe: Provide information on a case-by-case basis; Revise as necessary; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.3; Policy B.1; Policy B.2; Policy B.3

Program B.4: Inclusionary Zoning

Under the City's Inclusionary Zoning Regulations, all new residential development projects of 20 units or more designed and intended for permanent occupancy must construct 12.5 percent of the total number

of dwelling units within the development as affordable units. Affordable units shall be allocated to households with very low-, low-, and moderate-income levels as follows:

	Rental Units	Owner-Occupied Units
Very low-income households	30%	0%
Low-income households	20%	40%
Moderate-income households	50%	60%

Upon request, the City Council may grant one or more of the following exceptions to the 12.5 percent affordability requirement:

- Pay a fee in-lieu of constructing up to 40 percent of the affordable units that the developer would otherwise be required to construct
- Construct affordable housing off-site
- Dedicate land to the City or non-profit affordable housing developer
- Use credit transfers
- Waiver of requirements

Also, DMC Section 8.68.070 provides incentives to make the construction of affordable units more feasible, including:

- Fee Deferral – development processing and impact fees
- Design Modifications –
  - Reduced lot size
  - Reduced setback requirements
  - Reduced open space requirements
  - Reduced landscaping requirements
  - Reduced interior or exterior amenities
  - Reduced parking requirements
  - Height restriction waivers

Objectives:

- Review the Inclusionary Regulations.
- Prepare a nexus study reviewing the Affordable Housing In-Lieu Fee.
- Facilitate the construction of 100 affordable housing units.

Timeframe: Review the Inclusionary Regulations and In-Lieu Fees within two years of adopting the 2023-2031 Housing Element
Responsible Agency: Community Development Department
Funding Source: Affordable Housing Fund; General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.3; Policy B.1; Policy B.2; Policy B.3

Program B.5: Commercial Linkage Fee

The City approved a Commercial Linkage Fee on May 3, 2005. Fees are charged to non-residential developments, based on the square footage and type of commercial building space, and placed into the City's Affordable Housing Fund. Between 2015 and 2021, the City has collected a total of $684,263.72 in Commercial Linkage Fees. In accordance with DMC Section 8.68.080, the funds can be used for:

- Affordable housing construction loans
- First-Time Homebuyer Loan Program
- Homeownership training and foreclosure prevention services

- Housing Division administrative costs
- Alameda County Homeless Management Information System

Objectives:

- Prepare a nexus study reviewing the Commercial Linkage Fee.
- Utilizing funding to facilitate the construction of 100 affordable housing units.
- Assist at least five moderate-income households with first-time homebuyer loans.
- Provide funding towards homeownership training and foreclosure prevention services, rental assistance programs, and the Alameda County Homeless Management Information System.

Timeframe: Prepare a nexus study reviewing the Commercial Linkage Fee within two years of adopting the 2023-2031 Housing Element; Provide information on a case-by-case basis; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Affordable Housing Fund; General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.3; Policy B.1; Policy B.2; Policy B.3

Program B.6: Housing Type and Size Variations

A diverse housing stock in terms of type and size is necessary to meet the needs of all community residents. As a means of achieving housing diversity, the City will continue to require diversity of housing type and size as part of its negotiated process through Specific Plans, Planned Development Zoning, and Development Agreements.

Objectives:

- Require developers to provide a diversity of housing type and size on a case-by-case basis to meet the City's housing needs.

Timeframe: On a case-by-case basis; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.4; Policy A.6; Policy B.1; Policy B.3; Policy B.4; Policy B.5; Policy D.2; Policy D.3

Program B.7: Accessory Dwelling Units and Junior Accessory Dwelling Units

Accessory Dwelling Units (ADUs) and Junior ADUs can be a source of affordable housing with limited impact on existing neighborhoods and public infrastructure. The City will continue to promote the development of ADUs on residential lots with existing or proposed single-family and multi-family residences in the A, R-1, R-2, R-M, C-1, and PD zoning districts.

The City will support and accommodate the construction of at least 248 ADUs during the 2023-2031 planning period by a variety of methods, including but not limited to:

- Maintaining and updating, as necessary, permit-ready ADU plans to minimize design costs, expedite permit processing, and provide development certainty.
- Maintaining and updating, as necessary, an ADU Manual guiding applicants through the construction of an ADU.

- Maintaining and updating, as necessary, an ADU webpage informing the community on ADU related codes, processes, and incentives.
- Developing and implementing a public awareness campaign for construction of ADUs and the City's incentives utilizing all forms of media and outreach distribution.
- Waiving certain City permitting fees for building permits, for ADUs applied for between January 1, 2022, and December 31, 2026, that are less than 750 square feet and ADUs 750 square feet or larger that are deed restricted as lower-income units for a period of 55 years.

Objectives:

- Facilitate the development of at least 248 ADUs.
- Maintain updated information on the City's ADU processes, related code, and incentives, on the City's website.
- Implement a public awareness campaign for constructing ADUs.

Timeframe: Create and update public information on ADUs within three years of adopting the 2023-2031 Housing Element; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.5; Policy B.4

Program B.8: Accessory Dwelling Unit Monitoring Program

The City will continue to track ADU applications, location, affordability, and other important features to ensure adequate ADU development is occurring to meet the City's 2023-2031 construction goals and evaluate the need to adjust programs and policies if the pace of construction is less than anticipated. Should changes need to be made due to a gap in the number of ADUs projected and the number of ADUs permitted, the City will make changes proportional to the gap identified. This may include, but is not limited to, further streamlining and incentivizing ADU construction, rezoning additional non-residential sites, or similar actions.

Objectives:

- Maintain the ADU Monitoring Program.

Timeframe: Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.5; Policy B.4

Program B.9: Non-Vacant Adequate Sites to Satisfy By-Right Requirements of AB 1397

State law requires that any non-vacant site identified in a prior Housing Element must be zoned at a minimum of 30 units per acre and allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households if they are to be considered an adequate site to accommodate the very low- and low-income categories of the RHNA.

Four non-vacant sites, located in Downtown Dublin, that were identified in the 2014-2022 Housing Element are shown to be suitable for lower-income housing in the Housing Element Sites Inventory provided in **Appendix D**. Therefore, the City is required by statute to permit at least 30 units per acre,

which it does, on these sites and to allow residential use by right for housing developments when at least 20 percent of the proposed units are affordable to lower-income households.

Objectives:

- Amend the Downtown Dublin Specific Plan to specify the units on the four non-vacant lower-income sites in Downtown Dublin are allowed by right and not included in the Downtown Dublin Development Pool and are exempt from a Community Benefit Agreement requirement.

Timeframe: Within three years of adopting 2023-2031 Housing Element
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy B.1

Program B.10: Objective Design Standards and Streamlined Ministerial Review

State law (Senate Bill (SB) 35) requires local jurisdictions to provide a streamlined ministerial approval process for eligible multi-family residential developments, subject to objective zoning and design review standards. Eligible projects must include a specified level of affordability, be on an infill site, comply with existing general plan or zoning provisions, and comply with other requirements such as location and demolition restrictions. In March 2022, the City adopted Citywide Multi-Family Objective Design Standards (MFODS) and Zoning Ordinance Amendments to ensure that objective zoning and design review standards are in place for multi-family residential projects requesting a streamlined ministerial approval process. Projects that qualify for the SB 35 streamlined ministerial approval process would be required to comply with all of the Citywide MFODS. All other projects would be subject to the standards, but through the City's discretionary Site Development Review Permit process could be allowed to deviate from the MFODS when the purpose and intent of the standard is met through alternate means.

Objectives:

- Review and, as necessary, revise the Citywide Multi-Family Objective Design Standards to ensure compliance with State law in order to facilitate the development of housing.
- Continue to implement the Citywide Multi-Family Objective Design Standards.

Timeframe: Review annually; 2023-2031; If determined to be necessary, the City will make any required changes to the Objective Design Standards within 18 months
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.3 Policy B.1; Policy B.2

Program B.11: Transitional and Supportive Housing

California Government Code Section 65583(c)(3) requires transitional and supportive housing to be permitted in all residential zoning districts under the same restrictions as other residential dwellings of the same type in the same zone. Government Code Section 65651(a) also requires supportive housing to be permitted by-right in zones where multi-family and mixed-use development is permitted, including non-residential zones permitting multi-family uses if they meet the Government Code Section requirements. The City will continue to permit by-right small transitional housing with six or fewer homeless persons or families and small supportive housing with six or fewer occupants in the A, R-1, R-2, and R-M zoning districts. The City will also continue to permit large transitional housing for seven or more

homeless persons or families and large supportive housing for seven or more occupants in R-1, R-2, R-M, C-1, C-2, M-P, and M-1 zoning districts subject to a Conditional Use Permit.

The City will continue to monitor the inventory of sites appropriate to accommodate transitional and supportive housing and will solicit input from organizations who specialize in meeting the needs of persons experiencing homelessness and extremely low-income households. The City is committed to prioritizing funding and other available incentives for projects that provide housing for Dublin's special needs populations.

Objectives:

- Collaborate with local organizations and agencies to discuss the needs of persons experiencing homelessness.
- Support and, when possible, fund local and regional efforts to address the housing needs of persons experiencing homelessness.

Timeframe: On a case-by-case basis; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.4; Policy B.1; Policy B.2; Policy B.3; Policy D.1; Policy D.2

Program B.12: Single-Room Occupancy (SRO)

Single-Room Occupancy (SROs) Units may provide a valuable source of affordable housing for individuals and may serve as an entry point into the housing market for persons who previously experienced homelessness. The Dublin Municipal Code conditionally permits SROs in the C-2 zoning district with approval of a Conditional Use Permit by the Planning Commission.

Objectives:

- Collaborate with local organizations and agencies to discuss the needs of persons who previously experienced homelessness.
- Support and, when possible, fund local and regional efforts to address the housing needs of persons in Dublin who previously experienced homelessness.

Timeframe: Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.4; Policy B.1; Policy B.2; Policy B.3; Policy B.5; Policy D.2

Program B.13: Universal Design Ordinance

In 2007, the City adopted a Universal Design Ordinance that requires new single-family, duplex, and triplex residential dwelling units that are part of residential development projects in excess of 20 residential dwelling units to install base universal design features. In 2010, the Ordinance was amended to meet the current building code and took effect January 1, 2011. The Universal Design Ordinance is substantially the same as the Model Universal Design Local Ordinance adopted by the California Department of Housing and Community Development. The City developed a brochure on the Universal Design Ordinance and

updates it periodically to ensure that current information regarding the Ordinance is distributed. The brochure and other related information regarding the Ordinance have been posted to the City's website and is also available at the City Hall.

Objectives:

- Maintain updated information about the Universal Design Ordinance on the City's website and at City Hall.

Timeframe: Update as necessary; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Permit Processing Fees
Relevant Policies: Policy C.2; Policy E.1; Policy E.2

Program B.14: Residential Incentives

The Sites Inventory (**Appendix D**) identifies several sites that allow residential and non-residential uses, including the non-vacant sites in Downtown Dublin, the Public/Semi-Public sites, the Alameda County Surplus Properties, the Hacienda Crossings shopping center, and the SCS Property. To encourage residential development on these sites and maximize the development potential identified in the Sites Inventory, the City will promote existing residential incentives and identify potential new incentives as appropriate.

Objectives:

- Promote existing incentives and identify potential new incentives for the development of residential uses on sites identified in the Sites Inventory that allow both residential and non-residential uses.

Timeframe: Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.5

Program B.15: Replacement Housing

The City may have existing non-vacant sites included within the Sites Inventory that may contain vacant or demolished residential units that were occupied by lower-income households or households subject to affordability requirements within the last five years. The City will adopt a formal replacement housing program to ensure any units currently occupied by lower-income households, or households subject to affordability requirements within the last five years, that are lost for housing units are replaced in compliance with Government Code Section 65915.

Objectives:

- Adopt a replacement housing program for units lost that are currently occupied by lower-income households or households subject to affordability requirements of Government Code Section 65915 within the last five years.

Timeframe: Within three years of adopting the 2023-2031 Housing Element
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy C.2; Policy E.1; Policy E.2

C. Adequate Housing Sites

Meeting the housing needs of all segments of the community requires the provision of adequate sites for all types, size, and prices of housing. The City's General Plan and Zoning Ordinance determine where housing may be located, thereby affecting the supply of land available for residential development.

Program C.1: Sites Inventory and RHNA Monitoring

The City has a total RHNA of 3,719 units. State law requires the City to identify sites to accommodate its fair share allocation for the 2023-2031 planning period. The City has identified unit capacity based on pipeline projects, projected ADU development, and existing zoning to accommodate the moderate-income and above moderate-income units.

To meet the remaining RHNA for very low- and low-income units, the City identified the following three rezoning strategies:

- **Alameda County Surplus Properties**: The City has identified 9.8 buildable acres on two parcels (identified in **Appendix D**) to be rezoned to permit residential uses at an assumed density of 66 dwelling units per acre. The rezoning would accommodate 645 units, including 323 lower-income units.
- **Hacienda Crossings**: The City has identified 12.4 buildable acres on two parcels (identified in **Appendix D**) to be rezoned to permit mixed-use developments at an assumed density of 48 dwelling units per acre. The rezoning would accommodate 594 units, including 297 lower-income units.
- **SCS Property**: The City has identified 2.5 buildable acres on one parcel (identified in **Appendix D**) to be rezoned to permit residential uses at an assumed density of 40 dwelling units per acre. The rezoning would accommodate 100 lower-income units.

The City will continue to use Specific Plans and appropriate zoning to ensure that adequate sites are available (as defined Government Code Section 65583) to accommodate the City's RHNA for all income categories.

The City will monitor housing development citywide on an ongoing basis to ensure that the sites identified in the Sites Inventory are developed at densities appropriate for fulfilling its RHNA requirement for the planning period. Should a project be approved on a site with a lower density than that identified in the Sites Inventory, the City will assess its continued ability to accommodate the RHNA. Should the project result in a shortfall in sites, the City will address the "no net loss" requirements by identifying additional sites to replenish the Sites Inventory in accordance with State law.

Objectives:

- Ensure the sites identified in the Sites Inventory are developed at densities appropriate for fulfilling the City's RHNA and identify additional sites as necessary.
- Complete the rezoning strategies.

Timeframe: Complete the rezoning strategies within three years of adopting the 2023-2031 Housing Element; Review the Sites Inventory annually and as projects are proposed; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.5; Policy B.6

Program C.2: Safety Element and Environmental Justice Policies

SB 1035 requires that the City revise the Safety Element to identify flood hazards and address the risk of fire hazards in certain lands upon each revision of the Housing Element. The City Council will adopt amendments to the Safety Element in accordance with the requirements of SB 1035.

SB 1000 requires that the City incorporate environmental justice policies within the General Plan. The City will amend portions of the General Plan to include environmental justice policies in accordance with the requirements of SB 1000.

Objectives:

- Adopt an updated Safety Element, which identifies and addresses flood and fire hazards.
- Amend portions of the General Plan to include environmental justice policies.

Timeframe: Within one year of adopting the 2023-2031 Housing Element
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.4; Policy B.1

D. Removal of Governmental Constraints

Under State law, the Housing Element must address, and where legally possible, remove governmental constraints affecting the maintenance, improvement, and development of affordable housing. The following programs are designed to mitigate government constraints and facilitate development of housing affordable to lower- and moderate-income households, including families, seniors, and persons with special needs.

Program D.1: Remove Development Constraints

City Staff will review the Zoning Ordinance to identify standards and requirements that may constrain the development of affordable housing in Dublin. Specifically, the City will review requirements such as, but not limited to, minimum unit size, setbacks, parking requirements, and height restrictions, to ensure the standards do not impede reasonable development.

The City will continue to provide streamlined processing for eligible affordable housing projects.

Objectives:

- Review residential development standards for potential constraints to the development of new units, particularly affordable units.

Timeframe: On a case-by-case basis; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.4; Policy B.1

Program D.2: Fee Deferment

The City offers two Fee Deferral Programs for residential projects: one for multi-family residential projects within the Transit Districts and one for on-site construction of affordable units. The City will continue to offer multi-family residential development deferral allows the Traffic Impact Fees, Public Facilities Fees, and Fire Facilities Fees to be paid just prior to occupancy, rather than prior to issuance of a building permit. Additionally, pursuant to Dublin Municipal Code Section 8.68.070, the City will continue to offer deferment of development processing and development impact fees for affordable housing projects that exceed the inclusionary housing requirements to reduce the initial cost impact on an affordable housing project.

Objectives:

- Continue to offer the deferment of Traffic Impact Fees, Public Facilities Fees, and Fire Facilities Fees for multi-family projects in the Transit Districts and development processing and development impact fees for affordable housing projects that exceed the inclusionary housing requirements for on-site construction of affordable units.
- Maintain updated information on the City's affordable housing incentives, such as density bonus and fee deferment, on the City's website.

Timeframe: On a case-by-case basis; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Inclusionary Zoning In-Lieu Fee Fund
Relevant Policies: Policy A.2

Program D.3: Emergency Shelters

Pursuant to the provisions of SB 2, the City will continue to facilitate the establishment of emergency shelters, and transitional and supportive housing. With approximately 96 acres of land in the M-1 (Light Industrial) zoning district, there is sufficient land available for at least one emergency shelter. The City will review, and revise as appropriate, zoning, development standards, and procedures for consistency with Government Code Section 65583(a)(4).

Objectives:

- Review and amend, if necessary, the Emergency Shelters Ordinance for consistency with Government Code Section 65583(a)(4).

Timeframe: Within two years of adopting the 2023-2031 Housing Element
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.4; Policy A.6; Policy D.2

Program D.4: Monitoring of Development Fees

The City facilitates and encourages the development of a variety of housing types in the community. On a regular basis, the City monitors its development fees to ensure they are reasonable and do not unduly constrain housing development, while protecting the quality, health, and public safety of the community.

Objectives:

- The City will evaluate development fee impacts on housing development and make appropriate adjustments.

Timeframe: Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.3

Program D.5: Maintain Zoning, Development Standards, and Fee Schedules Online

Pursuant to government transparency laws contained in Government Code Section 65940.19(a)(1)(B), the City will continue to maintain all zoning, development standards, and fee schedules on the City's website.

Objectives:

- Maintain updated zoning, development standards, and fee schedules on the City's website.

Timeframe: Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.3

E. Promoting Equal Housing Opportunities

To adequately meet the housing needs of all segments of the community, the Housing Plan must include programs promoting housing opportunities for all persons regardless of race, color, ancestry, national origin, religion, age, gender, gender identity and expression, marital status, familial status, medical condition or disability, military or veteran status, source of income, sexual orientation, or any other protected characteristic.

Program E.1: Affirmatively Further Fair Housing

Pursuant to AB 686, the City will affirmatively further fair housing by taking meaningful actions that foster inclusive communities free from barriers, which restrict access to opportunities based on protected classes, as defined by State law. To accomplish this, the City will collaborate with local and regional organizations to review any housing discrimination complaints, assist in dispute resolution, and refer select complainants to appropriate state or federal agencies for further investigation, action, and resolution.

The City will continue to collaborate with the community, stakeholders, and appropriate organizations to address potential constraints to fair housing. This may include, but is not limited to:

- Analyze and identify barriers to entry into homeownership or rental opportunities.
- Review restrictions that may prevent disadvantaged groups from locating in Dublin.

- Foster a more inclusive community for all disadvantaged groups.

Objectives:

- Develop and adopt environmental justice policies in the General Plan.
- Review and identify regulations that contribute to disparities in access to housing and consider innovative solutions to encourage diversified development and support opportunities for wealth building through home ownership.
- Research and consider adopting additional policies and regulations to combat displacement.
- Collaborate with local community organizations and agencies to better understand and identify solutions to the needs of the community, specifically special needs populations.

Timeframe: Within three years of adopting the 2023-2031 Housing Element; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund; State and Federal Grants
Relevant Policies: Policy A.2; Policy A.4; Policy A.5; Policy A.6; Policy B.1; Policy B.2; Policy B.3; Policy B.4; Policy B.5; Policy D.1; Policy D.2; Policy D.3

Program E.2: Equal Housing Opportunity

The City contracts through Alameda County with ECHO Housing to investigate fair housing complaints and provide fair housing counseling and mediation services. The City will continue to be the point-of-contact for fair housing complaints, information requests, and referrals to ECHO Housing.

The City will also continue to provide information and educational materials on fair housing services for property owners, apartment managers, and tenants at City Hall and on the City's website.

Objectives:

- Provide referrals to appropriate agencies for services.
- Distribute fair housing information in public locations.
- Post fair housing information on the City's website.

Timeframe: Review annually; 2023-2031
Responsible Agency: Community Development Department; ECHO Housing; Alameda County Community Development Agency
Funding Source: CDBG; General Fund
Relevant Policies: Policy D.1; Policy D.2; Policy D.3

Program E.3: Reasonable Accommodations

Pursuant to Government Code Section 65583, the City is obligated to remove potential and actual governmental constraints to the maintenance, improvement, or development of housing for all income levels and for persons with disabilities. The Fair Housing Act, as amended in 1988, requires that cities and counties provide reasonable accommodation to rules, policies, practices, and procedures where such accommodation may be necessary to afford individuals with disabilities equal housing opportunities. Reasonable accommodation provides a basis for residents with disabilities to request flexibility in the application of land use and zoning regulations or, in some instances, even a waiver of certain regulations or requirements to ensure equal access to housing opportunities. The City is required to consider requests

for accommodations related to housing for people with disabilities and provide the accommodation when it is determined to be "reasonable" based on fair housing laws and case law interpreting the statutes. In compliance with Government Code Section 65583, the City provides reasonable accommodations for persons with disabilities pursuant to Dublin Municipal Code Chapter 8.38.

The City encourages and promotes accessible housing for persons with disabilities. City Staff considers the provisions of the California Americans with Disabilities Act (Cal ADA) when reviewing and approving housing projects and grants modifications and deviations from the Dublin Municipal Code to accommodate the needs of persons with disabilities.

The City will provide information about its formal reasonable accommodation procedures at City Hall and on the City's website, as well as monitor procedures and requirements.

Objectives:

- Maintain updated information on reasonable accommodations on the City's website and at City Hall.
- Review and update applicable procedures and/or requirements to remove potential constraints.

Timeframe: Review annually; 2023-2031; If determined to be necessary, the City will amend its procedures and/or requirements within six months
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.4; Policy D.2

Program E.4: Low-Barrier Navigation Centers

Senate Bill 48 (SB 48) requires approval 'by right' of certain low-barrier navigation centers that meet specified requirements. Low-barrier navigation centers are generally defined as service-enriched temporary living facilities focused on the transition of persons experiencing homelessness or at risk of becoming homeless into permanent housing. Low-barrier navigation centers connect individuals to income, public benefits, health services, and housing.

To comply with State law, the City will adopt regulations and procedures for this type of use and establish a ministerial approval process for low-barrier navigation centers. In the interim, any submitted application for this use type will be processed in accordance with State law.

The City will also monitor the effectiveness and appropriateness of these regulations and procedures. Should any amendments be warranted pursuant to State law, the City will amend the Zoning Ordinance.

Objectives:

- Adopt and implement procedures and regulations to process low-barrier navigation centers. Procedures shall include establishing a ministerial approval process.
- Annually review, and if necessary, update regulations and procedures to comply with State law.

Timeframe: Within three years of adoption of the 2023-2031 Housing Element; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.4; Policy D.2

Program E.5: Housing for Persons with Developmental Disabilities

The housing needs of persons with developmental disabilities are typically not fully addressed by local zoning regulations and may require modifications to existing units, varying range of supportive services, and affordable housing. To accommodate residents with developmental disabilities, the City will encourage construction and rehabilitation of housing with supportive services targeted for persons with developmental disabilities. The City will also seek State and Federal funding in support of housing construction and rehabilitation targeted for persons with developmental disabilities.

The City will explore the granting of regulatory incentives, such as expedited permit processing and fee deferrals, to projects targeted for persons with developmental disabilities. To further facilitate the development of units to accommodate persons with developmental disabilities, the City will collaborate with developers of supportive housing. As such housing is developed, the City will collaborate with the Regional Center of the East Bay to implement an outreach program informing families within Dublin of housing and services available for persons with developmental disabilities.

Objectives:

- Encourage construction and rehabilitation of housing with supportive services for persons with developmental disabilities.
- Seek State and Federal funding to support housing construction for persons with developmental disabilities.
- Review and consider regulatory incentives for projects proposing housing for persons with developmental disabilities.
- Collaborate with housing developers and local organizations to identify the needs of local persons with developmental disabilities.

Timeframe: Within three years of adopting the 2023-2031 Housing Element; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.4; Policy D.1; Policy D.2

Program E.6: Farmworker and Employee Housing

The California Health and Safety Code Sections 17021.5 and 17021.6 requires agricultural employee housing to be permitted by-right, without a Conditional Use Permit or other discretionary permit, in single-family residential zoning districts for six or fewer persons and in agricultural zones with no more than 12 units or 36 beds. The City will amend the Dublin Municipal Code to comply with the Health and Safety Code Section 17021.5, 17021.6, and 17021.8, as well as define agricultural and employee housing in a manner consistent with applicable Health and Safety Code Sections. Additionally, the Dublin Municipal

Code will be amended to state employee housing consisting of no more than 12 units or 36 beds will be permitted in the same manner as other agricultural uses in the same zone.

Objectives:

- Amend the Dublin Municipal Code to comply with the Health and Safety Code; update as necessary throughout the planning period.

Timeframe: Within three years of adopting the 2023-2031 Housing Element; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.4

Program E.7: First-Time Homebuyer Loan Program

In 2006, the City initiated a First-Time Homebuyer Loan Program (FTHLP) to assist households with financing the purchase of a home. The FTHLP program provides 30-year deferred loans for households earning up to 120 percent of Alameda County area median income (AMI). The FTHLP program may be used in conjunction with the Alameda County Mortgage Credit Certificates (MCC) program and other state or federal home ownership programs.

Objectives:

- Promote the FTHLP program online on the City's website and at the public counter.
- Provide FTHLP loans to households earning up to 120 percent AMI.
- Review the FTHLP for opportunities to broaden the use of the program and to ensure compatibility with similar loan programs offered by the County and the State.

Timeframe: Within three years of adopting the 2023-2031 Housing Element; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Affordable Housing Fund; State and Federal Grants
Relevant Policies: Policy B.5

Program E.8: Homeless Assistance

The City will continue to support the Alameda County Homeless Continuum of Care Council (HCCC) and support agencies and organizations that seek to address the problem of homelessness throughout the region. Dublin provided funding to the Alameda Countywide HCCC for development of a Homeless Management Information System (HMIS). The HMIS is intended to collect and report information about the homeless population and its patterns of service utilization. The City also provides Community Development Block Grant (CDBG) funds to the Tri-Valley Haven to assist a domestic violence shelter (Shiloh) and a homeless shelter (Sojourner House), both located in Livermore. In addition, the City provided CDBG capital funds, totaling $630,000, to assist in the construction of a commercial kitchen for Open Heart Kitchen, a Tri-Valley non-profit providing food to people experiencing homelessness.

Objectives:

- Support and, when possible, fund local and regional efforts that seek to address and lessen homelessness.

Timeframe: Review annually; 2023-2031
Responsible Agency: Community Development Department; HCCC; Tri-Valley Haven
Funding Source: CDBG; State and Federal Grants; General Fund
Relevant Policies: Policy A.6

Program E.9: Water and Sewer Service Providers

Pursuant to Government Code Section 65589.7, the City is required to deliver its adopted Housing Element, and any amendments thereto, to local water and sewer service providers. This legislation allows for coordination between the City and water and sewer providers when considering approval of new residential projects. Water and sewer service is provided to the City by the Dublin San Ramon Services District (DSRSD), who had the opportunity to review and provide feedback on the Public Review Draft of the Housing Element. The City will submit the adopted Housing Element to DSRSD.

Objectives:

- Deliver 2023-2031 Housing Element to DSRSD following adoption.
- Coordinate with DSRSD when reviewing proposed residential projects.

Timeframe: Immediately after adopting the 2023-2031 Housing Element
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1

F. Green Building Programs

Green building refers to the use of environmentally preferable practices and materials in the design, location, construction, operation, and disposal of buildings. It applies to both renovation and retrofitting of existing buildings and construction of new buildings, whether residential or commercial, public, or private. By continually improving how to locate, design, build, operate, and retrofit buildings, the City can contribute to improving the environment and quality of life. Advanced energy-saving technologies applied in buildings can result in enormous reductions in demand for fossil fuels and greenhouse gas emissions. Better design and building practices can also help address environmental challenges such as natural resource depletion, waste disposal, and air, water, and soil pollution. Green building practices can also help improve health and prosperity.

Program F.1: Green Building Guidelines

The City adopted a Green Building Ordinance in April 2009. The City also reviews projects based on the California Green Building Standards Codes (CGBSC), which applies to all projects that require a building permit. In addition to the base requirements of CGBSC, the City has adopted the Tier 2 tables for electric vehicle (EV) charging space calculations, as well as solar energy requirements as defined by the California Energy Code, Title 23 Part 6. The City maintains a brochure about the Green Building Ordinance and continues to update information on green building guidelines on the City's website.

Objectives:

- Continue to implement the provisions of the Green Building Ordinance and State Standards and Codes.
- Continue to update brochures that describe program requirements and make them available to any interested parties and continue to provide Green Building resources on the City's website.

Timeframe: Update as necessary; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Permit Processing Fees; General Fund
Relevant Policies: Policy E.1; Policy E.2; Policy E.3; Policy E.4; Policy E.5; Policy E.6

Program F.2: Energy Conservation

The City will promote energy conservation through the following actions:

- Continue to implement the Waste Management Authority's model ordinance on recycling of construction waste.
- Continue to implement state building standards (Title 24 of the California Code of Regulations) regarding energy efficiency in residential construction.
- Continue to provide on-site training for Staff on Green Building techniques.
- Continue to review proposed developments for solar access, site design techniques, and use of landscaping that can increase energy efficiency and reduce lifetime energy costs without significantly increasing housing production costs.
- Enroll all new residential electrical accounts to East Bay Community Energy's Renewable 100 plan, which offers 100 percent renewable and carbon-free electricity.
- Maintain energy conservation and financial incentive (such as tax credits and utility rebates) information on the City's website and promote at community workshops.

Objectives:

- Implement applicable Building Code regulations, provide Green Building training to Staff, and distribute energy conservation information to the public.

Timeframe: Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Permit Processing Fees; General Fund
Relevant Policies: Policy E.1; Policy E.2; Policy E.3; Policy E.4; Policy E.5; Policy E.6

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3. Summary of Quantified Objectives

Table 4-1 summarizes the City's quantified objectives for the 2023-2031 planning period by income group.

Table 4-1: 6th Planning Cycle Quantified Objectives

Objectives	Income Level					TOTAL
	Extremely Low*	Very Low*	Low	Moderate	Above Moderate	
RHNA	542	543	625	560	1,449	**3,719**
Home Repair/ Rehabilitation	0	16	16	0	0	**32**
Rental Assistance**	2,800		0	0	0	**2,800**
Home Purchase Assistance	0	0	0	10	10	**20**
At-Risk Housing Units	59			0	0	**59**

* Extremely low-income housing need calculated as 50 percent of the very low-income RHNA.

** Provide housing choice voucher rental assistance for 350 extremely low- and very low-income households each year throughout the Planning Period.

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APPENDIX A:
REVIEW OF PAST PERFORMANCE

A. Review of Past Performance

The following is a review of the City's housing project and program performance in the 2014-2022 Planning Period. It is an evaluation of the 5th Cycle's Policy Program and considers all current and existing programs and projects, as well as the most current effectiveness and appropriateness for the 2023-2031 6th Cycle. **Table A-1** summarizes the City's quantified accomplishments for 2014-2022.

Table A-1: 5th Planning Cycle Quantified Accomplishments

Housing Assistance Type		RHNA	Accomplishments
RHNA	Very Low-Income	796	26
	Low-Income	446	39
	Moderate-Income	425	79
	Above Moderate-Income	618	4,878
	TOTAL	2,285	5,022
Home Repair/ Rehabilitation	Very Low-Income	16	21
	Low-Income	16	
	TOTAL	32	21
Low-Income Rental Assistance		350	407
Home Purchase Assistance	Moderate-Income	10	4
	Above Moderate-Income	10	
At-Risk Housing		0	0

1. Program Evaluation for Households with Special Needs

As part of analyzing prior programs, this Appendix must provide an outline of the effectiveness of goals, policies, programs, and objectives in meeting the housing needs of Dublin's special needs populations. The following section identifies 5th Cycle accomplishments by special needs groups.

Seniors

Appendix B: Community Profile shows that 9.2 percent of Dublin residents are over the age of 65. Senior housing is permitted in the form of community care facilities. A Community Care Facility/Small is permitted in all residential zoning districts and the agricultural zoning district. A Community Care Facility/Large is permitted with approval of a Conditional Use Permit by the Planning Commission in all residential zoning districts and the C-1, C-2, M-P, and M-1 zoning districts. Supportive Housing - Small is permitted in the agricultural zoning district and all residential zoning districts. Supportive Housing/Large is currently permitted with approval of a Conditional Use Permit by the Planning Commission in all residential zoning districts and the C-1, C-2, M-P, and M-1 zoning districts. In addition, Dublin Municipal Code Chapter 8.52 provides for density bonuses and other incentives for the development of Senior Housing.

The Housing Choice Voucher Program extends rental subsidies to extremely low- and very low-income households, including families, seniors, and the disabled. The Alameda County Housing Authority annually provided Housing Choice Vouchers to 407 households who rented in Dublin between 2019 and 2021.

The City offers deferment of development processing and development impact fees for affordable housing projects that exceed the inclusionary housing requirements to reduce the initial cost impact on an affordable housing project. While no senior housing projects took advantage of the incentive during the 5th Cycle, the City provides information on the City's website and promotes the incentive in conversations with developers.

In addition, a variety of community resources exist for Dublin seniors. The Dublin Senior Center offers a library, computer area, and common spaces, as well as classes and activities. The Open Heart Kitchen also distributes takeout lunches to participating senior residents throughout the community.

Persons with Disabilities

Persons with disabilities may require varying accessibility improvements and may also have a limited ability to earn adequate income. According to 2019 ACS data, about 13.7 percent of the Dublin population has a disability. The most common disabilities in Dublin are ambulatory, independent living, and cognitive difficulties.

Using Community Development Block Grant (CDBG) funds, the Alameda County Community Development Agency administers minor home rehabilitation grants and home improvement loan assistance. Between 2015 and 2021, the Alameda County Community Development Agency has provided 22 Minor Home Repair Grants, one Housing Rehabilitation Loan, and two Accessibility Improvements Grants in Dublin.

In addition, the City worked with housing developers to fund and support the development of affordable units. This included the development of Valor Crossing which received support from the Veterans Affairs Supportive Housing (VASH) Program.

Large Households

Large households consist of five or more residents and may have a harder time finding adequately sized units to avoid overcrowding. **Table B-24** in **Appendix B** shows that nine percent of Dublin households have five or more members, this includes 5.5 percent five-person households, 2.9 percent six-person households, and 0.6 percent seven-or-more person households.

Large, lower-income households may qualify for Housing Choice Vouchers. As noted above, the Alameda County Housing Authority annually provided Housing Choice Vouchers to 407 households who rented in Dublin between 2019 and 2021.

Farmworkers

Farmworkers include persons seasonally or permanently employed in the agricultural industry and generally earn lower incomes than many other workers. According to ACS data, there were 114 people employed in the agriculture, forestry, fishing, hunting, and mining sector in Dublin in 2019. According to the California Employment Development Division, Dublin residents employed in the farming, fishing, and forestry occupation earn one of the lowest salaries in comparison to other occupations in Alameda County, with an estimated median income of $35,142.

Agricultural housing is currently permitted in the agricultural zoning district with approval of a Conditional Use Permit by the Zoning Administrator. Given new provisions in the California Health and Safety Code Sections 17021.5 and 17021.6, Program E.6 has been included in the **Housing Plan** to permit agricultural housing, by-right, without a Conditional Use Permit or other discretionary permit, in single-family residential zoning districts for six or fewer persons and in agricultural zoning districts for up to 12 units or 36 beds.

Single-Parent Households

Single-parent households often require special consideration and assistance due to their greater need for affordable and accessible day care, health care, and other supportive services. Single parents make up 9.2 percent of Dublin households, with 3.9 percent being single mothers and 5.3 percent being single fathers. Approximately 1.4 percent of households are single parents living under the poverty line.

Lower-income single-parent households may also be eligible for Housing Choice Vouchers and may represent a portion of the 407 Dublin households that received rental assistance annually between 2019 and 2021.

The City offers a variety of community resources for children and single parents in the community. The Dublin Unified School District (DUSD) serves over 12,300 students from preschool through adult education courses. The DUSD includes seven elementary schools, two middle schools, one K-8 school, one continuation high school, and one comprehensive high school. The DUSD and its schools have been recognized with numerous accolades, including the Advanced Placement Honor Roll, National Blue Ribbon School, Gold Ribbon Award, Project Lead the Way Distinguished School, California School of Character, National School of Character, Educational Results Partnership Honor Roll, California Distinguished School, and Title 1 Academic Achievement Award School. Dublin High School is also renowned for its signature programs, including the Engineering Academy, which prepares students to succeed in a post-secondary engineering program; the Biomedical Academy, which prepares students for a post-secondary education in biomedical sciences; and the Culinary Academy, which prepares students for a post-secondary education in the culinary arts. All of Dublin's elementary schools offer childcare programs daily from 7:00 a.m. to 6: 00 p.m. for school-age children. The program is offered by Extended Day Child Care (EDCC) which leases space from the DUSD.

Persons Experiencing Homelessness

Homelessness has become an increasingly important issue in the region and throughout California. There are multiple factors that may contribute to a person experiencing homelessness; **Appendix B: Community Profile** provides a detailed definition of "homelessness" and an analysis of the City and County's unhoused population.

The City supports the Alameda County Homeless Continuum of Care Council (HCCC) and other local agencies and organizations that assist persons experiencing homelessness and prevent homelessness. Throughout the 5th Cycle, the City provided funding to HCCC to develop a Homeless Management Information System (HMIS) intended to collect and report information about the homeless population and its patterns of service utilization.

The City funds regional homeless assistance program and participate in regional efforts to address homelessness. City Staff regularly attends meetings organized by Everyone Home and the Alameda County Department of Housing and Community Development. In late 2018, the City partnered with the Cities of Livermore and Pleasanton to apply for Homeless Emergency Aid Program (HEAP) funds in order for CityServe to enhance their homeless outreach and services. CityServe of the Tri-Valley offers assistance to people in crisis; in 2019, the Cities signed agreements to continue the efforts.

Additionally, the City provides CDBG funding to the Tri-Valley Haven to assist a domestic violence shelter (Shiloh) and a homeless shelter (Sojourner House), both located in Livermore.

Extremely Low-Income Households

Extremely low-income households are those that earn 30 percent or less of the area median income (AMI) for Alameda County. Extremely low-income households may require rental assistance and other community services assistance. According to CHAS Data, there are approximately 1,295 extremely low-income households in Dublin, including both renters and homeowners. The City currently has 2,154 deed-restricted affordable housing units.

Throughout the 5th Cycle, the City facilitated the development of affordable housing. Valor Crossing, Camellia Place, the Groves at Dublin Ranch projects were facilitated by the City and include a range of affordable units, including units for extremely low-income households. A total of 79 affordable units were produced between 2015 and 2017, including 20 units set aside for extremely low-income residents and veterans. The City issued Planning entitlements for two notable projects in 2021: the 300-unit Amador Station (BRIDGE Housing) affordable project and the 113-unit Regional Street Senior Affordable Apartments (Eden Housing). In December 2020, the Dublin City Council authorized the City Manager to negotiate and prepare a Purchase and Sale Agreement for the transfer of approximately one-acre of property in the East Dublin Transit Center for as an affordable housing site development. Once the property has transferred, Staff will work with an affordable housing developer to facilitate development of the site.

The City offers assistance in accessing local, state, and federal funding for affordable housing, as well as technical assistance. In 2001, the City was awarded $3,333,333 in Local Housing Trust Fund (LHTF) for the 113-unit Regional Street (Eden Housing) affordable project on the 1.3-acre site located at 6541 Regional Street, which is associated with the adjacent Saint Patrick Way Residential Project. The matching funds include the 1.3-acre site, valued at approximately $5 million, plus $5 million from the Alameda County A-1 Bond. Additionally, the City has written letters of support for funding for projects that have received permit approvals by the City. The City negotiates specific incentive packages for each applicable project, with increased incentives for projects that include units for extremely low-income households and persons with disabilities.

Commercial Linkage Fees are collected from developers upon issuance of building permits for commercial development and are placed in the City's Affordable Housing Fund along with in-lieu fees collected from developers for residential development. The Affordable Housing Fund (AHF) was used to facilitate the development of Valor Crossing, which includes 20 extremely low-income units, six very

low-income units, and 39 low-income units. The AHF is also used to negotiate with other developers looking to build affordable housing.

Extremely low-income households may also be eligible for Housing Choice Vouchers and represent a portion of the 407 Dublin households that annually received rental assistance between 2019 and 2021.

2. 5th Planning Cycle Program Accomplishments

Table A-2 provides detailed, program-specific accomplishments for 2015-2021. The City has demonstrated significant effort in working towards accomplishing many of the objectives established in the 5th Planning Cycle Housing Element. The City's successful programs have been identified as ongoing for the 2023-2031 planning cycle. Various programs have been modified to account for new requirements and changes in State law.

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
1. Housing Conservation and Preservation			
Program 1: Housing Rehabilitation Assistance	• Continue to support the Alameda County Community Development Agency to implement the Minor and Major Home Improvement Programs (including accessibility grants) with the goal of assisting 32 households over eight years.	Minor home rehabilitation grants and home improvement loan assistance are available to low-income households through existing Alameda County programs. Alameda County Healthy Homes Department Minor Home Rehabilitation Program provides grants up to $3,000 to low-income homeowners for minor plumbing, carpentry, and electrical repairs and can be used for railings, grab bars, toilets, water heaters, doors, locks, and more. Renew Alameda County (Renew AC) is a home improvement loan assistance program for low-income homeowners throughout the County. Renew AC aims to help keep existing homeowners in their homes and maintain existing housing stock in a safe, livable condition. On November 7, 2020, the City Council approved the Dublin Home Rehabilitation Program to provide supplemental assistance to homeowners that may have received a grant or loan through the County's programs and need additional funding assistance or were turned down because they were not able to meet all of the County's criteria. Following is a summary of grants and loans provided throughout the 5th Housing Element cycle: **2015**: • Minor Home Repair Grants - 4 • Accessibility Improvement Grants - 1 • Total - 5 **2016**: • Minor Home Repair Grants - 1 • Accessibility Improvement Grants - 1 • Total - 2 **2017**: • Housing Rehabilitation Loans - 1	**Ongoing**. Dublin residents successfully benefitted from CDBG funding opportunities during the 5th Planning Cycle with a total of 22 Minor Home Repair Grants, two Accessibility Improvement Grants, and one Housing Rehabilitation Loan. The City will continue to support the Alameda County Community Development Agency through the 2023-2031 planning cycle.

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		• Total - 1 **2018**: • Minor Home Repair Grants - 6 • Total - 6 **2019**: • Minor Home Repair Grants - 7 **2021**: • Minor Home Repair Grants - 4 **Total**: • Minor Home Repair Grants - 22 • Accessibility Improvement Grants - 2 • Exterior Paint Grants - 0 • Housing Rehabilitation Loans - 1 • Total-25	
Program 2: Housing Choice Voucher Rental Assistance	• Continue to support the assistance of 350 lower income households each year throughout the planning period. • Continue to refer interested households and homeowners to the Housing Authority of the County of Alameda.	The City continues to refer interested households and homeowners to the Alameda County Housing Authority for program information and application procedures. In addition, the City provided information on developments within the City that accept Housing Choice Vouchers in the Tri-Valley Area Affordable Rental Housing Flyer listing Dublin rental communities. With the new requirements under AB 1482, the City has posted notices at City Offices and updated contact information on its website for tenants' rental assistance resources. The Alameda County Housing Authority annually provided Housing Choice Vouchers to 407 households who rented in Dublin between 2019 and 2021. In 2019, the City signed agreements with the cities of Livermore and Pleasanton and Alameda County to pool Homeless Emergency Aid Program (HEAP) funds in order for CityServe to enhance their homeless	**Ongoing**. The City successfully provided rental assistance to a number of households during the 5th planning cycle through a variety of methods. The needs of Dublin's rental community continue to be an important element to address. As such, the City will continue to provide assistance throughout the 2023-2031 planning cycle.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		outreach and services throughout the region. For the 2020-2021 contract, the City of Dublin contributed $34,976.50. In May 2020, the City selected CityServe to receive a COVID-19 Community Relief Response Grant of $50,500 from East Bay Community Energy to administer an emergency rental assistance program. A total of $42,925 was distributed to help 27 households in the community with an average rental assistance payment of $1,600 paid directly to rental property owners. Additionally, the City administered an Emergency Rental Assistance Program utilizing $176,277 Community Development Block Grant (CDBG) CARES Act funds and assisted 40 Dublin households in 2021.	
Program 3: Code Enforcement	• Continue to enforce local ordinances relating to property maintenance and substandard housing both proactively and on a complaint basis. • Conduct approximately 2,000 residential inspections during the planning period. • Perform annual review of City ordinances.	There are two areas of Code Enforcement: Planning Code Enforcement and Building Code Enforcement. Planning Code Enforcement enforces violations of the Dublin Municipal Code Property Maintenance and Graffiti Ordinances, as well as the Zoning Ordinance. Common property maintenance violations include weeds, inoperable vehicles, junk and debris, deteriorated paint, dilapidated fences, overgrown/dead vegetation, attractive nuisances, and graffiti. Property maintenance violations are enforced proactively and on a complaint basis. Building Code Enforcement actively patrols City streets enforcing Building Code Violations, such as contractors or homeowners working without required building permits. In addition, Building Code Enforcement responds to anonymous callers, concerned citizens, and other contractors reporting any activity connected to illegal construction. Enforcement officers spend time educating the public on the importance of obtaining required building permits. The following residential inspections were conducted (these numbers are based on the number of new open residential code enforcement cases): **2015**: Planning - 320; Building - 115; Total - 435 **2016**: Planning - 232; Building - 54; Total - 286	**Ongoing**. Safety and well-being are critical to the livability of a residence and the quality of neighborhoods. The City successfully assisted 1,634 total households with open code enforcement cases during the 5th planning cycle. The City will continue to work with property owners to maintain code compliance and safe, living environments.

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		2017: Planning - 231; Building - 57; Total - 288 **2018**: Planning - 201; Building - 60; Total - 261 **2019**: Planning - 188; Building - 43; Total - 231 **2020**: Planning - 92; Building - 42; Total - 134 **2021**: Planning - 104; Building - 46; Total - 150 **Total**: Planning - 1,368; Building - 417; Total - 1,785	
Program 4: Condominium Conversion Ordinance	• Monitor conversion activities annually.	There were no residential condominium conversions during the 5th Planning Cycle.	**Ongoing**. The City will continue to implement the Condominium Conversion Ordinance through the 2023-2031 planning cycle.
2. Housing Production			
Program 5: Mixed Use Development	• Facilitate the construction of 100 high-density residential units within mixed-use developments within the planning period.	The City issued a building permit in 2015 for the Aster project, which consisted of 314 residential units with 17,000 square feet of commercial/retail space. In 2021, the City approved the Amador Station project, which consisted of 300 affordable residential units in two separate buildings, ground-floor retail, amenity space, and parking.	**Ongoing**. The City was successful in facilitating the development of 314 mixed-use units during the 5th planning cycle. The City will continue to promote high-density residential mixed-use projects in the Downtown Dublin Specific Plan area, as well as near BART Stations, throughout the 2023-2031 planning cycle.
Program 6: Affordable Housing Developers	• Negotiate specific incentives package for each project, with increased incentives for projects that include units for	The City worked closely with Eden Housing on the development of Valor Crossing, a 66-unit affordable rental development that includes 20 extremely low-income units, with support from the Veterans Affairs Supportive Housing (VASH) program. The City provided support letters and	**Ongoing**. The City was successful in working with developers to accommodate affordable

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
	extremely low income households and persons with disabilities. • Provide application/technical assistance as needed. Timing of applications or technical assistance will depend on application deadlines for funding sources. • Provide assistance to affordable housing developers within the planning period to facilitate the construction of 100 affordable housing units within the planning period, with the goal of achieving 20 affordable units for extremely low income households and/or persons with special needs (including persons with disabilities/development disabilities). • Annually contact developers to discuss affordable housing opportunities.	application assistance for funding opportunities. In addition to facilitating land acquisition for the site and providing a $6.4 million loan, the City approved reduced parking for the project. The project broke ground in November 2015 and was fully occupied in 2017. Throughout the 5th Planning Cycle, the City met with several affordable housing developers to discuss potential affordable housing development projects and opportunities on both publicly and privately-owned properties in Dublin. Between 2015 and 2017, the City worked with developers to produce 79 affordable dwelling units (20 of which were set aside of extremely low-income residents and veterans). **2019**: In 2019, the City received an Award of Merit from the California Association for Local Economic Development and a Helen Putnam Award from the League of California Cities for the Valor Crossing project. **2020**: On September 1, 2020, the City Council adopted a resolution, authorizing the City to become an additional member of the California Community Housing Agency (CalCHA); supporting CalCHA's issuance of tax-exempt bonds for the production, preservation, and protection of essential middle-income rental housing; and authorizing the City Manager to enter into Purchase Option Agreements with CalCHA for essential middle-income rental housing created within the City limits. The CalCHA Program provides affordable housing targeted at moderate and middle-income households earning between 81-120 percent of the area median income (AMI).	housing units on a variety of projects during the 5th planning cycle. The City will continue to facilitate conversation, provide incentives, and when possible, provide funding assistance to proposed residential projects which include affordable housing components. This will be additionally important during the 2023-2031 planning cycle to meet the City's RHNA allocation.

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		On December 1, 2020, the City Council authorized the City Manager to negotiate and prepare a Purchase and Sale Agreement for the transfer of approximately one-acre of property in the East Dublin Transit Center, located at the southeast corner of Iron Horse Parkway and Martinelli Drive, commonly known as Site D-1, from the Surplus Property Authority of Alameda County to the City of Dublin, or its designee, for as an affordable housing site development. Once the property has transfer, Staff will work with an affordable housing developer to facilitate development of the site. **2021**: The City issued Planning entitlements for three projects in 2021: the 573-unit East Ranch project, which includes 68 affordable units; the 300-unit Amador Station (BRIDGE Housing) affordable project; and the 113-unit Regional Street (Eden Housing) affordable project for a total of 481 affordable units combined between all three projects. The East Ranch project also includes the dedication of a two-acre Public/Semi-Public site for a future affordable housing project. Preliminarily, this site would provide 77 units of very low/low-income affordable rental housing. In 2021, the City also joined California Statewide Community Development Authority (CSCDA), which allows for the issuance of bonds to acquire properties for the production, preservation, and protection of essential middle-income rental housing. Three properties in Dublin were acquired through the CalCHA and CSCDA programs in 2021, including the 313-unit Aster project, the 390-unit Waterford Place Apartments, and the 324-unit Fountains at Emerald Park, which have resulted in conversion of 76 units that are now affordable to households earning no more than 80 percent AMI, 55 units affordable to households earning no more than 100 percent AMI, and 40 units affordable to households earning no more than 120 percent AMI.	

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		Staff continues to meet with several affordable housing developers to discuss potential affordable housing development projects and opportunities in Dublin on both publicly and privately-owned properties.	
Program 7: Density Bonuses	• Review and, as necessary, revise the Density Bonus Ordinance to ensure compliance with State Law within two years of adoption 2015-2023 Housing Element. • Continue to implement the Density Bonus Ordinance and provide information on the Ordinance to developers and other interested parties. • Provide information on the City's affordable housing incentives, such as density bonus and fee deferment or amortization, on the City's website by mid-2015.	The City continues to implement the Density Bonus Ordinance, monitor state legislation, and make necessary changes as needed, and provide information to developers and other interested parties. The City provides information on the City's affordable housing incentives at: http://www.dublin.ca.gov > Government > Departments > Community Development > Housing > Affordable Housing Development Information In November 2019, the City Council adopted Ordinance No. 14-19, amending the Density Bonus Regulations (Chapter 8.52) of the Dublin Municipal Code to comply with State law.	**Modify**. The City will continue to implement the Density Bonus Ordinance, as well as update it as necessary to maintain compliance with State law. The City will also continue to promote the Density Bonus Ordinance and its regulations and development incentives to promote the development of affordable housing units throughout the 2023-2031 planning cycle.
Program 8: Inclusionary Zoning	• Facilitate the construction of 100 affordable housing units either through direct construction or through the Inclusionary Housing In-Lieu Fund within the planning period.	**2015**: In 2015, the City issued permits for a 66-unit affordable rental development, Valor Crossing, by Eden Housing, Inc. This affordable development was made possible in part through a land dedication (the affordable housing project site) by the developer of a market rate residential project on a parcel located to the north of the affordable housing site. The market rate developer fulfilled the inclusionary housing obligation for 313 market rate units by transferring ownership of the 1.37 acre site for the affordable housing project. In addition, the City issued a $6.4 million loan to Eden Housing, Inc. for the Dublin Family Apartments project from the Affordable Housing Fund.	**Ongoing.** The City was successful in developing affordable units and in collecting in-lieu funds throughout the 5th planning cycle. The City will continue to implement the Inclusionary Zoning Ordinance throughout the 2023-2031 planning cycle. The City will

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		The City also issued permits for three deed-restricted moderate-income units at Tribeca. These units are part of the inclusionary housing obligation for the Transit Center development area. The project will offer a total of five moderate-income homes. **2016**: In 2016, the City issued permits for the two remaining deed-restricted moderate-income units at Tribeca. **2017**: In 2017, the City issued eight building permits for moderate-income ADUs in Tassajara Hills **2018:** In 2018, the City issued 17 building permits for moderate-income ADUs in Tassajara Hills. The City has also received an agreement for the Saint Patrick Way project developer to dedicate a 1.3-acre parcel to an affordable housing developer for a future affordable housing project. **2020**: In July 2020, the City issued a Notice of Funding Availability (NOFA) for the creation of affordable rental housing in Dublin. Approximately $10 million in funding was available to support predevelopment, acquisition, and construction of affordable rental housing from the City's Affordable Housing Fund and Alameda County A-1 Bond. The funding was intended to provide gap financing between a project's total development cost and other available financing sources. Eligible projects were required to be new construction rental development, and target extremely low-, very-low-, and/or low-income households earning up to a maximum of 80 percent area median income. The NOFA resulted in two proposals: a 77-unit project at 6501 Golden Gate Drive that is part of a larger multi-phase	promote the Inclusionary Zoning Ordinance.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		project proposed by BRIDGE Housing, and a 121-unit project proposed by Eden Housing at 7922 Dublin Boulevard. The City Council directed Staff to work with BRIDGE Housing to refine their proposal, while also continuing discussions with Eden Housing. Additionally, Staff worked with Eden Housing on a preliminary proposal for the State's Local Housing Trust Fund (LHTF) grant program to develop between 70 and 114 units of affordable housing with a projected total development cost of between $46 million and $74 million. This proposal, together with a reservation of units from the Downtown Dublin Development Pool and a request to authorize the City Manager to submit the grant application, were presented to the City Council on July 21, 2020. At that meeting, the City Council also directed Staff to issue a Letter of Intent to Eden to provide matching funds that are required by the grant. The matching funds include the 1.3-acre site, valued at approximately $5 million, plus $5 million from the Alameda County A-1 Bond. Furthermore, the City issued building permits for 27 affordable units in 2020. **2021:** In 2021, the City was awarded $3,333,333 in LHTF funding, for the proposed affordable housing project by Eden on the 1.3-acre site located at 6541 Regional Street, which is associated with the adjacent Saint Patrick Way Residential Project. In 2021, the City approved a 300-unit residential project called Amador Station, which will be built in two phases. Phase I will include 136 units affordable to households earning an average of no more than 43 percent area median income (AMI) (excluding two manager's units). Phase II of Amador Station will include 164 units affordable at a minimum to	

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		moderate-income households (excluding two manager's units). In addition, the City also approved the Regional Street Senior Affordable project, which will include 113 units affordable to senior households earning no more than 60 percent AMI, of which 30 percent of the units will be affordable to households earning no more than 30 percent AMI (excluding one manager's unit). Both projects are receiving financial support from the City. The City committed $7.1 million from the City's Housing Fund and $2.9 million in Alameda County Measure A-1 Bond funds to Phase 1 of the Amador Station project. In addition, the City committed $5 million in Measure A-1 bond funds and facilitated the site acquisition at low cost (valued at $5 million) for the Regional Street Senior Affordable project. Additionally, the City issued building permits for 13 affordable ADUs in 2021. The City has exceeded the goal of 100 affordable units.	
Program 9: Commercial Linkage Fee	• Facilitate the construction of 50 affordable housing units within the planning period (10 extremely low/very low, 15 low, and 25 moderate income units). • Assist five moderate income households with first-time homebuyer loans. • Provide funding towards homeownership training and foreclosure prevention services, rental assistance programs and the Alameda County Homeless	Commercial Linkage Fees are collected from developers upon issuance of building permits for commercial development and are placed in the City's Affordable Housing Fund along with in-lieu fees collected from developers for residential development. The Affordable Housing Fund (AHF) was used to facilitate the development of Valor Crossing, a 66-unit affordable housing community. The project includes 20 extremely low-, six very low-, and 39 low-income units, as well as a manager's unit. The AHF is also used to negotiate with other developers looking to build affordable housing. The City continued to contract with Tri-Valley Housing Opportunity Center (TVHOC) for homebuyer education, foreclosure prevention services, rental assistance, and pre- and post-purchase counseling. Homeowner education for Dublin residents is available with periodic free trainings from ECHO Housing, serving Alameda County with a grant from the US Department of Housing and Urban Development. Foreclosure	**Ongoing**. The City successfully collected $612,796.21 from Commercial Linkage Fees during the 5th planning cycle and issued 4 First Time Homebuyer loans. The City will continue to collect Commercial Linkage Fees and use the funds towards affordable housing construction loans, First-Time Homebuyer loans, Homeownership training and foreclosure prevention services, Housing Division's

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
	Management Information System.	prevention services are available from Alameda County's AC Secure Program, funded by Measure A-1. The City also continued to support the Alameda County Homeless Management Information System (HMIS) through the Affordable Housing Fund. HMIS is managed by EveryOne Home, a community-based organization formed in 2007 under the fiscal sponsorship of the Tides Center. EveryOne Home manages the County's in-house HMIS in the collection and reporting of the homeless count and other data collection. **2015:** In 2015, the City collected $45,829.80 in Commercial Linkage Fees. There were two Re-Issued Mortgage Credit Certificates in 2015. **2016:** In 2016, the City collected $3,461.88 in Commercial Linkage Fees. The City issued one new First-Time Homebuyer loan during the 2016 calendar year. **2017:** In 2017, the City collected $359,928.47 in Commercial Linkage Fees. **2018:** In 2018, the City collected $11,878.78 in Commercial Linkage Fees. The City issued one new First-Time Homebuyer loan during the 2018 calendar year. **2019:** In 2019, the City collected $191,696.96 in Commercial Linkage Fees. The City issued two new First-Time Homebuyer loans during the 2019 calendar year.	administrative costs, and Alameda County Homeless Management Information System.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		2021: In 2021, the City collected $71,467.83 in Commercial Linkage Fees. The City issued one new First-Time Homebuyer Loan Program loan for $40,000 during the 2021 calendar year. During the 5th Planning Cycle, the City collected a total of $684,264.72 Commercial Linkage Fees and issued five First-Time Homebuyer loans.	
Program 10: Housing Type and Size Variations	• Require that developers provide a diversity of housing type and size on a case-by-case basis to meet the City's housing needs throughout the planning period.	The City's General Plan, various Specific Plans, and the Planned Development zoning process facilitate diversity of housing types and sizes to meet the City's housing needs. The City also created a new housing and size type establishing regulations for junior accessory dwelling units, which are units that are no more than 500 square feet contained entirely within the walls of a single-family residence.	**Ongoing**. The City will continue to promote housing type and size diversity throughout the 2023-2031 planning cycle to accommodate the housing needs of all segments of the community.
Program 11: First-Time Homebuyer Programs	• Assist 20 income-qualified first time homebuyers during the planning period. Strive to provide assistance to approximately 10 above moderate income and 10 moderate income households. • Continue to distribute FTHLP application packets at the Civic Center, City website, and locations that provide housing services.	Information regarding the City's First Time Homebuyer Loan Program is available on the City's website, in printed materials at the Civic Center, and through local housing service organizations. In addition, the City website provides information and links to other homebuyer assistance programs including the City's below market rate (BMR) home ownership program, Mortgage Credit Certificates (administered for the City of Dublin by Alameda County), and California Housing Finance Agency (CalHFA) loan programs. **2015**: While First Time Homebuyer Loan Program loan funds remained available, the City did not issue any new loans in 2015 mainly because no new BMR units were sold in 2015.	**Ongoing**. The City successfully issued four FTHLP loans during the 5th planning cycle. The City will continue to promote the FTHLP and provide assistance to qualified first time homebuyers during the planning cycle.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		2016: The City issued one new moderate loan in 2016. **2018**: The City issued one new moderate loan in 2018. **2019**: The City issued two new moderate loans in 2019. **2021**: The City issued one new moderate loan in 2021.	
Program 12: Second Dwelling Units	• Market this program through an informational brochure. The brochure will be available on the City web site and at the Civic Center, library, senior center, and other public locations. • Facilitate the construction of 30 second dwelling units within the planning period.	The City has taken multiple streps to incentivize Accessory Dwelling Units (ADUs), such as streamlining the review process, modified development standards (such as parking), developed prototype plans, prepared an ADU Manual (how-to-guide for ADUs), launched a one-stop-shop webpage, and waived permit fees for certain ADUs. **2016**: In 2016, the City issued permits for 12 ADUs at Wallis Ranch in Neighborhoods 1 and 2. **2017**: In 2017, the City issued permits for 22 ADUs. **2018**: In 2018, the City issued permits for 18 ADUs at Wallis Ranch and Tassajara Hills. Seventeen of these units are restricted for moderate-income households. **2019**:	**Modify**. The City relies upon the projected development of ADUs to accommodate a portion of its RHNA allocation. As such, the City will continue to promote the development of ADUs, and specifically affordable ADUs. The City will continue to develop pre-approved prototypes plan models and an ADU Manual. The program has been modified to include further incentives and monitoring, as well as require updates as necessary to maintain compliance with State law.

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		In 2019, the City submitted (and obtained approval) for Senate Bill 2 funding to streamline accessory dwelling units (ADU). To facilitate ADUs and comply with most recent legislation, the City will develop prototype plans (minimum of three designs); update the Zoning Ordinance to amend development standards; and develop an ADU Manual to guide applicants through the entitlement and construction process. A total of eight ADUs were permitted in 2019. **2020:** Although accessory dwelling units (ADUs) are often considered "affordable by design," HCD only allows ADUs to count towards the affordable categories if the affordability can be demonstrated through either a deed restriction guaranteeing affordable rents, documentation of proposed rental rates, or through a survey of rental rates of comparable units. In 2020, the City issued building permits for five ADUs that are deed restricted as for moderate-income households. The City Council took a number of actions to address barriers to development of ADUs and junior ADUs (JADUs) and to facilitate their production in 2020. On November 3, 2020, the City Council adopted a revised Fee Schedule that exempted ADUs less than 750- square feet from paying impact fees and modified the impact fees for ADUs 750- square feet or larger to be proportional to the primary dwelling unit consistent with recent changes in state law. Additionally, on November 17, 2020, the City Council adopted an amendment to the Zoning Ordinance to comply with recent changes in state law, including changes to the development standards for minimum unit size, setbacks, and parking for ADUs and the addition of regulations for JADUs.	

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		2021: In 2021, the City issued building permits for 13 ADUs that are deed restricted as for moderate-income households. On December 7, 2021, the City amended the Master Fee Schedule to waive certain City permitting fees for ADUs applied for between January 1, 2022, and December 31, 2026. Permit fees are waived for ADUs less than 750 square feet and ADUs 750 square feet or larger that are deed restricted as lower-income units for a period of 55 years. To further incentivize ADUs, the City worked with RRM Design Group to design eight ADU prototype plan models with a range of sizes and architectural styles. The City launched a webpage for Accessory Dwelling Units, which is a one-stop-shop for ADU resources, regulations, and requirements. The website is available at: https://dublin.ca.gov/2428/Accessory-Dwelling-Units. The City issued building permits for 91 ADUs between 2015 and 2021.	
Program 13: Homeless Assistance	• Continue to fund emergency shelter programs in the Tri-Valley area to house residents in need of emergency shelter. Annually evaluate the homeless service needs as part of the Community Support Grants program, with the objective of assisting an average of 300 persons each year. • Continue to participate in regional collaborations to address homelessness.	The City continues to support Tri-Valley Haven (domestic violence and homeless services) and Eden I&R (a service connecting citizens to safety net services) through the Community Support Grants program. Tri-Valley Haven's Homeless and Family Support Services program offers assistance to Dublin residents through Sojourner House (a family homeless shelter) and their Food Pantry. Eden I&R's 2-1-1 service provides information and referrals. They also serve as the Alameda County first point of contact of Coordinated Entry Systems (CES) screenings and referrals. The City continues to fund regional homeless assistance program and participate in regional efforts to address homelessness. City staff regularly attended meetings organized by Everyone Home and the Alameda County Department of Housing and Community Development. In late 2018, the City partnered with the cities of Livermore and Pleasanton to apply for	**Ongoing**. The City was successful in providing regional assistance to address homelessness. The City will continue to fund emergency shelter programs in the region and participate in regional efforts to address homelessness.

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		Homeless Emergency Aid Program (HEAP) funds in order for CityServe to enhance their homeless outreach and services. CityServe of the Tri-Valley offers assistance to people in crisis; in 2019, the Cities signed agreements to continue the efforts. **2015**: Tri-Valley Haven's homeless assistance program served 275 Dublin residents in 2015. Eden I&R served 167 Dublin residents in 2015. **2016**: Tri-Valley Haven's homeless assistance program served 622 Dublin residents in 2016. Eden I&R served 37 Dublin residents in 2016. Additionally, CityServe served 20 Dublin residents. **2017**: Tri Valley Haven's homeless assistance program served 415 Dublin residents in 2017 and 461 residents were supported through Eden I&R. Additionally, CityServe served over 1,000 Dublin residents. In 2017, Dublin, Livermore, and Pleasanton applied jointly for a $100,000 County grant to further support organizations serving homeless individuals. **2018**: Tri Valley Haven's homeless assistance program served 499 Dublin residents in 2018 and received a $11,400 grant. Eden I&R served 145 Dublin residents in 2018 and received a $9,400 grant. CityServe received a $14,400 grant and served 804 Dublin residents in 2018.	

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		2019: Tri-Valley Haven's Homeless and Family Support Services program received a $10,625 grant and served 499 Dublin residents in 2019. Eden I&R received a $10,000 grant and served 145 Dublin residents in 2019. CityServe received a $14,360 grant and served 804 Dublin residents in 2019. **2021**: For the 2020-2021 CityServe contract, the City of Dublin contributed $34,976.50 of HEAP funds.	
Program 14: Tri-Valley Affordable Housing Committee	• Participate in at least one affordable housing fair annually throughout the planning period.	The City participated in quarterly meetings of the Tri-Valley Affordable Housing Committee. Committee meetings featured presentations from housing-related organizations and facilitated the exchange of information and ideas among participating jurisdictions. This group arranges housing fairs every spring during Affordable Housing Week in May. The City is also a member of the East Bay Housing Organization and promotes Affordable Housing Week activities in April. The City also participates with the Tri-Valley Anti-Poverty Collaborative.	**Ongoing**. The City will continue participating in regional fair housing and affordable housing collaboratives and seek funding/ partnerships with local housing service providers.
3. Adequate Housing Sites			
Program 15: Residential Sites Inventory and RHNA Monitoring	• Monitor housing development on an ongoing basis to ensure that the sites identified in the Residential Sites Inventory are developed at densities appropriate for fulfilling the City's RHNA and identify additional sites as necessary.	The City monitors housing development annually to ensure adequate sites remain available to meet the RHNA obligation. The City evaluates land availability annually to ensure adequate sites remain available to meet the RHNA obligation. The City met its RHNA allocation for above-moderate units in 2017.	**Modify**. The City will continue to use a variety of strategies to accommodate its RHNA allocation throughout the 2023-2031 planning cycle, as well as monitor candidate sites. The program has been modified to account for the 2023-

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
	• Annually evaluate the land availability to meet the remaining RHNA. Ensure adequate capacity exists to accommodate the RHNA of 2,285 units (96 very low, 446 low, 425 moderate, and 618 above moderate income units).		2031 planning cycle RHNA numbers and the specific RHNA strategies identified within this Housing Element.
4. Removal of Governmental Constraints			
Program 16: Fee Deferment or Amortization	• Continue to offer the deferment or amortization of fees as an option to interested parties. • Provide information on the City's affordable housing incentives, such as density bonus and fee deferment or amortization, on the City's website by mid-2015.	The City continues to offer deferment or amortization of fees as an option to interested parties and has the information available on the City's website.	**Ongoing**. The City will continue to offer deferment or amortization of planning and development fees for senior housing units and affordable units for lower and moderate-income households. The City will also ensure information is available to the public online and at the Civic Center.
Program 17: Universal Design Ordinance	• Continue to make the brochure and other related information available on the City's website and at the public counter.	Information regarding the City's Universal Design Ordinance is available on the City's website and in printed materials at the Civic Center.	**Ongoing**. The City will continue to promote the Universal Design Ordinance in-person at the Civic Center and online.

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
Program 18: Emergency Shelters and Supportive and Transitional Housing	• Review and amend, if necessary, the Emergency Shelters Ordinance within two years of adoption of the 2015-2023 Housing Element. • Review and amend, if necessary, the transitional and supportive housing provisions of the Zoning Ordinance within two years of adoption of the 2015-2023 Housing Element.	The City annually reviews its ordinances to ensure they are consistent with state legislation. In 2019, Planning Division staff reviewed the emergency shelters provisions of the Zoning Ordinance to ensure compliance with State law. No amendments were necessary.	**Ongoing**. The City will continue to implement the Emergency Shelter Ordinance, and when necessary, update it and the Zoning Code to maintain compliance with State law.
Program 19: Monitoring of Development Fees	• As changes are made to the development fees, the City will evaluate their impact on housing development and make adjustments or mitigation as appropriate (such as continuing to offer fee deferral and amortization (Program 16).	On November 3, 2020, the City Council adopted a revised Fee Schedule that exempts ADUs less than 750-square feet from paying impact fees and modified the impact fees for ADUs 750-square feet or larger to be proportional to the primary dwelling unit. Other impact fees continue to be evaluated, as needed. On December 7, 2021, the City amended the Master Fee Schedule to waive certain City permit fees for ADUs applied for between January 1, 2022, and December 31, 2026. Permit fees are waived for ADUs less than 750 square feet and ADUs 750 square feet or larger that are deed restricted as lower-income units for a period of 55 years. On December 21, 2021, the City Council adopted Resolution No. 144-21, revising the Eastern Dublin Traffic Impact Fee for future development within the Eastern Dublin Area, renaming the program as the Eastern Dublin Transportation Impact Fee, and updating the Consolidated Impact Fee Administrative Guidelines.	**Ongoing**. The City will continue review its development fees annually to ensure they are reasonable and do not constrain housing development.

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
5. Promoting Equal Housing Opportunity			
Program 20: Equal Housing Opportunity	• Provide referrals to appropriate agencies for services. • Distribute fair housing information to public locations. • Post information on the City website. • Distribute information to real estate agents, rental property owners/managers, and financial institutions in Dublin. • Participate in Alameda County's Impediments to Fair Housing Study through the CDBG program.	The City provides referrals to appropriate agencies through direct communication with residents (in person at the counter, via email, and over the phone) and information on the City website. The website includes links to Eden Council for Hope and Opportunity (ECHO) and to the State of California Consumer Affairs Office booklet "California Tenants: Guide to Residential Tenants and Landlord's Rights and Responsibilities." The City, through Alameda County, contracts with ECHO to provide fair housing services to Dublin residents. ECHO offers fair housing counseling and tenant/landlord dispute mediation at no cost to Dublin residents and housing providers. The City also participated in the update to the "Tri-Valley Human Services Pocket Guide," printed in English and Spanish and made them available at the Civic Center. The guide includes contact information for housing and legal service providers. The City of Dublin Housing Division hosted a Fair Housing Workshop in collaboration with Eden Council for Hope and Opportunity (ECHO) in July 2016. The event was attended by property managers and leasing staff from Dublin apartment communities, local service providers, and other housing professionals. ECHO reviewed State and Federal Fair Housing Law and practical applications for rental housing providers and tenants. Real estate agents, rental property owners/managers and financial institutions are directed to the City's website for information or are referred to outside agencies, as appropriate. Throughout the year, Housing Staff meets with developers, real estate agents and landlords to discuss the City's housing programs, which may include information on the 211 County-wide social services hotline and ECHO's services. In addition, information is distributed to property managers during the annual rental monitoring site visits.	**Ongoing**. The City successfully participated in a variety of regional efforts to investigate and ensure provision of fair housing during the 5th planning cycle. The City will continue to promote information on services and resources available to the community, as well as participate in regional efforts to address fair housing issues throughout the 2023-2031 planning cycle.

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		The City participated in the preparation of the most recent version of Alameda County's Impediments to Fair Housing Study through the urban county HOME Consortium, completed and published in February 2015. City staff provided notes and comments, attended review sessions, and posted draft and final versions of the Analysis on the City's website. In 2019 and 2020, the City participated in the update of Alameda County's Impediments to Fair Housing Study through the Urban County HOME Consortium. A public review draft of the Alameda County's Impediments to Fair Housing Study was published in December 2019 and later adopted in January 2020.	
6. Green Building Program			
Program 21: Green Building Guidelines	• Continue to implement the provisions of the Green Building Ordinance. • Continue to update brochures that describe program requirements and make them available to any interested parties and continue to provide Green Building resources on the City's website.	The City continued to implement the Green Building Ordinance. The City continued to update brochures as needed and make them available on the City's website. In 2020, the City also established a handout and procedures to streamline the review of electric vehicle charging stations for commercial and industrial development. In September 2020, the City Council adopted the Climate Action Plan 2030 and Beyond (CAP 2.0), establishing the next phase of climate action planning and implementation. Strategies of CAP 2.0 include 100 percent renewable and carbon-free electricity, building efficiency and electrification, sustainable mobility and land use, materials and waste management, and municipal leadership measures. CAP 2.0 establishes the City's commitment to reducing greenhouse gas (GHG) emissions and strive for carbon neutrality by 2045. The City continues to require covered projects (including construction, demolition, and renovation projects with total costs of $100,000 or greater) to submit a Waste Management Plan to meet the City's	**Ongoing**. The City will continue to implement the Green Building Ordinance and guidelines throughout the 2023-2031 planning cycle. This includes promoting information on the program and available resources.

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		Construction and Debris Ordinance, which was adopted in 2008 and amended in 2014. The regulations require the diversion of at least 65 percent for remodels and 75 percent for new construction of construction waste away from landfills. In 2021, Building and Safety Division Staff received training on zero net energy homes, solar photovoltaic and energy storage systems, SolarAPP+, and energy code. Additionally, the City continues to work with StopWaste, the Bay Area Regional Energy Network (BayREN), and East Bay Energy Watch to provide energy conservation to the public via workshops and direct outreach. The City also promoted the new SB 1383 requirements to divert 75 percent of solid waste from the landfill by 2025 (based on 2014 levels) and divert 25 percent of food waste from the landfill. Notably, the City transitioned all residential electrical accounts to East Bay Community Energy's Renewable 100 plan, which offers 100 percent renewable and carbon-free electricity, effective January 1, 2022. Finally, the City continues to offer subsidized permit fees for the installation of solar roof panels for a variety of projects throughout the City.	
Program 22: Energy Conservation	• Implement applicable Waste Management and Building Code regulations, provide Green Building training to City staff, and distribute energy conservation information to the public.	Strategies of CAP 2.0 include 100 percent renewable and carbon-free electricity, building efficiency and electrification, sustainable mobility and land use, materials and waste management, and municipal leadership measures. CAP 2.0 establishes the City's commitment to reducing greenhouse gas (GHG) emissions and strive for carbon neutrality by 2045, resulting in cleaner air, more versatile and flexible transportation, new opportunities for economic growth, reductions in localized flooding risks, and greater energy independence from fossil fuels.	**Ongoing**. During the 5th planning cycle, the City successfully promoted energy conservation through a variety of endeavors and collaborations. Through the 2023-2031 planning cycle,

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		The City continues to require covered projects (including construction, demolition, and renovation projects with total costs of $100,000 or greater) to submit a Waste Management Plan to meet the City's Construction and Debris Ordinance, which was adopted in 2008 and amended in 2014. The regulations require the diversion of at least 65 percent for remodels and 75 percent for new construction of construction waste away from landfills. In addition, the City Council adopted Green Building Guidelines for Civic Buildings to promote energy efficiency. The City continues to implement the Guidelines on a project-specific basis. Informational brochures and pamphlets are available on the City's website and at the public counter. In February 2020, the City opened the Dublin Public Safety Complex, a Leadership in Energy and Environmental Design (LEED) certified zero net energy construction project. Building and Safety Division Staff received training on LEED Project Management and CalGreen Title 24 Part 11. Additionally, the City continues to work with StopWaste, the Bay Area Regional Energy Network (BayREN), and East Bay Energy Watch to provide energy conservation to the public via workshops and direct outreach. In July 2020, the City hosted a webinar with StopWaste and BayREN about residential heating and cooling systems and indoor air quality and educated the community about free technical support and up to $6,000 in rebates offered through the BayREN Home+ program. East Bay Community Energy (EBCE), the City's community choice energy provider, launched the Resilient Home program, which provides pre-negotiated pricing for rooftop solar from SunRun, with or without batter storage. Resilient Home offers an additional $1,250 incentive if homeowners enroll their battery with EBCE, sharing power during peak times when there isn't an outage.	the City will continue to implement the Waste Management and Building Code regulations, as well as provide staff training and promote information on resources available for proposed projects and Dublin households.

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Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		Finally, the City continues to offer subsidized permit fees on the installation of solar roof panels for a variety of projects throughout the City.	

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APPENDIX B:
COMMUNITY PROFILE

The Community Profile provides an overview of the City's housing and population characteristics and evaluates the factors that contribute to the supply and demand of housing in Dublin. To create a comprehensive evaluation of Dublin's housing needs, the Community Profile discusses population, household, economic and housing stock characteristics, and presents each of these components in a regional context. This assessment serves as the basis for identifying the appropriate goals, policies, programs, and quantified objectives for the City to implement during the 2023-2031 Housing Element Cycle.

The Community Profile uses the most current data available from the Association of Bay Area Governments (ABAG), 2020 U.S. Census, 2016-2020 American Community Survey, California Department of Finance, California Employment Development Department, California Department of Education, and other currently available real estate market data.

A. Population Characteristics

Understanding the characteristics of a population is critical to plan for the needs of a community. Population growth, age composition, race and ethnicity, and employment trends influence the type and extent of housing needs and the ability of the local population to afford housing costs. The following subsection describes and analyzes the various population characteristics and trends that affect housing need.

1. Population Growth

According to the U.S. Census and ABAG Projections 2040 by Jurisdiction, the population of Alameda County is forecasted to increase by 24.4 percent through 2040. **Table B-1** shows a 15.8 percent county-wide growth from 2010 to 2020 and another 22.3 percent increase between 2020 to 2040. The City is anticipated to grow 15.2 percent between 2020 and 2040.

Table B-1: Population Growth (2010-2040)

Jurisdictions	Population						Percent Change	
	2010 Actual	2020 Actual	2025 Projected*	2030 Projected*	2035 Projected*	2040 Projected*	2010-2020	2020-2040
Dublin	**46,036**	**72,589**	**54,780**	**71,870**	**78,140**	**83,595**	**57.6%**	**15.2%**
San Ramon	66,822	84,605	78,430	79,520	81,955	84,165	26.0%	0.5%
Livermore	78,520	87,955	89,960	99,115	106,190	113,730	6.1%	29.3%
Pleasanton	68,204	79,871	76,235	78,370	83,115	87,875	10.0%	10.0%
Alameda County	1,477,980	1,682,353	1,776,495	1,868,635	1,960,630	2,092,370	15.8%	24.4%

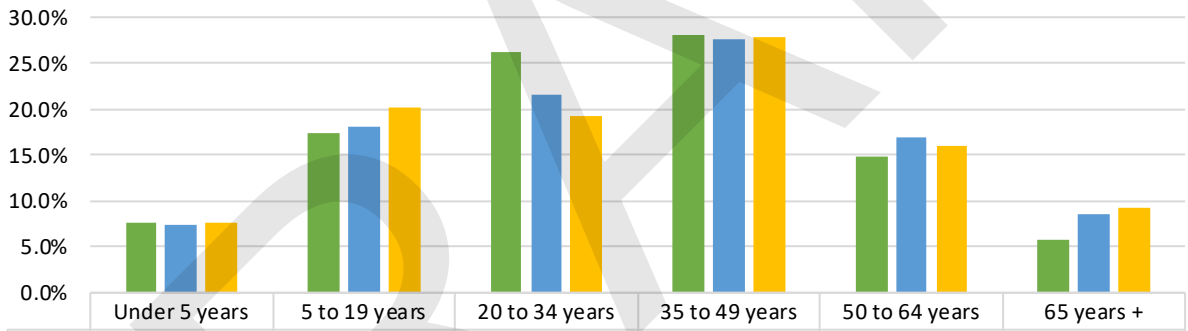
Sources: Bureau of the Census (2010 and 2020) and Plan Bay Area 2040 ABAG Projections 2040 by Jurisdiction.
**Projection numbers do not reflect the City's current population growth trends and are based on the 2040 ABAG Projections. ABAG's projections within Plan Bay Area 2050 are not used as they are based on subcounty areas, called super-districts, which are a combination of cities, towns, and unincorporated areas.*

2. Age Characteristics

Age distribution within a population helps to evaluate different housing needs as housing choices may differ based on the age of the resident. Young adults (18 to 30 years old) and seniors (65 years or older) typically favor apartments, low to moderate-cost condominiums, and smaller or more affordable single-family residences because they tend to have limited incomes or smaller families. As a community's population ages, housing is required to accommodate new or adjusted needs. Appropriate housing is needed to accommodate all stages of life to produce a well-balanced and healthy community.

Figure B-1 below displays American Community Survey (ACS) data for age distribution in Dublin. According to the ACS, the City is predominately made up of 35 to 49 year-olds (27.9 percent), which is followed by five to 19 year-olds (20.1 percent). The adult population of 35 to 49 year-olds was the largest population group between 2010 to 2020. The population of 20 to 34 year-olds decreased from 26.1 percent to 19.2 percent (6.9 percent decrease), while the population of 50 to 64 year-olds increased 1.8 percent during that same time frame. Overall, the data shows an aging trend and the ratio of children to young adults continues to decline as the senior population grows.

Figure B-1: Age Distribution in Dublin (2010-2020)



	Under 5 years	5 to 19 years	20 to 34 years	35 to 49 years	50 to 64 years	65 years +
2010	7.7%	17.4%	26.1%	28.0%	14.9%	5.8%
2015	7.4%	18.0%	21.5%	27.5%	16.9%	8.6%
2020	7.6%	20.1%	19.2%	27.9%	16.1%	9.2%

Source: American Community Survey, Table S0101, 5-Year Estimates, 2010, 2015, and 2020.

Table B-2 below shows the age distribution of Dublin and its surrounding communities. Age characteristics are similar throughout the region with the 35 to 49 age group being the largest in the area. The City has a younger population than nearby jurisdictions with the largest percentage of children under the age of five (7.6 percent) and the smallest percentage of seniors (9.2 percent) compared to nearby jurisdictions.

Table B-2: Age Characteristics/Age Distribution

Jurisdiction	Under 5	5 to 19	20 to 34	35 to 49	50 to 64	65 years +
Dublin	**7.6%**	**20.1%**	19.2%	27.9%	16.1%	9.2%
San Ramon	5.3%	24.5%	12.9%	25.6%	20.5%	11.2%
Livermore	6.5%	18.1%	17.9%	21.5%	22.7%	13.1%
Pleasanton	4.9%	21.5%	14.0%	22.7%	21.9%	15.1%
Alameda County	5.8%	17.1%	22.6%	21.9%	18.7%	13.9%

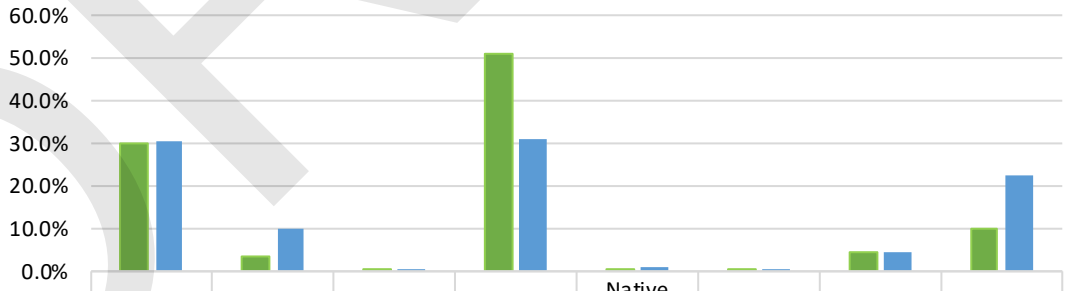
Source: American Community Survey, Table S0101, 5-Year Estimates, 2020.

3. Race/Ethnicity Characteristics

Creating both equal opportunity and fair housing are essential elements in the provision of housing units within cities and counties. Analyzing and understanding the racial and ethnic composition of a community is important as different racial and ethnic groups have varying household characteristics, income levels, and cultural backgrounds, which may affect their housing needs, housing choice, and housing type. Cultural influences may reflect preference for a specific type of housing and ethnicity may also correlate with other characteristics, such as location, mobility, and income. This is further analyzed in the Affirmatively Furthering Fair Housing (AFFH) section of **Appendix C: Housing Constraints, Resources, and AFFH**. It is important to note that while race and ethnicity are used to identify different sections of a community's population, they are not the same and are not mutually exclusive. The data identified below shows the racial and ethnic composition of Dublin and nearby jurisdictions using ACS; this allows residents to identify one's race, as well as one's ethnicity. Therefore, overlap may occur.

As shown in **Figure B-2**, persons who identify as Asian comprised the largest racial group in Dublin (50.9 percent), larger than the population of persons who identify as Asian in Alameda County (31.0 percent). The second largest population in Dublin is those who identify as White at 29.9 percent. A total of 10.2 percent of Dublin's population identifies as Hispanic or Latino of any race. The Hispanic or Latino population was smaller in Dublin than in Alameda County, with a difference of about 12 percent. Persons who identify as Black or African American made up 3.5 percent of the population in Dublin, which is smaller than the population who identifies as Black or African American in Alameda County at 10.1 percent. Overall, American Indian, Alaska Natives, Native Hawaiian and Other Pacific Islanders make up the smallest population groups with less than one percent combined – similar to Alameda County. **Table B-3** shows the same data for Dublin and Alameda County in comparison with neighboring jurisdictions. Dublin has the largest population of persons identifying as Asian, the second largest population of persons identifying as Black, and one of the smallest population of persons identifying as White.

Figure B-2: Racial Ethnic Composition



	White (Non-Hispanic)	Black or African American (Non-Hispanic)	American Indian and Alaska Native (Non-Hispanic)	Asian (Non-Hispanic)	Native Hawaiian and Other Pacific Islander (Non-Hispanic)	Some other race (Non-Hispanic)	Two or more races (Non-Hispanic)	Hispanic or Latino
Dublin	29.9%	3.5%	0.3%	50.9%	0.4%	0.3%	4.4%	10.2%
Alameda County	30.6%	10.1%	0.3%	31.0%	0.8%	0.4%	4.6%	22.2%

Source: American Community Survey, Table B03002, 5-Year Estimates, 2020.

Table B-3: Racial/Ethnic Composition								
Jurisdiction	White*	Black*	American Indian/ Alaska Native*	Asian*	Native Hawaiian/ Other Pacific Islander*	Some Other Race*	Two or More Races*	Hispanic or Latino (of any race)
Dublin	**29.9%**	**3.5%**	**0.3%**	**50.9%**	**0.4%**	**0.3%**	**4.4%**	**10.2%**
San Ramon	36.8%	2.6%	0.2%	47.4%	0.5%	0.1%	4.7%	7.7%
Livermore	59.1%	1.7%	0.1%	12.9%	0.5%	0.1%	4.3%	21.3%
Pleasanton	46.2%	1.4%	0.3%	37.4%	0.1%	0.2%	3.9%	10.4%
Alameda County	30.6%	10.1%	0.3%	31.0%	0.8%	0.4%	4.6%	22.2%

*Non-Hispanic
Source: American Community Survey, Table B03002, 5-Year Estimates, 2020.

Table B-4 shows the City experienced significant changes in racial and ethnic demographics, between 2010 and 2020. The population that identifies as White decreased from 50.8 percent to 29.9 percent. Those who identify as Black and Native Hawaiian/Other Pacific Islander also experienced decreases from 7.9 percent to 3.5 percent and 1.5 percent to 0.4 percent, respectively. Those who identify as Asian experienced the largest population increase, from 23.2 percent in 2010 to 50.9 percent in 2020. The Hispanic and Latino population decreased from about 12.8 percent in 2010 to 10.2 percent in 2020.

Table B-4: Racial/Ethnic Composition of Dublin (2010-2020)			
Race/Ethnicity	2010	2015	2020
White*	50.8%	42.3%	29.9%
Black*	7.9%	6.1%	3.5%
American Indian and Alaska Native*	0.3%	0.4%	0.3%
Asian*	23.2%	33.8%	50.9%
Native Hawaiian or Other Pacific Islander*	1.5%	0.3%	0.4%
Some Other Race*	0.2%	0.3%	0.3%
Two or More Races*	3.3%	5.0%	4.4%
Hispanic or Latino	12.8%	11.7%	10.2%

*Non-Hispanic
Source: American Community Survey, Table B03002, 5-Year Estimates, 2010, 2015, and 2020.

Housing needs may vary between ethnic or racial groups due to different cultural norms or preferences. An example of this is the tendency for Asian or Hispanic families to live within a single household. Unaccounted for, housing availability could lead to overcrowding within housing units if suitably-sized housing units are not provided.

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B. Economic Characteristics

In addition to demographics and culture, economic characteristics also dictate demand for different types of housing. The affordability of housing units is critical in ensuring all community members have their needs met.

Economic data provides valuable insight into the Dublin population's ability to enter the housing market and identifies financial constraints related to housing needs and accommodations. Incomes associated with different types of employment and the number of workers in a household affect housing affordability and choice. Therefore, to consider a healthy balance between jobs and housing, it is important to consider the community's employment characteristics. Local employment growth is linked to local housing demand, and the reverse being true when employment rates decrease.

1. Employment and Wage Scale

Employment can directly affect the housing needs for a city as employment and income provides different abilities for a population to purchase housing as well as influences the types of housing residents can afford. Job growth refers to the number of jobs created in the jurisdiction whereas employment growth refers to the number of residents in a jurisdiction that are employed. **Table B-5** outlines job growth from 2010 through 2040 for Dublin and nearby jurisdictions. The City is forecasted to experience a 45.9 percent job growth from 2020 to 2040 (9,785 jobs). Compared to the nearby jurisdictions, Dublin is forecasted to experience the greatest percent of overall job growth. **Table B-6** outlines employment growth through 2040 with an overall increase of approximately 74 percent, or 13,690 persons. As compared to nearby jurisdictions, Dublin has the highest percentage of change in both job growth and employment growth between 2010 to 2020 and between 2020 and 2040. The figures listed in **Table B-5** and **Table B-6** provide a deeper understanding of economic growth as compared to forecasted population growth, shown in **Table B-1**. The City is projected to experience the largest job and employment growth from 2020 to 2040 with a significantly greater percentage increase than the other nearby jurisdictions.

Table B-5: Job Growth (2010-2040)

Jurisdiction	2010	2020	2025	2030	2035	2040	% Change 2010-2020	% Change 2020-2040	Numeric Change 2020-2040
Dublin	**18,085**	**21,330**	**21,815**	**24,205**	**30,325**	**31,115**	**17.9%**	**45.9%**	**9,785**
San Ramon	70,500	76,485	78,430	79,520	81,955	84,165	8.5%	10.0%	13,665
Livermore	42,705	43,025	43,335	43,950	45,105	45,870	0.7%	6.6%	2,845
Pleasanton	60,095	65,185	65,445	66,940	72,480	75,440	8.5%	15.7%	10,225
Alameda County	705,540	858,685	877,220	901,080	933,725	952,940	27.7%	11.0%	92,255

Source: Plan Bay Area 2040/ABAG Projections 2040 by Jurisdiction.

Table B-6: Employment Growth (2010-2040)									
Jurisdiction	2010	2020	2025	2030	2035	2040	% Change 2010-2020	% Change 2020-2040	Numeric Change 2010-2040
Dublin	**15,325**	**18,490**	**20,040**	**27,925**	**30,610**	**32,180**	**20.7%**	**74.0%**	**13,690**
San Ramon	49,030	53,850	54,340	55,330	62,735	71,775	9.8%	33.3%	22,745
Livermore	39,605	45,420	47,505	51,790	54,680	57,315	14.7%	26.2%	11,895
Pleasanton	36,345	46,990	47,100	47,770	49,840	51,545	29.3%	9.7%	4,555
Alameda County	723,810	911,725	929,230	959,745	985,760	1,022,040	26.0%	12.1%	110,315
Source: Plan Bay Area 2040/ABAG Projections 2040 by Jurisdiction.									

Based on the 2020 ACS, 67.1 percent of Dublin's population aged 16 and over are employed. Employment in Dublin increased by 48.9 percent from 2010 to 2019. **Table B-7** shows the employment growth in Dublin between 2010 to 2020 by industry sector. Persons employed in professional, scientific, management, and administrative services represented the largest percentage of the City's employment, followed by education services, health care, and social assistance. Between 2010 and 2020, most employment sectors experienced a decline in percentage of overall employment rates – with retail trade undergoing the greatest change with a loss of 3.1percent. The industry with the lowest employment rate in Dublin (0.4 percent in 2019) is agriculture, forestry, fishing, and hunting, and mining as it employed 95 people in 2020.

Table B-7: Employment by Sector (2010-2020)					
Industry Sector	2010		2020		Percent Change 2010-2020
	People Employed	% of City Employment	People Employed	% of City Employment	
Agriculture, forestry, fishing and hunting, and mining	29	0.1%	95	0.3%	**0.2%**
Construction	930	4.7%	1,267	3.9%	**-0.8%**
Manufacturing	2013	10.1%	2,990	9.2%	**0.1%**
Wholesale trade	930	4.7%	711	2.2%	**-2.5%**
Retail trade	2718	13.6%	3,400	10.5%	**-3.1%**
Transportation and warehousing, and utilities	889	4.4%	1,101	3.4%	**-1.0%**
Information	1071	5.4%	1,803	5.6%	**0.2%**
Finance and insurance, real estate, and rental leasing	1776	8.9%	2,595	8.0%	**-0.9%**
Professional, scientific, management, and administrative services	3240	16.2%	9,104	28.1%	**11.9%**
Education services, health care, and social assistance	3209	16.1%	5,682	17.5%	**1.4%**
Arts, entertainment, recreation, accommodation, and food services	1277	6.4%	1,724	5.3%	**-1.1%**
Other services (except public administration)	1027	5.1%	837	2.6%	**-2.5%**
Public Administration	877	4.4%	1,128	3.5%	**-0.9%**
Total	**19,986**	**100%**	**31,335**	**100%**	**48.9%**
Source: American Community Survey, Table S2405, 5-Year Estimates, 2010 and 2020.					

In addition to reporting and analyzing employment sector trends, analyzing the unemployment rate is essential to understanding current housing affordability and needs, as well as projected needs. Economists identify a 3.5 to 4.5 percent unemployment rate as natural, in that it reflects the real voluntary economic forces within a city or county[1]. **Table B-8** shows the City had an unemployment rate of 3.6 percent in 2020, which is lower than the Alameda County average (4.7 percent) but remains healthy.

Table B-8: Unemployment Rate

Jurisdiction	Unemployment Rate
Dublin	**3.6%**
San Ramon	4.3%
Livermore	3.0%
Pleasanton	3.5%
Alameda County	4.7%

*Population 16 years and over
Source: American Community Survey, Table DP03, 5-Year Estimates, 2020.

Incorporating economic characteristics, such as unemployment rates, is essential for assessing the housing needs of Dublin, particularly the demand for affordable housing. Based on the data summarized in **Table B-8**, approximately 3.5 percent of the population was unemployed in 2019. For those employed, income level can further identify housing types that may need to be provided within Dublin. According to the ABAG Final Regional Housing Needs Allocation (RHNA), housing needs by income are broken down into four income categories:

- Very Low-Income (50 percent or less of median income)
- Low-Income (51 to 80 percent of median income)
- Moderate-Income (81 to 120 percent of median income)
- Above Moderate-Income (greater than 120 percent of median income)

Dublin's area median income for a household of four is $125,600, according to the 2021 Income Limits published by the California Department of Housing and Community Development (HCD). As shown in **Table B-9**, the majority of occupational salaries in Alameda County fall below 50 percent of the area median income (AMI) if salary trends are applied to Dublin. Based on these salaries, housing stock in the City would need to be affordable to accommodate lower-income households.

[1] Natural Rate of Unemployment, Its Components, and Recent Trends, Kimberly Amadeo, ed. Eric Estevez, August 30, 2020.

Table B-9: Median Salary by Occupation in Alameda County	
Occupation	**Salary**
Management	$137,618
Legal	$108,348
Healthcare Practitioners and Technical	$106,907
Architecture and Engineering	$101,273
Computer and Mathematical	$115,395
Life, Physical and Social Sciences	$94,563
Business and Financial Operations	$83,777
Construction and Extraction	$71,055
Installation, Maintenance and Repair	$59,483
Education, Training and Library	$57,683
Community and Social Service	$57,108
Arts, Design, Entertainment, Sports and Media	$56,923
Protective Services	$51,757
Office and Administration Support	$49,465
Production	$43,804
Building, Grounds Cleaning, and Maintenance	$41,931
Transportation and Material Moving	$39,702
Sales	$37,731
Farming, Fishing and Forestry	$35,142
Personal Care and Service	$32,841
Healthcare Support	$32,020
Food Preparation and Serving Related	$30,985
Source: California Employment Development Division, Long-Term Occupational Employment Projections data, 2018-2028.	

C. Household Characteristics

Households characteristics consider the number of individuals that occupy a single housing unit in a shared state whether they are single occupants, families, or unrelated people. Household trends can be observed throughout Dublin and provide useful information that can then be used to predict the City's future housing needs. Past behavior for household composition can be applied to future growth and could inform the types of housing units that Dublin may need.

Information on household characteristics is important in analyzing and understanding growth and determining the housing needs of a community. Income and affordability are best measured at the household level, as well as the special needs of certain groups, such as large families, single-parent households, or low-, very low-, and extremely low-income households.

1. Household Type

According to 2020 ACS data, there are 20,883 households in Dublin, representing 3.5 percent of the total Alameda County households. As shown in **Table B-10** and **Figure B-3**, married-couple family households make up 67 percent of the total households in Dublin. Married-couple households tend to seek occupancy in single-family residences with multiple bedrooms. In contrast, 21.8 percent of the total households in Dublin are non-family households, which may include unrelated persons living together or persons living

alone. Non-family households tend to occupy multifamily residential units or seek out more affordable housing options.

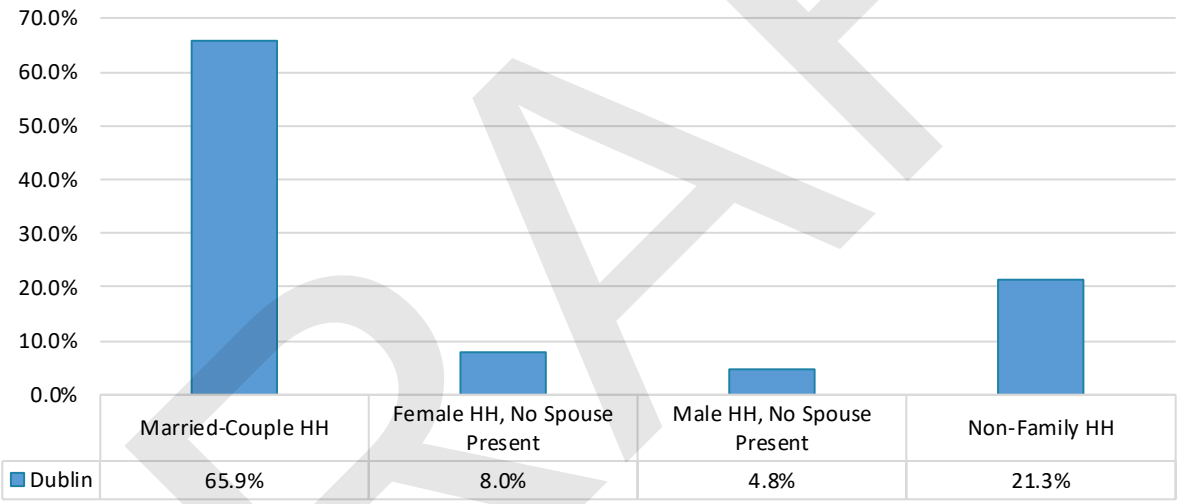
Table B-10: Household Characteristics

Jurisdiction	Married-Couple Family HH	% of Total HH	Female HH, No Spouse Present	% of Total HH	Non-Family HH	% of Total HH	Total HH
Dublin	**13,753**	**65.9%**	**1,680**	**8.0%**	**4,450**	**21.3**	**20,883**
San Ramon	18,865	73.9%	2,198	8.0%	5,752	20.9%	27,524
Livermore	20,105	62.4%	2,716	8.4%	8,382	26.0%	32,196
Pleasanton	19,151	68.9%	1,891	6.8%	5,980	21.5%	27,815
Alameda County	289,283	50.5%	64,454	11.2%	191,964	33.5%	573,174

Note: HH = Households

Source: American Community Survey, Table B11001, 5-Year Estimates, 2020.

Figure B-3: Dublin Household Characteristics in Percent



Source: American Community Survey, Table B25011, 5-Year Estimates, 2020.

Table B-11 summarizes household changes from 2010 through 2020. During this time, Dublin grew by approximately 5,503 new households. From 2010 to 2019, male households with no spouse present and married-couple family households experienced the largest growth at 179.1 percent and 64.2 percent, respectively.

Table B-11: Changes in Household Types

Household Types	2010	2015	2020	Percent Change
Married-couple Family Households	8,250	10,704	13,753	**66.7%**
Female Households, No Spouse Present	1,081	1,222	1,680	**55.4%**
Male Households, No Spouse Present	363	1,001	1,000	**175.5%**
Non-Family Households	3,579	4,394	4,450	**24.3%**
Total Households	**13,273**	**17,321**	**20,2883**	**57.3%**

Source: American Community Survey, Table B11001, 5-Year Estimates, 2010, 2015, 2020.

2. Household Size

Household size represents the most basic unit of demand for housing as it identifies the type and size of housing needed in a community. Household size is also an indicator of both population growth and household character. While there can be more than one family in a housing unit, the measure of persons per household provides an indicator of the number of persons residing in a housing unit. Average household size can be both a result and indicator of housing affordability and other household economic conditions and is important in understanding housing need by size and type of housing. For example, data reflecting household size in a community can help identify issues of overcrowding, which is a result of inadequate space for members of a household and considered a burden on a household.

Table B-12 below identifies household size for the City and nearby jurisdictions. At approximately 2.99 persons per household and 2.95 persons per household, the Cities of Dublin and San Ramon, respectively, have the largest household size in the area.

Table B-12: Average Household Size

Jurisdiction	Average Persons per Household
Dublin	**2.99**
San Ramon	2.95
Livermore	2.84
Pleasanton	2.86
Alameda County	2.84

Source: US Census, QuickFacts 2016-2020.

3. Household Income

Household income is an important indicator of housing needs in a community because household income is directly connected to affordability. As household income increases, households are more likely to afford market-rate units, larger units, and/or pursue ownership opportunities. As household income decreases, households tend to pay a disproportionate amount of their income for housing. This may influence increased incidences of overcrowding and substandard living conditions.

HCD has identified the following income categories based on AMI for Alameda County:

- Extremely Low-Income: households earning up to 30 percent of the AMI
- Very Low-Income: households earning between 31 and 50 percent of the AMI
- Low-Income: households earning between 51 percent and 80 percent of the AMI
- Moderate-Income: households earning between 81 percent and 120 percent of the AMI
- Above Moderate-Income: households earning over 120 percent of the AMI

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Combined, the extremely low-, very low-, and low-income categories are referred to as lower income.[2] Comprehensive Housing Affordability Strategy (CHAS) estimates based on 2014-2018 ACS data are used below. The CHAS, developed by the Census Bureau for the U.S. Department of Housing and Urban Development (HUD), provides detailed information on housing needs by income level for different types of households in Dublin. The most recent available CHAS data for Dublin was published in September 2021. Housing problems considered by CHAS included:

- Units with physical defects (lacking complete kitchen or bathroom);
- Overcrowded conditions (housing units with more than one person per room);
- Housing cost burdens, including utilities, exceeding 30 percent of gross income; or
- Severe housing cost burdens, including utilities, exceeding 50 percent of gross income.

Table B-13 shows a majority of Dublin households have an above moderate-income (77.64 percent). Approximately 15.51 percent of Dublin households are estimated to have a lower income – with 5.07 percent earning an extremely low income.

Table B-13: Households by Income Category

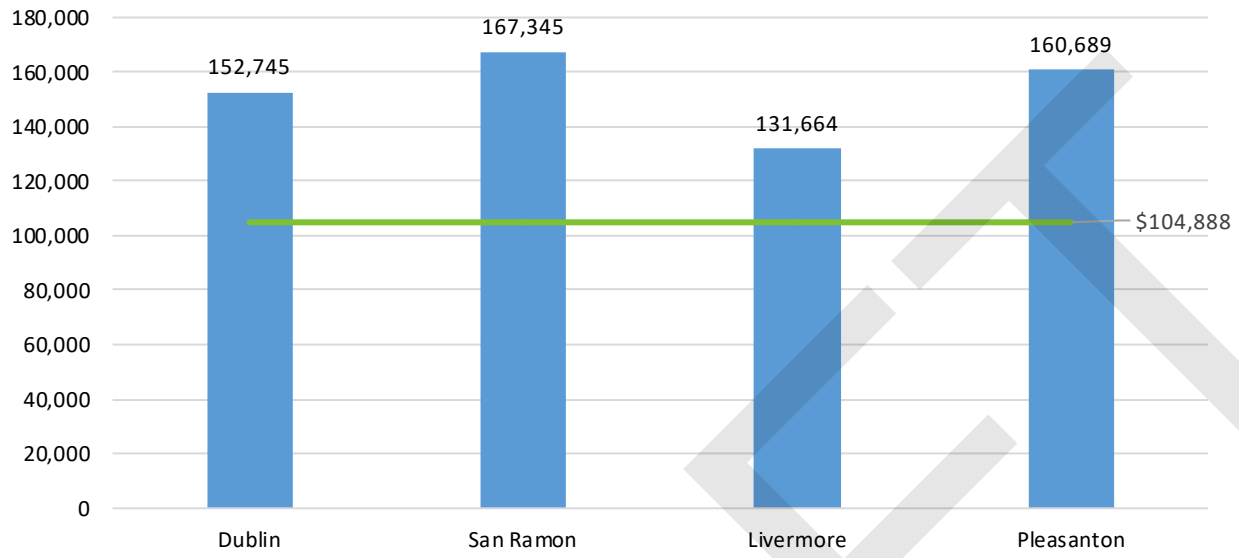
Income Category (% of County AMI)	Households	Percent
Extremely Low (30% AMI or less)	995	5.07%
Very Low (31 to 50% AMI)	960	4.89%
Low (51 to 80% AMI)	1,090	5.55%
Moderate or Above (over 80% to 100% AMI)	1,345	6.85%
Above (over 100% AMI)	15,245	77.64%
Total	**19,635**	**100%**

Source: HUD Comprehensive Housing Affordability Strategy (CHAS), 2014-2018.

According to the 2020 ACS data, the City has a median household income of $152,745, which is $47,857 higher than Alameda County. **Figure B-4** compares Dublin's household income to that of nearby jurisdictions; the City has the third highest household income for the area behind San Ramon and Pleasanton. Larger household income allows for more flexibility and opportunity of housing choice. Households with lower median incomes are more susceptible to housing cost burdens and may have fewer choices. Additionally, lower-income households may not be able to afford adequate housing. Low-income households may have a challenging time finding housing that can fit the needs of a larger household because larger housing tends to be owned, rather than rented, and is more expensive than smaller rental units. As a result, cost burden, displacement, and overcrowding may occur.

[2] Federal housing and community development programs typically assist households with incomes up to 80 percent of the AMI and use different terminology. For example, the Federal Community Development Block Grant (CDBG) program refers households with incomes between 51 and 80 percent AMI as moderate-income (compared to low-income based on State definition).

Figure B-4: Median Household Income by City



Source: American Community Survey, Table S1901, 5-Year Estimates, 2020.

Table B-14 outlines the median income of nearby jurisdictions and compares the percentage difference with the Alameda County median income. As shown, Dublin's median household income is 45.6 percent above that of Alameda County. This implies a better ability to facilitate housing units at a wide range of pricing and values.

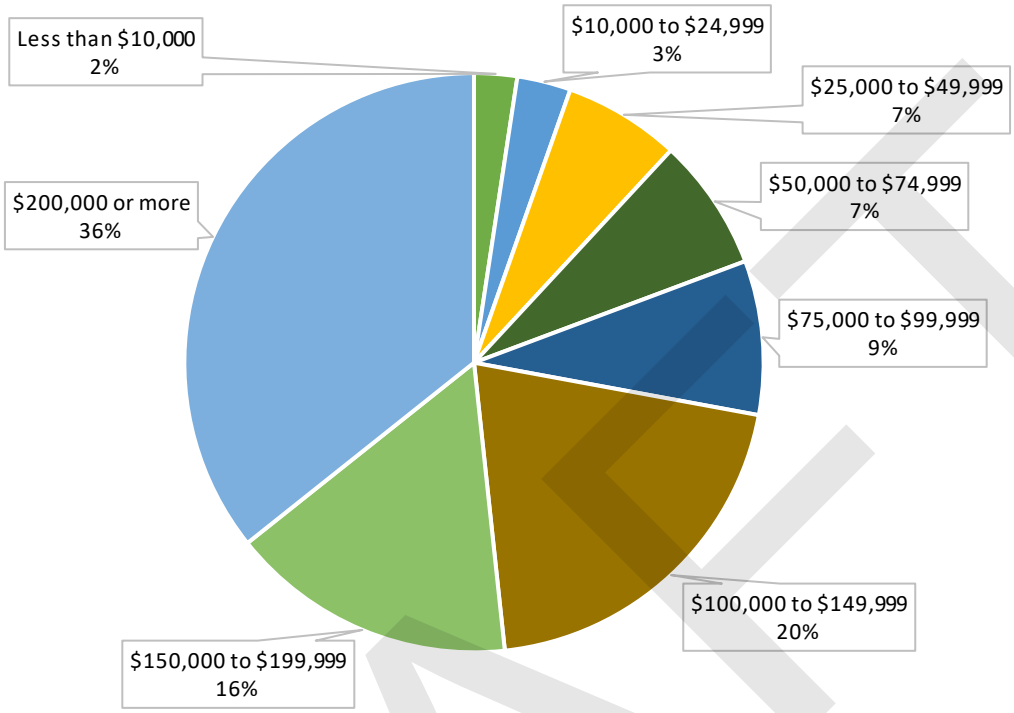
Table B-14: Median Household Income

Jurisdiction	Median Income	Percent Above/Below Alameda County Median
Dublin	**$152,745**	**45.6%**
San Ramon	$167,345	59.5%
Livermore	$131,664	25.5%
Pleasanton	$160,689	53.2%
Alameda County	$104,888	--

Source: American Community Survey, Table S1901, 5-Year Estimates, 2020.

Figure B-5 below illustrates Dublin's income, broken down by income level. Households earning less than $122,196 are considered lower income. Forty-eight percent of Dublin households earn an income below $150,000, with 12 percent earning less than $50,000 and two percent earning less than $10,000. Approximately 36 percent of Dublin households earn $200,000 or more annually.

Figure B-5: Dublin Household Income Breakdown by Category



Source: American Community Survey, Table S1901, 5-Year Estimates, 2020.

D. Housing Challenges

Some households in Dublin face housing-related challenges. The types of housing challenges in Dublin vary according to household income, type, and tenure, as shown in **Table B-15**. The four housing challenges identified by HCD include incomplete kitchen facilities, incomplete plumbing facilities, more than one person living per room, and a cost burden greater than 30 percent. Severe housing challenges also include incomplete kitchen and plumbing facilities but have more than 1.5 persons living per bedroom and a cost burden greater than 50 percent.

In general, there are more owner-occupied households (67.4 percent) than renter households (32.6 percent) in Dublin. Approximately 17.4 percent of owner-occupied households experience at least one housing problem. For renters, 15.2 percent of households experience at least one housing problem. An estimated 14.3 percent of Dublin households experience at least one severe housing challenges. More renters (7.7 percent) than owners (6.6 percent) experience a severe housing challenge. These findings may reflect the level of control over maintenance and repairs. Renters typically rely on property owners and management companies to provide repair services and maintenance, which can result in higher levels of housing problems.

Table B-15: Housing Assistance Needs of Lower-Income Households						
Housing Challenge	**Owner**	**% of total HH**	**Renter**	**% of total HH**	**Total**	**% of total HH**
Housing Challenge Overview*						
Household has at least one of four Housing Challenge	3,420	17.4%	2,985	15.2%	6,405	32.6%
Household has no Housing Challenges or cost burden not available, no other challenges	9,500	48.4%	3,730	19.0%	13,230	67.4%
Total	**12,920**	**65.8%**	**6,715**	**34.2%**	**19,635**	**100.0%**
Severe Housing Challenge Overview**						
Household has at least one of four Severe Housing Challenges	1,290	6.6%	1,515	7.7%	2,805	14.3%
Household has no Severe Housing Challenges or cost burden not available, no other challenges	11,630	59.2%	5,200	26.5%	16,830	85.7%
Total	**12,920**	**65.8%**	**6,715**	**34.2%**	**19,635**	**100.0%**

Note: "% of total HH" equals Percent of total households in the City of Dublin
* The four housing challenges are: incomplete kitchen facilities, incomplete plumbing facilities, more than one person living per room, and cost burden greater than 30 percent.
** The four severe housing challenges are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1.5 persons per room, and cost burden greater than 50 percent.
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) 2014-2018.

1. Overcrowding

"Overcrowding" is generally defined as a housing unit occupied by more than one person per room in a unit (including bedrooms, living room, and dining room, but excluding hallways, the kitchen, and bathrooms). An overcrowded household results from either a lack of affordable housing (which forces more than one household to live together) and/or a lack of available housing units of adequate size, especially for large families.

Overcrowded (more than one person per room) and severely overcrowded (more than 1.5 persons per room) households can lead to neighborhood deterioration due to the intensive use of individual housing units leading to excessive wear and tear, and the potential cumulative overburdening of community infrastructure and service capacity. Furthermore, overcrowding in neighborhoods can lead to an overall decline in social cohesion and environmental quality. Such decline can often spread geographically and impact the quality of life and the economic value of property. The combination of lower incomes and high housing costs results in many households living in overcrowded housing conditions.

Table B-16 below illustrates overcrowding tendencies in Dublin and shows that overcrowding disproportionately affects renters. About two percent of renter-occupied units experience overcrowding, while 0.8 percent of owner-occupied units experience overcrowding. Additionally, 0.9 percent of renter-occupied units experience severe overcrowding, while 0.03 percent of owner-occupied units experience severe overcrowding. Overall, 3.8 percent, or 805 units experience some form of overcrowding in Dublin.

The existence of overcrowded units can be mitigated by increased opportunities for housing of all types and appropriate sizes for different households.

Table B-16: Overcrowding by Tenure in Dublin

Tenure	Overcrowded Units (1.0 to 1.50 persons/room)		Severely Overcrowded Units (>1.51 persons/room)		Total Overcrowded Occupied Units	
	Count	Percent of Total Occupied Units	Count	Percent of Total Occupied Units	Count	Percent of Total Occupied Units
Owner Occupied	163	0.8%	6	0.03%	169	0.8%
Renter Occupied	448	2.1%	188	0.9%	636	3.0%
Total	**611**	**2.9%**	**194**	**0.93%**	**805**	**3.8%**

Source: American Community Survey, Table B25014, 5-Year Estimates, 2020.

As seen in **Table B-17**, owner-occupied housing units make up 21 percent of overcrowded units in the City. In comparison, renter-occupied units account for a much larger 79 percent of overcrowded units. In comparison to nearby jurisdictions, Dublin experiences the highest percentage of renter-occupied overcrowded units. Home ownership generally allows for higher-income households to participate while renting is sought more often by those who have insufficient income for home buying.

Table B-17: Overcrowded Housing Units by Tenure

Jurisdiction	Owner-Occupied Overcrowded Units		Renter-Occupied Overcrowded Units	
	Count	% of Overcrowded Units	Count	% of Overcrowded Units
Dublin	**169**	**21.0%**	**636**	**79.0%**
San Ramon	260	29.6%	617	70.4%
Livermore	318	30.2%	736	69.8%
Pleasanton	147	15.9%	779	84.1%
Alameda County	11,403	25.2%	33,833	74.8%

Source: American Community Survey, Table B25014, 5-Year Estimates, 2020.

Table B-18 below compares the data for total overcrowded housing units in Dublin with nearby jurisdictions. According to the data, the City experiences the highest rate of overcrowding (3.9 percent) compared to nearby jurisdictions, except for the County, which has a total of 7.9 percent of housing units considered overcrowded.

Table B-18: Overcrowded Housing Units

Jurisdiction	Total Overcrowded Units	Percent
Dublin	**805**	**3.9%**
San Ramon	877	3.2%
Livermore	1,054	3.3%
Pleasanton	926	3.3%
Alameda County	45,236	7.9%

Source: American Community Survey, Table B25014, 5-Year Estimates, 2020.

2. Overpayment (Cost Burden)

Overpayment is an important factor in understanding housing needs and affordability. State and federal standards indicate that a household paying more than 30 percent of its income for housing is overpaying and considered cost burdened. A household paying more than 50 percent of its income for housing is considered severely cost burdened. Overpayment for housing can cause an imbalance on the remainder of a household's budget. Understanding and measuring overpayment for housing is also an indicator of supply and demand.

Table B-19 below summarizes Dublin's cost burdened households. Renters disproportionately experience cost burdens compared to homeowners. In Dublin, 39 percent of renters are cost burdened and 15 percent are severely cost burdened. In comparison, 25.3 percent of homeowners are cost burdened and 8.7 percent are severely cost burdened. The data shows that as income increases, renters are less likely to experience a severe cost burden but still may experience a cost burden. For homeowners, a cost burden is more common for lower-income households, except for those earning over 100 percent of the HUD area median family income (HAMFI).

Table B-19: Summary of Housing Overpayment

Income by Cost Burden*	Owner				Renter			
	Cost Burden > 30%	% of Owner HH	Cost Burden > 50%	% of Owner HH	Cost Burden > 30%	% of Renter HH	Cost Burden > 50%	% of Renter HH
Household Income is ≤ 30%	405	3.1%	325	2.5%	430	6.4%	335	5.0%
Household Income is 31% to 50% HAMFI	415	3.2%	335	2.6%	360	5.4%	255	3.8%
Household Income is 51% to 80% HAMFI	235	1.8%	150	1.2%	465	6.9%	250	3.7%
Household Income is 81% to 100% HAMFI	350	2.7%	120	0.9%	515	7.7%	95	1.4%
Household Income is >100% HAMFI	1,865	14.4%	195	1.5%	850	12.7%	70	1.0%
Total	**3,270**	**25.3%**	**1,125**	**8.7%**	**2,620**	**39.0%**	**1,005**	**15.0%**

Note: HAMFI equals HUD area median family income, this is the median-family income calculated by HUD for each jurisdiction, to determine Fair Market Rents (FMRs) and income limits for HUD programs. HAMFI will not necessarily be the same as other calculations of median incomes (such as a simple Census number), due to a series of adjustments that are made.

* Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) 2014-2018.

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E. Special Needs Groups

State law recognizes that certain households may have more difficulty finding adequate and affordable housing due to special circumstances. Special needs groups include seniors, persons with disabilities, single-parent households, large households, and farmworkers. Special circumstances may be related to employment and income, family characteristics, disability, household characteristics, or other factors. Consequently, certain residents in Dublin may experience higher incidences of housing overpayment (cost burden), overcrowding, or other housing problems. The special needs groups analyzed in this section include seniors, persons with disabilities (including developmental disabilities), persons experiencing homelessness, single parents, large households, farmworkers, and students. These categories may also overlap with one another; for example, seniors may also have disabilities. These special needs groups could be assisted by increasing the available affordable housing and adopting programs that offer financial assistance or community resources. **Appendix A: Review of Past Performance** provides a summary of resources that were provided for each special needs group throughout the 5th Planning Cycle.

1. Seniors

The senior population, generally defined as those 65 years or older, may have several concerns: limited and fixed incomes, high health care costs, higher incidence of mobility and self-care limitations, and transit dependency. Specific housing needs of the senior population include affordable housing, supportive housing (such as intermediate care facilities), and other housing that includes planned service components. As shown in **Table B-20**, the City has the lowest percentage of persons aged 65 and over, compared to nearby jurisdictions.

Table B-20: Persons Aged 65 and Over

Jurisdiction	Population Count	Percent
Dublin	**5,891**	**9.2%**
San Ramon	9,115	11.2%
Livermore	12,083	13.2%
Pleasanton	12,085	15.1%
Alameda County	231,186	13.9%

Source: American Community Survey, Table S0101, 5-Year Estimates, 2020.

Federal housing data defines the household type as 'elderly family' if it consists of two persons with one or both residents aged 62 or over. **Table B-21** summarizes the income and tenure of elderly family households in Dublin. Of Dublin elderly households, 15.9 percent earn less than 30 percent of the HAMFI, and 30.1 percent earn less than 50 percent of the HAMFI.

Table B-21: Elderly Households by Income and Tenure				
Income Category	**Owner**	**Renter**	**Total**	**Percent of Total Elderly Households**
Extremely Low (≤30% HAMFI)	245	235	480	**15.9%**
Very Low (31% to 50% HAMFI)	310	119	429	**14.2%**
Low (51% to 80% HAMFI)	315	64	379	**12.6%**
Moderate (81% to 100% HAMFI)	235	30	265	**8.8%**
Above Moderate (>100% HAMFI)	1,220	240	1,460	**48.5%**
Total	**2,325**	**688**	**3,013**	**100%**
Source: HUD CHAS, 2013-2017, (Reported by the ABAG MTC Housing Needs Data 2022).				

In addition to overpayment problems faced by seniors due to their relatively fixed incomes, many seniors are also faced with disabilities. In 2020, ACS reported 3,207 seniors with disabilities (or 9.9 percent of the total population). Amongst these disabilities, the most common were ambulatory difficulties (having serious difficulty walking or climbing stairs) at 14.8 percent and independent living difficulties at 13.1 percent.

2. Persons with Physical and Developmental Disabilities

Physical and developmental disabilities can hinder access to traditionally designed housing units as well as potentially limit the ability to earn adequate income. Physical, mental, and/or developmental disabilities may deprive a person from earning income, restrict mobility, or make self-care difficult. Thus, persons with disabilities often have special housing needs related to limited earning capacity, a lack of accessible and affordable housing, and higher health costs. Some residents suffer from disabilities that require living in a supportive or institutional setting.

Although no current comparisons of disability with income, household size, or race/ethnicity are available, it is reasonable to assume that a substantial portion of persons with disabilities would have annual incomes within Federal and State income limits, especially those households not in the labor force. Furthermore, many lower-income persons with disabilities are likely to require housing assistance and services. Housing needs for disabled persons are further compounded by design issues and location factors. For example, special needs of households with wheelchair-bound or semi-ambulatory individuals may require ramps, holding bars, special bathroom designs, wider doorways, lower cabinets and counters, elevators, and other interior and exterior design features.

Housing opportunities for persons with disabilities can be addressed through the provision of affordable, barrier-free housing. Rehabilitation assistance can be targeted toward renters and homeowners with disabilities for unit modification to improve accessibility.

The ACS identifies six disability types: hearing, vision, cognitive, ambulatory, self-care, and independent living. The U.S. Census and ACS provide clarifying questions to determine persons with disabilities and

differentiate disabilities within the population. The ACS defines a disability as a report of one of the six disabilities identified by the following questions:

- Hearing Disability: Is this person deaf or do they have serious difficulty hearing?
- Visual Disability: Is this person blind or do they have serious difficulty seeing even when wearing glasses?
- Cognitive Difficulty: Because of a physical, mental, or emotional condition, does this person have serious difficulty concentrating, remembering, or making decisions?
- Ambulatory Difficulty: Does this person have serious difficulty walking or climbing stairs?
- Independent Living Difficulty: Because of a physical, mental, or emotional condition, does this person have difficulty doing errands alone such as visiting a doctor's office or shopping?

According to the 2020 ACS, about 11.1 percent of the Dublin population has a disability (**Table B-22**). Of this percentage, almost 21 percent have ambulatory difficulties and 21.3 percent have challenges living independently. For those ages 18 to 64, independent living and cognitive disabilities are the most common. It should also be noted that these numbers may be counted multiple times as an individual may fall into multiple disability categories.

Table B-22: Disability Status

Disability Type	Under 18 with a Disability	18 to 64 with a Disability	65 years and Over with a Disability	Total	Percent of Population with Disability	Percent of Total Population
Population with a Hearing Difficulty	22	208	581	**811**	11.7%	1.3%
Population with a Vision Difficulty	92	582	328	**1,002**	14.5%	1.6%
Population with a Cognitive Difficulty	425	708	222	**1,355**	19.6%	2.2%
Population with an Ambulatory Difficulty	8	564	872	**1,444**	20.9%	2.3%
Population with a Self-care Difficulty	264	129	431	**824**	11.9%	1.3%
Population with an Independent Living Difficulty	--	698	773	**1,471**	21.3%	2.4%
Total	**811**	**2,889**	**3,207**	**6,907***	**100.0%**	**11.1%**

*This number may be counted multiple times as some persons report having one or more disabilities.
Source: American Community Survey, Table S1810, 5-Year Estimates, 2020.

State law requires that the Housing Element discuss the housing needs of persons with developmental disabilities. As defined by federal law, "developmental disability" means a severe, chronic disability of an individual that:

- Is attributable to a mental or physical impairment or combination of mental and physical impairments
- Is manifested before the individual attains age 22
- Is likely to continue indefinitely
- Results in substantial functional limitations in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency
- Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services; individualized supports; or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated

According to the Regional Center of the East Bay *Purchase of Services Expenditure and Demographic Data Report for 2020-2021*, a total of 24,481 individuals from the East Bay diagnosed with developmental disabilities received services. Of those individuals, the majority have been diagnosed with Autism (40.3 percent). The rest were diagnosed with an intellectual disability (31.6 percent); Cerebral Palsy (4.2 percent); Epilepsy (1.3 percent); conditions closely related to intellectual disability (5.9 percent); and 16.7 percent reported some other disability. Of those who received services, 25.6 percent were White, 23.9 were Hispanic or Latino, 18.9 percent were Asian, 15.7 percent reported Other, 15.4 percent were Black, and the remaining half a percent were other races. A number of those who received services were between the age of three and 21 years old (44.6 percent), 39.8 percent were over the age of 22, and 15.6 percent were two years old or younger. A total of 80.2 percent of individuals who received services live at home with their parent(s) or guardian(s), followed by 8.4 percent of individuals living at a Community Care Facility.

The California Department of Developmental Services (CDDS) provides estimates of persons with developmental disabilities in Dublin, as shown in **Table B-23** below. As of December 2020, CDDS identified 259 juvenile persons and 194 adults as having a developmental disability in the ZIP code 94568.

Table B-23: Developmental Disability Status for ZIP Code 94568 (2020)

Disability Type	Number of Residents
BY RESIDENT	
Home of Parent/Guardian	354
Independent/Supported Living	35
Community Care Facility	38
Intermediate Care Facility	21
Foster/Family Home	11
Other	11
BY AGE	
0-17 Years Old	259
18* Years Old	194

Source: CA DDS data by ZIP Code, December 2020.

Many people with developmental disabilities can live and work independently within a conventional housing environment. Individuals with more severe developmental disabilities may require a group living environment where supervision is provided. The most severely affected individuals may require an

institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for persons with developmental disabilities is the transition from the person's living situation as a child to an appropriate level of independence as an adult.

There are resources that may be beneficial for people living with a development disability, including rent subsidized homes, licensed and unlicensed single-family residences, inclusionary housing, Section 8 vouchers, special programs for home purchase, HUD housing, and SB 962 (veterans) homes. The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the types of considerations that are important in serving the needs of this group. Incorporating 'barrier-free' design in new multifamily residences (as required by California and Federal Fair Housing laws) is especially important to provide the widest range of choices for residents with disabilities. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income.

3. Large Households

Large households are defined as those consisting of five or more members. These households comprise a special needs group because many communities have a limited supply of adequately sized, affordable housing units. To save for other necessities such as food, clothing, and medical care, it is common for lower-income large households to reside in smaller units with an inadequate number of bedrooms, which frequently results in overcrowding and can contribute to fast rates of deterioration.

Securing housing large enough to accommodate all members of a household is more challenging for renters, because multifamily rental units are typically physically smaller than single-family ownership units. While apartment complexes offering two and three bedrooms are common, apartments with four or more bedrooms are rare. It is more likely that large households will experience overcrowding in comparison to smaller households. Additionally, throughout the region, single-family residences with higher bedroom counts, whether rental or ownership units, are rarely affordable to lower-income households.

Table B-24 below provides a breakdown of large households by tenure in Dublin. The data identifies the household size of homeowners and renters living in large households. About 10.2 percent of all households in Dublin are large households. There are more owner-occupied units with five or more occupants than renter-occupied households; however, renter-occupied households with seven or more occupants represent a larger percentage than for owner-occupied households.

Table B-24: Large Households (by Tenure)						
Household Size	Owner		Renter		Total	
	Count	Percent of Owner HH	Count	Percent of Renter HH	Count	Percent of Total HH
5-Person Household	690	5.2%	456	6.0%	1,146	5.5%
6-Person Household	421	3.2%	192	2.5%	613	2.9%
7-or-More Person Households	121	0.9%	14	0.2%	135	0.6%
Total	**1,232**	**9.3%**	**662**	**8.7%**	**1,894**	**9.0%**

HH = Households
Source: American Community Survey, Table B25009, 5-Year Estimates, 2020.

4. Single-Parent Households

Single-parent households often require special consideration and assistance due to their greater need for affordable and accessible day care, health care, and other supportive services. Many female-headed households are susceptible to having lower incomes than similar two-parent households. Single mothers often face social pressures that limit their occupational choices and income earning potential, housing options, and access to supportive services.

The City has 1,775 single-parent households, as shown in **Table B-25**. Out of the total Dublin households, 7.0 percent are single-parent females and 3.8 percent are single-parent males. The percentages of single-parent households in Dublin are similar to the percentages for Alameda County. In Dublin, about 1.4 percent of single-parent households were estimated to be living in poverty in 2019.

Table B-25: Single Parent Households								
Jurisdiction	Single-Parent Male, No Spouse Present		Single Parent-Female, No Spouse Present		Single-Parent HH Living in Poverty		Single Parent HH	Percent of Total HH
	Count	Percent[1]	Count	Percent[1]	Count	Percent[1]		
Dublin	621	3.8%	1,154	7.0%	284	1.7%	1,775	12.5%
Alameda County	12,852	3.4%	35,198	9.2%	9,464	2.5%	48,050	15.1%

Note: HH = Households
1. Percent of Total Households
Source: American Community Survey, Table B17010, 5-Year Estimates, 2020.

5. Farmworkers

Farmworkers are traditionally defined by HCD as people whose primary incomes are earned through permanent or seasonal agricultural labor. Generally, permanent farmworkers (working 150 days or more) work in the fields, processing plants, or support activities on a year-round basis. When workload increases during harvest periods, the labor force is supplemented by seasonal farmworkers, often supplied by a labor contractor. For some crops, farms may hire migrant farmworkers, defined as those whose travel distance prevents them from returning to their primary residence daily. Farmworkers have special housing needs because they earn lower incomes than many other workers and move throughout the year from one harvest location to the next.

The U.S. Department of Agriculture, National Agriculture Statistics provides data on hired farmworkers across the United States at both a state and county level. Within the County of Alameda, there were a total of 593 hired farmworkers in 2017. A total of 305 are considered permanent and 288 were considered seasonal (working less than 150 days annually). Additionally, the County of Alameda reported 34 total migrant farmworkers.

According to ACS, there were 95 people (0.3 percent) employed in agriculture, forestry, fishing, hunting, and mining in Dublin in 2019. According to the California Employment Development Department, Dublin residents employed in the Farming, Fishing and Forestry occupation earn one of the lowest salaries in comparison to other occupations, with an estimated median income of $35,142. This is considered an extremely low-income for Dublin as it represents 28 percent of the median income for the City.

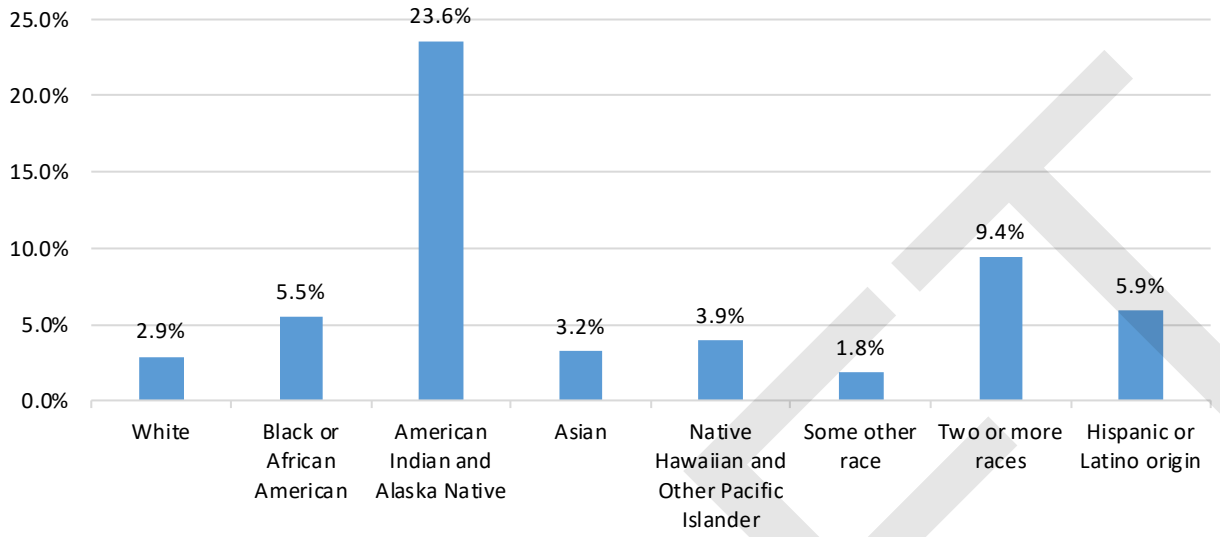
6. Extremely Low-Income Household and Poverty Status

CHAS data indicates there are approximately 1,090 low-income households and 960 very low-income households in Dublin. Very low-income households are those households that earn 50 percent or less than the HAMFI for Alameda County. Extremely low-income households are those households that earn less than 30 percent of the HAMFI. Extremely low-income households are generally more likely to experience overpayment, overcrowding, or substandard housing conditions, and are more likely to include transition and supportive housing.

According to CHAS, there are approximately 1,295 extremely low-income households in Dublin (renters and owners). **Table B-26** includes data characterizing affordability and cost burden for various income groups. More renters than homeowners are subject to at least one housing challenge in Dublin. The extremely low-income household need is generally estimated as 50 percent of the very low-income RHNA. The City's very low-income RHNA is 1,295 units; therefore, the projected housing need for extremely low-income households is 647 units.

According to 2020 ACS data, four percent of the Dublin population lives in poverty. **Figure B-6** illustrates the percentage of people within each racial and ethnic group living below the poverty level. The values shown in **Figure B-6** when compared with **Figure B-2** show a disproportional ratio of certain racial groups experiencing higher rates of poverty. Persons identifying as American Indian/Alaska Native, Native Hawaiian/Other Pacific Islander, and Some Other Race represent one percent of the population when combined; however, they represent 23.6percent of Dublin residents living in poverty.

Figure B-6: Percent below Poverty Level, by Race and Hispanic or Latino Origin



Source: American Community Survey, Table S1701, 5-Year Estimates, 2020.

Table B-26: Housing Challenges for All Households (by Income Category)

Income Category	Owner			
	Household has at least one of four Housing Challenges	% of Owner HH	Household has no Housing Challenges OR cost burden not available	% of Owner HH
Extremely Low (≤30%)	415	3.2%	70	0.5%
Very Low (31% to 50% HAMFI)	420	3.3%	135	1.0%
Low (51% to 80% HAMFI)	235	1.8%	290	2.2%
Moderate (81% to 100% HAMFI)	360	2.8%	290	2.2%
Above Moderate (>100% HAMFI)	1,995	15.4%	8,705	67.3%
Total	**3,420**	**26.5%**	**9,500**	**73.5%**
Income Category	**Renter**			
	Household has at least one of four Housing Challenges	% of Renter HH	Household has no Housing Challenges OR cost burden not available	% of Renter HH
Extremely Low (≤30%)	425	6.3%	85	1.3%
Very Low (31% to 50% HAMFI)	365	5.4%	40	0.6%
Low (51% to 80% HAMFI)	470	7.0%	90	1.3%
Moderate (81% to 100% HAMFI)	525	7.8%	165	2.5%
Above Moderate (>100% HAMFI)	1,200	17.9%	3,345	49.8%
Total	**2,985**	**44.4%**	**3,730**	**55.5%**
Total Households (Owner and Renter)	**6,405**	**32.6%**	**13,230**	**67.4%**

* The four housing challenges are: incomplete kitchen facilities, incomplete plumbing facilities, more than one person per room, and cost burden greater than 30 percent.

** The four severe housing challenges are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1.5 persons per room, and cost burden greater than 50 percent.

Note: HAMFI equals HUD Area Median Family Income, this is the median family income calculated by HUD for each jurisdiction, to determine Fair Market Rents (FMRs) and income limits for HUD programs. HAMFI will not necessarily be the same as other calculations of median incomes (such as a simple Census number), due to a series of adjustments that are made.

Source: Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) 2014-2018.

7. Persons Experiencing Homelessness

Homelessness has become an increasingly important issue across the State and the region. General factors contributing to the rise in homelessness include increased unemployment and underemployment, a lack of housing affordable to lower- and moderate-income persons (especially extremely low-income persons), reductions in public subsidies to the poor, and the de-institutionalization of the mentally ill.

State law mandates that municipalities address the special needs of homeless persons within their jurisdictional boundaries. "Homelessness" as defined by HUD has been updated to include the following descriptions for homeless:

- People who are living in a place not meant for human habitation, in an emergency shelter, in transitional housing, or exiting an institution where they temporarily resided.
- People who are losing their primary nighttime residence, which may include a motel or hotel or a doubled-up situation, within 14 days and lack resources or support networks to remain in housing.
- Families with children or unaccompanied youth who are unstably housed and likely to continue in that state. This applies to families with children or unaccompanied youth who have not had a lease or ownership interest in a housing unit in the last 60 days or more, have had two or more moves in the last 60 days, and who are likely to continue to be unstably housed because of disability or multiple barriers to employment.
- People who are fleeing or attempting to flee domestic violence, have no other residence, and lack the resources or support networks to obtain other permanent housing.

These definitions do not include persons living in substandard or overcrowded housing units, persons being discharged from mental health facilities (unless the person was homeless when entering and is considered homeless at discharge), or persons who may be at risk of homelessness.

The EveryoneCounts! Point in Time Count is conducted by Alameda County in accordance with HUD guidelines and identifies where homeless individuals are living in the County. HUD requires communities to conduct the Point in Time Count every two years. The most recent count with available data was completed on January 30, 2019. The 2021 count was postponed due to the COVID-19 global pandemic and, as of March 2022, the most recent 2022 count data has not yet been released. In 2019, approximately 164 trained guides and 489 volunteers across the County counted 8,022 individuals experiencing homelessness in Alameda County. Of those counted, 1,710 were sheltered and 6,312 were unsheltered. The count results are shown in **Table B-27**.

Table B-27: Homelessness in Dublin and Surrounding Cities (2017-2019)

Jurisdiction	2017	% of County	2019	% of County	Count Change
Dublin	**21**	**0.4%**	**8**	**0.1%**	**-13**
San Ramon*	N/A	N/A	N/A	N/A	N/A
Livermore	243	4.3%	264	3.3%	21
Pleasanton	18	0.3%	70	0.9%	52
Alameda County	5,629	100%	8,022	100%	2,393

Source: EveryoneCounts! Point in Time Count – Alameda County, 2017, 2019.
**Data for San Ramon Point in Time Count is not readily available for 2017 and 2019.*

In both 2017 and 2019, Dublin had the lowest rate of homelessness compared to nearby jurisdictions. It is important to promote and provide adequate resources to continue combating homelessness. This can be done through the provision of affordable housing and resources, which will allow for stable housing for individuals to then continue advancements in other sectors of their life.

Of those counted, 61 percent identified as male, 35 percent as female, two percent as transgender, and two percent as gender non-binary. The largest age group of persons experiencing homelessness was 25 to 59 year-olds (73 percent), followed by the age group 60 years and over (14 percent). The population of persons experiencing homelessness in Alameda County is racially and ethnically made up of 47 percent Black or African American, 31 percent White, and 17 percent Hispanic or Latino. A total of 42 percent of persons counted also reported having at least one disabling condition, with 39 percent experiencing psychiatric or emotional conditions, 30 percent experiencing alcohol and drug use, and 30 percent experiencing post-traumatic stress disorder. Out of those counted, 33 percent believe rent assistance, 30 percent believe benefits and income, 23 percent believe employment assistance, and 21 percent believe mental health services might have prevented homelessness.

8. Students

The need for student housing is another significant factor affecting housing demand. Student housing often only produces a temporary housing need based on the educational institution enrollment duration. Typically, lower-income students are affected by a lack of affordable housing, especially within easy commuting distance from campus. Students often seek shared housing situations to decrease expenses. Students living independently have varied needs and may live on fixed incomes.

According to ACS data, Dublin has approximately 3,043 persons enrolled in college or graduate school, which represents approximately 19 percent of the total population. Of the Dublin residents enrolled in higher education, 79.2 percent are enrolled in public institutions and 20.8 percent are enrolled in private institutions. Several large universities are located within a 30-minute drive of Dublin, including the University of California at Berkeley and California State University East Bay.

A report by the California Community College Chancellor's Office studied 70 community colleges and found that 56 percent of students were food insecure, 35 percent were experiencing housing insecurity, and 14 percent were homeless.[3] Students often require affordable rental housing; the City recognizes that housing affordability and availability may provide a burden on students in Dublin.

F. Housing Stock Characteristics

Growth, type, availability and tenure, age and condition, housing costs, and affordability are important characteristics affecting how well the housing stock meets current needs for the community. This section details Dublin's housing stock characteristics.

[3] California Community Colleges, Chancellor's Office, Basic Needs Survey report, 2018.

1. Housing Growth

Table B-28 below displays housing stock growth data for Dublin and nearby jurisdictions. According to ACS data, Dublin added 7,446 additional housing units between 2010 and 2020, a 53.2 percent increase and the highest in the area. Of the nearby communities, Dublin has consistently remained at the top in the number of housing units added between 2010 and 2020.

Table B-28 Housing Unit Growth (Growth Trends)

Jurisdiction	2010	2015	2020	Percent Change 2010 to 2015	Percent Change 2015 to 2020
Dublin	**14,061**	**18,030**	**21,507**	**28.2%**	**19.3%**
San Ramon	24,809	25,950	28,370	4.6%	9.3%
Livermore	29,796	31,378	33,330	5.3%	6.2%
Pleasanton	24,486	26,852	29,069	9.7%	8.3%
Alameda County	577,538	589,858	605,767	2.1%	2.7%

Source: American Community Survey, Table DP04, 5-Year Estimates, 2010, 2015, and 2020.

2. Housing Types

Table B-29 provides a breakdown of number of housing units by type for Dublin and Alameda County. Housing in Dublin is predominantly detached single-family residences (55.3 percent). About 29.4 percent of Dublin housing units are multi-family residences. A wider range of housing types is important in providing for the diverse housing needs of the Dublin population.

Table B-29: Total Housing Units by Type

Jurisdiction	Single- Family Detached		Single-Family Attached		Multi-Family		Mobile Homes, Boats, and other Types of Housing	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Dublin	11,309	54.2%	3,325	15.9%	6,225	29.8%	24	0.1%
Alameda County	304,285	53.1%	50,561	8.8%	211,039	36.9%	7,289	1.3%

Source: American Community Survey, Table S2504, 5-Year Estimates, 2020.

3. Housing Availability and Tenure

Housing tenure and vacancy rates generally influence the supply and cost of housing. Housing tenure defines if a unit is owner occupied or renter occupied. The tenure characteristics in a community can indicate several aspects of the housing market, such as affordability, household stability, and availability of unit types, among others. In many communities, tenure distribution generally correlates with household income, composition, and age of the resident.

Homeowners tend to gravitate towards single-family, detached residences as they are typically better suited for larger households and more affordable to home buyers rather than renters. **Table B-30** shows that in Dublin 70 percent of renters live in multi-family residences as opposed to 18.8 percent who live in single-family, detached residences. For homeowners, about 74 percent live in single-family, detached residences.

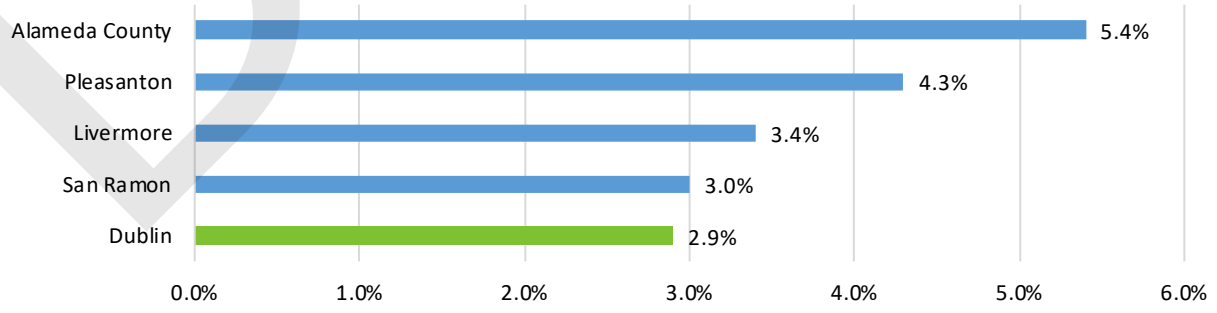
Table B-30: Occupied Housing Units by Type and Tenure				
Tenure	Single- Family Detached	Single-Family Attached	Multi-Family	Mobile Homes, Boats, and other Types of Housing
Owner Occupied	74.3%	18.6%	6.9%	0.1%
Renter Occupied	18.8%	11.1%	70.0%	0.1%
Source: American Community Survey Table B25032, 5-Year Estimates, 2020.				

While multi-family residences are typically more affordable to renters, the average household size in Dublin is one of the largest in the area. **Table B-31** shows that owner-occupied households in Dublin exceed the average household size in the County, and renter-occupied household sizes are consistent with the County average. Dublin has about 3.15 persons per owner-occupied household and 2.71 per renter-occupied household.

Table B-31: Average Household Size by Tenure				
Jurisdiction	Owner-Occupied Households[1]	Average Owner Household Size	Renter-Occupied Households[1]	Average Renter Household Size
Dublin	63.7%	3.15	36.3%	2.71
San Ramon	71.8%	3.15	28.2%	2.44
Livermore	72.6%	2.87	27.4%	2.75
Pleasanton	67.9%	3.02	32.1%	2.53
Alameda County	53.6%	2.91	46.4%	2.63
1. Percent of total households *Source: American Community Survey, Table CP04, 5-Year Estimates, 2020.*				

Vacancy rates are also an important housing indicator as they indicate the degree of housing choices available. High vacancy rates usually indicate low demand and/or high supply conditions in the housing market. High vacancy rates can be difficult for owners trying to sell or rent. Low vacancy rates usually indicate high demand and/or low supply conditions in the housing market. Low vacancy rates can inflate prices making it more difficult for lower- and moderate-income households to find housing. Vacancy rates between two to three percent are usually considered healthy for single-family or ownership housing, and vacancy rates of five to six percent are usually considered healthy for multi-family or rental housing. Vacancy rates must be viewed in the context of all local and regional market characteristics. Dublin has the lowest vacancy rate compared to f the nearby jurisdictions, as illustrated in **Figure B-7**.

Figure B-7: Vacancy Rates by Jurisdiction



Source: American Community Survey, CP04, 5-Year Estimates, 2020.

Table B-32 below displays ACS data for vacancy rates in Dublin. The largest housing type that is vacant is for housing units for rent (50.6 percent), followed by those that remain vacant for unknown reasons (24.2 percent). Seasonal, recreational, or occasional use units may include secondary vacation homes or short-term rental homes; these homes often do not contribute to the housing needs of a community as they are not considered valuable for long-term rental or occupancy purposes.

Table B-32: Vacant Housing Units by Type in Dublin

Type of Housing	Estimate	Percent of Vacant
For rent	316	50.6%
Rented, not occupied	17	2.7%
For sale only	70	11.2%
Sold, not occupied	26	4.2%
For seasonal, recreational, or occasional use	44	7.1%
Other vacant	151	24.2%
Total	**624**	**100%**

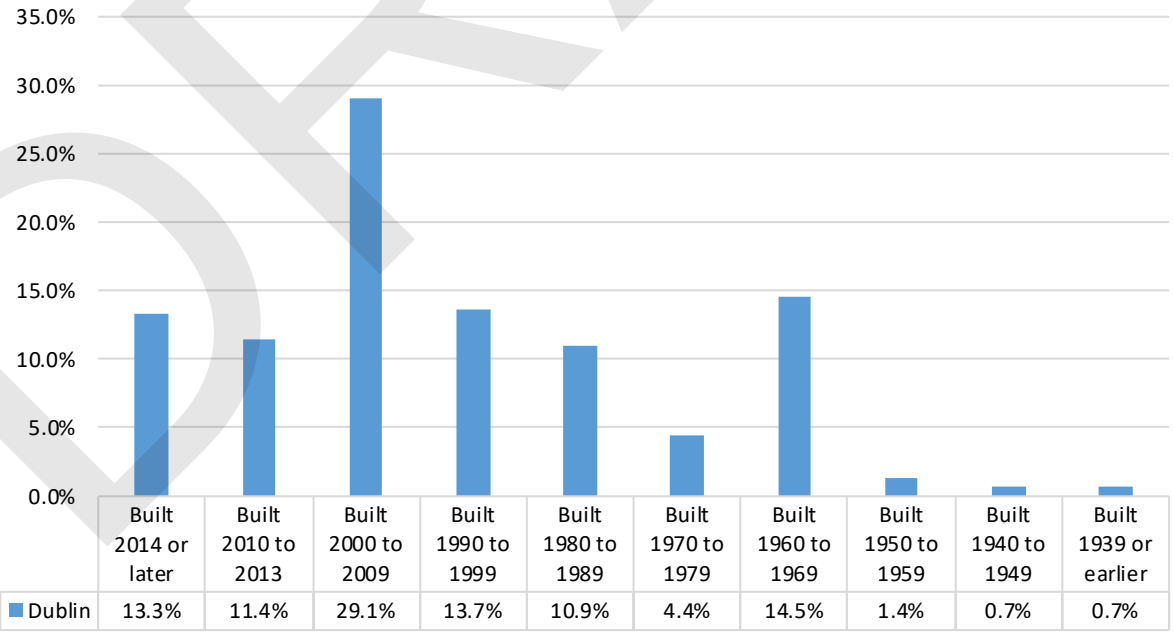
Source: American Community Survey, Table B25004, 5-Year Estimates, 2020.

4. Housing Age and Conditions

Housing age can be an important indicator of housing conditions within a community. Housing that is over 30 years old is typically in need of major rehabilitation, such as a new roof, foundation, or plumbing.

Figure B-8 illustrates the housing stock age in Dublin. The majority of the housing stock was built after the City incorporated in 1982 with the greatest housing boom between 2000 and 2009 when 29.1 percent of existing units were built. Approximately 21.7 percent of the housing stock was built prior to 1980.

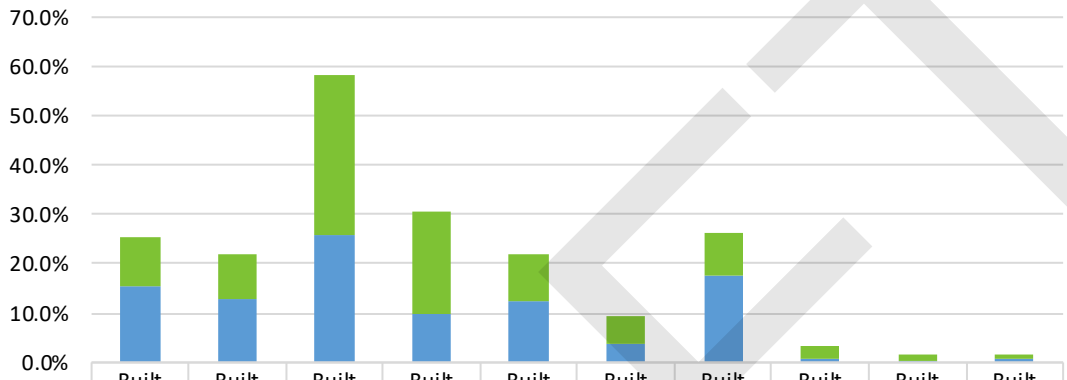
Figure B-8: Housing Stock Age



Source: American Community Survey, Table B25034, 5-Year Estimates, 2020.

Figure B-9 below displays housing units by the year they were built and sorted by whether they are currently occupied by homeowners or renters. Based on the data below, renters and owners tend to live in units built after 2000. However, owners are more likely than renters to live in units built prior to 2000. Approximately forty-five percent of homeowners live in housing units built prior to 2000.

Figure B-9: Tenure by Year Structure Built



	Built 2014 or later	Built 2010 to 2013	Built 2000 to 2009	Built 1990 to 1999	Built 1980 to 1989	Built 1970 to 1979	Built 1960 to 1969	Built 1950 to 1959	Built 1940 to 1949	Built 1939 or earlier
Renter Occupied	10.1%	9.0%	32.4%	20.6%	9.6%	5.4%	8.7%	2.3%	1.1%	0.9%
Owner Occupied	15.3%	12.9%	26.0%	10.0%	12.2%	3.9%	17.8%	0.9%	0.5%	0.6%

Source: American Community Survey, Table B25036, 5-Year Estimates, 2020.

5. Housing Costs and Affordability

Housing costs reflect the supply and demand of housing in a community. The following summarizes the cost and affordability of the Dublin housing stock.

Table B-33 below shows the median home value in Dublin was $934,500 in 2010. This is above the regional median for Alameda County ($825,300).

Table B-34 below shows average monthly rental rates for units in Dublin. The monthly rental rates for all unit types increased from 2016 to 2020, with the highest increase to one-bedroom units. Units containing five or more bedrooms were the only unit type to have experienced a decrease in costs; however, between 2018 and 2020 the cost increased.

Table B-33: Median Home Value by Community

Jurisdiction	Median Home Value
Dublin	**$934,500**
San Ramon	$1,001,600
Livermore	$806,100
Pleasanton	$1,056,100
Alameda County	$825,300

Source: American Community Survey, Table DP04, 5-Year Estimates, 2020.

Table B-34: Monthly Rental Rates (2016-2020)						
Unit Type	2016	2017	2018	2019	2020	% Change 2016-2020
Studio	2,080	2,221	2,173	2,227	2,332	12.1%
1 bedroom	1,770	2,018	2,124	2,236	2,293	29.5%
2 bedrooms	2,193	2,378	2,623	2,761	2,799	27.6%
3 bedrooms	2,627	2,788	2,987	3,076	3,135	19.3%
4 bedrooms	2,777	2,914	3,035	3,177	3,500+	26.0%
5 or more bedrooms	3,500+	3,500+	3,403	3,429	3,500+	0.0%
Source: American Community Survey, Table B25031, 5-Year Estimates, 2016, 2017, 2018, 2019, 2020.						

Housing affordability can be inferred by comparing the cost of renting or owning a home with the maximum affordable housing costs for households at different income levels. Taken together, this information can generally show who can afford what size and type of housing and indicate the type of households most likely to experience overcrowding and overpayment.

HUD conducts annual household income surveys nationwide to determine the HAMI and a household's eligibility for federal housing assistance. Based on this survey, HCD developed income limits, which can be used to determine the maximum price affordable to households in the upper range of their respective income category. The maximum affordable housing costs for homeowners and renters in Alameda County are shown in **Table B-35** and **Table B-36,** respectively.

The data shows the maximum amount that a household can pay for housing each month without incurring a cost burden (overpayment). This amount can be compared to median home value (**Table B-33**) and monthly rental rates (**Table B-34**) to determine what types of housing opportunities a household can afford.

Extremely Low-Income Households

Extremely low-income households earn less than 30 percent of the County HAMI – up to $28,800 for a one-person household and up to $44,400 for a five-person household in 2022. Extremely low-income households cannot afford market-rate rental or ownership housing in Dublin without assuming a substantial cost burden.

Very Low-Income Households

Very low-income households earn between 31 percent and 50 percent of the County HAMI – up to $47,950 for a one-person household and up to $74,000 for a five-person household in 2022. The maximum affordable price for very low-income households is $236,000 for a one-person household and $365,000 for a five-person household. A one-person very low-income household can afford to pay up to $1,199 in monthly rent and a five-person very low-income household can pay up to $1,850 in monthly rent. Given housing costs, very low-income households cannot afford market-rate rental or ownership housing in Dublin without assuming a substantial cost burden.

Low-Income Households

Low-income households earn between 51 percent and 80 percent of the County's HAMI - up to $76,750 for a one-person household and up to $118,400 for a five-person household in 2022. The maximum affordable home price for a low-income household is $378,000 for a one-person household and $584,000 for a five-person household. Based on the median home value in Dublin in 2019 (**Table B-33**, homeownership is not affordable to low-income households. A one-person low-income household could afford to pay up to $1,919 in rent per month and a five-person low-income household could afford to pay as much as $2,960 per month. Low-income households in Dublin would not be able to find adequately sized affordable apartment units (**Table B-35**).

Moderate-Income Households

Persons and households of moderate-income earn between 81 percent and 120 percent of the County's HAMI – up to $162,750, depending on household size in 2022. The maximum affordable home price for a moderate-income household is $520,000 for a one-person household and $802,000 for a five-person household. Moderate income households may be able to purchase a home in Dublin, depending on the household size. The maximum affordable rent payment for moderate-income households is between $2,426 and $3,661 per month. Appropriately-sized, market-rate rental housing is generally affordable to moderate-income households.

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Table B-35: Affordable Housing Costs for Homeowners (2022)						
Annual Income		Mortgage	Utilities[1]	Tax and Insurance	Total Affordable Monthly Housing Cost	Affordable Purchase Price
Extremely Low-Income (30% of HAMI)						
1-Person	$28,800	$400	$212	$108	$720	$142,000
2-Person	$32,900	$451	$248	$123	$823	$162,000
3-Person	$37,000	$473	$313	$139	$925	$182,000
4-Person	$41,100	$518	$355	$154	$1,028	$203,000
5-Person	$44,400	$536	$408	$167	$1,110	$219,000
Very Low-Income (50% of HAMI)						
1-Person	$47,950	$807	$212	$180	$1,199	$236,000
2-Person	$54,800	$917	$248	$206	$1,370	$270,000
3-Person	$61,650	$997	$313	$231	$1,541	$304,000
4-Person	$68,500	$1,101	$355	$257	$1,713	$338,000
5-Person	$74,000	$1,165	$408	$278	$1,850	$365,000
Low-Income (80% HAMI)						
1-Person	$76,750	$1,419	$212	$288	$1,919	$378,000
2-Person	$87,700	$1,616	$248	$329	$2,193	$433,000
3-Person	$98,650	$1,783	$313	$370	$2,466	$486,000
4-Person	$109,600	$1,974	$355	$411	$2,740	$540,000
5-Person	$118,400	$2,108	$408	$444	$2,960	$584,000
Moderate-Income (120% HAMI)						
1-Person	$105,500	$2,096	$212	$330	$2,638	$520,000
2-Person	$120,550	$2,389	$248	$377	$3,014	$595,000
3-Person	$135,650	$2,654	$313	$424	$3,391	$669,000
4-Person	$150,700	$2,942	$355	$471	$3,768	$743,000
5-Person	$162,750	$3,152	$408	$509	$4,069	$802,000

Assumptions: 2021 HCD income limits for Oakland-Fremont, CA HUD Metro FMR Area; 30 percent gross household income as affordable housing cost; 15 percent of monthly affordable cost for taxes and insurance; 10 percent down payment; and 4.5 percent interest rate for a 30-year fixed-rate mortgage loan. Utilities based on the Alameda County Housing Authority Utility Allowance Schedule (2022).

1. Utilities include heating, cooking, water heating, electric, air conditioning, water, sewer, trash collection, microwave, and refrigerator. All utilities are assuming natural gas.

Source: Alameda County Housing Authority Utility Allowance Schedule; California Department of Housing and Community Development, 2021 Income Limits, and Kimley Horn and Associates.

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Table B-36: Affordable Monthly Housing Cost for Renters (2022)				
Annual Income		Rent	Utilities[1]	Total Affordable Monthly Housing Cost
Extremely Low-Income (30% of HAMI)				
1-Person	$28,800	$508	$212	$720
2-Person	$32,900	$575	$248	$823
3-Person	$37,000	$612	$313	$925
4-Person	$41,100	$673	$355	$1,028
5-Person	$44,400	$702	$408	$1,110
Very Low-Income (50% of HAMI)				
1-Person	$47,950	$987	$212	$1,199
2-Person	$54,800	$1,122	$248	$1,370
3-Person	$61,650	$1,228	$313	$1,541
4-Person	$68,500	$1,358	$355	$1,713
5-Person	$74,000	$1,442	$408	$1,850
Low-Income (80% HAMI)				
1-Person	$76,750	$1,707	$212	$1,919
2-Person	$87,700	$1,945	$248	$2,193
3-Person	$98,650	$2,153	$313	$2,466
4-Person	$109,600	$2,385	$355	$2,740
5-Person	$118,400	$2,552	$408	$2,960
Moderate-Income (120% HAMI)				
1-Person	$105,500	$2,426	$212	$2,638
2-Person	$120,550	$2,766	$248	$3,014
3-Person	$135,650	$3,078	$313	$3,391
4-Person	$150,700	$3,413	$355	$3,768
5-Person	$162,750	$3,661	$408	$4,069

Assumptions: 2021 HCD income limits for Oakland-Fremont, CA HUD Metro FMR Area; and 30% gross household income as affordable housing cost. Utilities based on the Alameda County Housing Authority Utility Allowance Schedule (2022).

1. Utilities include heating, cooking, water heating, electric, air conditioning, water, sewer, trash collection, microwave, and refrigerator. All utilities are assuming natural gas.

Source: Alameda County Housing Authority Utility Allowance Schedule; California Department of Housing and Community Development, 2021 Income Limits and Kimley Horn and Associates.

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APPENDIX C:

HOUSING CONSTRAINTS, RESOURCES, AND AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH)

A. Housing Constraints

There are multiple potential factors that may affect the provision of adequate housing or access to opportunities for current and future residents in Dublin. These factors may include non-governmental, governmental, infrastructure, and environmental constraints, such as:

- Non-Governmental Constraints:
  - Land costs
  - Constructions costs
  - Availability of financing
- Governmental Constraints:
  - Land use controls
  - Development standards
  - Permitting processes and fees
  - Local ordinances
- Infrastructure Constraints:
  - Dry utilities
  - Water supply
  - Fire and emergency services
  - Police Services
- Environmental Constraints:
  - Geologic hazards
  - Flood hazards
  - Fire hazards

Combined, these factors may create barriers for current and future residents to access adequate and affordable housing options, especially for lower- and moderate-income households.

1. Non-governmental Constraints

Non-governmental constraints largely affect the cost of housing in Dublin and can produce barriers to housing production and affordability. These constraints may include real wages, land cost and availability, housing demand, financing and lending, construction costs, and labor availability, which can make it financially challenging to build any housing, especially affordable housing. The following highlights the primary market factors that affect housing production in Dublin.

Land Costs and Construction Costs

Construction costs vary widely according to the type of development, with multi-family housing generally less expensive to construct than single-family residences. However, there is wide variation within each construction type, depending on the size of the unit and the number and quality of amenities provided. A key indicator of construction costs is Building Valuation Data compiled by the International Code Council (ICC). The ICC updates the estimated cost of construction at six-month intervals and provides estimates for the average cost of labor and materials for typical Type VA protected wood-frame construction. Estimates are based on "good-quality" construction, providing materials and fixtures well above state and

local building code requirements. In February 2021, the ICC estimated that the average cost for good-quality housing was $125.18 per square foot for multi-family residences, $138.79 per square foot for single-family residences, and $156.95 per square foot for residential care/assisted living facilities, which are expected to be higher due to inflation. Construction costs for custom homes and units with extra amenities run even higher. Construction costs are also dependent upon materials used and building height, as well as regulations set by the Building Code. Although construction costs are a significant portion of the overall development cost, they are consistent throughout the region and, especially when considering land costs, are not considered a major constraint to housing production in Dublin.

Land costs may also create a constraint to the development of affordable housing. Land costs may vary depending on whether the site is vacant or has an existing use that must be removed. Similarly, site constraints such as environmental issues (e.g., steep slopes, soil stability, seismic hazards, and flooding) can be a factor in land cost. A Zillow search for vacant lots sold between 2019 and 2022 returned seven lots between 0.05 acres at $1,180,000 to 7.58 acres at $1,430,000. **Table C-1** shows the average cost of vacant land in Dublin and nearby jurisdictions. The data shows that the City's average cost of vacant land is similar to San Ramon. Notably, lots sold in neighboring communities were located in rural regions, while the City's vacant land is located in developed neighborhoods. The cost of land does not create a constraint to the development of housing in Dublin.

Table C-1: Vacant Land Cost – Zillow

Jurisdiction	Average Lot Size (Acres)	Average Cost Per Square-Foot
Dublin	2.5	$256
Pleasanton	2.9	$702
San Ramon	27.2	$233
Livermore	30	$24

Source: Zillow.com, accessed February 10, 2022.

Availability of Financing

The availability of financing in a community depends on multiple factors, including the type of lending institutions active in a community, lending practices, algorithms, rates, and fees charged, laws and regulations governing financial institutions, and equal access to such loans. Additionally, availability of financing affects a person's ability to purchase or improve a home. Under the Home Mortgage Disclosure Act (HMDA), lending institutions are required to disclose information on the disposition of loan applications and the income, gender, and race of loan applicants. The primary concern in a review of lending activity is to determine whether home financing is available to all residents of a community, regardless of income, sex, race, or ethnicity. The data presented in this section include the disposition of loan applications submitted to financial institutions for home purchase, home improvement, and refinancing in the San Jose-San Francisco-Oakland Metropolitan Statistical Area/Metropolitan Division (MSA/MD).

Table C-2 displays the disposition of loan applications for the San Jose-San Francisco-Oakland MSA/MD, per the 2016 Home Mortgage Disclosure Act Report. Applicants with at least a 120 percent MSA/MD median income had the highest rates of loan approval. Of that income category, applicants who identify

as White had the highest percentage of approval and number of applications. Applicants with less than 50 percent of the MSA/MD median income had the highest percentage of denied loans than the other income categories. Applicants who identify as White were more likely to be approved for a loan than other races or ethnicities. Applicants who identify as American Indian and Alaska Native were the most likely to be denied for a loan than another race or ethnicity. Given the generally high loan approval rates, home financing is typically available and not considered to be a constraint in Dublin.

Table C-2: Disposition of Loan Applications by Race/Ethnicity – San Jose-San Francisco-Oakland MSA/MD

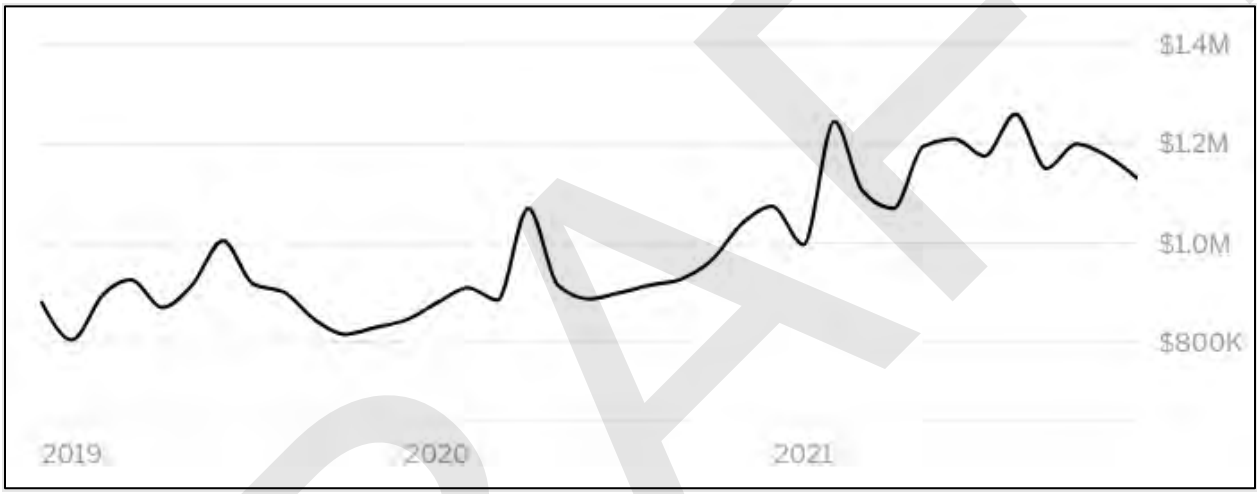
Applications by Race/Ethnicity	Percent Approved	Percent Denied	Percent Other*	Total Applications
LESS THAN 50% OF MSA/MD MEDIAN				
American Indian and Alaska Native	34.7%	36.4%	28.9%	121
Asian	43.2%	31.0%	25.8%	3,320
Black or African American	41.5%	28.9%	29.6%	1,260
Native Hawaiian or Other Pacific Islander	40.2%	30.7%	29.1%	127
White	48.3%	25.3%	26.5%	7,678
Hispanic or Latino	41.5%	30.7%	27.8%	2,509
50-79% OF MSA/MD MEDIAN				
American Indian and Alaska Native	51.1%	19.6%	29.3%	184
Asian	63.6%	14.7%	21.6%	7,727
Black or African American	56.1%	17.9%	25.9%	2,515
Native Hawaiian or Other Pacific Islander	54.8%	18.4%	26.9%	294
White	65.8%	12.0%	22.2%	16,372
Hispanic or Latino	59.7%	15.4%	24.8%	5,994
80-99% OF MSA/MD MEDIAN				
American Indian and Alaska Native	63.5%	21.6%	14.9%	74
Asian	67.4%	11.0%	21.6%	3,236
Black or African American	59.6%	14.3%	26.1%	819
Native Hawaiian or Other Pacific Islander	56.0%	15.6%	28.4%	109
White	68.4%	9.4%	22.2%	6,573
Hispanic or Latino	63.4%	12.0%	24.6%	1,933
100-119% OF MSA/MD MEDIAN				
American Indian and Alaska Native	58.4%	17.3%	24.3%	173
Asian	69.8%	9.1%	21.1%	11,974
Black or African American	60.7%	14.2%	25.1%	2,258
Native Hawaiian or Other Pacific Islander	66.3%	10.8%	22.9%	297
White	72.4%	7.7%	20.0%	18,195
Hispanic or Latino	65.5%	11.7%	22.8%	4,327
120% OR MORE OF MSA/MD MEDIAN				
American Indian and Alaska Native	62.7%	11.5%	25.8%	330
Asian	68.4%	7.8%	23.8%	50,498
Black or African American	60.5%	12.9%	26.6%	3,508
Native Hawaiian or Other Pacific Islander	64.2%	11.8%	24.0%	483
White	71.2%	7.3%	21.6%	50,678
Hispanic or Latino	64.6%	10.2%	25.2%	5,862

** Percent Other includes applications approved but not originated, applications withdrawn, and files closed for incompleteness.*
Source: Consumer Financial Protection Bureau, Disposition of loan applications, by Ethnicity/Race of applicant, 2020.

Economic Constraints

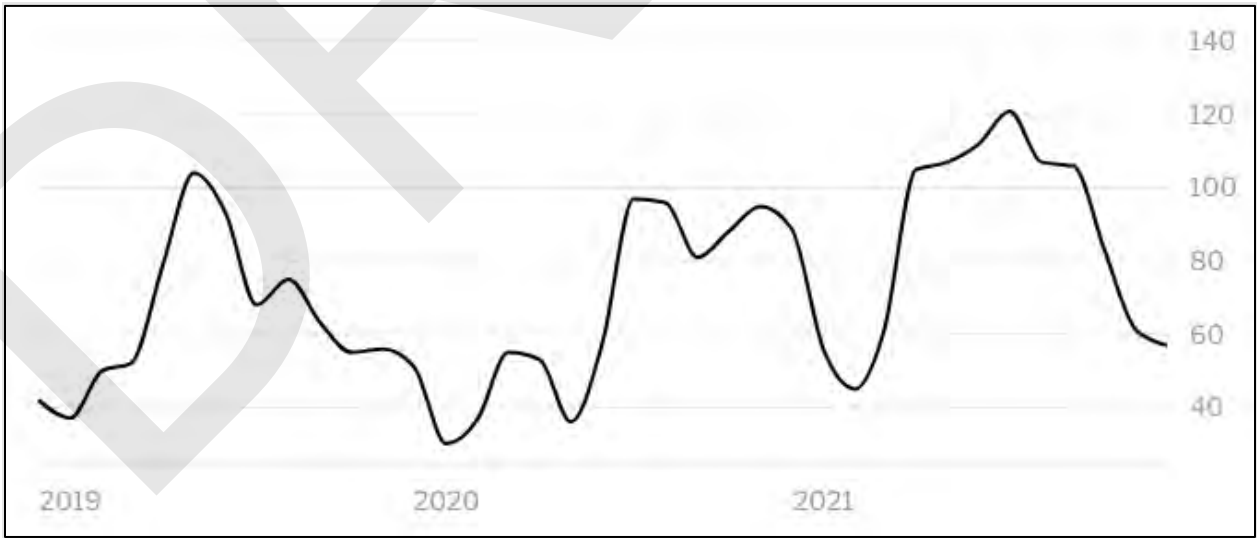
Market forces on the economy and the trickle-down effects on the construction industry can act as a barrier to housing construction and especially to affordable housing construction. It is estimated that housing price growth will continue in the City and the region for the foreseeable future. Moving into 2020, California was seeing a 1.6 percent growth in jobs from 2019 and experiencing an all-time low in unemployment rates. The COVID-19 pandemic had stalled much of the economy in early 2020. However, as **Figure C-1** below shows, the Dublin housing market experienced an overall sustained growth with a 5.2 percent year-over-year growth since 2019. According to Redfin's Housing Market Insights, homes spent a median seven days on the market. A total of 57 homes were sold in December 2021, which represents a 36 percent decrease year-over-year as shown in **Figure C-2**.

Figure C-1: Dublin Housing Market Trends – Median Sale Price (2019-2021)



Source: Redfin – Dublin Housing Market Insights (Accessed: February 2022)

Figure C-2: Dublin Housing Market Trends – Number of Homes Sold (2019-2021)



Source: Redfin – Dublin Housing Market Insights (Accessed: February 2022)

A December 2021 California Association of Realtors (CAR) report found that the average cost of single-family residences in Alameda County was $1,200,000, which experienced a 13.2 percent year-to-year increase from 2020. Comparably, the State-wide average cost for a Single-family residence was $796,570.

According to a CAR First-Time Buyer Housing Affordability Index Report for the fourth quarter of 2021, the median price for a single-family residence, purchased by first-time homebuyers, was $1,075,250 with monthly payments of $5,080 (including taxes and insurance). This required a minimum qualifying income of $152,400. In comparison, the State-wide median cost for a single-family residence, purchased by first-time homebuyers, was $677,850 with monthly payments of $3,200 and a minimum qualifying income of $96,000.

In conclusion, Dublin households must earn a higher income to be able to participate in the current housing market. Given this is not a phenomenon unique to Dublin and jurisdictions State-wide are experiencing high market costs, this is not considered a constraint. However, policies and programs are included in the Housing Plan to provide households with assistance in entering the market.

2. Governmental Constraints

Land Use Controls

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. The Land Use Element of the General Plan establishes permitted land uses and development density throughout the City. These land uses provide a wide variety of housing types while also ensuring compatibility between neighboring uses. **Table C-3** lists the land uses that permit residential development and their density ranges.

Table C-3: Residential Land Uses and Density Ranges

General Plan Land Uses	Dwelling Units/Acre
Rural Residential / Agriculture	0.01
Estate Residential	0.01-0.8
Low-Density Single Family Residential	0.5-3.8
Single Family Residential	0.9-6.0
Medium –Density Residential	6.1-14.0
Medium/High-Density Residential	14.1-25.0
Medium/High-Density Residential and Retail Office	14.1-25.0
General Commercial/DC Medium-High Density Residential	14.1-25.0
General Commercial/DC High Density Residential	20.1-60.0
High-Density Residential	25.1+
Mixed Use	6.1-25.0
Downtown Dublin Specific Plan	6.1-25.1+
Campus Office	Not specified
General Commercial	Not specified
Neighborhood Commercial	Not specified
Public/Semi-Public	Not specified

Source: Dublin General Plan, Chapter 2: Land Use Element.

Variety of Housing Types Permitted

Cities are required by California Housing Law to make sites available through zoning for the development of a variety of housing types for all socioeconomic levels of the populations. Housing types include single-family residences, multi-family housing, accessory dwelling units, factory-built homes, mobile homes, employee and agricultural workforce housing, transitional and supportive housing, single-room occupancy (SRO) units, and housing for persons with disabilities. **Table C-4** provides the housing types permitted through the Dublin Municipal Code in the following zoning districts:

- **A – Agricultural District**: The purpose and intent of the Agricultural Zoning District is to establish regulations which preserve and protect agricultural lands that are being used for the commercial production of agricultural commodities consistent with the General Plan and applicable Specific Plans and appropriate standards of public health, safety, welfare, and aesthetics, as well as encourage compatibility of all Agriculture use types with the surrounding neighborhood.
- **R-1 – Single-Family Residential District**: The R-1 zoning district is intended to provide for and protect neighborhoods that include detached, single-family homes and residential use types compatible with a quiet, family-living environment. The R-1 zoning district is consistent with the Low-Density Single-Family Residential, Single Family-Residential, and Medium Density Residential designations of the General Plan depending on the Lot Square Footage Per Dwelling Unit selected for the development.
- **R-2 – Two Family Residential District**: The R-2 zoning district is intended to provide for and protect neighborhoods that include single-family dwellings, two family dwellings that have development characteristics similar to single-family neighborhoods, duplexes, and residential use types compatible with a quiet, family-living environment. The R-2 zoning district is consistent with the Medium Density Residential and Medium-High Density Residential designations of the General Plan depending on the Lot Square Footage Per Dwelling Unit selected for the development.
- **R-M – Multi-Family Residential**: The R-M zoning district is intended to provide for and protect neighborhoods that include single-family residences, two family residences, and multi-family residences that are clustered to provide generous open space areas for common use, and that are generally close to transit, shopping, and public facilities. The R-M zoning district is consistent with the Medium Density Residential, Medium-High Density Residential, and High-Density Residential designations of the General Plan depending on the Lot Square Footage Per Dwelling Unit selected for the development.
- **C-1 – Retail Commercial District**: The C-1 zoning district is intended to provide for the continued use, expansion, and new development of retail commercial use types along major transportation corridors and intersections, and to ensure compatibility with adjacent residential and commercial uses. The C-1 zoning district is consistent with the Retail/Office and General Commercial designations of the General Plan.
- **C-2 – General Commercial District**: The C-2 zoning district is intended to provide for the continued use, expansion, and new development of general commercial use types along major transportation corridors and intersections, and to ensure compatibility with adjacent residential

and commercial uses. The C-2 zoning district is consistent with the Retail/Office, Retail/Office and Automotive, and General Commercial designations of the General Plan.

- **M-P – Industrial Park District**: The M-P zoning district is intended to provide for the continued use, expansion, and new development of industrial park use types in proximity to major transportation corridors, and to ensure compatibility with adjacent residential and commercial uses. The M-P zoning district is consistent with the Business Park/Industrial, Industrial Park, and Industrial/Campus Office designations of the General Plan.
- **M-1 – Light Industrial District**: The M-1 zoning district is intended to provide for the continued use, expansion, and new development of light industrial use types in proximity to major transportation corridors, and to ensure compatibility with adjacent residential and commercial uses. The M-1 zoning district is consistent with the Business Park/Industrial, Business Park/Industrial and Outdoor Storage and Industrial Park designations of the General Plan.
- **M-2 – Heavy Industrial District**: The M-2 zoning district is intended to provide for the continued use, expansion, and new development of heavy industrial use types in proximity to major transportation corridors, and to ensure compatibility with adjacent residential and commercial uses. The M-2 zoning district is consistent with the Business Park/Industrial: Outdoor Storage designation of the General Plan.

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Table C-4: Permitted Housing Types by Zoning District											
Residential Uses	**A**	**R-1**	**R-2**	**R-M**	**C-O**	**C-N**	**C-1**	**C-2**	**M-P**	**M-1**	**M-2**
Accessory Dwelling Unit	P	P	P	P	-	-	P	-	-	-	-
Agricultural Housing	C/ZA	-	-	-	-	-	-	-	-	-	-
Animal Keeping – Residential	P	P	P	P	-	-	-	-	-	-	-
Boarding House	-	C/ZA	C/ZA	C/ZA	-	-	-	-	-	-	-
Caretaker Residence	C/ZA	-	-	-	-	-	C/PC	C/PC	C/PC	C/PC	C/PC
Community Care Facility (Small)	P	P	P	P	-	-	-	-	-	-	-
Community Care Facility (Large)	-	C/PC	C/PC	C/PC	-	-	C/PC	C/PC	C/PC	C/PC	-
Cottage Food Operations	ZC/MUP	ZC/MUP	ZC/MUP	ZC/MUP	-	-	-	-	-	-	-
Duplex	-	-	P	P	-	-	-	-	-	-	-
Emergency Shelter	-	-	-	-	-	-	-	-	-	P	-
Farm Mobile Home	C/ZA	-	-	-	-	-	-	-	-	-	-
Junior Accessory Dwelling Unit	P	P	P	P	-	-	-	-	-	-	-
Mobile Home	P	P	P	-	-	-	-	-	-	-	-
Mobile Home/Manufactured Home Park	-	C/PC	C/PC	-	-	-	-	-	-	-	-
Multi-Family Residence	-	-	P	P	-	-	-	-	-	-	-
Residential Use Secondary to Commercial Use	-	C/PC	-	-	-	-	C/PC	-	-	-	-
Residential Conversion of Garage to Living Space	-	P	-	-	-	-	-	-	-	-	-
Single Family Residence	P	P	P	P	-	-	-	-	-	-	-

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Table C-4: Permitted Housing Types by Zoning District											
Residential Uses	**A**	**R-1**	**R-2**	**R-M**	**C-O**	**C-N**	**C-1**	**C-2**	**M-P**	**M-1**	**M-2**
Single Room Occupancy Units	-	-	-	-	-	-	-	C/PC	-	-	-
Supportive Housing (Small)	P	P	P	P	-	-	-	-	-	-	-
Supportive Housing (Large)	-	C/PC	C/PC	C/PC	-	-	C/PC	C/PC	C/PC	C/PC	-
Temporary Mobile Home/Manufactured Home	TUP	TUP	TUP	-	-	-	-	-	-	-	-
Tract and Sales Offices/Model Home Complex	-	TUP	TUP	TUP	-	-	-	-	-	-	-
Transitional Housing (Small)	P	P	P	P	-	-	-	-	-	-	-
Transitional Housing (Large)	-	C/PC	C/PC	C/PC	-	-	C/PC	C/PC	C/PC	C/PC	-
Low Barrier Navigation Centers	-	-	-	-	-	-	-	-	-	-	-

Notes:
P – Permitted
(-) – Not Permitted
ZC – Zoning Clearance
MUP – Minor Use Permit
C/ZA – Conditional Use Permit/Zoning Administrator
C/PC – Conditional Use Permit/Planning Commission
Temporary Use Permit – TUP
Source: Dublin Municipal Code Section 8.12.050

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SINGLE-FAMILY RESIDENCE

The term Single-Family Residence is defined by the Dublin Municipal Code as a building designed for and/or occupied exclusively by a single housekeeping unit. This includes factory-built housing, modular housing, manufactured housing, mobile homes, and the rental of bedrooms within a single-family dwelling to no more than four boarders. A residence with more than four boarders where residents do not live as a single housekeeping unit constitutes a boarding house.

A Single Housekeeping Unit refers to a residence with two or more members, whose members are a non-transient interactive group of persons jointly occupying a single dwelling unit, including but not limited to the joint use of common areas and sharing household activities and responsibilities such as meals, chores, and expenses.

Single-Family Residences are permitted in all residential zoning districts.

MULTI-FAMILY RESIDENCE

The term Multi-family Residence is defined as a building or a portion of a building used and/or designed as residences for two or more families living independently of each other. A Multi-Family Residence includes:

- Half-plex structures (a half-plex is a single residential unit that is half of a two-unit building where a property line separates the two units)
- Duplexes, triplexes, and fourplexes (detached buildings under one ownership with two, three, or four residential units (respectively) in the same building)
- Apartments (five or more units under one ownership in a single building)
- Attached unit projects such as condominiums and townhouses
- Boarding House

This use type may include other residential use types determined by the Director of Community Development to be substantially similar to the use types listed above. Multi-Family Residences are permitted in the R-2 and R-M zoning districts.

ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

The term Accessory Dwelling Unit (ADU) is defined as a residential unit that provides independent living facilities for one or more persons and includes separate kitchen, sleeping, and bathroom facilities. An ADU may be a part of, attached to, or detached from a single-family, two-family, or multi-family residence and is subordinate to the principal residence. An ADU also includes an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

The term Junior Accessory Dwelling Unit (JADU) is defined as a unit that is no more than 500 square feet in size that is contained entirely within the walls of a single-family residence, including attached garages, and that has a separate entrance. At a minimum, a JADU must include an efficiency kitchen with a food preparation counter, cooking facility with appliances and storage cabinets, and may include separate sanitation facilities or may share sanitation facilities within the existing single-family residence.

ADUs are permitted in all residential zoning districts and in the C-1 zoning district. JADUs are permitted in all residential zoning districts. As of February 2022, ADU and JADU zoning and development requirements are compliant with current State mandates.

MOBILE HOME/ MANUFACTURED HOME

The term Mobile Home is defined as a vehicle designed and equipped for human habitation, and for being drawn behind a vehicle. Such mobile home must either be constructed after September 15, 1971, and issued an insignia of approval by the California Department of Housing and Community Development and permanently located on a permanent foundation system, or be constructed after July 15, 1976, and issued an insignia of approval by the U.S. Department of Housing and Urban Development and permanently located on a permanent foundation system, or other type of housing determined to be substantially similar by the Director of Community Development.

A Mobile Home Park or Manufactured Home Park is also defined as a development or subdivision of an existing parcel, or contiguous parcels, of land for the purpose of separate sale, lease, or financing to allow the installation of mobile homes or manufactured homes.

Mobile Home and Manufactures Homes are permitted in the A, R-1, and R-2 zoning districts. Mobile Home Parks and Manufactured Home Parks are permitted in the R-1 and R-2 zoning districts with approval of a Conditional Use Permit by the Planning Commission. There are currently no Mobile Home Parks located within Dublin.

FARM MOBILE HOME

The term Farm Mobile Home is defined as a mobile home which is used for the housing of a full-time employee (and family) of the farm on which it is located where that farm has a minimum size of 50 acres and where it can be demonstrated that security cannot be obtained by existing single-family dwelling occupancy.

Farm Mobile Homes are permitted in the Agricultural zoning district with approval of a Conditional Use Permit by the Zoning Administrator.

AGRICULTURAL HOUSING

The term Agricultural Housing is defined as dwellings and/or living quarters for farm laborers, or other types of dwellings determined to be substantially similar by the Director of Community Development. Agricultural Housing may not be in addition to a Caretaker Residence or a Farm Mobile Home.

Agricultural Housing is permitted in the Agricultural zoning district with approval of a Conditional Use Permit by the Zoning Administrator. The California Health and Safety Code Sections 17021.5 and 17021.6 requires farmworker and employee housing to be permitted by-right, without a Conditional Use Permit or other discretionary permit, in single-family residential zoning districts for six or fewer persons and in agricultural zones with no more than 12 units or 36 beds. Program E.6 is included in the **Housing Plan** to ensure the City's zoning and development standards for farmworker/agricultural housing is compliant with State law.

SINGLE ROOM OCCUPANCY (SRO)

The term Single Room Occupancy (SRO) Unit is defined as a building or buildings constructed or converted for residential living consisting of one-room dwelling units, where each unit is occupied by a single individual or two persons living together as a domestic unit, and where the living and sleeping space are combined. A one-room dwelling unit is not required to contain a bathroom or a kitchen; if a bathroom or kitchen is not provided within the unit, common facilities shall be provided on-site for residents. A unit that contains both a bathroom and kitchen shall be considered a studio unit and not an SRO Unit. Common facilities for laundry may or may not be provided on-site.

SRO Units are permitted in the C-2 zoning district with approval of a Conditional Use Permit by the Planning Commission. Program B.12 is included in the **Housing Plan** to consider permitting procedures and technical assistance for potential SRO Unit developers.

COMMUNITY CARE FACILITY – SMALL

The term Community Care Facility/Small is defined as a 24-hour residential facility providing care for six or fewer persons, including:

- The elderly
- Persons in an alcoholism or drug abuse recovery or treatment facility
- Persons in a facility for mentally disordered
- Handicapped persons or dependent and neglected children
- Persons in an intermediate care facility/developmentally disabled-habilitative
- Intermediate care facility/developmentally disabled-nursing
- Congregate living health facilities

A Community Care Facility/Small may be located in any type of residence. A Community Care Facility/Small shall be considered a residential use of property and is permitted in all residential zoning districts and the agricultural zoning district.

COMMUNITY CARE FACILITY – LARGE

The term Community Care Facility/Large is defined as a 24-hour residential facility providing care for seven or more persons, including:

- The elderly
- Persons in an alcoholism or drug abuse recovery or treatment facility
- Persons in a facility for mentally disordered
- Handicapped persons or dependent and neglected children
- Persons in an intermediate care facility/developmentally disabled-habilitative
- Intermediate care facility/developmentally disabled-nursing
- Congregate living health facilities

A Community Care Facility/Large may be located in any type of residence. A Community Care Facility/Large is permitted with approval of a Conditional Use Permit by the Planning Commission in all residential zoning districts and the C-1, C-2, M-P, and M-1 zoning districts.

SUPPORTIVE HOUSING – SMALL

The term Supportive Housing - Small is defined as a dwelling unit occupied by a target population of six or fewer persons, with no limit on the length of stay, that is linked to on-site or off-site services that assist the supportive housing resident(s) in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. A target population means persons with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Welfare and Institutions Code Section 4500) and may include, among other populations, adults, emancipated youth, families, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

Government Code Section 65583(a)(5) requires supportive housing to be permitted in all residential zoning districts under the same restrictions as other residential dwellings of the same type in the same zone. Supportive Housing - Small is permitted in the agricultural zoning district and in all residential zoning districts, in compliance with State law.

SUPPORTIVE HOUSING - LARGE

The term Supportive Housing - Large is defined as a dwelling unit occupied by a target population of seven or more persons, with no limit on length of stay, that is linked to on-site or off-site services that assist the supportive housing resident(s) in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. A target population means persons with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Welfare and Institutions Code Section 4500) and may include, among other populations, adults, emancipated youth, families, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans and homeless people.

Government Code Section 65583(a)(5) requires supportive housing to be permitted in all residential zoning districts under the same restrictions as other residential dwellings of the same type in the same zone. Supportive Housing – Large is currently permitted with approval of a Conditional Use Permit by the Planning Commission in all residential zoning districts and the C-1, C-2, M-P and M-1 zoning districts.

TRANSITIONAL HOUSING – SMALL

The term Transitional Housing - Small is defined as a dwelling unit occupied by six or fewer homeless persons or families, which is operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time which shall be no less than six months.

Government Code Section 65583(a)(5) requires Transitional Housing to be permitted in all residential zoning districts under the same restrictions as other residential dwellings of the same type in the same

zone. Transitional Housing - Small is permitted in the agricultural zoning district and in all residential zoning districts, in compliance with State law.

TRANSITIONAL HOUSING – LARGE

The term Transitional Housing - Large is defined as a dwelling unit occupied by seven or more homeless persons or families, which is operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time which shall be no less than six months.

Government Code Section 65583(a)(5) requires Transitional Housing to be permitted in all residential zoning districts under the same restrictions as other residential dwellings of the same type in the same zone. Transitional Housing - Large is currently permitted with approval of a Conditional Use Permit by the Planning Commission in all residential zoning districts and the C-1, C-2, M-P and M-1 zoning districts.

EMERGENCY SHELTER

The term Emergency Shelter is defined as a facility that provides temporary, short-term housing, with minimal supportive services, for homeless individuals or families, provided that no facility shall be used as temporary, short-term housing by any individual or family for more than 30 consecutive days.

Per Assembly Bill 139 (AB 139), emergency shelters must be permitted in at least one zoning district without approval of any discretionary permits. Emergency Shelters are permitted in the M-1 zoning districts, in compliance with State law.

There are approximately 28 parcels within the M-1 zoning district, covering a total of 96.6 acres. The parcels range from 0.1 to 20.9 acres and the average parcel size is 2.5 acres. Of these parcels, four are currently vacant and cumulatively total five acres. All M-1 zoning districts are reflected in **Figure C-3**.

Figure C-4 shows the location of hazardous waste generators and hazardous waste percentile for the region surrounding the M-1 zoning district. According to CalEnviroScreen 4.0, this indicator is calculated by considering the number of permitted Treatment, Storage and Disposal Facilities (TSDFs), generators of hazardous waste or chrome plating facilities, the weight of each generator or site, and the distance to the census tract. The figure shows two hazardous waste generators located in the M-1 zoning district. As of February 2022, these generators include Valent Dublin Laboratories (which manufactures herbicides, insecticides, fungicides, plant growth regulators, and other product types for crop production and pest management) and Hexel Research and Development (a research laboratory).

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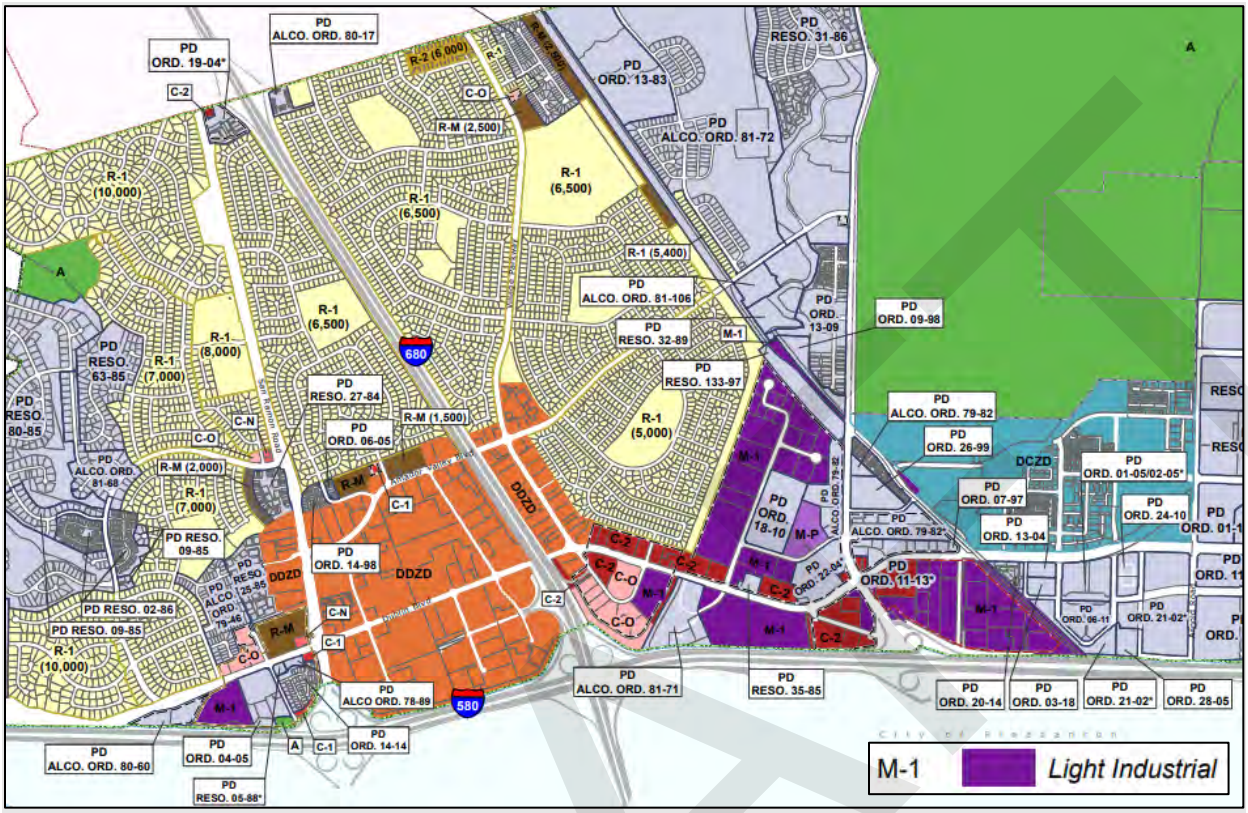
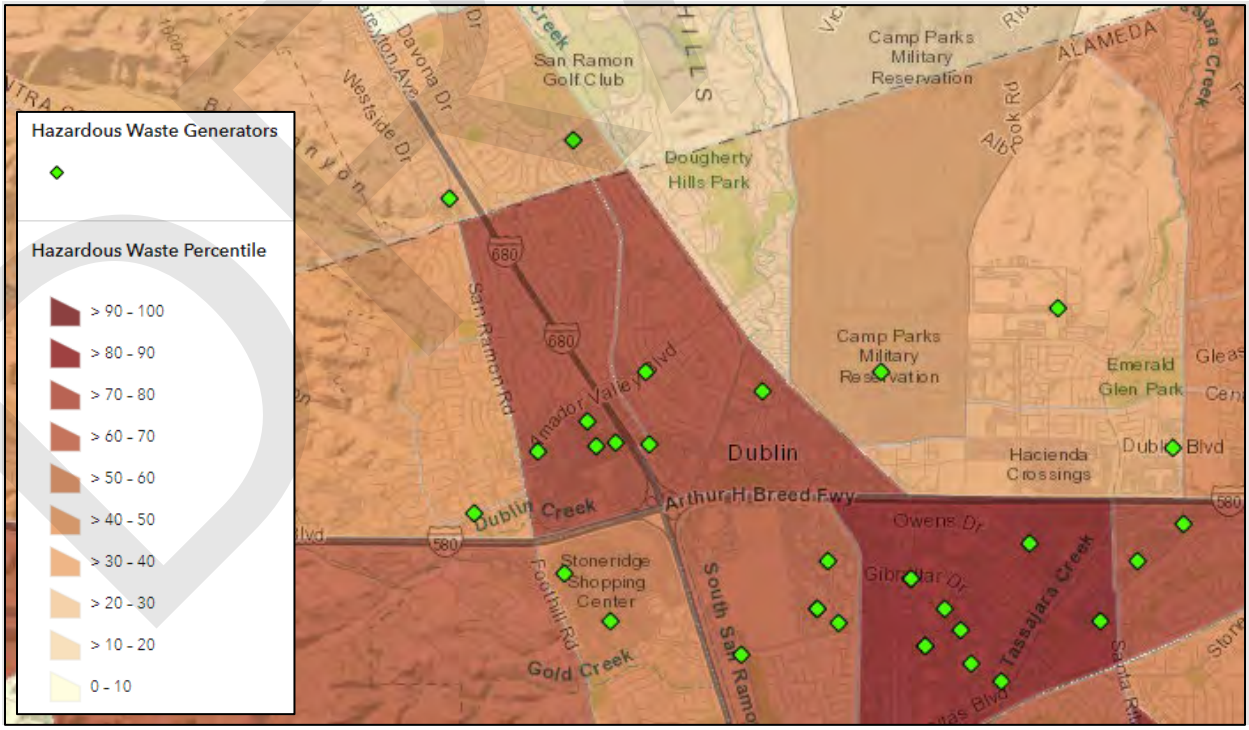
Figure C-3: Dublin Zoning Map – Light Industrial (M-1) Zoning District



Source: City of Dublin Zoning Map

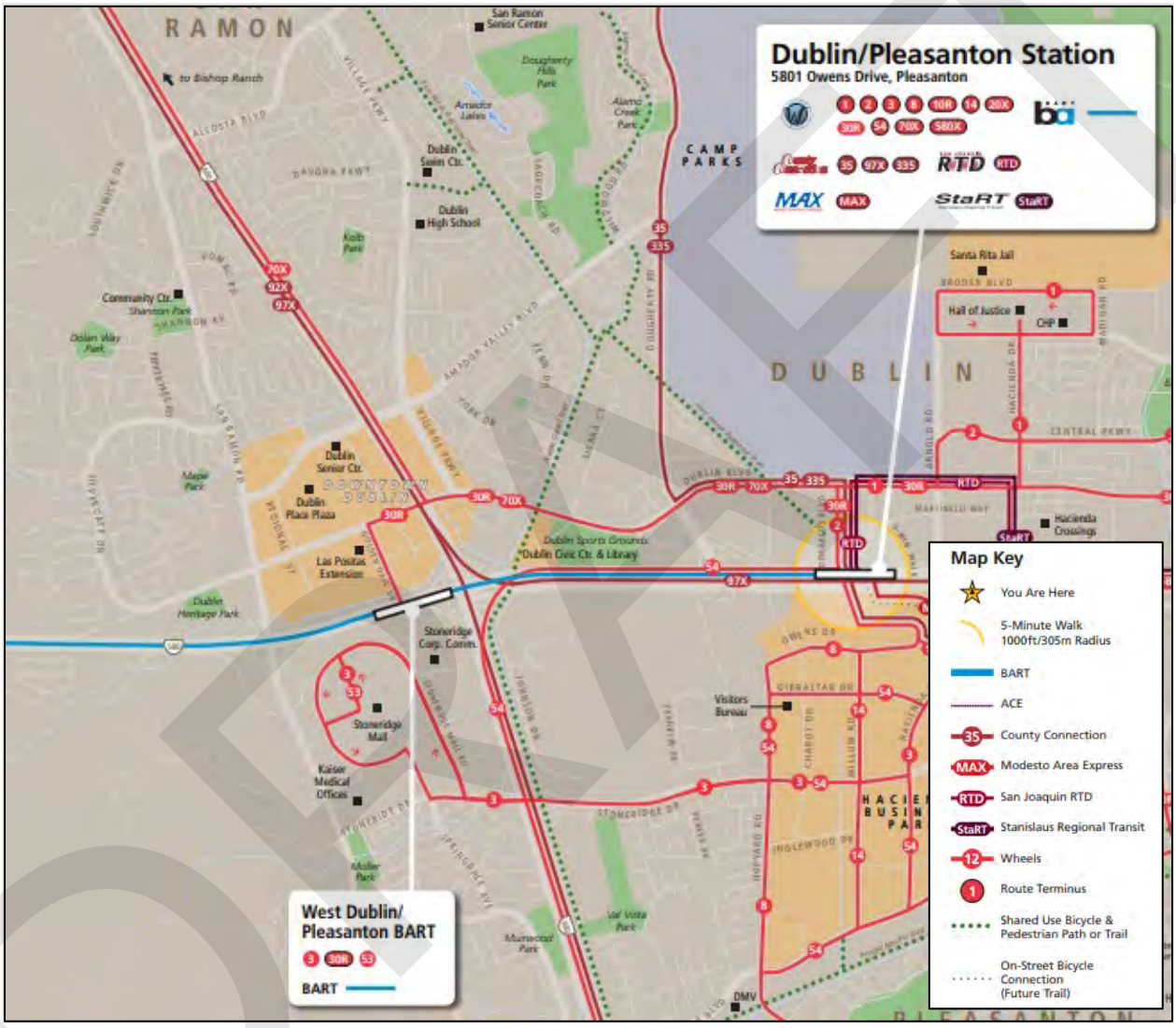
Figure C-4: CalEnviroScreen 4.0 – Hazardous Waste



Source: CalEnviroScreen 4.0

Additionally, the M-1 zoning district is located near existing commercial and retail resources, as well as existing public transportation routes. **Figure C-5** shows the two Bay Area Rapid Transit (BART) stations located near the M-1 zoning district and the transit routes and stops running through the area. As the figure shows, the M-1 zoning district and potential emergency shelter occupants are located within a short distance to public transportation with destinations throughout the City and the Bay Area region.

Figure C-5: Transit Routes – Dublin/Pleasanton BART Stations



Source: 511 Free Bay Area Transit Information – Transit Routes

LOW-BARRIER NAVGIATION CENTERS

AB 101 states that "The Legislature finds and declares that Low Barrier Navigation Center developments are essential tools for alleviating the homelessness crisis in this state and are a matter of statewide concern." California Government Code Section 65660 identifies Low Barrier Navigation Centers as a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. Low-Barrier Navigation

Centers are required as a use by right in areas zoned for mixed uses and non-residential zones permitting multifamily uses if it meets specified requirements. The Dublin Municipal Code does not currently identify, nor zone for, Low-Barrier Navigation Center. As such, Program B.12 is included in the **Housing Plan** to ensure compliance with State law.

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Residential Development Standards

The City establishes development standards through the Zoning Ordinance to regulate development of the uses listed above. The development standards include minimum lot size and width, minimum setbacks, and maximum lot coverage, height limits and density. **Table C-5** below provides the Dublin Municipal Code standards established for each zoning district which permits residential developments. The City also utilizes Planned Development Zoning, as further discussed below, which provides significant flexibility regarding development standards.

Table C-5: Development Standards for Residential Developments

Zoning District	Minimum Lot Area					Minimum Setbacks (Feet)				Maximum Construction Standards		
	Lot Size		Lot Width		Lot Depth (Feet)	Front	Side	Street Side	Rear	Lot Coverage	Height Limit (Feet)	Units Per Lot
	Interior Lot	Corner Lot	Interior Lot	Corner Lot								
A	100 acres	100 acres	300 ft.	300 ft.	N/A	50	30	50	50	N/A	25/35[4]	1
R-1	4,000 sq. ft.	5,000 sq. ft.	50 ft.	60 ft.	100	18[1]	5[2]	10	20	1 story: 40% 2 story: 35%	25/35[4]	1
R-2	8,000 sq. ft.	9,000 sq. ft.	80 ft.	90 ft.	100	18[1]	10	10	20	1 story: 40% 2 story: 35%	25/35[4]	2
R-M	5,000 sq. ft.	6,000 sq. ft.	50 ft.	60 ft.	100	20	10[3]	10	30	1 story: 40% 2 story: 35%	25/35[4]	1/750 sq. ft.
C-O	10,000 sq. ft.	11,000 sq. ft.	70 ft.	80 ft.	100	20	10	10	10	N/A	35	N/A
C-N	5,000 sq. ft.	6,000 sq. ft	50 ft.	60 ft.	100	20	0[5]	10	0[6]	N/A	35	N/A
C-1	5,000 sq. ft.	6,000 sq. ft	50 ft.	60 ft.	100	0[7]	0[5]	0[8]	0[6]	N/A	45[9]	N/A
C-2	6,000 sq. ft.	7,000 sq. ft	50 ft.	60 ft.	100	0[7]	0[5]	0[8]	0[6]	N/A	45[9]	N/A
M-P	40,000 sq. ft.	40,000 sq. ft	150 ft.	150 ft.	100	50	20	20	40	N/A	35	N/A
M-1	20,000 sq. ft.	20,000 sq. ft	100 ft.	100 ft.	100	10	10	10	20	N/A	45	N/A
M-2	5,000 sq. ft.	6,000 sq. ft	150 ft.	150 ft.	100	10	10	10	10	N/A	45	N/A

Notes:

1. Minimum setback
2. Side Yard setbacks in the R-1 zoning district shall be a minimum of five feet plus one foot for each full 10 feet by lot width exceeds minimum lot width up to a maximum of 10 feet.
3. Buildings with four or more residences in the R-M zoning district shall have a 15-foot Side Yard on one side.
4. West of Dougherty Road 25 feet and two stories; may be increased to 35 feet and two stories pursuant to a Site Development Review approval by the Zoning Administrator. East of Dougherty Road; 35 feet and two stories.
5. 0 feet except, if abutting an R zoning district, the same as the Side Yard Setbacks of that district.
6. 0 feet except, 15 feet if a C-1 or C-2 zoning district backs up on an R zoning district
7. 0 feet except, if abutting an R zoning district or C-O or C-N zoning district, the same as the Front Yard Setback of that zoning district.
8. 0 feet except, if the Street Side Yard of a corner lot in a C-1 or C-2 zoning district abuts a Key Lot in any R, C-O or C-N zoning district, not less than half of the Front Yard setback required for the Key Lot.
9. 45 feet, except 35 feet if the principal structure in a C-1 or C-2 zoning district is within 50 feet of an R zoning district.

Source: Dublin Municipal Code Section 8.36.020.

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YARD REQUIREMENTS

The term Yard is defined by the Dublin Municipal Code as open space on a lot, other than a court, unobstructed and unoccupied from the ground upward. A Yard refers to the area between the lot line and the structural setback line. The term Setback is defined as the required distance that a building, structure, or other designated item must be located from a lot line. Yard and setback requirements are established to allow for light and air, circulation, emergency access, and aesthetic improvements. Dublin's yard requirements are not considered a constraint

LOT COVERAGE

The term Lot Coverage is defined as the maximum lot area which may be covered with buildings and structures. Buildings and structures include all land covered by Principal Buildings, garages and carports, Accessory Structures, covered decks and gazebos, and other enclosed and covered areas; but not standard roof overhangs, cornices, eaves, uncovered decks, swimming pools, paved areas such as walkways, driveways, patios, uncovered parking areas or roads. All areas of coverage are computed in terms of net lot area at ground level. Dublin's lot coverage standards are not considered a constraint.

OPEN SPACE

The Dublin Municipal Code defines "Common Useable Open Space" as minimum useable open space within the area of a Building Site designed and reserved for outdoor living, recreation, pedestrian access, and landscaping. The calculation of Common Useable Open Space is made by deducting from the total area of the building site:

- Maximum Lot Coverage.
- Paved parking areas, driveways, and maneuvering areas.
- Areas having a slope in excess of 20 percent.
- Any open space less than 10 feet in its smallest dimension.

Dublin's open space requirements are not considered a constraint.

MAXIMUM BUILDING HEIGHT

The term Height is defined as the height limits for buildings and structures and is measured as the vertical distance from the highest point of the structure to the average of the highest and lowest points where the exterior walls touch the natural grade. Dublin's building height standards are not considered a constraint.

PARKING STANDARDS

The City establishes off-street parking regulations to ensure adequate parking availability, prevent interference with circulation and create a safe environment, and to protect surrounding uses from adverse noise and visual impacts. **Table C-6** provides the number of parking spaces required for residential uses throughout the City. In comparison, **Table C-7** provides the off-street parking requirements for neighboring communities. The City has greater parking requirements for new single-family residences; however, multi-family residences generally have the lowest parking requirements compared to nearby cities. The City's parking requirements are more nuanced than neighboring communities and require

differing parking requirements for rental multi-family residences and for-sale multi-family residences. In general, Dublin's parking standards are not considered a constraint.

Table C-6: Residential Off-Street Parking Requirements		
Residential Use Types		**Number of Parking Spaces Required**
Accessory Dwelling Unit		See DMC Section 8.80.030 of the Zoning Ordinance
Agricultural Housing		2 per dwelling
Boarding House		2 per dwelling, plus .5 per sleeping room
Caretaker Residence		2 per dwelling
Community Care Facility/Small		2 per dwelling
Cottage Food Operations		Provide the number of spaces required for the type of residential dwelling plus 1 space for an employee not residing in the home (if applicable) plus 1 space for a company vehicle (if applicable). A company vehicle that also serves as the day-to-day personal vehicle of the individual conducting the cottage food operation shall not require an additional parking space.
Emergency Shelter		1 parking space for every 20 beds plus 1 parking space for each employee on the largest shift plus 1 parking space for each company vehicle.
Farm Mobile Home		2 per dwelling
Family Day Care Home/Large (up to 14)		Not regulated
Family Day Care/Small (up to 8)		Not regulated
Junior Accessory Dwelling Unit		See DMC Section 8.80.030 of the Zoning Ordinance
Mobile Home		2 per dwelling
Mobile Home Park		2 per dwelling, plus 1 guest space for every 2 dwellings
Apartments	Studio and 1 Bedroom	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
	2+ Bedrooms	
Condominium	Studio and 1 Bedroom	1 covered or garaged per dwelling plus 1 guest parking space per dwelling which shall be marked as a guest parking space
	2+ Bedrooms	2 covered or garaged per dwelling plus 1 guest parking space per dwelling which shall be marked as a guest parking space
SB 9 Unit Developments		See DMC Section 8.81.060 relating to SB 9 Unit parking.
Senior Citizen Apartments		1 covered or garaged per dwelling plus one guest parking space for every three dwelling units.
Residential Use Secondary to Commercial Use		2 per residence
Single-Family/ Duplex/ Townhouse	Lots 4,000 square feet or less	2 in enclosed garage per dwelling* plus one on-street parking space per dwelling unit within 150 feet of that dwelling unit.
	Lots greater than 4,000 square feet	2 in enclosed garage per dwelling* plus one parking space per dwelling unit provided in the driveway or on-street within 150 feet of that dwelling unit.
Single Room Occupancy Units		1 per unit plus 1 guest parking space for every 3 units
Supportive Housing - Small		2 per dwelling
Supportive Housing - Large		1 per 3 employees on largest shift, plus 1 per 3 beds
Transitional Housing - Small		2 per dwelling
Transitional Housing - Large		1 per 3 employees on largest shift, plus 1 per 3 beds

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Table C-6: Residential Off-Street Parking Requirements	
Residential Use Types	**Number of Parking Spaces Required**
* Except if two, full-size, unenclosed parking spaces are provided elsewhere on a lot for the purposes of converting a residential garage to living space pursuant to Chapter 8.78 of the Dublin Zoning Ordinance.	
Source: Dublin Municipal Code Section 8.76.080.	

Table C-7: Residential Off-Street Parking Requirements for Nearby Jurisdictions		
Residential Use Types		**Number of Parking Spaces Required**
Pleasanton		
One-family dwelling units*		2 spaces
Condominiums, community apartments and separately owned townhouses		2 spaces per unit
Apartments with two bedrooms or less*		2 spaces per unit for the first 4 units; 1.5 spaces per unit for additional units
Apartments with three or more bedrooms*		2 spaces per unit
Visitor parking		1 space per 7 units
*At least one space per dwelling unit must be located in a garage or carport.		
San Ramon		
Live/work units		2 spaces per unit
Mobile homes		2 spaces per unit, with at least 1 covered 1 space per 4 units for guest parking
Multi-family	Studio/ 1-bedroom	1 covered space per unit
	2- and 3-bedroom	2 spaces per unit, with at least 1 covered
	4-bedroom or more	3 spaces per unit, with at least 1 covered
	Guest parking	1 space per 4 units
Residential care homes	6 or fewer clients	2 covered spaces
	7 or more clients	1 space per 3 beds 1 space per 4 units for guests and employees
Rooming and boarding houses		1 space per bedroom
Single-family dwellings	Up to 4 bedrooms	2 covered spaces within a garage
	5 bedrooms	3 covered spaces within a garage
	6 or more bedrooms	4 covered spaces within a garage
Livermore		
Studio		1 space
1 bedroom		1 space
2 or more bedrooms		2 spaces
Guest spaces (multiple family)		1 space per 4 units
Mobile homes		2 spaces per unit
Source: Pleasanton Municipal Code; San Ramon Municipal Code; City of Livermore Development Code.		

PLANNED DEVELOPMENT ZONING STANDARDS

The City relies heavily on Planned Development Zoning Districts to provide property owners with maximum flexibility to create development standards tailored to different product types and site characteristics. The Planned Development Zoning also helps to create a more desirable use of the land, a more coherent and coordinated development, and a better physical environment than would otherwise be possible. Planned Development Zoning Districts provide maximum flexibility and encourage development within Dublin. The Planned Development Zoning District regulations are outlined in Dublin

Municipal Code Chapter 8.32. Dublin's Planned Development zoning standards are not considered a constraint.

Definition of Family

Under the right of privacy, the California Constitution prohibits a restrictive definition of "Family" which limits the number of unrelated persons and differentiates between related and unrelated individuals living together. The City defines "Family" as one or more persons occupying a dwelling and living as a single, non-profit housekeeping unit, including any servants. This is distinguished from a group occupying a boarding house, community care facility, supportive or transitional housing when configured as group housing, hotel or motel, club, fraternity, or sorority house.

State Density Bonus Law

Dublin Municipal Code Chapter 8.52 establishes density bonus regulations to provide for the development of affordable housing. The State-mandated density bonus provides incentives to developers to produce housing affordable to very low-income households, low-income households, moderate-income households, senior citizens, transitional foster youth, disabled veterans, and persons experiencing homelessness, as well as for the development of childcare facilities.

An applicant proposing a density bonus may submit a Preliminary Application prior to the submittal of a formal application. Once ready, the applicant must submit a complete application with fees and/or a deposit. The application must state what density bonus, incentives, concessions, waiver or modifications of development standards, or favorable parking requirements are being requested from the City and the rationale for the request.

The application must also include a statement describing whether residential development is proposed on any property that:

1. Includes parcel(s) on which rental dwelling units are, or if the dwelling units have been vacated or demolished in the five-year period preceding the application, have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to very low- or low-income households;
2. Has been subject to any other form of rent or price control through a public agency's exercise of its police power; or
3. Has been occupied by very low- or low-income households.

The Community Development Director evaluates the application based on the following criteria:

1. The requested density bonus meets all the requirements of the State Density Bonus Law.
2. The requested incentives and concessions result in identifiable and actual cost reductions to provide for affordable housing costs or rents for the target dwelling units, and whether such incentives and concessions would have a specific adverse impact upon public health and safety, or the physical environment, or on any real property that is listed in the California Register of Historical Resources and/or National Register of Historic Places, and for which there is no feasible

method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households, or violates such other requirements as may be set forth in the State Density Bonus Law for incentives and concessions.

3. The City's development standards physically preclude the construction of the development project at the density and with the concessions and incentives to be provided to the proposed project pursuant to this Chapter, and whether the requested waiver or modifications are necessary to enable the construction of the development project at such density and with such concessions and incentives.
4. The density bonus housing project complies with the General Plan, any applicable specific plans, zoning, and development policies and standards of the City.
5. Any conversion of apartment units to condominiums will result in a reduction in the affordable housing stock for lower-income groups, as of most recent inventory.

AB 2345 states that all jurisdictions in California are required to process projects proposing up to 50 percent additional density provided those projects produce the additional below market rate (BMR) units in the "base" portion of the project, unless the locality already allows a bonus above 35 percent. The bill also lowered the BMR thresholds for concessions and incentives for projects with low-income BMRs. As of 2021, Government Code Section 65915 authorizes an applicant to receive two incentives or concessions for projects that include at least 17 percent of the total units for lower-income households, at least 10 percent of the total units for very low-income households, or at least 20 percent moderate-income households. It also allows an applicant to receive up to three incentives or concessions for projects that include at least 24 percent of the total units for lower-income households, at least 15 percent of the total units for very low-income households, or at least 30 percent for persons or families of moderate-income households. The Dublin Municipal Code refers to the State Density Bonus Law for specificity on the density bonus allowances.

Reasonable Accommodations

Both the Federal Fair Housing Act and the California Fair Employment and Housing Act direct local governments to make reasonable accommodations (modifications or exceptions) to their zoning laws and other land use regulations when such accommodations may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. For example, it may be reasonable to accommodate requests from persons with disabilities to waive a setback requirement or other standard of the Zoning Ordinance to ensure that homes are accessible for the mobility impaired.

Dublin Municipal Code Chapter 8.38 establishes procedures and requirements for reasonable accommodation applications for persons with disabilities. An application for reasonable accommodations is reviewed ministerially through a Zoning Clearance and is not subject to discretionary review or a public hearing. A Zoning Clearance is issued if the request complies with the following development standards and regulations:

- **Zoning Districts.** The request for reasonable accommodation is for a legally established residential dwelling located in an agricultural, residential, or comparable Planned Development zoning district.

- **Occupancy.** The residential dwelling is the primary residence of the person(s) requesting reasonable accommodations and such persons have been determined to be protected under Fair Housing Laws.
- **Design Compatibility.** Any exterior modification to the dwelling is designed to be compatible with the architectural character, colors, and texture of the dwelling and surrounding neighborhood.
- **Side Yard Setbacks.** For additions to a dwelling, a minimum side yard setback of five feet is maintained.
- **Rear Yard Setbacks.** For additions to a dwelling, a minimum rear yard setback of 10 feet is maintained.
- **Lot Coverage.** The maximum lot coverage does not exceed 50 percent for a one-story dwelling or 45 percent for a two-story dwelling.
- **Uncovered Access Ramp.** An uncovered access ramp may be located within a front, side, or rear yard setback so long as the height of the ramp does not exceed the grade level finish floor of the dwelling.

On-/Off-Site Improvements

New subdivisions may be required to improve streets, highways, public ways, and easements, as well as improvements that may not be part of the subdivision but are affected by the subdivision. Thus, these are costs that may influence the sale or rental price of housing. Dublin Municipal Code Chapter 9.16 establishes the required on- and off-site improvements below:

- **Streets and Roads.** Grading; curbs and gutters; and surfacing of streets, highways and public ways, and the drainage thereof.
- **Grading Lots.** The grading of the lots and the drainage may be required by the design of the approved tentative map.
- **Stormwater Control and Treatment.** Stormwater control measures in compliance with the Dublin Municipal Code, the latest Regional Water Quality Control Board clean water construction general permit, and the latest Municipal Regional Stormwater National Pollution Discharge Elimination System (NPDES) Permit. The control and treatment measures shall reduce erosion and sedimentation from entering the storm drain system from the subdivision site (point source).
- **Water Supply and Sanitary Sewer.** Subdivisions shall be served with water and sanitary sewer connections in the manner approved by the Dublin San Ramon Services District unless an alternative design is proposed and approved by the City Engineer.
- **Utilities.** Subdivisions shall be served by public utilities (gas, electricity, Internet/cable/phone) unless an alternative design is proposed and approved by the City Engineer.
- **Public Safety.** Construction of such structures necessary for public safety, including but not limited to local neighborhood drainage, traffic safety signs and devices, and street lighting.
- **Fire Hydrants.** Fire hydrants shall be furnished and installed as approved by the local water district, Fire Marshal, and City Engineer.
- **Trails and Bikeways.** Trails and bikeways as designated on the General Plan or applicable Specific Plan, or the City's adopted Bicycle and Pedestrian Master Plan.

Additionally, as a condition of approval of a tentative map, the City may impose a requirement that the subdivider install improvements for the benefit of the subdivision, property not within the subdivision, and the public. If the improvements are dedicated to the public, then the City will enter into an agreement to reimburse the subdivider for that portion of the cost of those improvements, including an amount attributable to interest, in excess of the construction required for the subdivision.

Further conditions of approval may include, but are not limited to:

- Dedication and improvement of streets, alleys, including access rights and abutters' rights, drainage, public utility, and other public easements;
- Reservations;
- The design and improvement of subdivisions;
- Requirements to implement California Environmental Quality Act (CEQA mitigation measures;
- Ensuring proper grading and erosion control, prevention of sedimentation or damage to off-site property;
- Energy conservation; and
- Ensuring compliance with adopted development standards.

Because residential development cannot take place without the addition of adequate infrastructure, site improvement requirements are considered a regular component of housing development and are not considered a constraint to development.

Local Ordinances

Urban Growth Boundaries (UBG)

Growth management measures are techniques used by a government to regulate the rate, amount, location, and type of development. Growth management measures allow cities to grow responsibly and orderly; however, they can produce constraints to the development of housing if overly restrictive. This may be particularly restrictive for accessible and affordable housing.

Dublin residents approved Measure M in 2000 to create an Urban Growth Boundary (UBG) on the western limits of the City. Measure M restricts residential development on the foothills by requiring voter approval of any proposed residential project. As such, the foothills were preserved as agricultural and open space areas.

In addition, the Dublin Open Space Initiative of 2014 was adopted to preserve the Doolan Canyon area east of the City and on the foothill area to the west. This initiative prevents urban development (residential and commercial) without voter approval. As the City does not currently provide services to the Doolan Canyon area, proposed development in the area would also need to fund new infrastructure and public services. The ballot measure requirement to allow residential development outside the UBG and cost of adding infrastructure and services are together considered a constraint to the development of housing, and specifically affordable housing.

SHORT-TERM RENTALS

Short-Term Rental Ordinances are commonly defined as an accessory use of a primary residence for the purposes of providing temporary lodging for compensation for up to 30 days. A Short-Term Rental Ordinance establishes regulations, standards, and a permitting process for the renting or leasing of the privately owner, visitor-serving dwelling unit. Short-Term Rental Ordinances are often established to safeguard residents by ensuring that short-term rental activities do not threaten the character of neighborhoods and that such short-term rental activities do not become a nuisance, or threaten the public health, safety, or welfare of neighboring properties. The City does not currently have an adopted Short-Term Rental Ordinance, but short-term rentals are defined as Bed and Breakfast Inn, which require approval of a Conditional Use Permit by the Planning Commission in the agricultural and residential zoning districts and the C-1, C-2, M-P, and M-1 zoning districts.

INCLUSIONARY ZONING ORDINANCE

Dublin Municipal Code Chapter 8.68 establishes the requirements and procedures for the City's Inclusionary Zoning Ordinance, which assists the City in producing residential units affordable to lower-income and moderate-income households. The purpose of the Ordinance is to contribute to the City's housing goals and ensure future development occurs in a manner consistent with the City's housing policies and needs.

The City's Inclusionary Zoning Ordinance requires all new residential development projects of 20 units or more, designed and intended for permanent occupancy, to designate 12.5 percent of the total number of dwelling units within the development as affordable units. Affordable units shall be allocated to households with very low-, low- and moderate-income levels as follows:

Table C-8: Inclusionary Zoning Requirements

	Rental Units	Owner-Occupied Units
Very low-income households	30%	0%
Low-income households	20%	40%
Moderate-income households	50%	60%

All affordable units in a project or phase of a project are the be constructed concurrently with market-rate units, unless the City Manager determines in writing that extenuating circumstances exist that make concurrent construction infeasible or impractical. In addition, all affordable units shall reflect the range and number of bedrooms provided in the project as a whole and shall not be distinguished by exterior design, construction, or materials. Affordable units may be of smaller size than the units in the project and may have fewer amenities than the market rate units in the project. All affordable units shall be reasonably dispersed throughout the project.

Residential development projects subject to the Inclusionary Zoning Ordinance may seek approval from the City Council to instead use an exception listed below:

- **Payment of Fees In Lieu of Creation of Affordable Units.** Upon request of the applicant, the City Council shall permit the applicant to pay a fee in lieu of constructing up to 40 percent of the affordable units that the developer would otherwise be required to construct pursuant to Dublin

Municipal Code Section 8.68.030A. The amount of the fee shall be as set forth in a resolution of the City Council, which may be amended from time to time to reflect inflation and changed conditions in the City and the region. In lieu fees must be paid in the amount set forth in the resolution in effect at the time of issuance of the building permit.

- **Off-Site Projects.** An applicant may construct the affordable units not physically within the development in lieu of constructing some or all affordable units within the development, with the approval of the City Council, if the City Council finds:
    - That construction of the units off-site in lieu of constructing units on-site is consistent with the chapter's goal of creating, preserving, maintaining, and protecting housing for very low-, low- and moderate-income households.
    - That the units to be constructed off site are consistent with Dublin Municipal Code Section 8.68.030E.
    - That it would be infeasible or impractical to construct affordable units on-site.
    - That conditions of approval for the project require that the off-site affordable units would be governed by the terms of a deed restriction and, if applicable, rental restrictions similar to that used for the on-site affordable units.
    - That the conditions of approval for the project, or other security such as a cash deposit, bond, or letter of credit, are adequate to require the construction of the off-site affordable units concurrently with the completion of the construction of the residential development or within a reasonable period (not to exceed five years).
- **Land Dedication.** An applicant may dedicate land to the City or city-designated local non-profit housing developer in lieu of construction of some or all required affordable units, if the Council finds:
    - That dedication of land in lieu of constructing units is consistent with the chapter's goal of creating, preserving, maintaining, and protecting housing for very-low, low- and moderate-income households.
    - That the dedicated land is useable for its intended purpose, is free of toxic substances and contaminated soils, and is fully improved, with infrastructure, adjacent utilities, grading, and all development-impact fees paid excluding any inclusionary zoning ordinance fees.
    - That the proposed land dedication is of sufficient size to meet the following requirements:
        - The dedication includes land sufficient to construct the number of units that the applicant would otherwise be required to construct by Dublin Municipal Code Section 8.68.030.A, based on the size of lots in the subdivision for which the applicant is meeting its obligation; and

  The dedication includes such additional land where the market value is equal to or exceeds the difference between the value of a 1,200-square-foot unit and the price at which such a unit could be sold as an Affordable Unit times the number of units required.
- **Credit Transfers.** An applicant may fully or partially satisfy the requirements of Dublin Municipal Code Section 8.68.030A by using transfer credits created pursuant to Section 8.68.060. Credit certificates are presented to the Community Development Director, who shall note at the time of project approval the credit certificate by number. Credit certificates may only be used to satisfy

the requirements for Inclusionary Units for the income category and number of bedrooms for which they are issued.

- **Waiver of Requirements.** The City Council, at its discretion, may waive, wholly or partially, the requirements of the Inclusionary Zoning Ordinance and approve alternate methods of compliance with Dublin Municipal Code Chapter 8.68 if the applicant demonstrates, and the City Council finds, that such alternate methods meet the purposes of the Chapter.

However, the City may also offer incentives or financial assistance to encourage the development of on-site affordable units in excess of the 12.5 percent inclusionary requirement. These incentives may include, but are not limited to:

- Fee deferral for development processing fees and development impact fees.
- Design modifications such as reduced lot sizes, reduced setback requirements, reduced open space requirements, reduced landscaping requirements, reduced interior or exterior amenities, reduction in parking requirements, and/or height restriction waivers.

Prior to issuance of a building permit for an affordable unit, the City must establish resale restrictions, rental controls, or both, in an agreement between the City and the developer. The agreement must be executed by the City Manager, and its requirements run with the land and bind future property owners. Agreements involving rental units shall require the owner of the affordable units to ensure that the units are occupied by tenants whose monthly income levels do not exceed very low-, low-, or moderate-income levels, and preclude the tenants from subletting or subleasing the unit. The agreement also requires the owner of the affordable unit to submit an annual report to the City Manager including, but not be limited to, an identification of the affordable units within the project; the monthly rents charged and proposed to be charged; vacancy information for the prior year; and the monthly income for tenants of each affordable unit throughout the prior year. Agreements for ownership units must specify that the inclusionary units must be occupied by the owner(s) and may not be leased or rented without the written approval of the City. The resale restrictions must provide that in the event of the sale of an affordable unit, the City will have the right to purchase any affordable owner-occupant unit at the maximum price that could be charged to an eligible household.

The Inclusionary Zoning Ordinance requires households to receive eligibility approval from the City prior to occupying an affordable unit. Potential eligible occupants of affordable units will be qualified on the basis of household income, the median combined household income statistics for Alameda County published periodically by HCD, all sources of household income and assets, the relationship between household size and the size of available units, and any further criteria required by law. The developer is also required to use an equitable selection method established in conformance with the terms of the Inclusionary Zoning Ordinance. The selection criteria may not distinguish between adults and children. Selection of qualified person is based on priorities established using the point system described below:

- Employed within the boundaries of Dublin for at least six months prior (three points, one per household)
- Public Service employee working in Dublin (one additional point)

- Dublin resident for at least one year prior (three points, one per household)
- Seniors (one point per household)
- Permanently disabled (one point per household)
- Immediate family member of Dublin resident (one point per household)
- Required to relocate from current Dublin residence due to demolition of dwelling or conversion of dwelling from rental to for-sale unit (one point per household)

In general, the City's Inclusionary Zoning Ordinance is not considered a constraint as it contributes to the development of affordable housing throughout the City.

Specific Plans

The City utilizes specific plans as a tool to implement the guiding policies contained in the General Plan. The City adopted four specific plans that encompass specific geographic areas. Each specific plan contains policies and design guidelines that are tailored to implement the community's vision for the future of these areas and to ensure a coordinated development scheme. Physical improvements to property within each of these plan areas must comply with the policies contained in the General Plan and the corresponding specific plan.

DOWNTOWN DUBLIN SPECIFIC PLAN (DDSP)

The Downtown Dublin Specific Plan (DDSP) guides the creation of a vibrant and dynamic commercial and mixed-use center that provides a wide array of opportunities for shopping, services, dining, working, living, and entertainment in a pedestrian-friendly and aesthetically pleasing setting.

The DDSP area is 284 acres in size and includes three districts – the Retail District, the Transit-Oriented District, and the Village Parkway District. **Table C-9** provides the permitted residential uses in each district. In total, 2,500 net new residential dwelling units are permitted in the DDSP with the following densities:

- Retail District: 22 units per net acre with no maximum density
- Transit-Oriented District: 30 to 85 units per net acre
- Village Parkway District: No minimum density to 15 units per acre

Table C-9: Downtown Dublin Specific Plan - Permitted Residential Uses

Building Uses	Retail District	Transit-Oriented District	Village Parkway District
Live-Work[1]	Allowed[2]	Allowed	CUP/PC[3]
Multi-Family Residential[1]	Allowed[2]	Allowed	Allowed
Mixed-Use Residential[1]	Allowed[2]	Allowed	Allowed

Notes:
1. Subject to additional development standards if located within 1,000 feet of I-580 or I-680.
2. Allowed throughout the Retail District except on those properties west of San Ramon Road.
3. May be permitted with a CUP/PC in a mixed-use development.

CUP – Conditional Use Permit
PC – Planning Commission
Source: City of Dublin Downtown Specific Plan

DUBLIN VILLAGE HISTORIC AREA SPECIFIC PLAN

The Dublin Village Historic Area Specific Plan guides future development in the specific plan area to be sensitive to the area's historic past and to preserve and enhance the area's historical, cultural, and archaeological resources.

The Dublin Village Historical Area consists of approximately 38 acres of land and includes commercial, residential, public, and business park/industrial uses. **Table C-10** outlines the permitted residential land uses and the total development potential.

Table C-10: Dublin Village Historic Area Specific Plan - Permitted Residential Uses

Residential Land Uses	Density Range	Maximum Development Potential
Medium Density Residential	6.1 – 14 units/acre	Up to 83 units
Medium/High Density Residential	14 – 25 units/acre	Up to 207 units
	TOTAL	**290 units**

Source: Dublin Village Historical Area Specific Plan

EASTERN DUBLIN SPECIFIC PLAN

The Eastern Dublin Specific Plan provides a planning framework for the future growth and development of approximately 3,300 acres that lie to the east of the Camp Parks Reserve Forces Training Area. As provided in the Eastern Dublin Specific Plan, the residential land use category has six classifications: High Density, Medium High Density, Medium Density, Single Family, Estate Residential and Rural Residential/Agricultural. Taken together, the Specific Plan projects a total of 13,950 housing units at "buildout." Approximately 58 percent of the new housing units are single-family residential character; however, to encourage affordability, many are smaller units on smaller lots. **Table C-11** outlines the permitted residential land uses and the total development potential.

Table C-11: Eastern Dublin Specific Plan - Permitted Residential Uses

Residential Land Uses	Land Area	Density	Unit Yield
Rural Residential/Agricultural	539.55 acres	0.01 units/acre	5 units
Estate Residential	30.4 acres	0.13 units/acre	4 units
Single Family[1]	947.25 acres	4 units/acre	3,789 units
Medium Density[2]	492.71 acres	10 units/acre	4,744 units
Medium High Density	156.61 acres	20 units/acre	3,132 units
High Density	58.74 acres	35 units/acre	2,056 units
Mixed Use	0 acres	15 units/acre	115 units
TOTAL	**2,225.26 acres**	--	**13,950 units**

1. The Eastern Dublin Specific Plan originally considered 68 units on the Dublin Ranch North (Redgewick) property. The land use designation was amended to allow development of four units. This change results in 64 excess single-family units than what was analyzed in the 1993 Eastern Dublin Environmental Impact Report.
2. 50 percent of the units within the Medium Density land use designation on the East Ranch and Jordan properties shall have private, flat yards.

Source: Eastern Dublin Specific Plan

In east Dublin, higher density housing is located in the flatter areas where there are fewer environmental and development constraints, and in proximity to commercial centers where the concentration of population will contribute to the social and economic vitality of the area.

DUBLIN CROSSING SPECIFIC PLAN

The Dublin Crossing Specific Plan area is located in the heart of the City and seeks to provide a vibrant neighborhood where people can work, live, and play. The large central park will serve as a gathering place for the entire City, with direct access to the Iron Horse Regional Trail and links to the Dublin/Pleasanton BART station.

The Dublin Crossing Specific Plan accommodates up to 1,995 residential units with densities ranging from six to 60 units per acre, as shown in **Table C-12**. The Dublin Crossing Specific Plan allows for a variety of housing types throughout the project area, including single-family detached and attached, as well as multi-family units located near the existing high-density residential development adjacent to the BART station and the existing medium-density residential neighborhood. Residential density ranges within each residential neighborhood are allowed to provide flexibility of subdivision design and to adapt to changing future housing market conditions.

Table C-12: Dublin Crossing Specific Plan - Permitted Residential Uses

Residential Land Uses	Net Acreage[1]	Density
Dublin Crossing Medium Density Residential (DC MDR)	43.4 acres	6 – 14 units/acre
Dublin Crossing Medium High Density Residential (DC M-HDR)	46.5 acres	14.1 – 25 units/acre
General Commercial/ DC Medium High Density Residential (GC/DC M-HCD)[2]	9.1 acres	14.1 – 25 units/acre
General Commercial/ DC High Density Residential (GC/DC HDR)[2]	23.1 acres	20.1 – 60 units/acre
	TOTAL UNIT POTENTIAL	**1,995 units**

1. Net acreage is defined as the gross acreage less backbone street, public street, and right-of-way area.
2. Can have commercial only, mixed-use, or residential-only uses.

Source: Dublin Crossing Specific Plan

Local Processing and Permit Procedures

The development community commonly cites the permit processing time as a contributor to the high cost of housing in California. Depending on the magnitude and complexity of the development proposal, the time that elapses from application submittal to project approval may vary considerably. Factors that can affect the length of development review on a proposed project include the completeness of the development application and the responsiveness of developers to staff comments and requests for information. Approval times are substantially lengthened for projects that are not exempt from CEQA, require rezoning or general plan amendments, or encounter community opposition. Applicants for all permits or reviews are recommended to request a meeting with the respective department to confirm City requirements as they apply to the proposed project; discuss the City's review process, possible project alternatives, or revisions; and identify information, submittal requirements, and any necessary technical studies and information relating to the environmental review of the project. **Table C-13** provides the planning application review process and typical review time of each.

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Table C-13: Planning Application Review Process						
Planning Application	Public Notice	Community Development Director	Zoning Administrator	Planning Commission	City Council	Typical Review Time
Conditional Use Permit[1]	Yes	X[2]	X	X		4-6 months
Minor Use Permit	Yes	X				3-4 months
Planned Development Stage 1 Development Plan	Yes	X[2]		X	X	6-12 months
Planned Development Stage 2 Development Plan	Yes	X[2]		X	X	6-12 months
Site Development Review[1]	Yes	X	X	X		3-8 months
Site Development Review Waiver		X				<2 weeks
Temporary Use Permit		X				<1 week
Variance[1]	Yes		X	X	X	4-6 months
Zoning Clearance		X				<1 week
Zoning Ordinance Amendment	Yes			X	X	6-12 months

Note: Decision-maker may refer decision making on applications to a higher body (i.e., the Community Development Director may refer a Minor Use Permit to the Planning Commission).
1. Review body is dependent on project-specific requests.
2. Minor amendments.

Development Fees

Residential developers are subject to a variety of fees and exactions to process permits and provide necessary services and facilities as allowed by State law. All information regarding the City's development fees is available to the public on the City's website as required pursuant to Government Code Section 65940.1 (a)(1)(B). Development fees can be a constraint to the maintenance, improvement, and development of housing because the added costs for developers may result in higher housing unit costs. Development fees are, however, necessary to provide planning and public services. **Table C-14** provides the planning processing fees and **Table C-15** and **C-16** provide the development impact fees.

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Table C-14: Planning Division Fees	
Permit	**Fee**
Use Permits (TUP/CUP)	
Minor Use Permit	$1,068
Minor Use Permit – Minor Amendment	$271
Minor Use Permit – Major Amendment	$1,086
Non-Residential Conditional Use Permit (CUP) (Approval considered by Planning Commission)	$1,629
Non-Residential Conditional Use Permit (CUP) (Can be approved by Zoning Administrator)	$1,629
Residential Conditional Use Permit (CUP) (Approval considered by Planning Commission)	$2,715
Residential Conditional Use Permit (CUP) (Can be approved by Zoning Administrator)	$2,715
Conditional Use Permit – Minor Amendment (Administrative Determination)	$543
Conditional Use Permit – Time Extension (Administrative Determination)	$380
Conditional Use Permit – Time Extension (Planning Commission Determination)	$1,629
Temporary Use Permit - Minor	$271
Temporary Use Permit – Major	T&M
Zoning Clearance – General	
Reasonable Accommodations	No fee
Indoor Recreational Facilities/Day Care Center/Scarlett Court	$543
Zoning Clearance – General	$81
Variance	
Non-Residential Variance	T&M
Residential Variance	T&M
Site Development Review (SDR)	
Site Development Review - General	T&M
Site Development Review – Residential Additions > 500 sq. ft.	T&M
Site Development Review – Single Sign (Master Sign Program is handled as a Site Development Review-General)	$352
Site Development Review Waiver	$380
Site Development Review Waiver for Projects with Development Deposit Account	T&M
Site Development Review – Time Extension (Administrative Determination)	$244
Site Development Review – Time Extension (Planning Commission Determination)	$1,221
Planned Development (PD) Processing	
Planned Development Application (Stage 1 / Stage 2)	T&M
Planned Development Minor Amendment – (Administrative Determination)	$566
Planned Development Minor Amendment for Project's with Development Deposit Account	T&M
Planned Development Minor Amendment –	T&M

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Table C-14: Planning Division Fees	
Permit	**Fee**
(Planning Commission Determination)	
Planned Development Major Amendment – (City Council Determination)	T&M
Other Charges	
Appeal of Action by Applicant	T&M
Appeal of Action by member of public (non-applicant)	$217
Estoppel Certificate – Development Agreement	$253
Heritage Tree Removal Permit	$271
Preparation of Mailing Address Labels (Noticing Requirements)	$70
Equivalent Fees and Charges	As determined by City Manager or designee based on actual costs and rates plus general overhead
General Plan Amendment	T&M
Specific Plan Amendment	T&M
Tentative Map	T&M
Development Agreement	T&M
Lot Line Adjustment	T&M
Building Division permit referral[1]	$147
Planning Composite Hourly Rates & Overhead	
Composite City Planning Staff Hourly Rate (Includes Overhead)	$299
Overhead Rate - Applied to actual costs incurred for consultant services and expenses billed under T&M	30%

1. In order to incentivize accessory dwelling units (ADUs): 1) an ADU less than 750 square feet; and 2) ADUs 750 square feet or larger that are deed-restricted as lower-income units for a period of 55 years are not subject to these City permit fees, effective for building permits applied for between January 1, 2022, and December 31, 2026. ADUs required to satisfy Dublin Municipal Code Chapter 8.68 (Inclusionary Zoning Regulations), the scope of work beyond the establishment of the ADU, and/or enforcement fees are not eligible for this fee waiver.

Source: City of Dublin Master Fee Schedule, FY 2021-2022.

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Table C-15: Development Impact Fees by Housing Type				
Residential	**Single Family & Townhome**	**Other Multi Family**	**Senior Housing**	**ADU[1]**
Public Facility Impact Fees				
Aquatic Center	$373	$227	$135	$227
Civic Center	$1,652	$1,009	$600	$1,009
Community Buildings	$4,144	$2,530	$1,506	$2,530
Community Nature Parks, Improvement	$318	$194	$115	$194
Community Parks, Improvements	$5,017	$3,061	$1,824	$3,061
Community Parks, Land	$8,853	$5,404	$3,218	$5,404
Libraries	$298	$183	$108	$183
Neighborhood Parks, Improvements	$2,932	$1,790	$1,067	$1,790
Neighborhood Parks, Land	$3,987	$2,434	$1,449	$2,434
Public Facility Total	**$27,574**	**$16,832**	**$10,022**	**$16,832**
Fire Impact Fee				
Per Unit	$339	$207	$207	$123
Tri-Valley Transportation Development Fee				
Per Unit	$5,057	$3,484	--	$0
Affordable Housing In Lieu Fee				
Residential – $217,696 per unit				
Public Art In Lieu Fee				
Residential - Project of more than 20 units may make a monetary contribution to the City equal to five-tenths percent (0.5%) of the development project's building valuation (exclusive of land).				

1. Effective January 1, 2020, through January 1, 2025, an accessory dwelling unit (ADU) less than 750 square feet is not subject to impact fees. An ADU 750 square feet or larger are subject to impact fees that are proportional in relation to square footage of the primary dwelling unit or based on the impact fee per ADU, whichever is less.

Source: City of Dublin Impact Fees, FY 2021-2022.

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Table C-16: Development Impact Fees by Residential Density						
Fee Type		**Low (<6 units/ acre)**	**Medium (6.1-14 units/ acre)**	**Med/High (14.1-25 units/ acre)**	**High (>25.1 units/ acre)**	**ADU[1]**
Eastern Dublin Traffic Impact Fees						
Outside Transit Center	EDTIF Cat. 1	$9,408	$9,408	$6,589	$5,646	$5,646
	EDTIF Cat. 2	$3,211	$3,211	$2,249	$1,926	$1,926
	Total Fee	**$12,619**	**$12,619**	**$8,838**	**$7,572**	**$7,572**
Inside Transit Center	EDTIF Cat. 1	$9,408	$9,408	$6,589	$4,295	$4,295
	EDTIF Cat. 2	$2,421	$2,421	$1,696	$1,090	$1,090
	Total Fee	**$11,829**	**$11,829**	**$8,285**	**$5,385**	**$5,385**
Western Dublin Traffic Impact Fee						
Per Unit		$6,507	$6,507	$4,034	$3,384	$3,384
Dublin Crossing Transportation Fee						
Per Unit		$9,476	$9,476	$6,633	$5,685	$5,685
Eastern Dublin Freeway Interchange Fee (Sept. 1, 2021 – Aug. 31, 2022)						
Base Fee		$214.60	$214.60	$150.22	$128.76	$128.76
Escalator		$147.07	$147.07	$102.94	$88.23	$88.23
	Total Fee	**$361.67**	**$361.67**	**$253.16**	**$216.99**	**$216.99**
Eastern Dublin Noise Mitigation Fee						
Per Unit		$4.74	$4.74	$3.32	$2.85	$2.85

1. Effective January 1, 2020, through January 1, 2025, an accessory dwelling unit (ADU) less than 750 square feet is not subject to impact fees. An ADU 750 square feet or larger are subject to impact fees that are proportional in relation to square footage of the primary dwelling unit or based on the impact fee per ADU, whichever is less.

Source: City of Dublin Impact Fees, FY 2021-2022.

The development impact fees associated with each project are dependent on the housing type, density, intensity of use, and location. In addition to these direct fees, the total cost of development is contingent on the project meeting the City's policies and standards, as well as the applicant submitting necessary documents and plans in a timely manner.

The estimated total development impact fees for a typical single-family residence (measuring 3,000 square feet) are $61,572 per unit. The estimated total development impact fees for a typical multi-family residential project (10 units measuring a total of 34,848 square feet) are $82,344 per unit.

These estimates are illustrative in nature and the actual costs are contingent upon unique project circumstances. Considering the cost of land and the International Code Council (ICC) estimates for cost of labor and materials, the combined costs of development impact fees represent about 2.3 percent of the direct cost of constructing a single-family residence and 0.5 percent of constructing a multi-family residential development. These costs do not include landscaping, utility connection fees, on- and off-site improvements, and shell construction or amenities and, therefore, the total cost of development impact fees charged by the City may represent a smaller percentage or total development costs.

Program D.4 is included in the **Housing Plan** to evaluate the impact of development fees on housing development and adjust or mitigate as appropriate.

3. Infrastructure Constraints

Another factor that could constrain new residential construction is the requirement and cost to provide adequate infrastructure (I.e., major and local streets; water and sewer lines; and street lighting) needed to serve new residential development. In most cases, where new infrastructure is required, it is funded by the developer and then dedicated to the City, which is then responsible for its maintenance. Because the cost of these facilities is generally borne by developers, it increases the cost of new construction, with much of that increased cost often "passed on" as part of home rental or sales rates.

Dry Utilities

ELECTRICAL

East Bay Community Energy (EBCE) is the County of Alameda's Community Choice Aggregation (CCA) program, a community-governed power supplier that provides cleaner electricity to Alameda County residents and businesses, at rates that are lower or comparable to PG&E. EBCE partners with PG&E, which continues to deliver electricity and gas, maintain the power lines, respond to outages, and provide billing and customer service. EBCE provides electricity generated from a high percentage of renewable sources, such as solar, wind, and geothermal energy. The goal is to have more local control over our community's sources of energy, which can lead to cleaner, greener, and more local electricity.

PG&E's distribution system delivers electricity directly to residential and commercial customers. Most electric power is brought to electric substations in the region via transmission lines connected to the statewide grid system. Electric power capacity is looked at on a subregional (rather than citywide) basis. Local electrical capacity is a function of: (1) transmission network capacity to bring this power to Dublin and the greater Tri-Valley area; (2) capacity of the local substations to lower the voltages (or step down the power) to deliverable suitable voltage; and (3) the ability of the local distribution network to deliver adequate power to customers.

NATURAL GAS

Natural gas is supplied directly to residential and commercial customers by PG&E. Natural gas is pumped from the underground reservoir into large transmission pipelines, which transport the gas to local distribution pipelines. Some local distribution systems lead to underground storage. These natural gas storage areas are utilized during seasonal peaks. Dublin General Plan Chapter 13 – Environmental Resources Management: Energy Conservation Element establishes policies and programs, which promote energy conservation and efficiency in new and existing buildings throughout the City.

Water Supply

According to Dublin General Plan Chapter 12 – Environmental Resources Management: Water Resources Element, the City does not control the supply or delivery of water to customers, nor does the City control cost and pricing mechanisms related to water supply. The City does not manage regional flood control facilities either. However, the City works in collaboration with other agencies that provide these services

and, therefore, the scope of the Water Resources Element reflects this reality. The scope of City influence extends mainly to promoting and encouraging water conservation among business and residential users, implementing Low Impact Development measures to help treat stormwater, and managing stormwater runoff and pipelines that lead to flood control facilities. The Water Resources Element is intended to guide these efforts.

DUBLIN WATER SOURCE

The Dublin San Ramon Services District (DSRSD) is the water retailer for residents in Dublin and the Dougherty Valley portion of the City of San Ramon. DSRSD buys wholesale potable water from Zone 7 of the Alameda County Flood Control and Water Conservation District (also referred to as the Zone 7 Water Agency, or Zone 7). Zone 7 obtains most of its water supply from the State Water Project (SWP), with additional supplies derived from the local watershed and the Byron Bethany Irrigation District. Zone 7 uses the main groundwater aquifers in the Tri-Valley area to store imported water. Approximately 80 percent of Zone 7's water comes from the SWP, traveling from the Sierra Nevada mountains through Lake Oroville and the Sacramento/San Joaquin Delta. The water is then pumped into the South Bay Aqueduct near Tracy, where it enters the Tri-Valley. Zone 7 also pumps DSRSD's groundwater quota for delivery to DSRSD customers.

WATER DEMAND

According to the Water Resources Element, potable and recycled water use in Dublin has generally increased since 2002 with much of the increased water usage as a result of planned growth. The Water Resources Element identifies residential users, specifically single-family residential users, as the largest consumer of water in the City. Although the total water demand has increased for the single-family residential category, the total number of single-family households has increased at a greater rate than the total water demand rate reported in the Water Resources Element. However, the average annual consumption of a single-family residence has decreased due to many factors, including a greater use of water efficient features, installation of more water-efficient landscapes, and greater public education regarding the importance of water conservation.

WASTEWATER

DSRSD owns and operates sanitary sewer facilities in Dublin and San Ramon and a wastewater treatment plant in Pleasanton. Two wastewater treatment plants serve Tri-Valley residents, businesses, and institutions. DSRSD operates the plant located in Pleasanton, which has a capacity of 17 million gallons per day (MGD). The City of Livermore operates the other plant, which has a capacity of eight MGD. Regional wastewater disposal matters are the business of the Livermore Amador Valley Water Management Agency (LAVWMA), a joint powers authority formed in June 1974 between DSRSD and the cities of Pleasanton and Livermore. LAVWMA is responsible for maintaining the pipeline that transports treated wastewater from the two treatment plants to San Lorenzo. It is discharged into San Francisco Bay by the East Bay Dischargers Authority, another joint powers authority formed by cities and agencies in the East Bay, which operates and maintains a large outfall system to the Bay.

Fire and Emergency Services

According to Dublin General Plan Chapter 8 – Environmental Resources Management: Seismic Safety and Safety Element, the Alameda County Fire Department provides all fire prevention, fire protection, and First Responder Emergency Medical Services including advanced life support (paramedics) within Dublin.

DSRSD supplies water to the City for both domestic use and fire protection purposes through a series of pipelines, pump stations, and reservoirs. For fire protection, the Alameda County Fire Department specifies the required fire flows, which the DSRSD system is designed to provide. For non-sprinklered buildings, Alameda County Fire requires a minimum of 1,500 gallons of water per minute for two hours. For sprinklered buildings, up to 2,000 gallons of water per minute is needed for four hours. DSRSD maintains separate fire protection water storage with an adequate volume to abate two simultaneous fires.

FIRE SERVICES

The Alameda County Fire Department includes four organizational branches: Operations, Communications and Special Operations, Administrative Support Services, and Fire Prevention. The Fire Chief provides overall leadership and is responsible for the effective management, coordination, and service delivery of all aspects of the Department. The Deputy Fire Chiefs, Fire Marshal, and Administrative Services Director oversee their respective organizational branches ensuring the overall day-to-day readiness of all aspects of the organization. The following summarizes the responsibilities of the four Alameda County Fire Department branches:

- **Operations Branch.** The Operations Branch is responsible for emergency response and incident mitigation for fires, medical emergencies, hazardous materials, urban search, rescue, and other emergencies. The Operations Branch is charged with ensuring that personnel meet established training guidelines so the Department can meet any emergency response challenge. The Operations Branch is also responsible for the management of the Reserve Program which provides a cadre of individuals who volunteer their time and skills to assist front line firefighters. First-responder paramedic services are always available throughout the unincorporated areas of the County (excluding Fairview) as well to the cities of Dublin, Newark and San Leandro, the Lawrence Berkeley National Laboratory, and Lawrence Livermore National Laboratory. The goal of the Operations Branch is to contribute to the safety of the citizens of Alameda County by safely providing emergency response and incident management for fires, rescues, medical emergencies, hazardous materials incidents, and disasters.
- **Communications and Special Operational Branch.** The Communications and Special Operational Branch is responsible for the operations of the Alameda County Regional Emergency Communications Center (ACRECC), the Emergency Medical Services Division, Hazardous Material and Water Rescue Programs, and Emergency Preparedness. The goal of the Communications and Special Operations Branch is to administer special fire operational programs to ensure that local, State, and federal mandated and discretionary service levels are maintained within the communities served and to dispatch all fire emergency calls quickly and efficiently.

- **Administrative Support Services Branch.** The Administrative Support Services Branch is responsible for a broad array of administrative, financial, and programmatic service areas that are essential for maintaining operational readiness. These areas include Fleet Management (Apparatus Maintenance and Repair), Financial Services, Facilities, and Human Resources. The goal of the Administrative Support Services Branch is to administer support service activities and programs that are essential for maintaining operational readiness.
- **Fire Prevention Branch.** The primary responsibilities of Fire Prevention Branch are the enforcement of all applicable State and local fire codes and standards, and fire investigations. Code enforcement is accomplished through the review and approval of building and facility plans, inspection of completed work, and certification of occupancy. The goal of the Fire Prevention Branch is to provide fire prevention services to meet the current and future needs of communities served.

Police Services

The Dublin Police Services contracts with the Alameda County Sheriff's Office (ACSO) for police services. The Sheriff's Office Commander assigned to Dublin Police Services (DPS) serves as the Chief of Police and within the Sheriff's Office, reports to the Assistant Sheriff of Law Enforcement Services. Since 1982, the City and ACSO have renewed and/ or extended the agreement between the two organizations 11 times. Most recently, the City renewed its contract with Alameda County Sheriff's Office through June 30, 2030. The Dublin City Manager may request modifications to the level of service provided at any time.

Dublin Police Services has 59 sworn personnel and eight professional staff members who provide public safety to the City. The Operations Division consists of the Patrol and Traffic Units. There are five sergeants who serve as the supervisor and shift watch commanders. They are responsible for Patrol Operations and the 28 officers who are assigned to Patrol. Two of those officers are police service dog handlers (K9 Unit). The Traffic Sergeant is responsible for four traffic officers. The Investigative Services Unit and the Special Investigations Unit make up the Investigations Division. Each Unit is supervised by a sergeant. The Investigative Services Unit consists of five detectives who investigate major crimes. The Special Investigations Unit investigates narcotics and other quality of life-related incidents. In 2020, Dublin Police Services drove 455,955 miles, and maintained a presence in business and commercial districts, residential areas, and parks. Specifically, Dublin Police Services responded to 30,706 service calls with an average response time of 5.3 minutes. Dispatch Services are provided by Alameda County Sheriff's Office.

4. Environmental Constraints

The City may be susceptible to several environmental constraints to the development of housing. This section details potential environmental factors in Dublin.

Geologic Hazards

The City is located between the western hills that form part of the ridgelands extending from Contra Costa County to Santa Clara County and the eastern hillside. The City is also situated along major fault traces, similar to most California jurisdictions.

According to Dublin General Plan Chapter 8 – Environmental Resources Management: Seismic Safety and Safety Element, the City has potential geologic hazards commonly found in California. Specifically, downslope movement and surface fault rupture due to earthquakes pose significant constraints on the location of urban development. Downslope movement includes landslides, rockfalls, debris flows, and soil creep. Factors affecting downslope movement are groundwater, rock and soil type, slope angle, propensity to erosion, seismic activity, vegetation, and grading or other human alterations. **Figure C-6** shows fault traces and boundaries within the City. The Safety Element identifies policies and programs aimed at mitigating potential damage and constraints from these geologic hazards.

Seismic Hazards

The California Earthquake Authority (CEA) provides risk identification and mapping throughout the State. The CEA identifies a 76 percent likelihood of one or more magnitude-7.0 quakes striking Northern California as it straddles the San Andreas fault system—the major geologic boundary between the North American and Pacific tectonic plates. The San Andreas and Hayward faults are the most notable faults in the vicinity. The Calaveras and Hayward faults extend up the east side of the San Francisco Bay. These and several other major faults in the region are part of the San Andreas fault system and can cause damaging earthquakes, like the 1989 Loma Prieta earthquake. According to the CEA, there is a 51 percent chance that the San Francisco region specifically will experience one or more magnitude-7.0 or greater earthquake by 2044. There's a 98 percent chance of one or more magnitude-6.0 or greater earthquake occurring in the San Francisco area during that same timeframe.

Liquefaction

Due to the potential for seismic activity and soil type in the region lowland areas away from major faults may be subject to liquefaction, according to the CEA. Residences on liquefied soil may settle or even move laterally on gentle slopes. Landslides are also possible on steep slopes. **Figure C-6** illustrates liquefaction and landslide areas within Dublin. The City is heavily impacted by potential risks, but the Safety Element identifies policies and programs that address the risk factor, such as requiring new residential developments to comply with the Building Code, which includes earthquake safety provisions.

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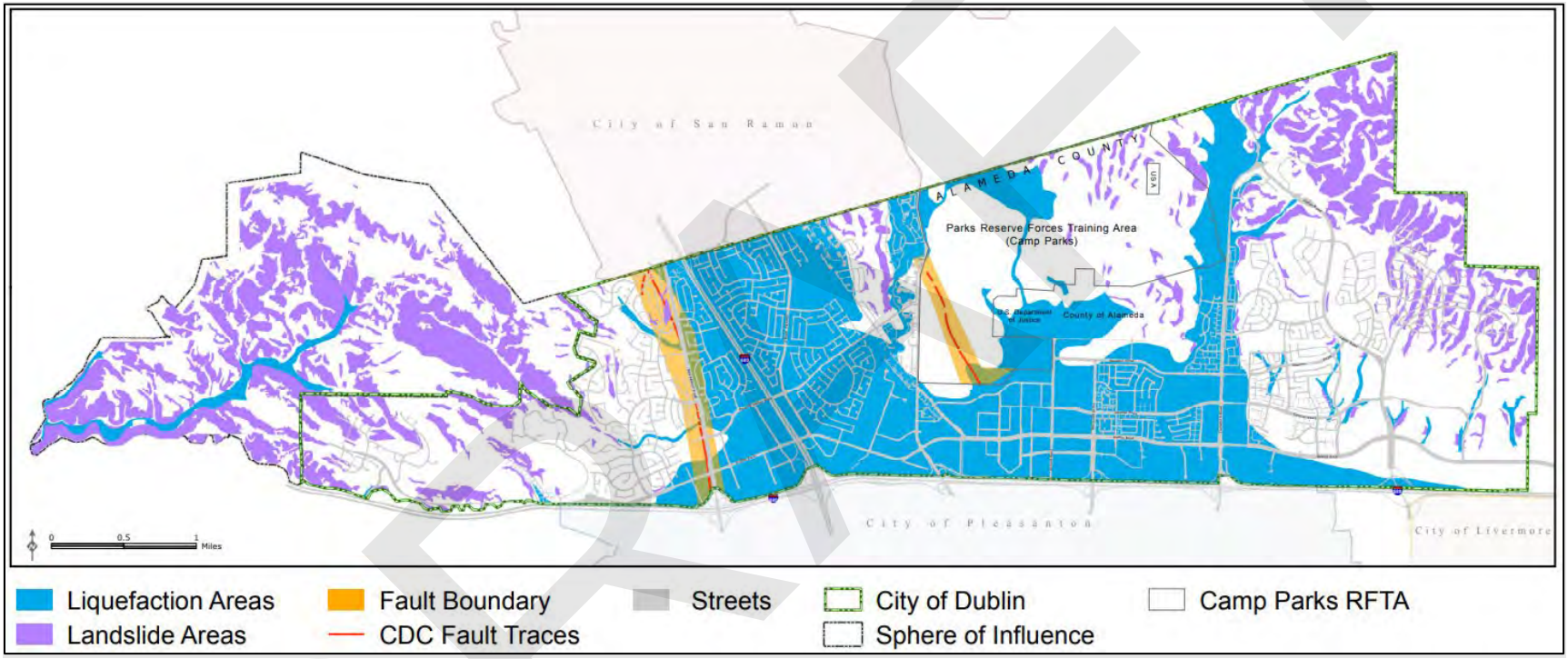
Figure C-6: Geologic Hazards and Constraints (2014)



Source: Dublin General Plan Chapter 8 – Environmental Resources Management: Seismic Safety and Safety Element

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Flood Hazards

According to the Safety Element, and as illustrated in **Figure C-7**, the City faces flood hazards from 100- and 500-year floods. According to the Safety Element, most of the areas in the 100-year flood plain have been developed. Any new construction in flood prone areas must comply with Dublin Municipal Code Chapter 7.24 (Flood Control) including constructing the first floor above the floodplain level. A number of channel improvements have been implemented since the early 1990s as a result of local developments partnering with Zone 7, the City, and Caltrans. Channel improvements have been made along Tassajara Creek (Line K), Alamo Creek (Line F), and Big Canyon Creek (Line J-1). In addition to the major creeks in Dublin, several tributaries have undergone improvements as well. While no major flood improvement projects have been identified in the City, Zone 7 is updating their Stream Management Master Plan (SMMP), which will consider new, innovative approaches to providing regional flood protection. Areas along Chabot Canal located in Camp Parks and upland areas along Tassajara Creek will likely present partnering opportunities for Zone 7 and the City.

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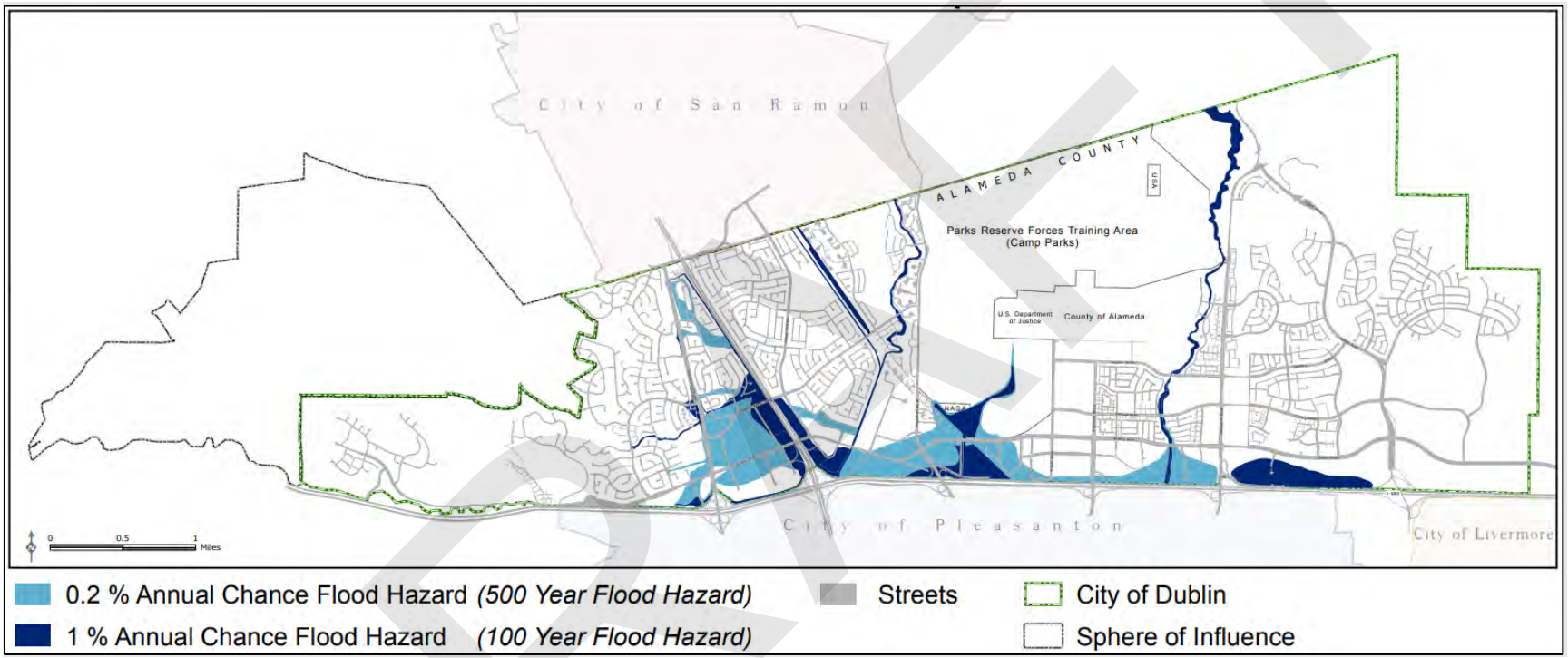
Figure C-7: Potential Flooding – FEMA Flood Insurance Rate Map (2014)



Source: Dublin General Plan Chapter 8 – Environmental Resources Management: Seismic Safety and Safety Element

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Fire Hazards

According to the Safety Element, steep, inaccessible slopes and brush pose a potential high fire hazard in the western hills. Additionally, areas within the Extended Planning Areas adjacent to open space are susceptible to fire hazards. **Figure C-8** shows Fire Hazard Severity Zones as identified by CalFire. Alameda County Fire reviews development projects to address any potential fire hazards. As shown, Moderate and High Fire Hazard Severity Zones exist in the eastern region of the City. For projects that are constructed outside a fire station service area (greater than 1.5 miles from the nearest fire station) and/or interface with open space, Alameda County Fire imposes certain built-in fire protection measures to ensure safety and mitigate fire hazards.

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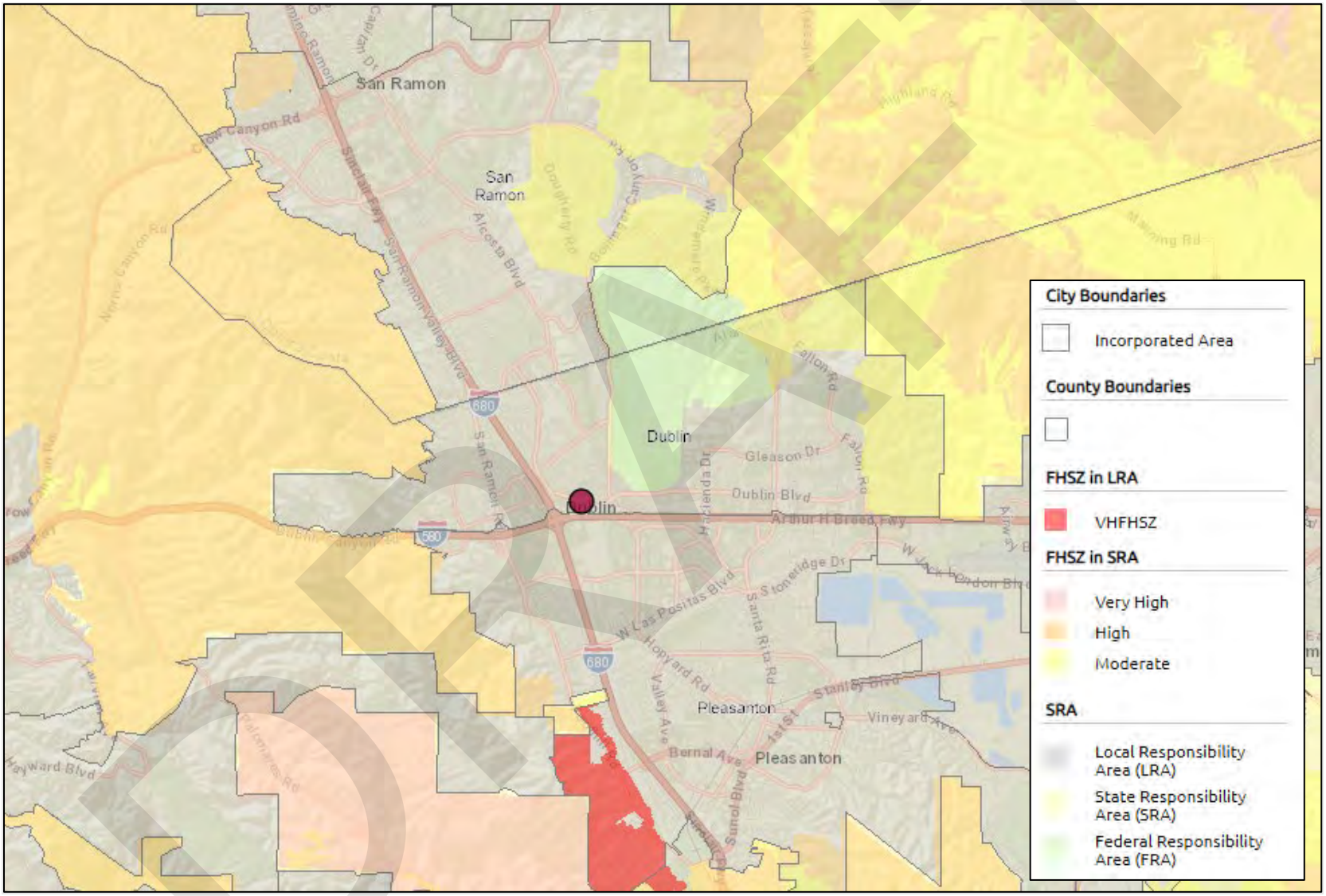
Figure C-8: CalFire – Fire Hazard Severity Zones



Source: CalFire Fire and Resource Assessment Program – FHSZ Viewer (Accessed February 2022)

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B. Financial Resources

Providing an adequate supply of decent and affordable housing requires funding from various sources. This section provides an overview of funding sources available to increase and maintain affordable housing options.

1. Housing Choice Voucher Program (HCVP)

The Housing Choice Voucher Rental Assistance Program (HCVP) extends rental subsidies to extremely low- and very low-income households, including families, seniors, and the disabled. HCVP participants can choose any housing that meets the requirements of the program and are not limited to units located within subsidized housing projects. Participants typically pay 30 to 40 percent of their income for rent and utilities.

The Housing Authority of the County of Alameda (HACA) operates programs funded by U.S. Department of Housing and Urban Development (HUD) to provide rental housing or rental assistance for lower-income households, the elderly, and people with disabilities. HACA's programs include the distribution of Housing Choice Vouchers. According to HACA, over 7,000 households and 3,500 homeowners participate in the HCVP. **Figure C-9** displays the percentage of vouchers throughout the City and in the surrounding region. The City has two areas where five to 15 percent of households use housing choice vouchers and one area where less than five percent use the vouchers. The area with a higher concentration of voucher use includes numerous multi-family residential developments.

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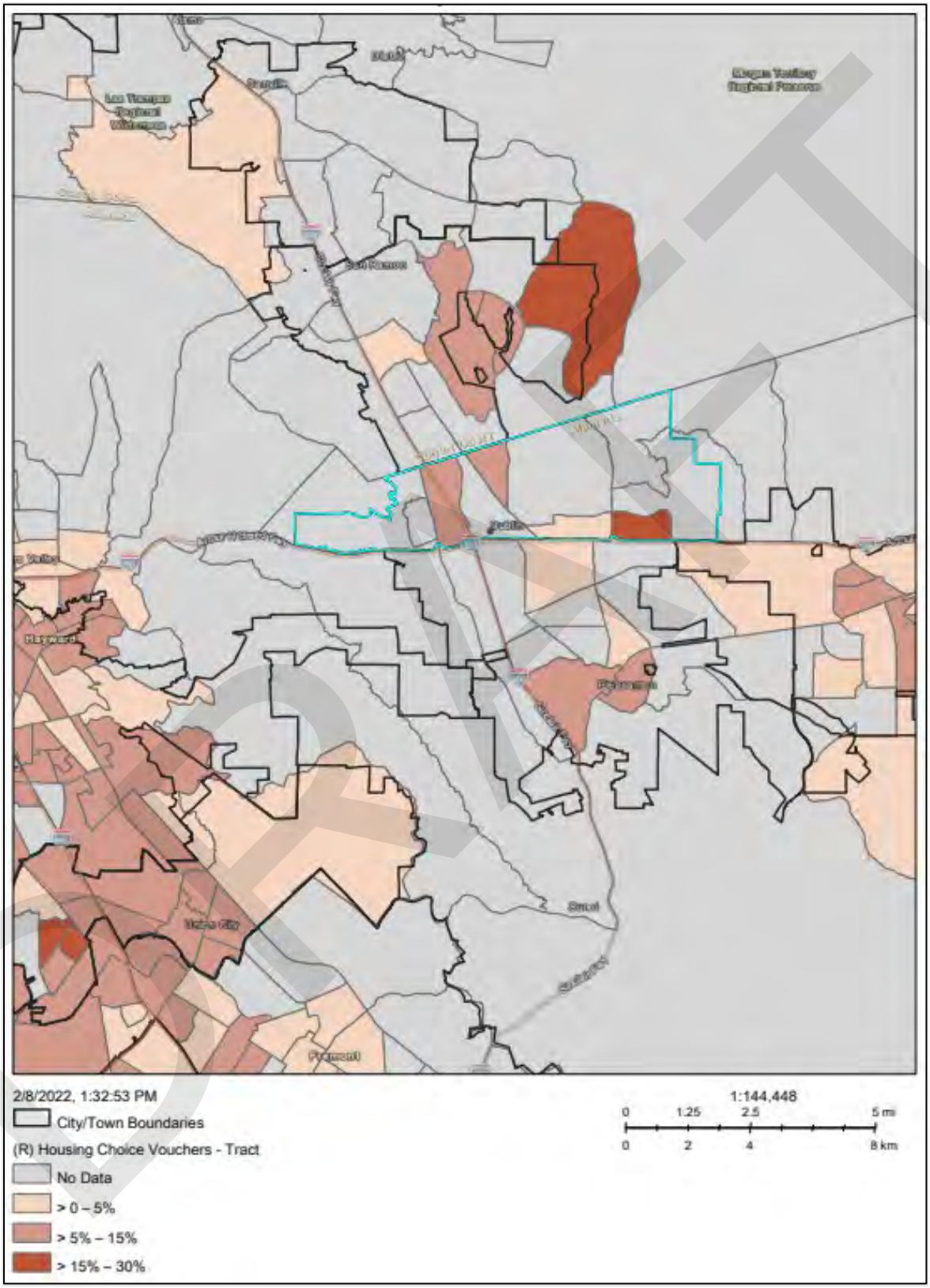
Figure C-9: Housing Choice Vouchers



Source: California Department of Housing and Community Development – AFFH Data Viewer

2. Community Development Block Grants (CDBG)

The Community Development Block Grants (CDBG) Program provides annual grants on a formula basis to cities to develop viable urban communities by providing a suitable living environment and by expanding economic opportunities, principally for low- and moderate-income households (up to 80 percent AMI). CDBG funds can be used for a wide array of activities, including:

- Housing rehabilitation;
- Lead-based paint screening and abatement;
- Acquisition of buildings and land;
- Construction or rehabilitation of public facilities and infrastructure, and
- Public services for low-income households and those with special needs.

Alameda County administers CDBG funds on behalf of the City through the CDBG Urban County Program. Using these funds, the Alameda County Community Development Agency administers the minor home rehabilitation grants and home improvement loan assistance. The Alameda County Healthy Homes Department Minor Home Rehabilitation Program provides grants of up to $3,000 to low-income homeowners for minor plumbing, carpentry, and electrical repairs and can be used for railings, grab bars, toilets, water heaters, doors, locks, and more. Renew Alameda County is a home improvement loan assistance program for low-income homeowners, which aims to help keep existing homeowners in their homes and maintain existing housing stock in a safe, livable condition. Additionally, in 2020, the City created and began administering the Dublin Home Rehabilitation Program to provide supplemental assistance to homeowners that may have received a grant or loan through the County's programs and need additional funding assistance or were turned down because they were not able to meet all of the County's criteria. The program provides grants of up to $5,000 for rehabilitation and beautification projects.

3. HOME Program

HOME Investment Partnerships provides federal funds for the development and rehabilitation of affordable rental and ownership housing for households with incomes not exceeding 80 percent of area median income. The program gives local governments the flexibility to fund a wide range of affordable housing activities through housing partnerships with private industry and non-profit organizations. HOME funds can be used for activities that promote affordable rental housing and homeownership by low-income households.

The City does not currently receive funding from the HOME Program.

C. Opportunities for Energy Conservation

1. Energy Use and Providers

The primary uses of energy in urban areas are for transportation, lighting, water heating, and space heating and cooling. The high cost of energy demands that efforts be taken to reduce or minimize the

overall level of urban energy consumption. Energy conservation is important in preserving non-renewable fuels to ensure that these resources are available for use by future generations. There are also benefits associated with energy conservation including improved air quality and lower energy costs.

According to Dublin General Plan Chapter 13 – Environmental Resources Management: Energy Conservation Element, regulatory and service agencies, including California Energy Commission (CEC), the California Public Utilities Commission (CPCU), and PG&E, play roles in decreasing energy consumption. In 2011, the CPUC's California Energy Efficiency Strategic Plan envisioned California's local governments would be leaders in using energy efficiency to reduce energy use and global warming emissions both in their own facilities and throughout their communities. The CPUC sees local governments taking a very active role in energy efficiency improvements through efforts to provide both incentives and regulatory requirements to mandate decreased energy consumption.

Alternative Sources

East Bay Community Energy's power mix is mostly sourced from renewable energy and large hydropower. Our Board of Directors have established the goal of purchasing 100 percent clean power by 2030 — a full 15 years before the State's goal date. Meanwhile, the City of Dublin took the bold action of transitioning residential customers onto 100 percent renewable energy service effective in January 2022, to accelerate the reduction of emissions and hasten the investment in wind, solar, and battery storage projects. In doing so, the City set the "default" service level for customers as Renewable 100, EBCE's service sourced from 100 percent California wind and solar, including the output of EBCE's Scott Haggerty Wind Center in Livermore. Any EBCE customer can choose our Bright Choice service, sourced from renewable energy, large hydroelectric, natural gas, and nuclear energy, if they prefer to save money on their PG&E bill each month.

According to the Energy Conservation Element, common uses of solar energy are solar water heating systems and photovoltaic facilities. The Tri-Valley climate is suitable for the implementation of solar energy technologies. In addition to more alternative sources being used by the utility provider, individual properties are increasingly generating their own power and drawing less off the grid. The City currently generates 19 percent of its energy needs from solar voltaic arrays. The remaining energy comes East Bay Community Energy (EBCE), which provides the City with 100 percent renewable energy. Of the energy consumed by City-owned buildings, 57 percent is produced by the solar arrays at the Civic Center, Dublin Library, Fire Station 16, Fire Station 17, Fire Station 18, Shannon Center, and the Senior Center.

Wind energy is also a viable option in Dublin. There are currently no wind energy facilities in the City.

As part of the Energy Conservation Element, the City has adopted the following guiding policies:

- Educate Dublin residents and local businesses on the variety of energy programs available.
- Encourage energy efficient improvements be made when residential and commercial properties change ownership.
- Explore additional ways to support solar and wind power generation options.
- Encourage the installation of alternative energy technology in new residential and commercial development.
- Encourage designing for solar access.
- Encourage energy efficient improvements on residential and commercial properties.

- Serve as a model for residents, local businesses, and public agencies by continuing to reduce the City's energy demand.

2. Electric Vehicle Chargers and Solar

In addition to the base requirements of California Green Building Standards Code (CGBSC), the City adopted the CalGreen Tier 2 requirements for electric vehicle (EV) charger space calculations. The adoption of Tier 2 requires double the amount of non-residential "EV capable" stalls than before (10 percent of stalls to 20 percent of stalls). The adoption of Tier 2 requirements also increases the multi-family residential standard from six percent to 10 percent for EV "capable" stalls. To be considered "EV capable," a parking stall must have an installed "raceway" (the enclosed conduit that forms the physical pathway for electrical wiring to protect it from damage) and adequate panel capacity to accommodate future installation of a dedicated branch circuit and charging station(s).

Most new residential dwelling units are required to install solar panels. For residential projects that qualify for an exception and commercial development, the City requires future access to solar systems by installing conduit from the solar zone (as defined by the CA Energy Code, Title 24 Part 6) to a location within the building that is suitable for future controllers and inverters. The conduit shall be installed as part of the original construction and prior to first occupancy.

D. Affirmatively Furthering Fair Housing (AFFH)

AB 686 established new requirements for all California jurisdictions to ensure that local laws, programs, and activities affirmatively further fair housing. All Housing Elements due on or after January 1, 2021, must contain an Assessment of Fair Housing (AFH) consistent with the core elements of the analysis required by the federal Affirmatively Further Fair Housing Final Rule of July 16, 2015.

Under State law, affirmatively further fair housing means "taking meaningful actions, in addition to combatting discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics." These characteristics can include, but are not limited to race, religion, sex, marital status, ancestry, national origin, color, familiar status, or disability.

1. Fair Housing Enforcement and Outreach Capacity

The City partners with the Eden Council for Hope and Opportunity (ECHO) for fair housing resources and services. ECHO provides information for tenants on their housing rights and provides mediation services between landlords and tenants. ECHO's goal is to promote equal housing access and provide support services to prevent homelessness and promote permanent housing conditions. Programs organized by ECHO relating to fair housing include the following:

- Fair Housing Services
- First-Time Home Buyer Counseling
- First Time Homebuyer Education
- Homeseeking Counseling
- Shared Housing Counseling and Placement

- Rent Review and Relocation Programs
- Rental Assistance Program
- Tenant/Landlord Services

Fair Housing and Civil Rights Findings, Lawsuits, Enforcement, Settlements or Judgments

The City's Community Development Department works closely with residents, property owners, outside agencies, and other City departments to resolve health, safety, and public nuisance conditions that adversely affect the quality of life in Dublin and that are not in compliance with adopted regulations. Enforcement is provided proactively and on a complaint basis. Most code violations are resolved on the initial contact made by Staff. Staff generally works under the model of voluntary compliance within a reasonable amount of time allotted. In rare instances, penalties are assessed to those who fail to comply with the Dublin Municipal Code. The Planning Division is primarily responsible for enforcing the provisions of the Zoning Ordinance and the Property Maintenance Ordinance, and the Building and Safety Division is primarily responsible for enforcing the provisions of the California Building Codes, the Dublin Municipal Code, and the Uniform Housing Code. In 2021, the City processed 134 code enforcement complaints relating to housing. These complaints addressed issues relating to property maintenance, access to heating and air conditioning, construction without building permits, and complete kitchen and plumbing facilities. None of the code enforcement complaints received by the City related to fair housing issues. Should a fair housing complaint be brought to the City's attention, the City would direct the complaint to ECHO for further assistance. During the 5th Cycle Housing Element, the City was not involved in any fair housing lawsuits, settlements, or judgments.

2. Analysis of Federal, State, and Local Data and Knowledge

Integration and Segregation Patterns and Trends

The dissimilarity index is the most-commonly used measure of segregation between two groups, reflecting their relative distributions across neighborhoods (as defined by census tracts). The index represents the percentage of the minority group that would have to move to new neighborhoods to achieve perfect integration of that group. An index score can range in value from 0 percent, indicating complete integration, to 100 percent, indicating complete segregation. An index number above 60 is considered to show high similarity and a segregated community.

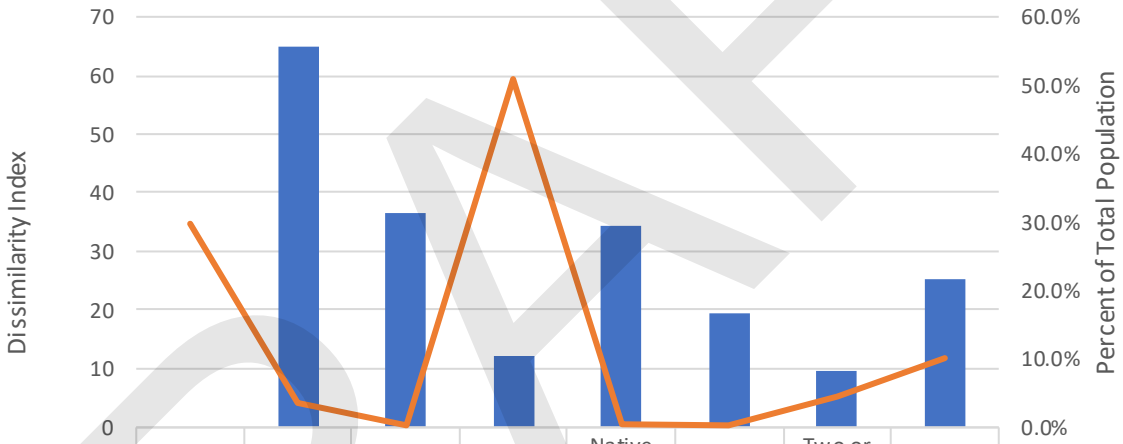
Figure C-10 shows the dissimilarity index for racial and ethnic groups in the City. The figure shows segregation for the City's Black population, which has a dissimilarity index of 64.9. No other racial or ethnic group scored above 60. When compared to the overall population, persons who identify as Black represent only 3.5 percent of the total City population. Similarly, those who identify as American Indian and Native Hawaiian had higher dissimilarity indices of 36.6 and 34.2, respectively, despite making up a combined six percent of the total population. When a racial or ethnic population is small, its dissimilarity index may be high even if the racial or ethnic group members are evenly distributed throughout the area. Thus, when a group's population is less than 1,000, exercise caution in interpreting its dissimilarity indices.

Figure C-11 also shows spatial mapping of neighborhood segregation for the City and surrounding region. As shown, the City is made up of "Mostly Asian" areas with some areas of "Asian-Latinx" and "4 Group Mixed." This is consistent with the rest of the region to the north and to the south of the City and

correlates with the data in **Figure C-10** showing about half of the City's population is made up of persons who identify as Asian.

It is important to note that segregation is a complex topic, difficult to generalize, and is influenced by many factors. Individual choices can be a cause of segregation, with some residents choosing to live among people of their own race or ethnic group. For instance, recent immigrants often depend on nearby relatives, friends, and ethnic institutions to help them adjust to a new country. Alternatively, when white residents leave neighborhoods that become more diverse, those neighborhoods can become segregated. Another major factor is the concentration and availability of affordable housing, which the City deliberately chose to disperse when selecting properties for the Sites Inventory (as shown in **Appendix D**). Other factors include housing market dynamics, availability of lending to different ethnic groups, availability of affordable housing, and discrimination can also cause residential segregation.

Figure C-10: Dissimilarity Index with White Population, Dublin



	White*	Black*	American Indian*	Asian*	Native Hawaiian *	Other*	Two or More Races*	Hispanic
Dissimilarity Index		64.9	36.6	12.1	34.2	19.4	9.8	25.2
% of Population	29.9%	3.5%	0.3%	50.9%	0.4%	0.3%	4.4%	10.2%

*Non-Hispanic only.

Source: Census Scope, Social Science Data Analysis Network

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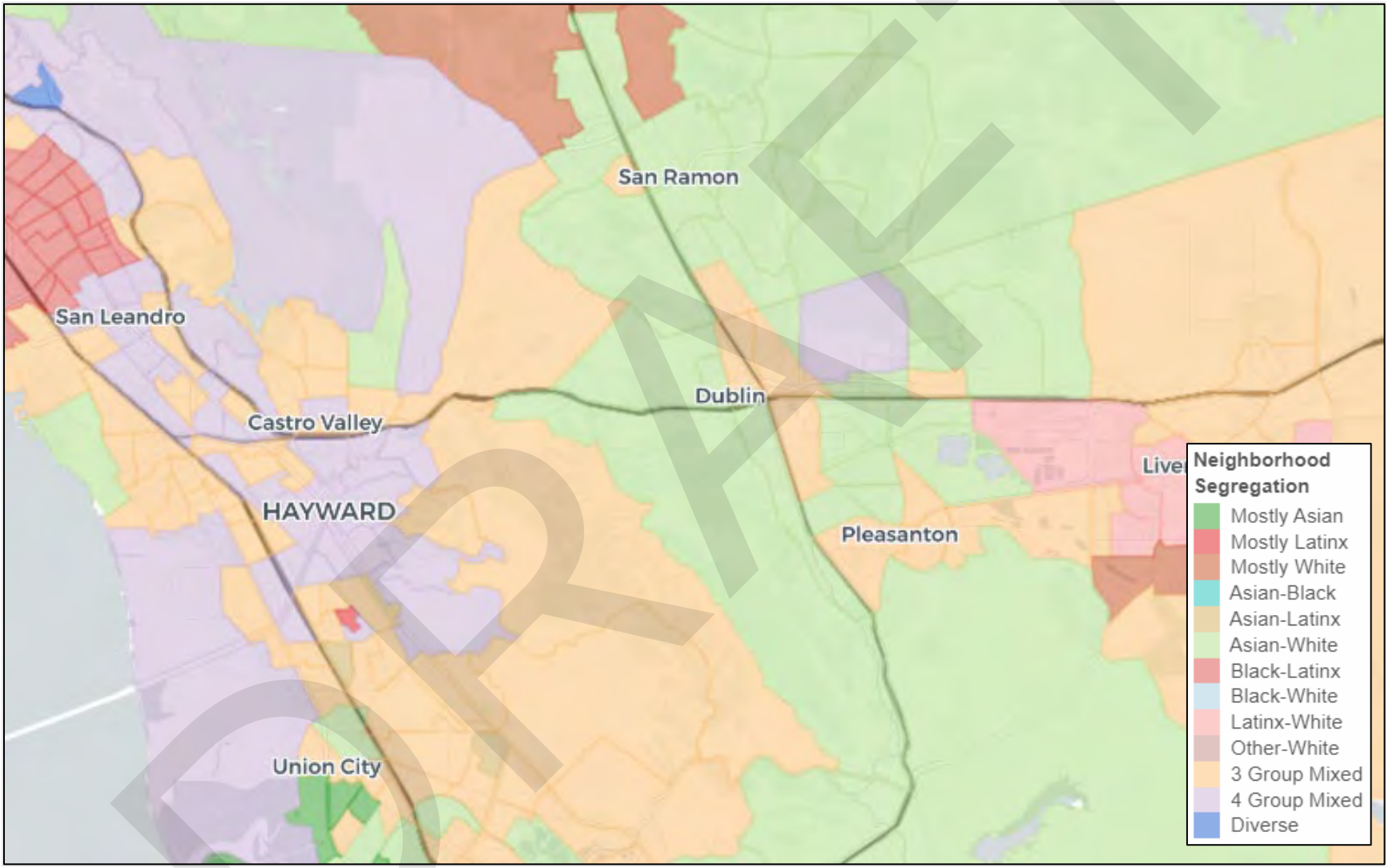
Figure C-11: Neighborhood Segregation (2021)



Source: Urban Displacement Project, University of California Berkeley (2021).

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Hate Crimes

Hate crimes are violent acts against people, property, or organizations because of the group to which they belong or identify. The Federal Fair Housing Act makes it illegal to threaten, harass, intimidate, or act violently toward a person who has exercised their right to free housing choice.

As shown in **Table 3-17**, between 2014 and 2020, a total of four hate crimes were reported in Dublin, which were all based on race, ethnicity, and ancestry. Specifically, the hate crimes that occurred in 2014 related to anti-Black or African American actions, the hate crime reported in 2017 related to anti-Asian actions, and the hate crime reported in 2019 related to anti-Hispanic or Latino. No further details are available as the Federal Bureau of Investigation (FBI) does not make case-specific data available.

Table 3-17: FBI Hate Crimes by Bias (2014-2020)

Year	Race/ Ethnicity/ Ancestry	Religion	Sexual Orientation	Disability	Gender	Gender Identity	Total
2014	2	0	0	0	0	0	2
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
2017	1	0	0	0	0	0	1
2018	0	0	0	0	0	0	0
2019	1	0	0	0	0	0	1
2020	0	0	0	0	0	0	0
Total	**4**	**0**	**0**	**0**	**0**	**0**	**4**

Source: Federal Bureau of Investigation, Crime Data Explorer, 2014-2020.

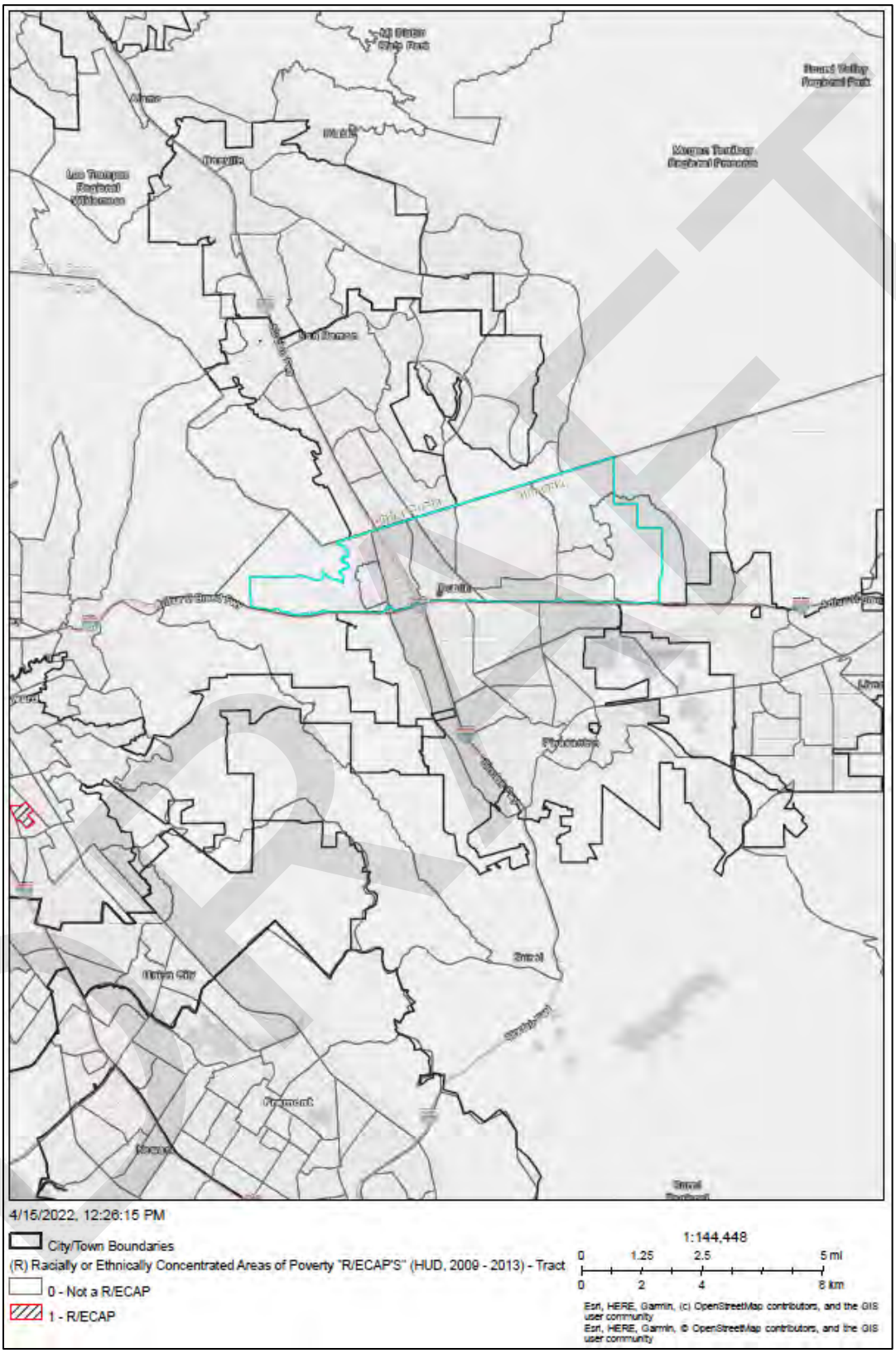
Racially and Ethnically Concentrated Areas of Poverty (R/ECAP)

To assist communities in identifying racially/ethnically concentrated areas of poverty (R/ECAPs), HUD has developed a census tract-based definition of R/ECAPs. The definition involves a racial/ethnic concentration threshold and a poverty test. The racial/ethnic concentration threshold is straightforward: R/ECAPs must have a non-white population of 50 percent or more. Neighborhoods of extreme poverty are defined as census tracts with 40 percent or more of individuals living at or below the poverty line. Because overall poverty levels are substantially lower in many parts of the country, HUD also defines a neighborhood as a R/ECAP if it has a poverty rate that exceeds 40 percent or is three or more times the average poverty rate for the metropolitan/micropolitan area, whichever threshold is lower.

Location can have a substantial effect on mental and physical health, education opportunities, and economic opportunities. Urban areas that are more residentially segregated by race and income tend to have lower levels of upward economic mobility than other areas. Research has found that racial inequality is thus amplified by residential segregation. However, these areas may also provide different opportunities, such as ethnic enclaves providing proximity to centers of cultural significance, business, social networks, and communities to help immigrants preserve cultural identify and establish themselves in new places. Overall, it is important to study and identify these areas to understand patterns of segregation and poverty in a city.

Figure C-12 shows there are no R/ECAPs located in Dublin, nor in the surrounding communities.

Figure C-12: R/ECAP in Dublin and Neighboring Communities



Source: California Department of Housing and Community Development – AFFH Data Viewer

Racially and Ethnically Concentrated Areas of Affluence (RCAA)

Racially or Ethnically Concentrated Areas of Poverty are a long-standing, contributing factor to segregation. However, patterns of segregation in the United States show that of all racial groups, the White population is the most severely insulated (separated from other racial groups). Research also identifies segregation of affluence to be greater than the segregation of poverty. Racial and economic segregation can have significant effects on respective communities, including but not limited to, socioeconomic disparities, educational experiences and benefits, exposure to environmental conditions and crime, and access to public goods and services.

Data used in the analysis of Racially Concentrated Areas of Affluence (RCAA) is from the 2015-2019 American Community Survey and measured at the census tract level. The definition for an RCAA is a census tract in which 80 percent or more of the population is White and has a median income of at least $125,000. The nationwide RCAA analysis identifies the following:

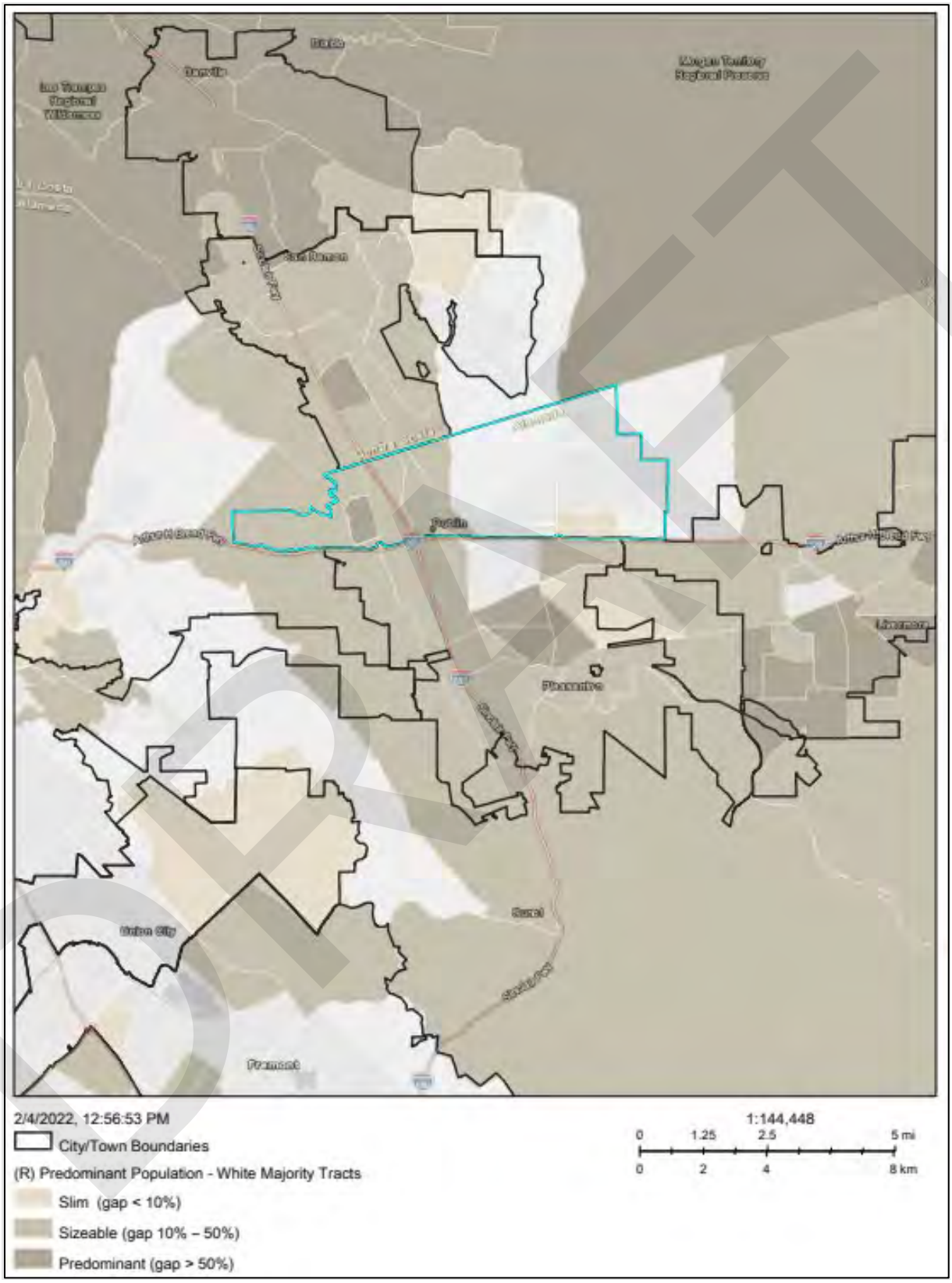
- RCAA tracts have more than twice the median household income of the average tract in their metro area.
- Poverty rates in RCAAs are significantly lower and are, on average about 20 percent of a typical tract.
- RCAAs tracts are more income homogenous than R/ECAPs.
- The average RCAA is about 57 percent affluent, whereas the average R/ECAP had a poverty rate of 48 percent.
- The typical RCAA tract has a rate of affluence 3.2 times that of a typical tract, whereas R/ECAPs on average had a poverty rate 3.2 times that of a typical tract.

Overall, RCAAs may represent a public policy issue to the extent that they have been created and maintained through exclusionary and discriminatory land use and development practices. Postwar patterns of suburbanization in many metropolitan areas were characterized by White communities erecting barriers to affordable housing and engaging in racially exclusionary practices.

Figure C-13 shows White-majority census tracts in the City and surrounding communities. As illustrated, there is one census tract on the western side of the City with a majority population identifying as White. In addition, **Figure C-14** shows median income by block group. A large majority of the City reports a median income greater than $125,000. When overlaid with the White majority tracts, two census tracts stand out as having RCAAs. These two tracts are identified in **Table C-18** and both have approximately 65 percent of their population identifying as White and earning over $137,000 annually.

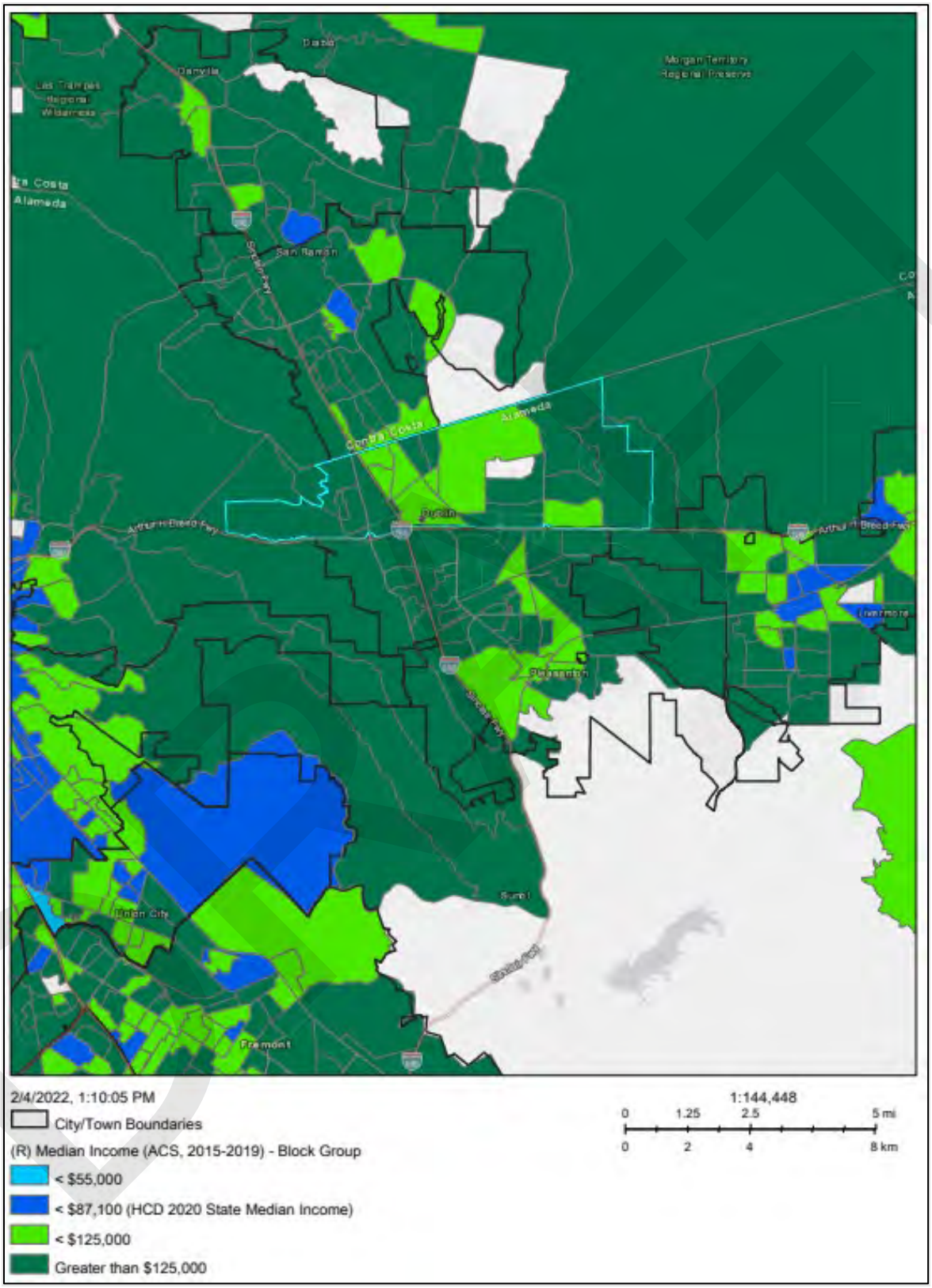
When compared to the County as a whole, the City's White population earns a median income of approximately $124,846 whereas the County's White population earns a median income of approximately $108,506 (**Table C-19**). In both jurisdictions, the White population represents just under half of the total population.

Figure C-13: RCAA in Dublin and Neighboring Communities – White Majority



Source: California Department of Housing and Community Development – AFFH Data Viewer

Figure C-14: RCAA in Dublin and Neighboring Communities – Median Income



Source: California Department of Housing and Community Development – AFFH Data Viewer

Table C-18: RCCAs - Median Household Income by Race by Block Group, Dublin		
Block Group	Percent Population White	Median Income
Block Group 2, Census Tract 4505.01	64.91%	$137,857
Block Group 1, Census Tract 4505.01	64.91%	$165,313
Source: (U.S. Census Bureau) from HCD AFFH Data Viewer, Accessed February 4, 2022.		

Table C-19: RCCAs - Median Household Income by Race, Dublin and Alameda County				
Race	Dublin		Alameda County	
	Median Income[1]	Population	Median Income [1]	Population
White	$124,846	45.7%	$108,506	46.8%
All Households	$150,299	--	$99,406	--
Notes: [1] Median income in the past 12 months (in 2019 inflation-adjusted dollars) *Source: American Community Survey, 5-Year Estimates, 2019.*				

Disparities in Access to Opportunities

REGIONAL OPPORTUNITY INDEX (ROI)

The University of California, Davis Center for Regional Change and Rabobank partnered to develop the Regional Opportunity Index (ROI) intended to help communities understand local social and economic opportunities. The goal of the ROI is to help target resources and policies toward people and places with the greatest need to foster thriving communities. The ROI incorporates both people and place components, integrating economic, infrastructure, environmental, and social indicators into a comprehensive assessment of the factors driving opportunity.

The ROI: People is a relative measure of people's education, economic, housing, mobility/transportation, health/environment, and civic life opportunities as follows:

- Education: Assesses people's educational success in the form of higher education, elementary school achievement, and elementary school attendance.
- Economic: Measures a community's economic well-being in the form of employment and income level.
- Housing: Measures a community's relative residential stability, in the form of homeownership and housing costs.
- Mobility/Transportation: Assesses a community's relative opportunities for overcoming rural isolation.
- Health/Environment: Measures a community's health, particularly infant, teen, and general health.
- Civic Life: Assesses social and political engagement in the form of households that speak English and voter turnout.

Figure C-15 illustrates the City's ROI: People results. As shown, Dublin residents generally have high assets in education, economic, housing, mobility/transportation, health/environment, and civic life opportunities. This is consistent with neighboring communities that also report high opportunities.

The ROI: Place is a relative measure of an area's assets in education, economic, housing, mobility/transportation, health/environment, and civic life opportunities as follows:

- Education: Assesses a census tract's relative ability to provide educational opportunity, in the form of high-quality schools that meet the basic educational and social needs.
- Economic: Measures the relative economic climate of a community, in the form of access to employment and business climate.
- Housing: Measures housing availability in a community, in the form of housing sufficiency and housing affordability.
- Health/Environment: Measures how well communities meet the health needs of their constituents, in the form of access to health care and other health-related environments.
- Civic Life: Measures the social and political stability of an area, in the form of neighborhood stability (living in same residence for one year) and citizenship.

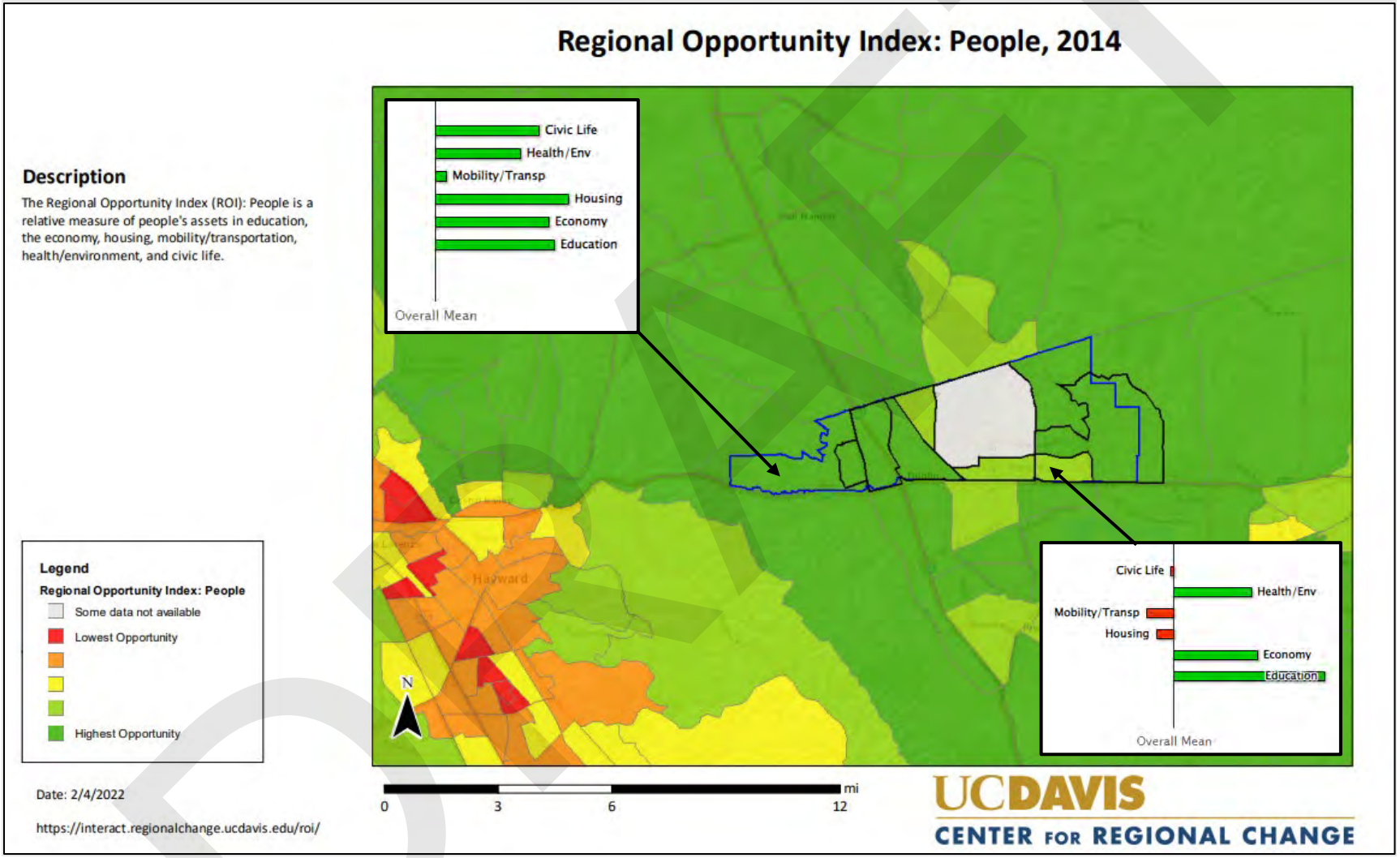
Figure C-16 illustrates the City's ROI: Place results. The City offers high to moderate assets in education, economic, housing, mobility/transportation, health/environment, and civic life opportunities. Areas of low opportunity exist in east Dublin. This is due to low health and environmental factors; all other assets remain highly rated. However, this data does not include the significant development in east Dublin, such as the Kaiser Medical Center and residential developments, since the data in 2014 was released

In addition, **Table C-20** displays specific ROI data for the City and the State. The data shows the following key findings:

- The City shows excellent educational scores with almost double the percent of college educated adults, greater high school graduation and University of California/California State University eligibility rates, and significantly higher proficiency levels.
- Dublin residents have a higher percentage of employment with greater incomes. Jobs in the City are generally higher quality and have been growing at a faster rate.
- While housing adequacy is greater in Dublin, a higher percentage of residents experience a cost burden.
- A greater percentage of Dublin residents have access to vehicles and commute less.
- General health and environmental factors in Dublin are highly rated. Infant health, prenatal care, years of life lost, and air quality are better rated in Dublin. The City does have less access to supermarkets, indicating a need for additional resources for existing residents. This data does not include the Whole Foods in Persimmon Place, which was opened in 2015, or Lucky's at Fallon Gateway, which opened in 2018.
- As it relates to civic involvement, almost all Dublin residents speak English and a high percentage vote.

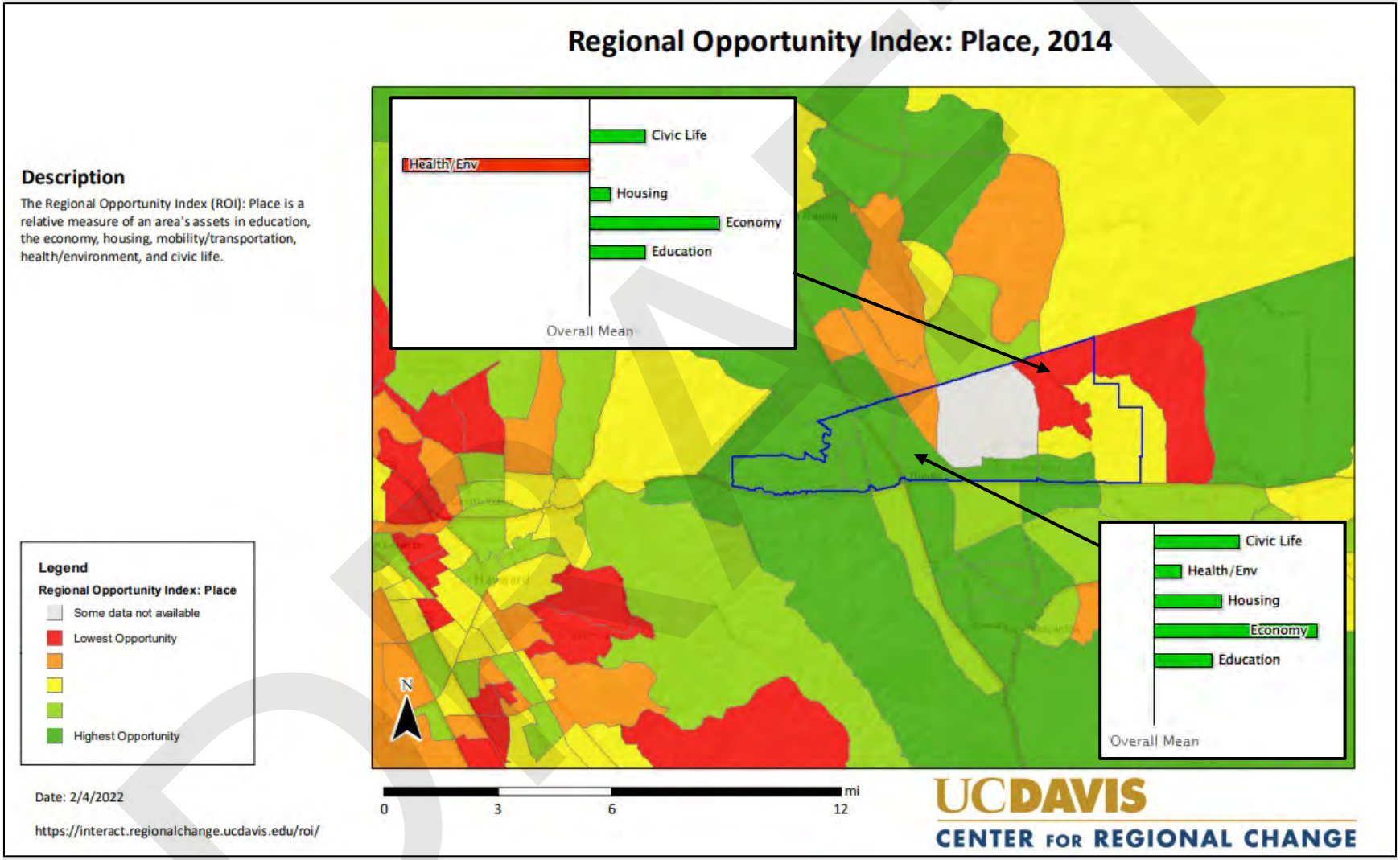
Overall, the City is shown to be a high opportunity city. As part of the candidate sites analysis, the City identified sites that can accommodate new housing units at a variety of income levels in areas where future residents will have access to high degrees of opportunity. By increasing stable and affordable housing options, the City hopes to further increase opportunities for current and future Dublin residents.

Figure C-15: Regional Opportunity Index, People – Dublin and Neighboring Communities



Source: UC Davis Center for Regional Change and Rabobank, 2014.

Figure C-16: Regional Opportunity Index, Place – Dublin and Neighboring Communities



Source: UC Davis Center for Regional Change and Rabobank, 2014.

Table C-20: Opportunity Indicators, Dublin and California			
	ROI Indicator	Dublin	California
Education	**People**		
	College Educated Adults	**63.2%**	38%
	Math Proficiency	**84.8%**	70.1%
	English Proficiency	**82.9%**	65%
	Elementary Truancy	**18.6%**	24.3%
	Place		
	High School Graduation Rate	**93.6%**	83.1%
	UC/CSU Eligibility	**62.9%**	41%
	Teacher Experience	**25.1%**	36.3%
	High School Discipline Rate	**1.3%**	6.4%
Economic	**People**		
	Employment Rate	**95.5%**	89.4%
	Minimum Basic Income	**88.4%**	63.5%
	Place		
	Job Availability	**977.4**	701.8
	Job Quality	**4.9%**	2.9%
	Job Growth	**56.4%**	40.4%
	Bank Accessibility	**0.4**	0.2
Housing	**People**		
	Home Ownership	**58.5%**	54.7%
	Housing Cost Burden	**59.5%**	51.6%
	Place		
	Housing Adequacy	**97.6%**	90.6%
	Housing Affordability	**0.2%**	0.2%
Mobility	**People**		
	Vehicle Availability	**92%**	86.4%
	Commute Time	**51.8%**	59.9%
	Internet Access	**5**	4
Health/Environmental	**Place**		
	Infant Health	**94.8%**	94.9%
	Birth to Teens	**0.9%**	6.6%
	Years of Life Lost	**17.2%**	29.8%
	Place		
	Air Quality	**8.6%**	10%
	Prenatal Care	**88.6%**	83.1%
	Access to Supermarket	**22.9%**	53.3%
	Health Care Availability	**1.8%**	1.8%
Civic Life	**People**		
	Voting Rates	**37.6%**	30.6%
	English Speakers	**95.9%**	88.1%
	Place		
	US Citizenship	**83.2%**	82.6%
	Neighborhood Stability	**80.6%**	84.9%

Source: UC Davis Center for Regional Change and Rabobank, 2014.

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CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE (TCAC/HCD) OPPORTUNITY AREA DATA

HCD together with the California Tax Credit Allocation Committee established the California Fair Housing Task Force to provide research, evidence-based policy recommendations, and other strategic recommendations to HCD and other related state agencies/departments to further the fair housing goals (as defined by HCD). The Task Force developed the TCAC/HCD Opportunity Area Maps to understand how public and private resources are spatially distributed. The Task Force defines opportunities as pathways to better lives, including health, education, and employment. Overall, opportunity maps are intended to display which areas, according to research, offer low-income children and adults the best chance at economic advancement, high educational attainment, and good physical and mental health.

According to the Task Force's methodology, the tool allocates 20 percent of the tracts in each region with the highest relative index scores to the "Highest Resource" designation and the next 20 percent to the "High Resource" designation. Each region then ends up with 40 percent of its total tracts as "Highest" or "High" resource. These two categories are intended to help State decision-makers identify tracts within each region where research suggests low-income families are most likely to thrive, and where they typically do not have the option to live—but might, if given the choice.

Figure C-17 shows the TCAC Opportunity Scores for the City and surrounding region. As illustrated, the City is categorized as High and Highest Resource. This is generally consistent with the region. The region to the east with moderate resource scores represents mostly undeveloped land. Overall, future housing developments within the City will benefit from access to high levels of resources, bringing additional opportunities for existing and future residents.

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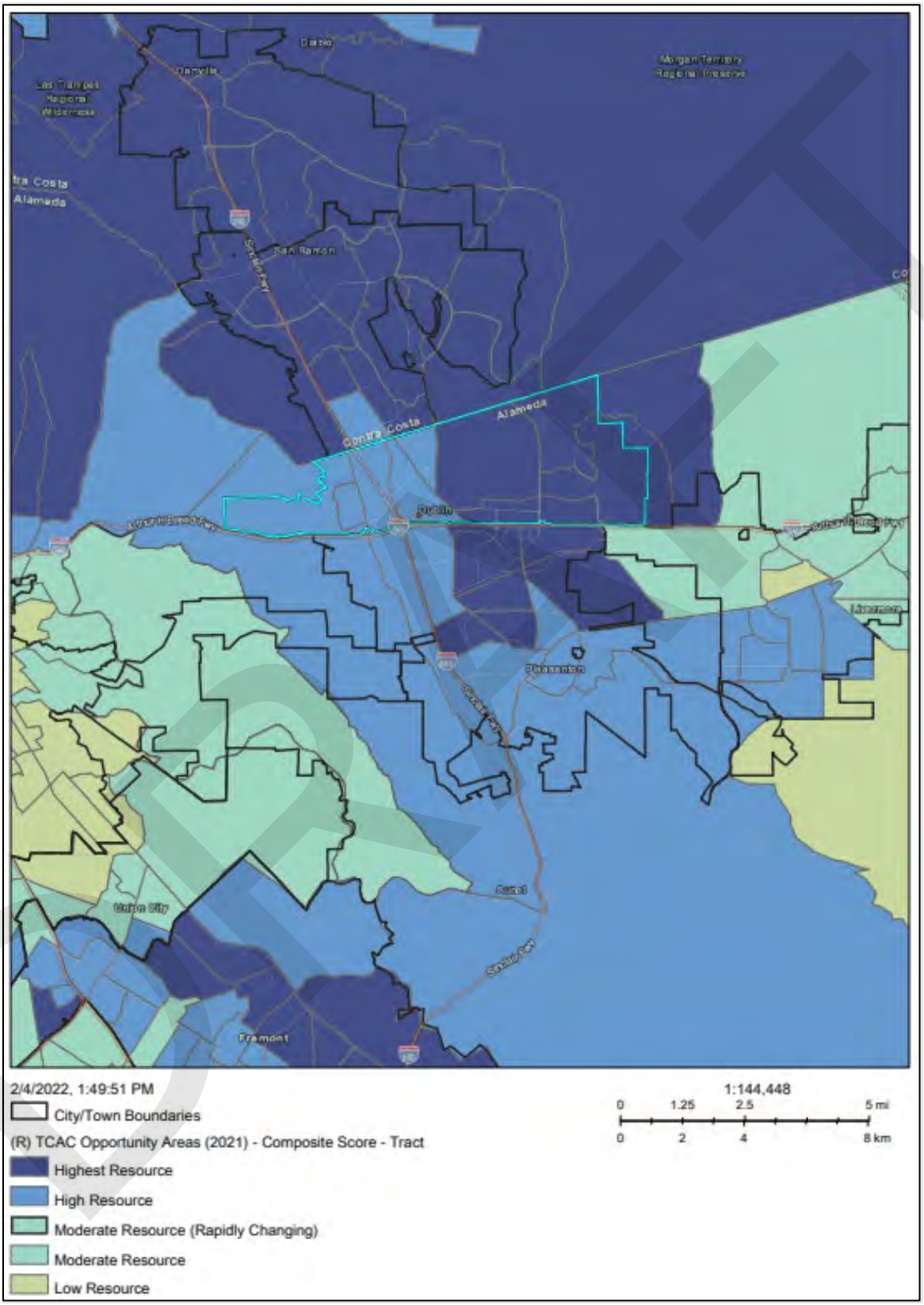
Figure C-17: TCAC/HCD Opportunity Map



Source: California Department of Housing and Community Development – AFFH Data Viewer

TCAC/HCD DATA – EDUCATIONAL OPPORTUNITIES

The TCAC/HCD Opportunity Area Maps include education data, as illustrated in **Figure C-18**. This data represents opportunity levels based on the following four factors:

- Math proficiency – Percentage of fourth graders who meet or exceed math proficiency standards.
- Reading proficiency – Percentage of fourth graders who meet or exceed literacy standards.
- High school graduation rates – Percentage of high school cohort that graduated on time.
- Student poverty rate – Percentage of students not receiving free or reduced-price lunch.

Figure C-18 shows educational scores for the City and surrounding region. As shown, a large portion of the City lacks adequate data to identify scores; however, the remainder of the City is scored at the highest positive educational outcomes. Overall, Dublin provides high opportunities for education achievement and in return Dublin residents show high educational achievements and successes in achieving college degrees.

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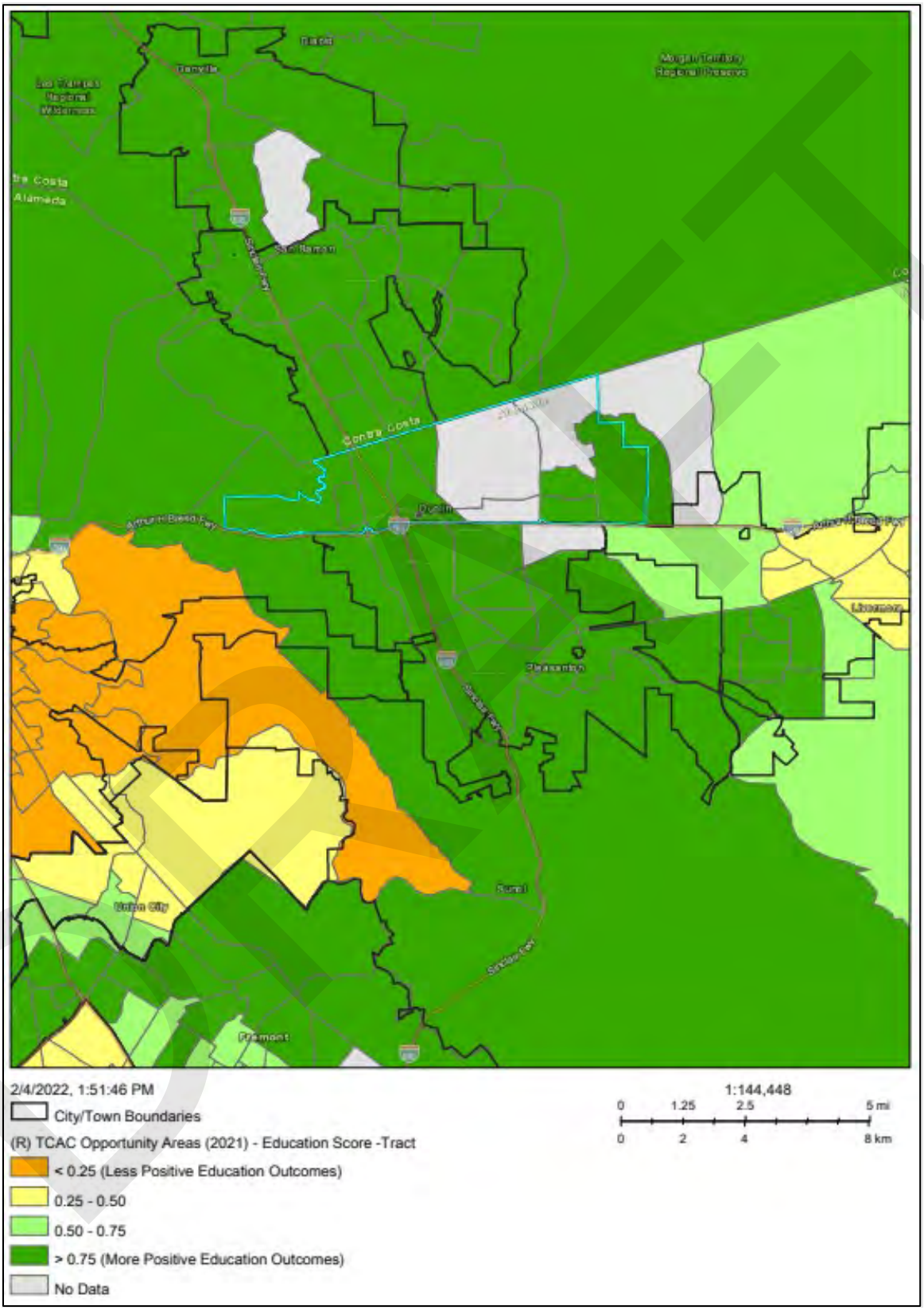
Figure C-18: TCAC/HCD Opportunity Map – Educational Opportunities



Source: California Department of Housing and Community Development – AFFH Data Viewer

TCAC/HCD DATA – ECONOMIC OPPORTUNITIES

The TCAC/HCD Opportunity Area Maps include economic data, as illustrated in **Figure C-19**. This data represents opportunity levels based on the following five factors:

- Poverty – Percent of population with income above 200 percent of federal poverty line.
- Adult Education – Percent of adults with a bachelor's degree or above.
- Employment – Percent of adults aged 20-64 who are employed in the civilian labor force or in the armed forces.
- Job Proximity – Number of jobs filled by workers with less than a Bachelor of Arts degree that fall within a given radius (determined by the typical commute distance of low-wage workers in each region) of each census tract population-weighted centroid.
- Median Home Value - Value of owner-occupied units.

Figure C-19 shows economic opportunity scores for Dublin and the surrounding region. The majority of the City has a high level of positive economic outcome. The area of the City near Interstate-680 is shown to have moderate economic outcomes; this area includes a large percentage of residential uses as well as the City's downtown region and large commercial and industrial centers. When compared to proximity to jobs (**Figure C-20**), Dublin residents generally live close to employment. Overall, Dublin residents have high access to positive economic opportunities. Future housing development will add to opportunities for existing and future residents.

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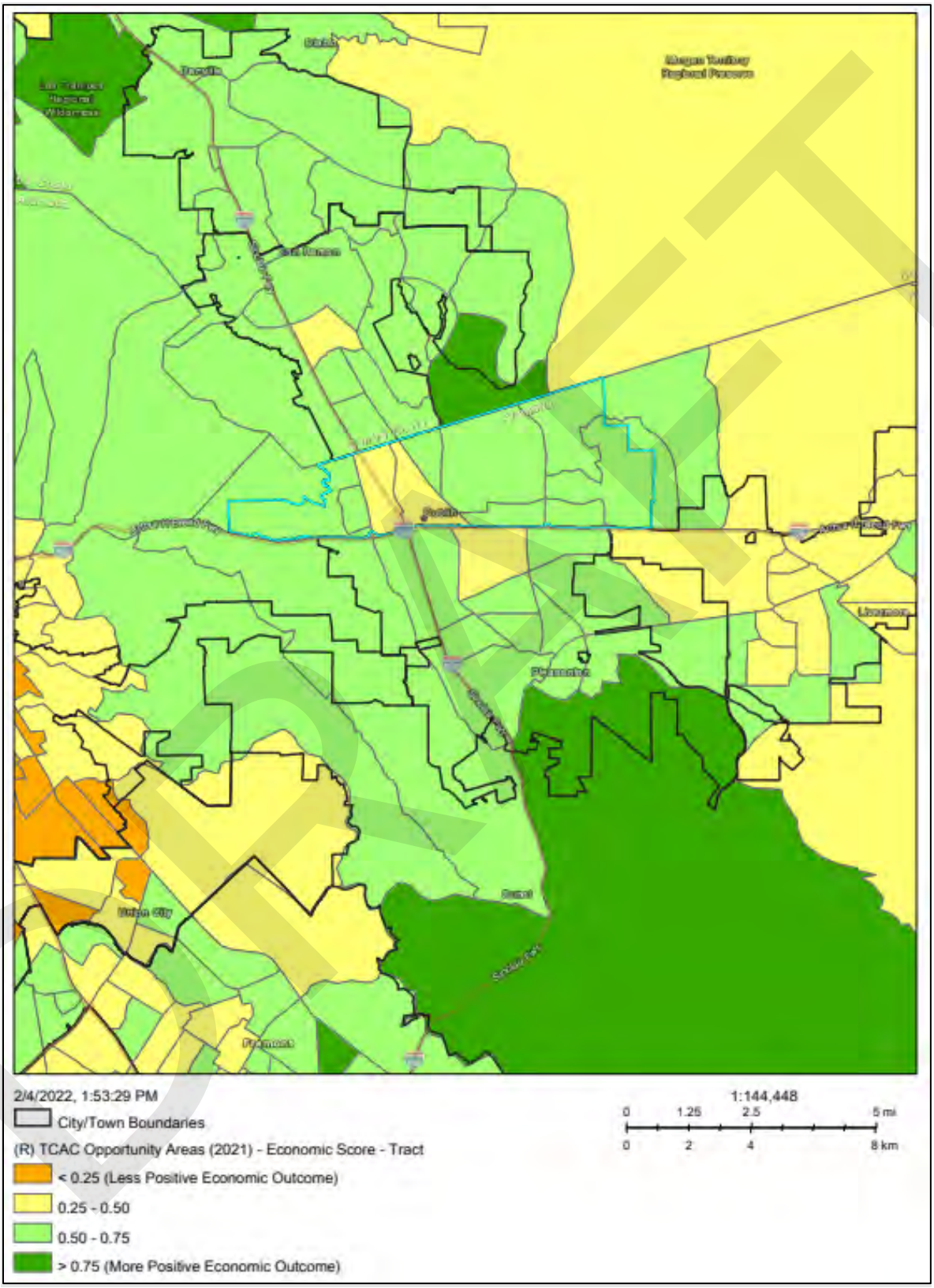
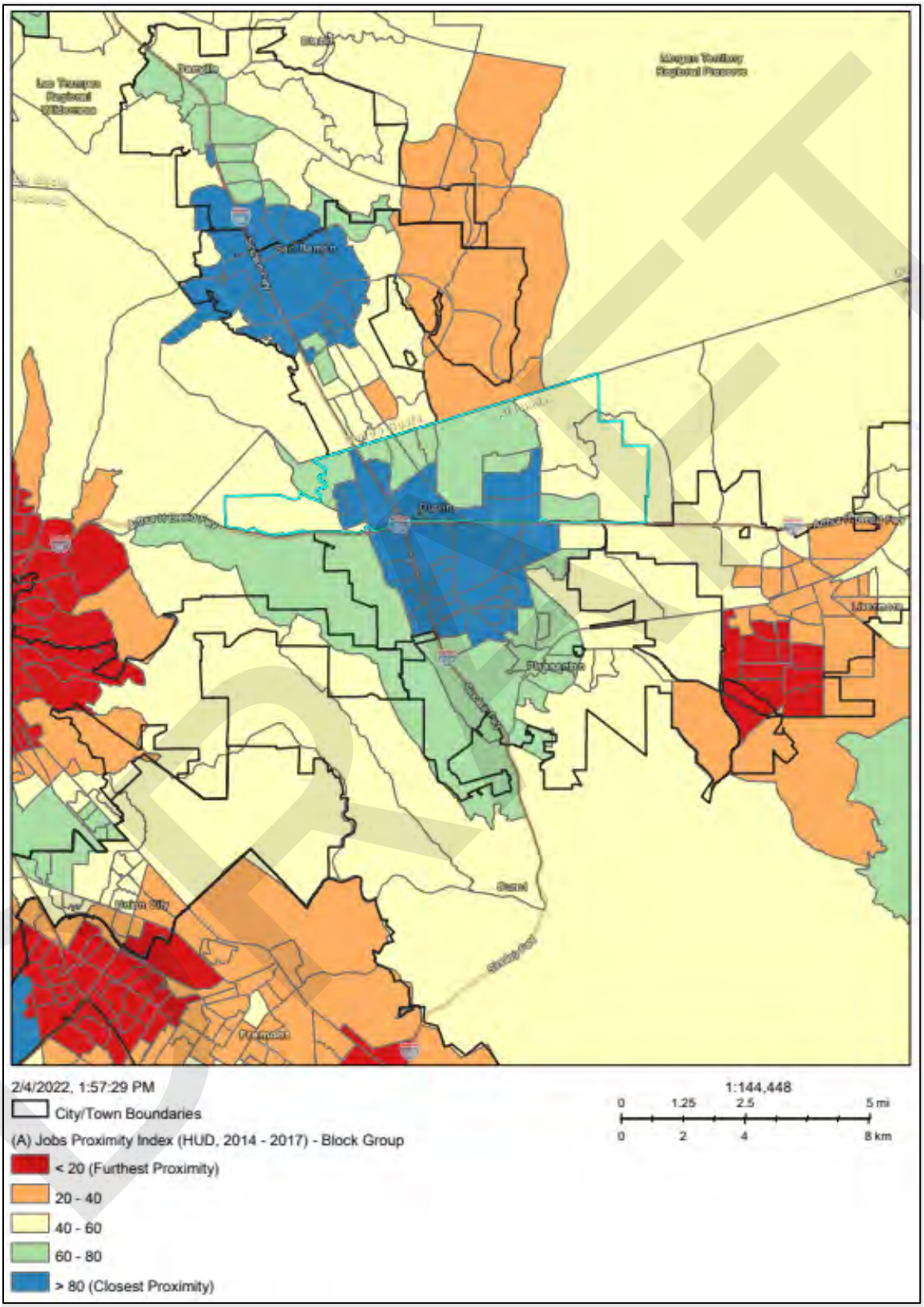
Figure C-19: TCAC/HCD Opportunity Map – Economic Opportunities



Source: California Department of Housing and Community Development – AFFH Data Viewer

Figure C-20: Jobs Proximity Index



Source: California Department of Housing and Community Development – AFFH Data Viewer

HUD OPPORTUNITY INDICATORS

Opportunity indicators also help inform communities about disparities in access to opportunity. HUD developed opportunity indicators to help inform communities about disparities in access to opportunity. The scores are based on nationally available data sources and assess resident's access to key opportunity assets in the County. **Table C-21** provides the index scores (ranging from zero to 100) for the following opportunity indicator indices for Alameda County:

- **Low Poverty Index**: The low poverty index captures the poverty rate at the census tract level. The higher the score, the less exposure to poverty in a neighborhood.
- **School Proficiency Index**: The school proficiency index uses school-level data on the performance of fourth grade students on state exams to describe which neighborhoods have high-performing elementary schools nearby and which are near lower-performing elementary schools. The higher the score, the higher the school system quality is in a neighborhood.
- **Labor Market Engagement Index**: The labor market engagement index provides a summary description of the relative intensity of labor market engagement and human capital in a neighborhood. This is based upon the level of employment, labor force participation, and educational attainment in a census tract. The higher the score, the higher the labor force participation and human capital.
- **Transit Trips Index**: The transit trips index is based on estimates of transit trips taken by a family that meets the following description: a three-person single-parent family with income at 50 percent of the median income for renters for the region (i.e., the Core-Based Statistical Area (CBSA)). The higher the transit trips index, the more likely residents in that neighborhood utilize public transit.
- **Low Transportation Cost Index**: The low transportation cost index is based on estimates of transportation costs for a family that meets the following description: a three-person single-parent family with income at 50 percent of the median income for renters for the region/CBSA. The higher the index, the lower the cost of transportation.
- **Jobs Proximity Index**: The jobs proximity index quantifies the accessibility of a given residential neighborhood as a function of its distance to all job locations within a region/CBSA, with larger employment centers weighted more heavily. The higher the index value, the better access to employment opportunities.
- **Environmental Health Index**: The environmental health index summarizes potential exposure to harmful toxins at a neighborhood level. The higher the index value, the less exposure to toxins harmful to human health.

Table C-21 displays the opportunity indicators by race and ethnicity for persons in Alameda County – data is not available for the City. There are lower school proficiency rates and labor market rates among the population identifying as Black non-Hispanic and Hispanic. In addition, Alameda County residents report low job proximity scores, which is not the case for Dublin residents who benefit from high proximity to employment.

Table C-21: Opportunity Indicators, Alameda County							
(Alameda County, CA CDBG) Jurisdiction	Low Poverty Index	School Proficiency Index	Labor Market Index	Transit Index	Low Transportation Cost Index	Jobs Proximity Index	Environmental Health Index
Total Population							
White, Non-Hispanic	74.5	64.8	69.0	62.5	88.4	41.6	50.0
Black, Non-Hispanic	59.4	46.9	47.4	66.1	90.4	36.0	50.7
Hispanic	58.3	39.9	48.6	70.0	90.1	31.0	50.3
Asian or Pacific Islander, Non-Hispanic	71.5	61.9	66.3	63.9	88.5	44.4	49.7
Native American, Non-Hispanic	63.5	50.9	49.7	63.1	89.7	37.9	51.1
Population Below Federal Poverty Line							
White, Non-Hispanic	63.7	50.6	58.0	69.8	90.1	32.1	47.8
Black, Non-Hispanic	46.2	32.8	42.9	74.6	92.5	26.3	48.3
Hispanic	44.9	29.4	45.6	76.1	91.6	29.1	49.6
Asian or Pacific Islander, Non-Hispanic	62.3	53.1	63.2	74.5	91.6	47.2	43.2
Native American, Non-Hispanic	42.1	18.3	43.3	76.7	91.9	12.8	52.8

Source: Department of Housing and Urban Development, Affirmatively Furthering Fair Housing Online Mapping Tool, Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA

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ACCESS TO TRANSIT

Access to transportation, specifically public transit, provides households with affordable and environmentally-friendly commuting options. It can also increase accessibility to essential retail, such as grocers and markets, and recreational activities.

AllTransit explores metrics that reveal the social and economic impact of transit, specifically looking at connectivity, access to jobs, and frequency of service. Dublin scored a AllTransit performance score of 5.3, as shown in **Figure C-21** below, illustrating moderate combination of trips per week and number of jobs accessible enabling a moderate number of people to take transit to work. Additionally, AllTransit identified the following transit related statistics for Dublin:

- 94.6 percent of all jobs in Dublin are located within half a mile of transit.
- There are 3,765 customer households within a 30-minute transit commute of local businesses.
- 1.11 percent of workers in Dublin walk to work.
- 0.41 percent of workers in Dublin bike to work.
- No low-income households (earning under $50,000) live within half a mile of high frequency full-day transit.

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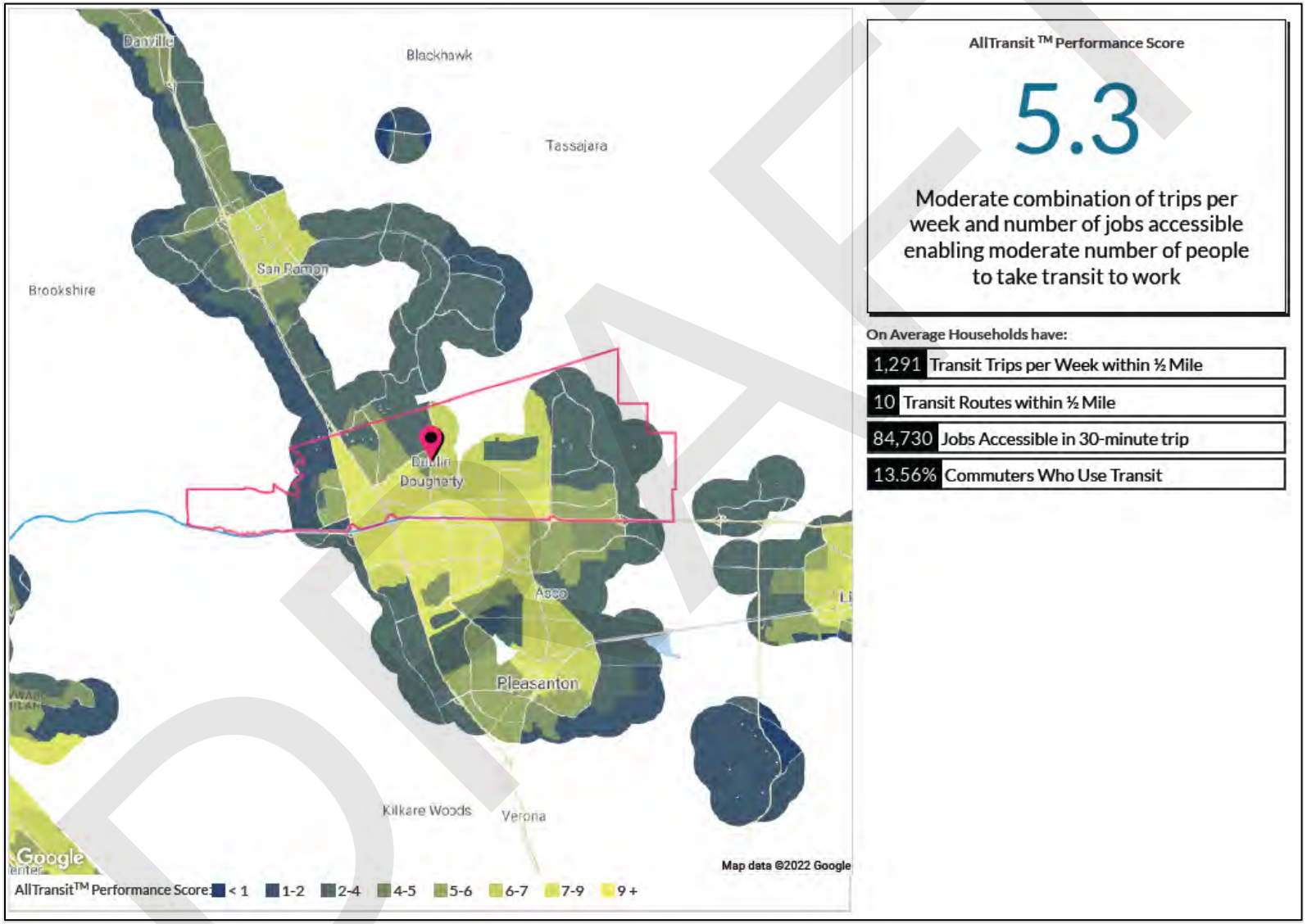
Figure C-21: All Transit Performance Score – Dublin (2021)



Source: AllTransit Fact Sheet, 2021.

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CALENVIROSCREEN - ENVIRONMENTAL JUSTICE

The California Office of Environmental Health Hazard Assessment (OEHHA) developed a screening methodology to help identify California communities disproportionately burdened by multiple sources of pollution, called the California Communities Environmental Health Screening Tool (CalEnviroScreen). In addition to environmental factors (pollutant exposure, groundwater threats, toxic sites, and hazardous materials exposure) and sensitive receptors (seniors, children, persons with asthma, and low birth weight infants), CalEnviroScreen also takes into consideration socioeconomic factors. These factors include educational attainment, linguistic isolation, poverty, and unemployment. Research has shown a heightened vulnerability of people of certain ethnicities and lower socioeconomic status to environmental pollutants.

The CalEnviroScreen 4.0 Model is made up of a suite of 20 statewide indicators of pollution burden and population characteristics associated with increased vulnerability to pollution's health effects. The model uses the following analysis and calculation to identify areas of health risk:

- Uses a weighted scoring system to derive average pollution burden and population characteristics scores for each census tract.
- Calculates a final CalEnviroScreen score for a given census tract relative to the other tracts by multiplying the pollution burden and population characteristics components together.
- Measures the relative pollution burdens and vulnerabilities in one census tract compared to others; the score is not a measure of health risk.

Figure C-22 displays mapped results of the CalEnviroScreen 4.0 for the City and surrounding region. The City has low to moderate levels of pollution burdens. **Tables C-22** and **C-23** compare two census tracts with the highest and lowest pollution burdens in the City. As detailed, Census Tract 6001450400 reports a higher pollution burden, but is still considered relatively low to moderate on the scale. The housing burden and unemployment percentile in this census tract is greater than that of Census Tract 6001450502. In general, new housing opportunities throughout the City would have access to low levels of pollution burdens.

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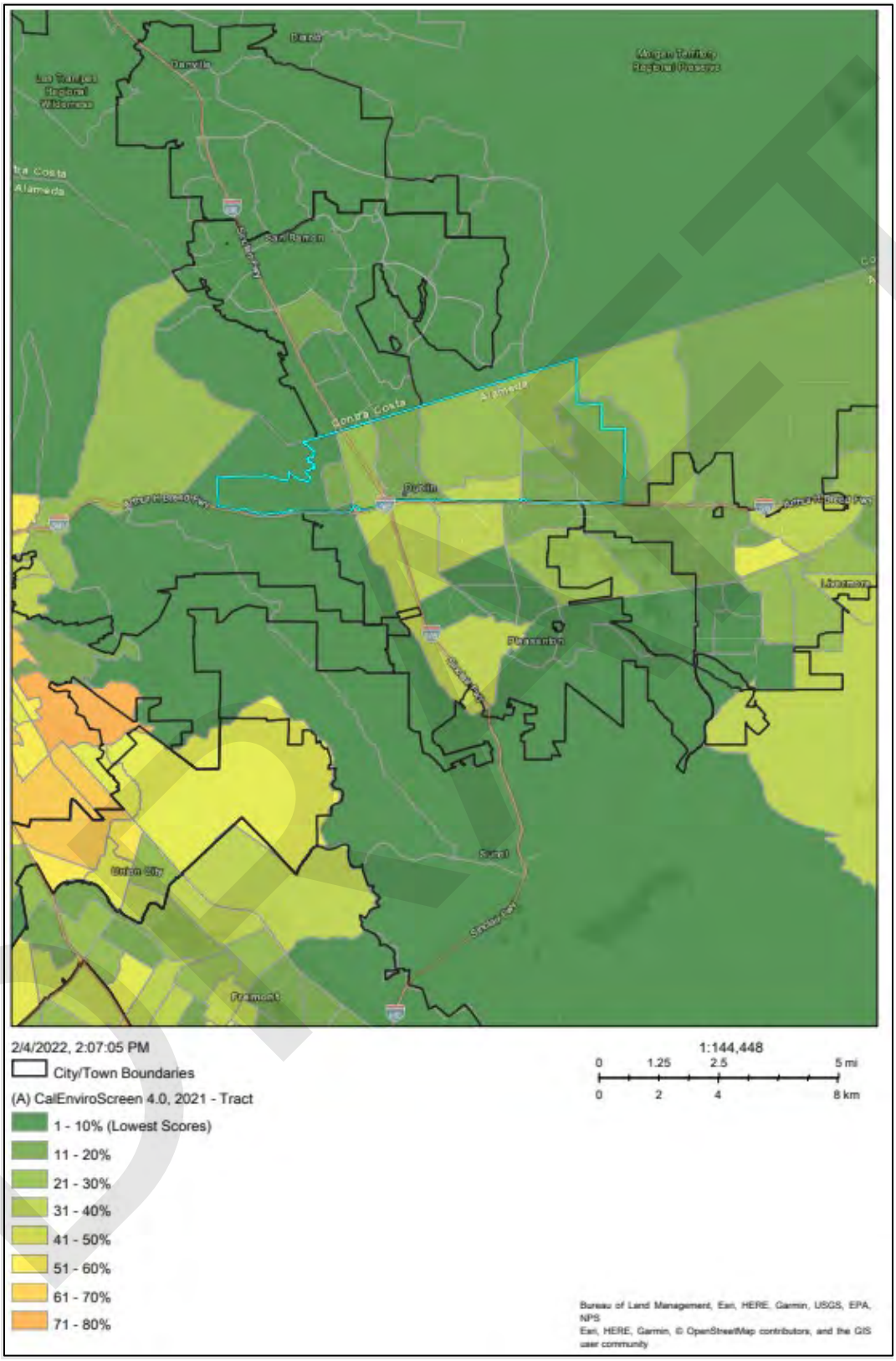
Figure C-22: All Transit Performance Score – Dublin



Source: California Department of Housing and Community Development – AFFH Data Viewer

Table C-22: CalEnviro Screen 4.0 – Highest Scoring Census Tract (6001450400)			
Pollutant	**Percentile***	**Health Risk/Burden**	**Percentile***
CalEnviro Screen 4.0	29	Pollution Burden	41
Ozone	25	Asthma	18
Particulate Matter 2.5	25	Low Birth Weight	72
Diesel Particulate Matter	93	Cardiovascular Rate	10
Toxic Releases	42	Education	21
Traffic	86	Linguistic Isolation	47
Drinking Water	39	Poverty	14
Lead from Housing	33	Unemployment	53
Cleanup Sites	10	Housing Burden	32
Groundwater Threats	75		
Hazardous Waste	78		
Impaired Water	0		
Solid Waste	0		

*Percentile derived using a weighted scoring system to determine average pollution burden/ socioeconomic scores relative to other census tracts.
Source: CalEnviroScreen 4.0 (Accessed 2/7/2022)

Table C-23: CalEnviro Screen 4.0 – Lowest Scoring Census Tract (6001450502)			
Pollutant	**Percentile***	**Health Risk/Burden**	**Percentile***
CalEnviro Screen 4.0	4	Pollution Burden	26
Ozone	18	Asthma	12
Particulate Matter 2.5	20	Low Birth Weight	23
Diesel Particulate Matter	51	Cardiovascular Rate	6
Toxic Releases	44	Education	15
Traffic	99	Linguistic Isolation	31
Drinking Water	39	Poverty	3
Lead from Housing	3	Unemployment	11
Cleanup Sites	50	Housing Burden	4
Groundwater Threats	44		
Hazardous Waste	47		
Impaired Water	0		
Solid Waste	0		

*Percentile derived using a weighted scoring system to determine average pollution burden/ socioeconomic scores relative to other census tracts.
Source: CalEnviroScreen 4.0 (Accessed 2/7/2022)

Disproportionate Housing Needs and Displacement

Disproportionate housing needs refer to disparities in cost burden, overcrowding, substandard housing, and displacement risk for special needs populations in comparison to the rest of the population. Housing needs are assessed by the HUD Comprehensive Housing Affordability Strategy (CHAS), based on ACS data. Housing problems and severe housing problems include the following elements:

Housing Problem

- Incomplete kitchen facilities
- Incomplete plumbing facilities
- 1+ person per room
- Cost burden greater than 30 percent

Severe Housing Problem

- Incomplete kitchen facilities
- Incomplete plumbing facilities
- 1.5+ person per room
- Cost burden greater than 50 percent

Table C-24 shows a breakdown of housing challenges for Dublin and Alameda County households by race and ethnicity. Dublin residents experience lower rates of housing challenges for both owner and renter households. Renter households across both jurisdictions experience more housing challenges than owner households. Renters and homeowners who identify as White have the highest rates of household challenges and those who identify as Asian report the second highest rates of housing problems.

Table C-24: Housing Problems by Tenure and Race/Ethnicity

Has One or More Housing Challenges	White	Black or African American	Asian	American Indian	Pacific Islander	Hispanic or Latino
City of Dublin						
Owner Households	3.2%	0%	2.3%	0.1%	0%	0.9%
Renter Households	3.5%	0.4%	2.3%	0.1%	0.1%	0.8%
Alameda County						
Owner Households	2.6%	0.8%	2.5%	0%	0%	1.5%
Renter Households	3.8%	3.2%	3.5%	0.1%	0.1%	4.5%

Source: HUD, Consolidated Planning/CHAS Data, City of Dublin and Alameda County.

COST BURDEN

Table C-25 shows data for households experiencing overpayment and cost burden for Dublin, Alameda County, and the State of California. The City had the lowest rates of cost burden in 2019 after experiencing a four percent decrease for those with a cost burden over 30 percent between 2017 and 2019. Overall, jurisdictions have experienced cost burden decreases between 2017 and 2019. **Figures C-23** and C-**24** show overpayment by tenure. Both figures show there is a relatively similar percentage of overpayment between renters and homeowners throughout the City. The Primary Planning Area, as shown in General Plan Figure 1-2, experiences higher rates of overpayment at 40 to 60 percent. Both figures show consistency with neighboring communities, with **Figure C-24** showing a generally lower percentage of the City's renters overpaying for housing compared to the region.

Table C-25: Cost Burden Change Over Time by Geography (2017-2019)

Overpayment/ Cost Burden	City of Dublin		Alameda County		State of California	
	2017	2019	2017	2019	2017	2019
Cost Burden >30%	30%	26%	29%	28%	32%	31%
Cost Burden >50%	8%	8%	11%	11%	14%	13%
No Cost Burden	0.1%	0.3%	0.6%	0.5%	0.8%	0.8%

Source: American Community Survey, 5-Year Estimates, 2019 and 2017.

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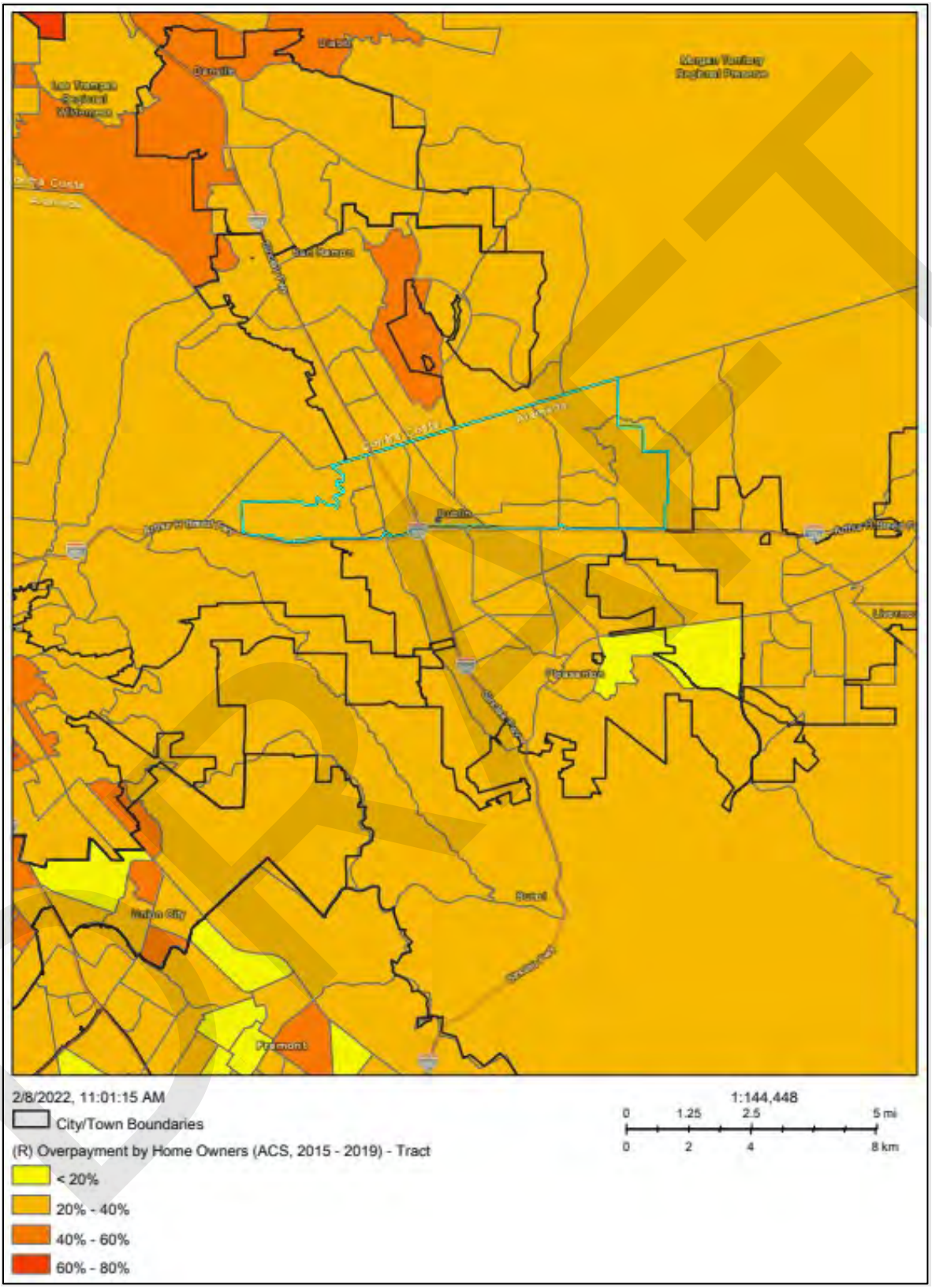
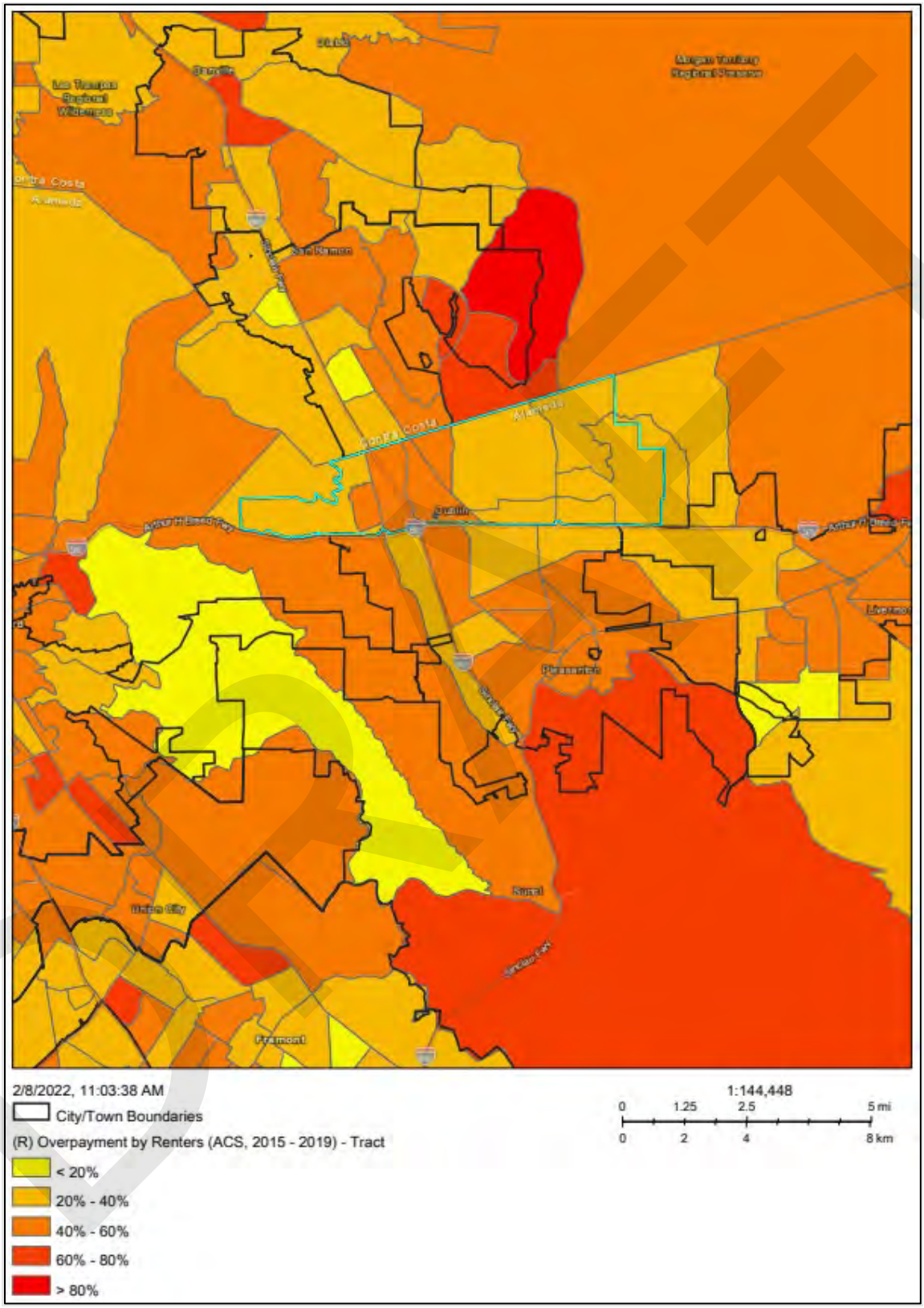
Figure C-23: Overpayment by Homeowners



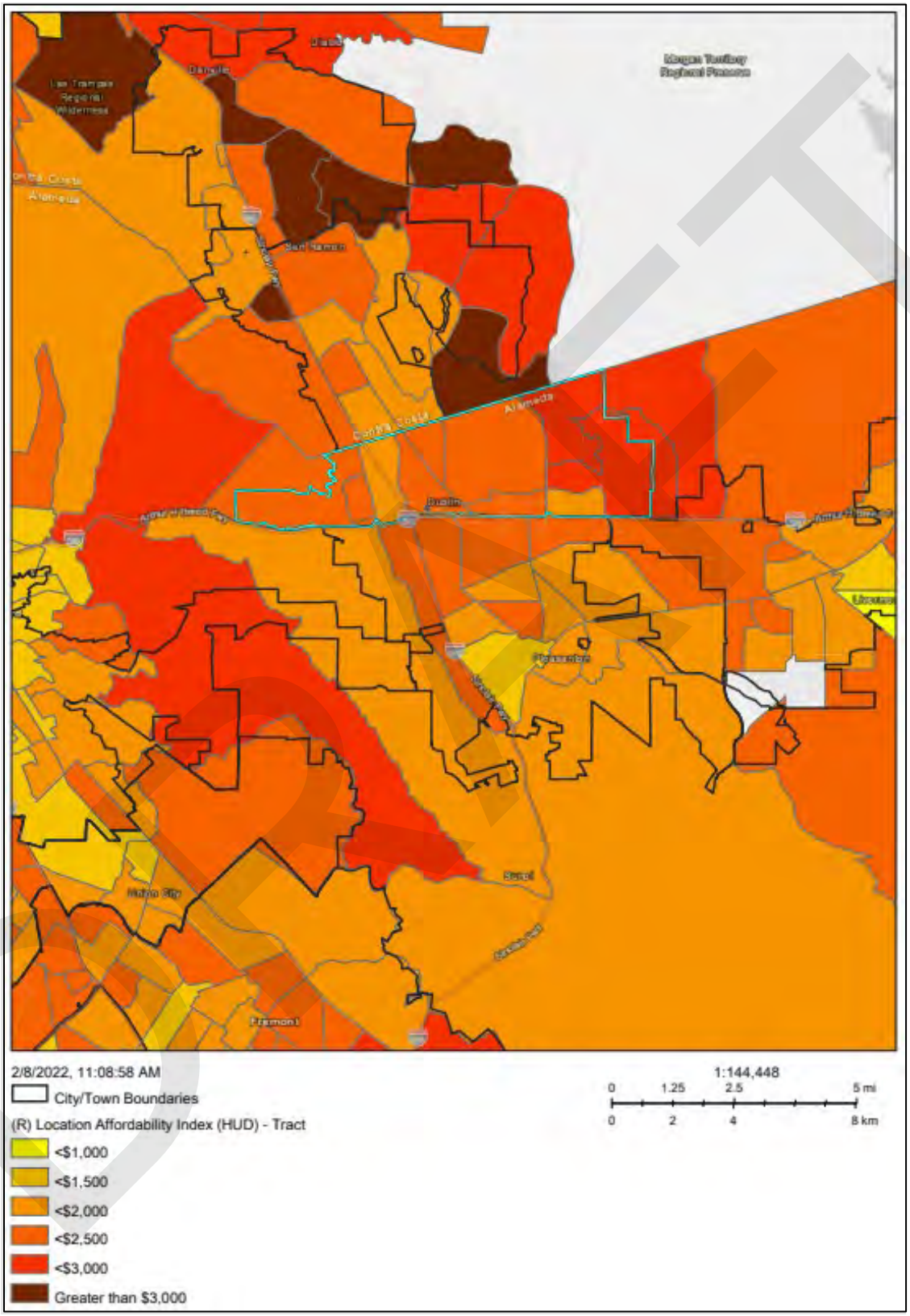
Source: California Department of Housing and Community Development – AFFH Data Viewer

Figure C-24: Overpayment by Renters



Source: California Department of Housing and Community Development – AFFH Data Viewer

Figure C-25: Location Affordability by Median Gross Rent



Source: California Department of Housing and Community Development – AFFH Data Viewer

In addition to overpayment, general housing affordability is also an important factor. **Figure C-25** displays the location of affordable rents throughout the City and the surrounding region. In comparison to the area to the north of Dublin, the City has a higher rate of affordable rents. There is a pocket of median gross rent exceeding $3,000 in the eastern part of the City; however, the rest of the City has a median gross rent which does not exceed $2,500.

OVERCROWDING

Table C-26 shows overcrowding trends for the City, County, and State from 2010 to 2019. Overcrowding in all three regions has increased to varying degrees. In the City, renter households experiencing overcrowding increased from 0.1 percent to one percent. Alameda County experienced a doubling of renter households experiencing overcrowding. In comparison, renter households across California remained about the same with a couple percentage increases. Severely overcrowded owner households in Dublin and owner households across the State experienced decreases, with Dublin's severely overcrowded owner households dropping from 0.1 percent to 0.02 percent. **Figure C-26** also shows overcrowded households in the City and the region. The City and the majority of the surrounding area does not have an overcrowding rate that exceeds the statewide average.

Table C-26: Overcrowding Change Over Time by Geography

Overcrowding and Tenure	City of Dublin		Alameda County		State of California	
	2010	2019	2010	2019	2010	2019
Owner Households						
Overcrowded	0.8%	0.8%	1.3%	1.4%	1.8%	1.6%
Severely Overcrowded	0.1%	0.02%	0.4%	0.4%	0.5%	0.6%
Renter Households						
Overcrowded	0.7%	2%	2.4%	3.6%	3.5%	3.6%
Severely Overcrowded	0.1%	1%	1.2%	2.4%	2.2%	2.4%

Source: American Community Survey, 5-Year Estimates, 2019 and 2010.

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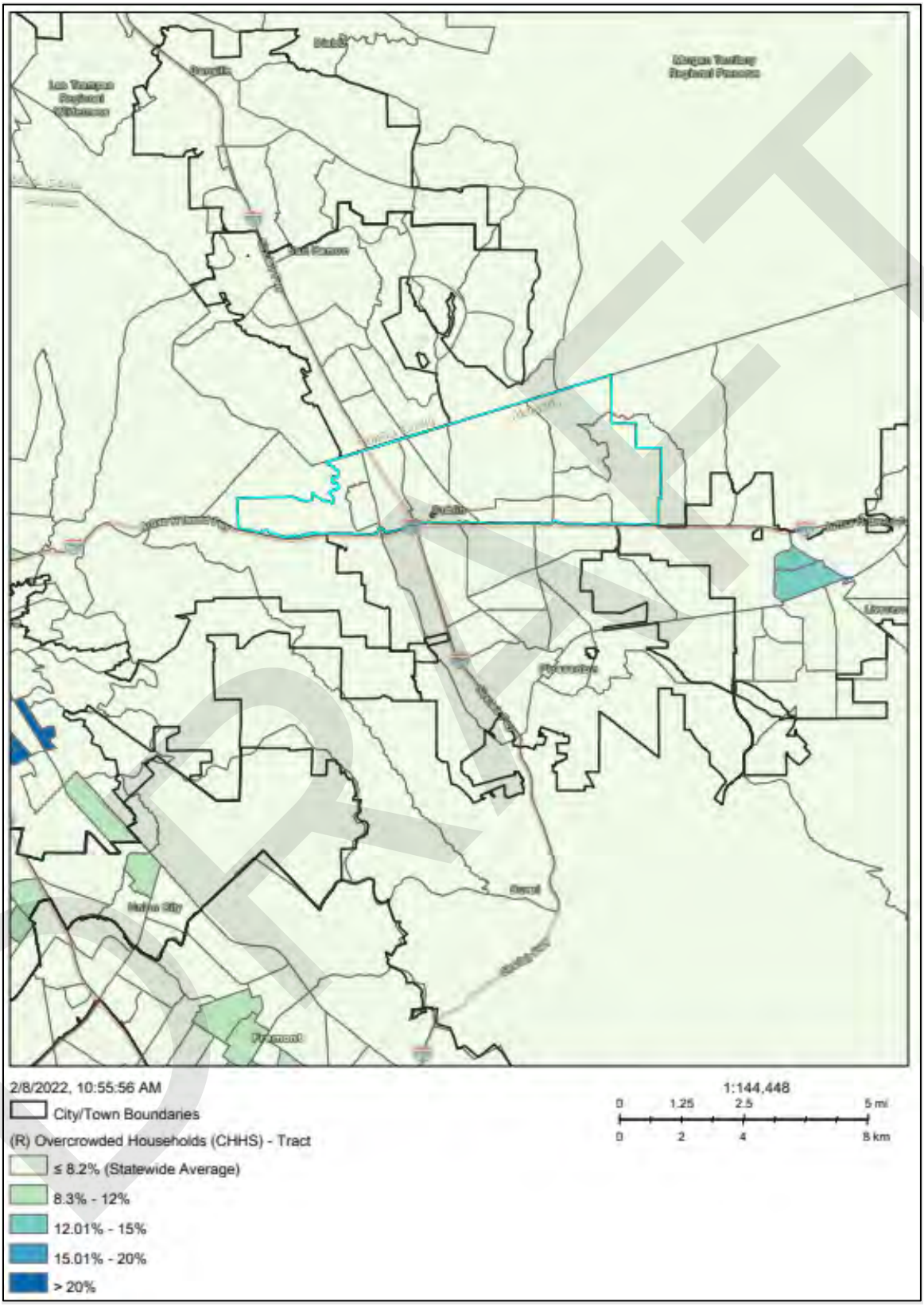
Figure C-26: Overcrowded Households



Source: California Department of Housing and Community Development – AFFH Data Viewer

SUBSTANDARD HOUSING

Table C-27 below displays the City's housing stock by year built. Older housing may generally require more upkeep and regular maintenance and can cause a cost burden on both renters and homeowners. Units over 30 years of age are considered older and more at-risk of requiring upgrades. Approximately 20.8 percent of the City's housing stock was built prior to 1980. **Table C-28** provides specific figures on the number of units lacking complete plumbing facilities in comparison to year the residence was built. Most substandard housing units with incomplete plumbing were built after 1950. A total of 43 units are overcrowded, lack complete plumbing facilities, and were built prior to 1950. In total, **Table C-28** shows there are 103 units requiring additional care and maintenance to create a safe and livable environment for its tenants.

Table C-27: Age of Dublin Housing Stock

Year Built	Number of Occupied Housing Units	Percent
2014 or later	2,328	11.5%
2010 to 2013	2,470	12.2%
2000 to 2009	6,271	31%
1980 to 1999	4,949	24.5%
1960 to 1979	3,751	18.5%
1940 to 1959	339	1.7%
1939 or earlier	127	0.6%

Source: American Community Survey, 5-Year Estimates, 2019.

Table C-28: Plumbing Facilities by Occupants Per Room by Year Structure Built

Year Built	Number of Occupied Housing Units Lacking Plumbing Facilities
1.00 or Less Occupants Per Room	
Built 1950 or later	60
Built 1940 to 1949	0
Built 1939 or earlier	0
1.1 or More Occupants Per Room	
Built 1950 or later	0
Built 1940 to 1949	35
Built 1939 or earlier	8

Source: American Community Survey, 5-Year Estimates, 2019.

SENIOR HOUSEHOLDS

The senior population is generally regarded as those over the age of 65. Senior householders may be more at risk of requiring additional services, accessibility improvements, and be located near public transit or community resources and commercial and retail needs. **Table C-29** shows occupied household trends by age of householder for the City, County, and State from 2010 to 2019. The table shows an overall increase in senior householders between 2010 and 2019. Householders between the ages of 65 and 74 across the State had the greatest increase. In comparison, senior householders in Dublin increased by less than one percent for each age category. Senior households remain a small portion of the Dublin community, but still require additional attention when considering the location of future senior housing developments.

Table C-29: Occupied Households by Age of Households by Geography						
Age of Households	City of Dublin		Alameda County		State of California	
	2010	2019	2010	2019	2010	2019
65 to 74 years	6.2%	7.7%	9%	12.8%	9.9%	13.7%
75 to 84 years	3.1%	3.8%	5.9%	6.2%	6.6%	7.1%
85 years and over	0.6%	0.9%	2.5%	2.9%	2.6%	3.2%
Source: American Community Survey, 5-Year Estimates, 2019.						

TENURE

Table C-30 displays tenure trends for the City, County, and State between 2010 and 2019. The City reports higher rates of home ownership than households in the County and across the State. While 53.5 percent of Alameda County households are owner-occupied, Dublin households are made up of 65.5 percent owner-occupied units. This represents a slight decrease of about one percent between 2010 and 2019. The trend is consistent across the County and the State where homeownership has decreased over the nine-year period.

Table C-30: Overcrowding Change Over Time by Geography						
Tenure	City of Dublin		Alameda County		State of California	
	2010	2019	2010	2019	2010	2019
Owner Households	66.3%	65.5%	55.1%	53.5%	57.4%	54.8%
Renter Households	33.7%	34.5%	44.9%	46.5%	42.6%	45.2%
Total Occupied Households	**13,273**	**20,235**	**532,026**	**577,177**	**12,392,852**	**13,044,266**
Source: American Community Survey, 5-Year Estimates, 2019.						

DISPLACEMENT

The potential for economic displacement risk can result from a variety of factors, including large-scale development activity, neighborhood reinvestment, infrastructure investments, and changes in local and regional employment opportunities. Economic displacement can be an inadvertent result of public and private investment, where individuals and families may not be able to keep pace with increased property values and market rental rates.

Urban Displacement

The U.C. Berkeley Urban Displacement Project developed a neighborhood change database to map neighborhood transformations and identify areas vulnerable to gentrification and displacement. This data was developed to assist local decision makers and stakeholders better plan for existing communities and provide additional resources to areas in need or at-risk of displacement and gentrification. The displacement typologies and the criteria used to identify each category are listed in **Table C-31** with the census tracts identified in each, as illustrated in **Figure C-27**.

Figure C-27 shows the City does not have any census tracts reporting displacement or gentrification risks. Over half of census tracks in Dublin report stability with either moderate/mixed income or advanced exclusivity. One census tract is currently becoming exclusive. Overall, the City is surrounded by areas of stable and advanced exclusivity. Stable mixed and moderate incomes exist throughout Pleasanton, as well as two areas of displacement and gentrification occurring in Livermore.

Table C-31: Displacement Typology Criteria and Dublin Census Tracts		
Modified Types and Criteria	**Dublin Census Tracts**	
Low-Income/Susceptible to Displacement • Low or mixed low-income tract in 2018.	--	
Ongoing Displacement of Low-Income Households • Low or mixed low-income tract in 2018. • Absolute loss of low-income households, 2000-2018.	--	
At Risk of Gentrification • Low or mixed low-income tract in 2018. • Housing affordable to low or mixed low-income households in 2018. • Did not gentrify 1990-2000 OR 2000-2018. • Marginal change in housing costs OR Zillow home or rental value increases in the 90th percentile between 2012-2018. • Local and nearby increases in rent were greater than the regional median between 2012-2018 OR the 2018 rent gap is greater than the regional median rent gap.	--	
Early/Ongoing Gentrification • Low or mixed low-income tract in 2018. • Housing affordable to moderate or mixed moderate-income households in 2018. • Increase or rapid increase in housing costs OR above regional median change in Zillow home or rental values between 2-12-2018. • Gentrified in 1990-2000 or 2000-2018.	--	
Advanced Gentrification • Moderate, mixed moderate, mixed high, or high-income tract in 2018. • Housing affordable to middle, high, mixed moderate, and mixed high-income households in 2018. • Marginal change, increase, or rapid increase in housing costs. • Gentrified in 1990-2000 or 2000-2018.	--	
Stable Moderate/Mixed Income • Moderate, mixed moderate, mixed high, or high-income tract in 2018.	6001450300 6001450400	6001450501
At Risk of Becoming Exclusive • Moderate, mixed moderate, mixed high, or high-income traact in 2018. • Housing affordable to middle, high, mixed moderate, and mixed high-income households in 2018. • Marginal change or increase in housing costs.	--	
Becoming Exclusive • Moderate, mixed moderate, mixed high, or high-income traact in 2018. • Housing affordable to middle, high, mixed moderate, and mixed high-income households in 2018. • Rapid increase in housing costs. • Absolute loss of low-income households, 2000-2018. • Declining low-income in-migration rate, 2012-2018. • Median income higher in 2018 than in 2000.	6001450200	
Stable/Advanced Exclusive • High-income tract in 2000 and 2018 • Affordable to high or mixed high-income households in 2018. • Marginal change, increase, or rapid increase in housing costs.	6001450502 6001450101 6001450102	
Unavailable or Unreliable Data	6001450750 6001450751	6001450752
Source: Urban Displacement Project, University of California Berkeley (2021).		

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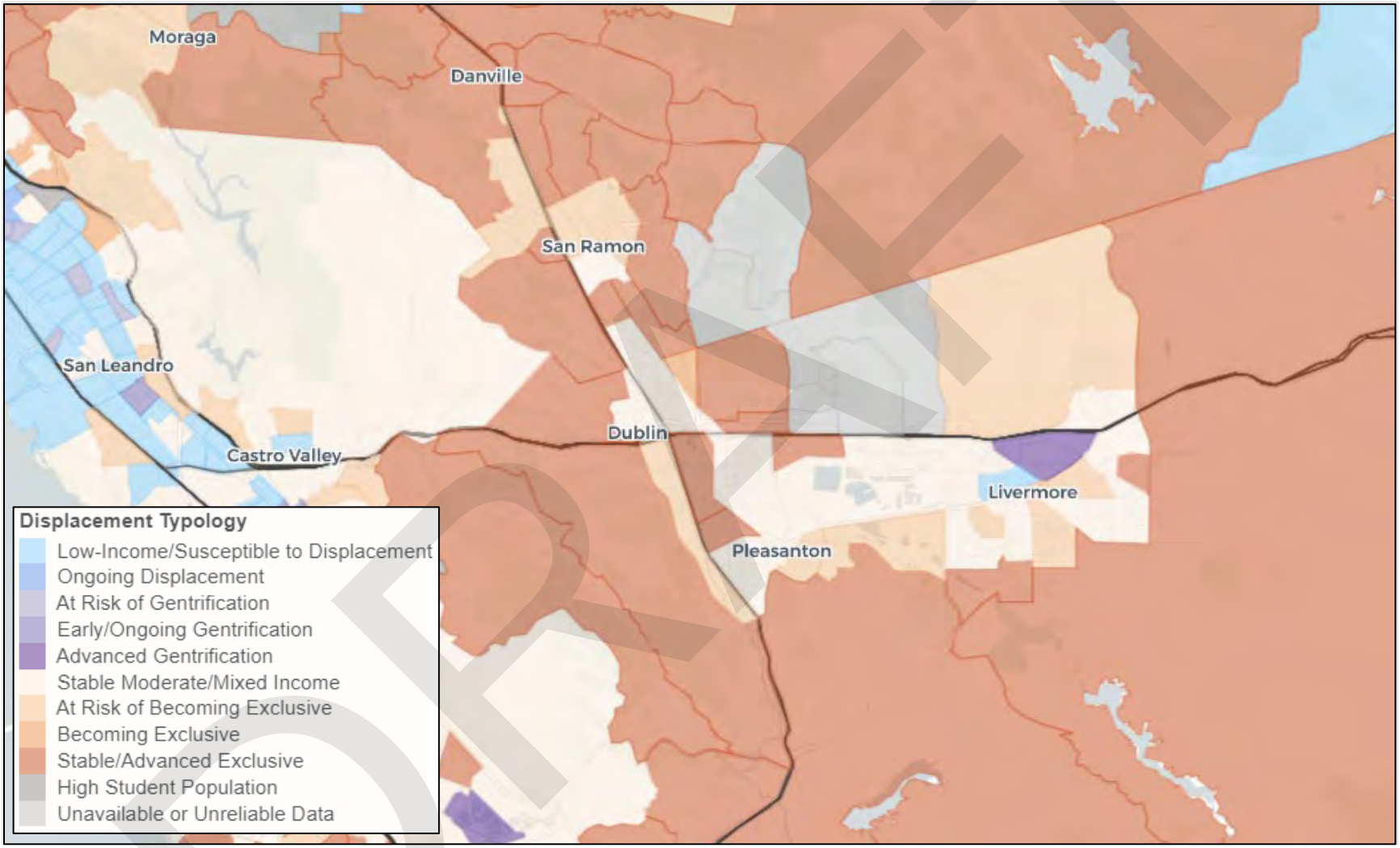
Figure C-27: Displacement and Gentrification Around the Dublin Region (2021)



Source: Urban Displacement Project, University of California Berkeley (2021).

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In addition to displacement and gentrification data, the UC Berkeley Urban Displacement Project also analyzes the occurrence of anti-displacement policies, as defined below:

- **Just Cause Eviction Ordinance.** Just cause eviction statutes are laws that allow tenants to be evicted only for specific reasons. These "just causes" can include a failure to pay rent or violation of the lease terms.
- **Rent Stabilization or Rent Control.** Rent Control ordinances protect tenants from excessive rent increases, while allowing landlords a reasonable return on their investments. Such ordinances limit rent increase to certain percentages, but State law allows landlords to raise rents to the market rate once the unit becomes vacant.
- **Rent Review Board and/or Mediation.** Rent review boards mediate between tenants and landlords on issues related to rent increases and encourage them to come into voluntary agreement. As mediators, the board normally does not make binding decisions.
- **Mobile Home Rent Control.** Mobile home rent control places specific rent increase restrictions on the land rented by mobile homeowners, or the mobile homes themselves.
- **SRO (Single-Room Occupancy) Preservation.** Single room occupancies, also called residential hotels, house one or two people in individual rooms. Tenants typically share bathrooms and/or kitchens. These are often considered a form of permanent residence affordable for low-income individuals. SRO Preservation Ordinances help to preserve or create new SRO units.
- **Condominium Conversion Regulations.** In addition to state laws regulating the conversion of multi-family rental property into condominiums, many cities have enacted condominium conversion ordinances. These impose procedural restrictions and/or substantive restrictions on the ability to convert apartment units into condominiums to protect the supply of rental housing.
- **Foreclosure Assistance.** Many cities and counties have local programs that assist homeowners when they are at risk of foreclosure. These programs may be funded with federal grants.
- **Jobs-Housing Linkage Fee or Affordable Housing Impact/Linkage Fee.** Affordable housing impact/linkage fees are charges on developers of new market-rate, residential developments. They are based on the square footage or number of units in the developments and are used to develop or preserve affordable housing.
- **Commercial Linkage Fee/Program.** Commercial linkage fees are charged to developers per square foot of new commercial development. Revenues are used to develop or preserve affordable housing.
- **Housing Trust Fund.** A housing trust fund is a designated source of public funds—generated through various means—that is dedicated to creating affordable housing.
- **Inclusionary Zoning/Housing (Below Market Rate Housing).** Inclusionary housing policies require market-rate developers of rental or for-sale housing to rent or sell a certain percentage of units at affordable prices. Some policies include a provision for developers to pay "in-lieu fees" in place of building the housing; this revenue is used to develop affordable units elsewhere.

- **Density Bonus Ordinance.** Density bonuses allow developers of market-rate housing to build higher-density housing, in exchange for having a certain portion of their units offered at affordable prices. In this inventory, we only include a city as having this policy if they allow an additional density bonus beyond that mandated by the State.
- **Community Land Trusts.** Community land trusts are nonprofit, community-based organizations (supported by the city or county) whose mission is to provide affordable housing in perpetuity by owning land and leasing it to those who live in houses built on that land.
- **First Source Hiring Ordinances.** First Source hiring ordinances ensure that residents are given priority for new jobs created by municipal financing and development programs.

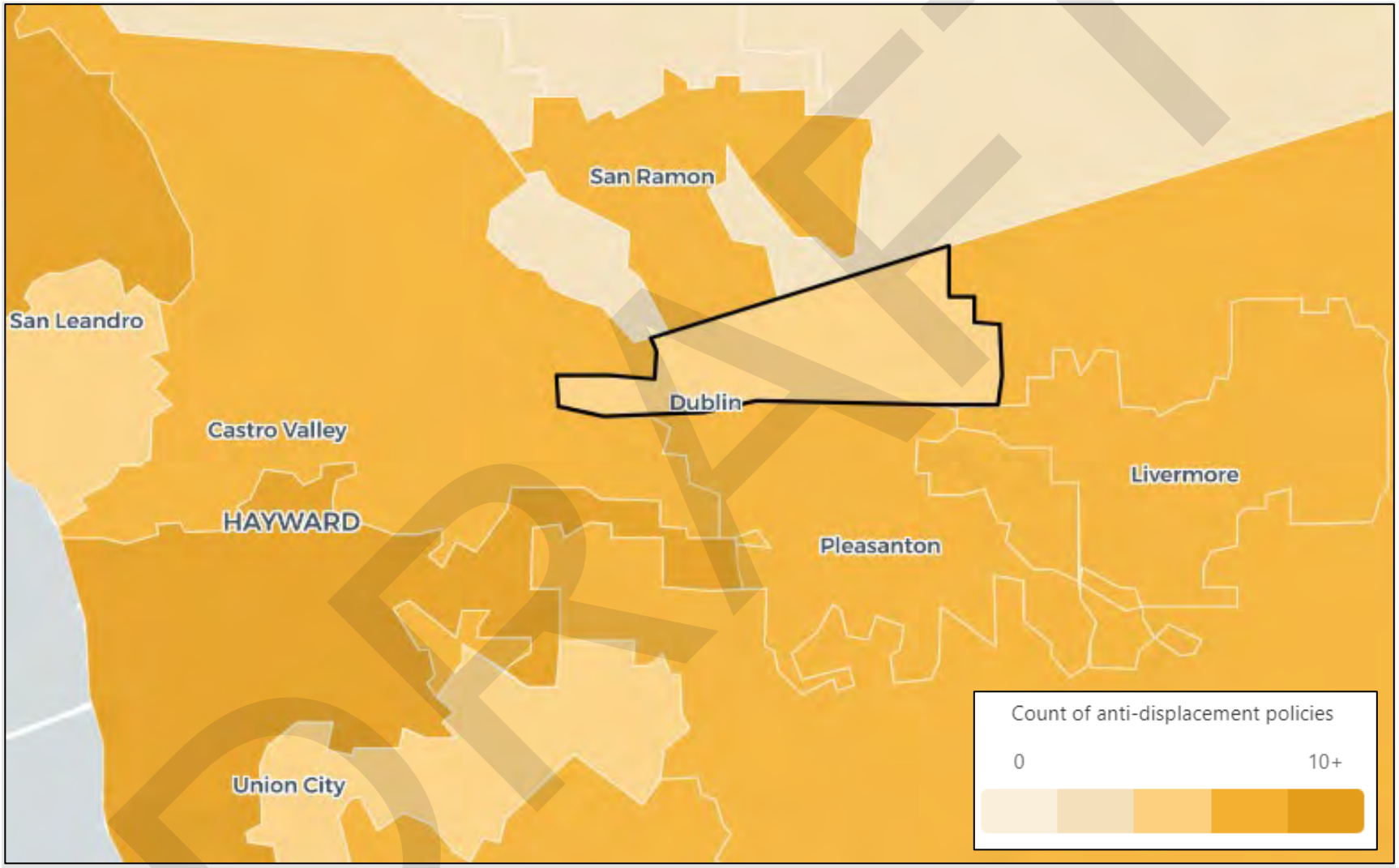
Table C-32 identifies which of these policies the City has adopted, according to the Urban Displacement Project as specified above. While the City is reported not having a Density Bonus Ordinance, Dublin Municipal Code Chapter 8.52 establishes regulations for implementing the City's Density Bonus Ordinance, which was adopted in March 2007 and updated in November 2019. **Figure C-28** illustrates the propensity of anti-displacement policies across jurisdictions surrounding Dublin. As shown, the Urban Displacement Project incorrectly identifies the City as having fewer anti-displacement policies than communities in the region.

Table C-32: Anti-Displacement Policies

Anti-Displacement Measures	Dublin Policy Measure
Just Cause Eviction Ordinance	No
Rent Stabilization or Rent Control	No
Rent Review Board and/or Mediation	No
Mobile Home Rent Control	No
SRO Preservation	Yes
Condominium Conversion Regulations	Yes
Foreclosure Assistance	Yes
Jobs-Housing Linkage Fee	No
Commercial Linkage Fee	Yes
Housing Trust Fund	No
Inclusionary Zoning	Yes
Density Bonus Ordinance	Yes
Community Land Trusts	No
First Source Hiring	No

Source: Urban Displacement Project, University of California Berkeley (2021), and the City of Dublin.

Figure C-28: Anti-Displacement Policies Around the Dublin Region (2021)



Source: Urban Displacement Project, University of California Berkeley (2021).

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At-Risk Assisted Affordable Housing

Jurisdictions are required by State Housing Element Law to analyze government-assisted housing that is eligible to convert from affordable to market-rate housing over the next 10 years. State law identifies housing assistance as a rental subsidy, mortgage subsidy, or mortgage insurance to an assisted housing development. Government assisted housing may convert to market rate housing for several reasons, including expiring subsidies, mortgage repayments, or expiration of affordability restrictions. This section will provide:

- An inventory of assisted housing units that are at risk of converting to market-rate housing,
- An analysis of the costs of preserving and/or replacing these units,
- Resources that could be used to preserve at-risk units,
- Program efforts for preservation of at-risk housing units, and
- Quantified objectives for the number of at-risk units to be preserved during the Housing Element planning period.

Table C-33 below identifies deed-restricted, assisted rental properties within Dublin, of which 59 units are at-risk of converting from affordable to market-rate units between 2023 and 2033. Consistent with the requirements to analyze impacts of potential conversion of these units to market-rate units, this section provides an analysis to preserve these at-risk units.

Table C-33: Assisted Affordable Housing and At-Risk Units in Dublin

Project Name	Total Units	Assisted Units	Type	Unit Types	Funding Source	Earliest Date of Conversion	Units at Risk
Park Sierra at Iron Horse Trail	283	57	Senior/VLI Vouchers	1, 2	Tax Credits/ Bonds	2029	57
Pine Grove 55+ Apartments	322	292	Senior	1, 2	Tax Credits/ Bonds/ City Loan	2062	0
Wicklow Square Senior Apartments	54	53	Senior/ Disabled	1	Tax Credits/ City Loan	2075	0
Fairway Family Community	304	243	Family	1, 2, 3	Tax Credits/ Bonds/ City Loan	2062	0
Camellia Place	112	111	Senior/ Disabled/ Family	1, 2, 3	HCD MHP Grant/ Tax Credits/ CalHFA Bonds/ HOME	2062	0
Carlow Court Senior Apartments at Emerald Vista	50	49	Senior/ Disabled	1	City Loan/ Private	2067	0
Wexford Way at Emerald Vista	130	129	Family/ Disabled	1, 2, 3, 4	City Loan/ Private	2067	0
Avalon Dublin Station	505	50	Family	Studio, 1, 2, 3	Private	2067	0
Archstone Apartments	177	2	Senior/ Disabled	1, 2	Private	2033	2
Dublin Station by Windsor (Formerly Eclipse at Dublin Station)	305	30	Moderate Income	Studio, 1, 2, 3	Private	2063	0

Table C-33: Assisted Affordable Housing and At-Risk Units in Dublin							
Project Name	Total Units	Assisted Units	Type	Unit Types	Funding Source	Earliest Date of Conversion	Units at Risk
Tralee Village Apartments	130	16	Low/ Moderate Income	1, 2, 3	Private	2069	0
Tralee Townhomes	103	3	Moderate Income	3	Private	2063	0
Valor Crossing	66	65	Homeless Veterans	1, 2, 3	HCD Grant/ LIHTC	2072	0
Total	**2,541**	**1,100**					**59**

Cost of Preserving At-Risk Units

While there are many options to preserve at-risk units including providing financial incentives to property owners to extend lower-income use restrictions, purchasing affordable housing units by a non-profit or public agency, or providing local subsidies to offset the difference between the affordable and market rate units, the strategy considered below is to provide local rental subsidy to residents. The rent subsidy would provide financial assistance to residents if their affordable units converted to market-rate units. To determine the subsidy needed, fair market rents were compared to market-rate rents. **Table C.34** below outlines an estimated monthly subsidy that would be required to preserve these at-risk units.

Table C.34: Estimated Monthly Subsidy to Preserve At-Risk Units						
Unit Size	Monthly Rents		Number of Units At-Risk*	Difference	Monthly Subsidy	Annual Subsidy
	Fair Market Rents[1]	Market Rate Rents[2]				
Efficiency	$1,538	$2,726	0	$1,188	$0	$0
1-Bedroom	$1,854	$2,655	59	$801	$47,259	$567,108
2-Bedroom	$2,274	$3,173	0	$899	$0	$0
3-Bedroom	$3,006	$4,720	0	$1,714	$0	$0
4-Bedroom	$3,578	N/A	0	N/A	$0	$0
					Total	**$567,108**

*This is based upon the assumption that the units at-risk of converting to market rate at Archstone Apartments and Park Sierra at Iron Horse Trail are only 1-bedroom units.

Source:

1. *HUD FY 2022 Fair Market Rent Documentation System – Oakland-Fremont, CA HUD Metro FMR Area.*
2. *Kimley-Horn and Associates Analysis – based on apartments listed for rent across 15 properties on April 13, 2022.*

Cost of Replacing At-Risk Units

The City can also consider the cost of replacing the units with new construction. Construction cost estimates include all hard and soft costs associated with construction in addition to per unit land costs. The analysis assumes the replacement units are apartments with concrete block with steel frame buildings and parking provided on-site. Square footage estimates are based on estimated size of units to be replaced and assume housing units are developed on multi-family zoned properties. Land costs have been determined on a per unit basis. **Table C.35** below estimates that $7,980,812 would be required to replace the at-risk units.

Table C.35: Replacement Cost of At-Risk Units					
Unit Size	Cost per Square Foot[1]	Average Square Foot per Unit[2]	Replacement Cost per Unit	Number of Units At-Risk*	Total Replacement Cost
Efficiency	$179.40	629	$112,843	0	$0
1-Bedroom	$179.40	754	$135,268	59	$7,980,812
2-Bedroom	$179.40	1,041	$186,755	0	$0
3-Bedroom	$179.40	1,446	$259,412	0	$0
4-Bedroom	$179.40	N/A	N/A	0	$0
				Total	**$7,980,812**

*This is based upon the assumption that the units at-risk of converting to market rate at Archstone Apartments and Park Sierra at Iron Horse trail are only 1-bedroom units.

Source:

1. *International Code Council – August 2021.*
2. *Kimley-Horn and Associates Analysis – based on apartments listed for rent across 15 properties on April 13, 2022.*

Resources to Preserve At-Risk Units

A variety of programs exist to help cities acquire, replace, or subsidize at-risk affordable housing units. The following summarizes financial resources available:

- **Community Development Block Grant (CDBG).** CDBG funds are awarded to cities on a formula basis for housing activities. The primary objective of the CDBG program is the development of viable communities through the provision of decent housing, a suitable living environment and economic opportunity for principally low- and moderate-income persons. Eligible activities include administration, fair housing, energy conservation and renewable energy sources, assistance for economic development, public facilities and improvements, and public services.
- **HOME Investment Partnership.** Local jurisdictions can receive funds by formula from HUD to increase the supply of decent, safe, sanitary, and affordable housing to lower-income households. Eligible activities include housing acquisition, rehabilitation, development, homebuyer assistance, and rental assistance.
- **Section 8 Rental Assistance Program.** The Section 8 Rental Assistance Program provides rental assistance payments to owners of private, market-rate units on behalf of very low-income tenants, senior citizens, disabled persons, and other individuals for securing affordable housing.
- **Section 202/811 Program.** Non-profit and consumer cooperatives can receive no-interest capital advances from HUD under the Section 202 Program for construction of very low-income rental housing with the availability of supportive services for seniors and persons with disabilities. These funds can be used in conjunction with Section 811 funds, which can be used to develop group homes, independent living facilities, and immediate care facilities. The capital advance funding can also provide project rental assistance for the properties developed using the funds. Eligible activities include acquisition, rehabilitation, new construction, and rental assistance.
- **California Housing Finance Agency (CalHFA) Multifamily Programs.** CalHFA's Multifamily Programs provide permanent financing for the acquisition, rehabilitation, and preservation of new construction of rental housing that includes affordable rents for low- and moderate-income families and individuals. One of the programs is the Preservation Loan program which provides

acquisition/rehabilitation and permanent loan financing designed to preserve or increase the affordability status of existing multifamily housing projects.

- **Low-Income Housing Tax Credit (LIHTC).** This program provides tax credits to individuals and corporations that invest in low-income rental housing. Tax credits are sold to those with high tax liability and proceeds are used to create housing. Eligible activities include new construction, rehabilitation, and acquisition of properties.
- **California Community Reinvestment Corporation (CCRC).** The California Community Reinvestment Corporation is a multi-family affordable housing lender whose mission is to increase the availability of affordable housing for low-income families, seniors, and residents with special needs by facilitating private capital flow from its investors for debt and equity to developers of affordable housing. Eligible activities include new construction, rehabilitation, and acquisition of properties.

Qualified Entities to Preserve At-Risk Units

The following organizations have the experience and capacity to potentially assist in preserving future at-risk units:

- Eden Housing
- Mercy Housing
- BRIDGE Housing
- Allied Housing
- Building Opportunities for Self Sufficiency (BOSS)
- East Bay Asian Local Development Corporation
- Affordable Housing Associates
- Resources for Community Development

Quantified Objectives

State law requires that jurisdictions establish the maximum number of units that can be preserved over the planning period. The City's objective is to preserve the 59 affordable units at-risk of converting to market-rate units as outlined in Program A.5 the **Chapter 2: Housing Plan**.

Senate Bill 330 (SB 330)

Senate Bill 330 (SB 330) aims to increase residential unit development, protect existing housing inventory, and expedite permit processing. Under this legislation, local jurisdictions are restricted in the policies and regulations that can be applied to residential development. The revised definition of "Housing Development" now contains residential projects of two or more units, mixed-use projects (with two-thirds of the floor area designated for residential use), transitional, supportive, and emergency housing projects. SB 330 sets a temporary five-year prohibition of residential density reduction associated with a "housing development project," from January 1, 2020, to January 1, 2025. For example, during this temporary prohibition, a residential triplex cannot be demolished and replaced with a duplex as this would be a net loss of one unit.

The City has identified sites as part of its adequate sites analysis that have existing residential uses. Program B.15 is included in the Housing Plan to maintain compliance with SB 330.

3. Assessment of Contributing Factors to Fair Housing

HUD requires an analysis of impediments to fair housing every five years. The County of Alameda Regional Analysis of Impediments to Fair Housing Choice (AI), released January 2020, examines contributing factors to fair housing across the region, including Dublin. The AI includes goals and priorities the region and jurisdictions agree to implement to improve fair housing conditions following community feedback and analysis.

For Alameda County, the primary issue identified as part of the AI was housing affordability and availability. Additional issues found to affect the region include:

- Across the County, white residents make up the majority of homeowners, but only approximately a third of the County's population.
- Segregation between white residents and minority residents has increased in the last decade.
- The County's black resident population has decreased by nearly seven percent since 1990. Black residents are primarily located in Oakland and Berkeley, but the percentage of black residents in these areas has decreased by 19 percent and 10 percent, respectively, since 1990.
- Overall, minority residents are being displaced from areas with a traditionally large minority population. Some specific minority majority cities, however, are seeing increases in minority populations.
- Areas with higher levels of minority residents have less access to proficient schools, jobs, and environmental health.
- Median rents have risen an average of $1,000 (unadjusted for inflation) since 2010, representing an increase of 55 percent in a nine-year period.
- The average home sales prices have increased from approximately $300,000 to nearly $900,000 in less than 20 years (unadjusted for inflation).
- The wage needed to rent an average housing unit in the County is $44.79 an hour or $93,000 a year.
- Homelessness has increased by 42 percent since 2017.
- Minority households, especially black and Hispanic households, have the highest rate of disproportionate housing needs, which includes having incomplete kitchen facilities, incomplete plumbing facilities, more than one person per room, and households with a cost burden greater than 30 percent.
- Overall, the rate of mortgage approvals has gone up in the last seven years, but the disparities in the rate of approval across race and ethnicity have stayed relatively the same. Black applicants continue to have the lowest mortgage approval rate at 59.1 percent and Hispanic applicants the second lowest at 61.5 percent compared to white applicants at 70 percent.
- Based on community feedback, Housing Choice Voucher holders and those with disabilities often find it difficult to find an appropriate housing unit. Some find it difficult to find an appropriately sized unit that will take their voucher and others experienced that the vouchers will not cover the rent of an appropriately sized unit.

- Disability, race, and familial status are the most common bases of housing discrimination complaints forwarded to the California Department of Fair Employment and Housing and the Office of Fair Housing and Equal Opportunity.

The AI is required to identify specific contributing factors to the above issues. The contributing factors listed below were identified as creating, perpetuating, and/or increasing the severity of fair housing issues for the whole region.

- Contributing factors affecting segregation:
    - Displacement of residents due to economic pressures
    - Location and type of affordable housing
    - Historical discrimination against people of color
    - Limited supply of affordable housing within neighborhoods
- Contributing factors affecting R/ECAPs:
    - Displacement of residents due to economic pressures
    - Lack of private investments in specific neighborhoods
    - Lack of public investment in specific neighborhoods, including services or amenities
    - Location and type of affordable housing
    - Lack of local taxation to support social services and affordable housing
    - Limited supply of affordable housing within neighborhoods
- Contributing factors affecting access to opportunity:
    - Access to financial services
    - Lack of private investments in specific neighborhoods
    - Location of employers
    - Location of proficient schools and school assignment policies
    - Location and type of affordable housing
    - Limited supply of affordable housing in areas with access to opportunity
- Contributing factors affecting disproportionate housing needs:
    - The availability of affordable units in a range of sizes
    - Displacement of residents due to economic pressures
    - Lack of private investments in specific neighborhoods
    - Land use and zoning laws
    - Lending discrimination
    - High cost of developing affordable housing
    - Limited supply of affordable housing within neighborhoods
- Contributing factors affecting publicly supported housing:
    - Land use and zoning laws
    - Community opposition
    - Source of income discrimination
    - Lack of federal, state, and local funding for publicly supported housing
- Contributing factors affecting disability and access:
    - Access to publicly supported housing for persons with disabilities

- Lack of affordable housing for individuals who need supportive services
- Lack of assistance for housing accessibility modifications
- Location of accessible housing
- Limited supply of affordable housing within neighborhoods

- Contributing factors affecting fair housing:
  - Lack of local private (nonprofit) fair housing outreach and enforcement
  - Lack of local public (local, state, federal) fair housing enforcement
  - Lack of resources for fair housing agencies and organizations
  - Lack of federal, state, and local funding to support affordable housing

As part of the City's 2023-2031 Housing Element AFFH Analysis, the following contributing factors have been identified to specifically affect fair housing in the City:

- **Displacement Risk Due to Economic Pressures.** Dublin residents generally earn a high annual income. As **Figure B-5** shows, approximately half of Dublin households earn over $150,000. Additionally, **Table B-33** states the median home value in Dublin is $934,500, which is the second highest value in the region and greater than Alameda County's median home value. Given the current housing market trends and the high propensity for greater incomes, lower income households may feel economic pressures to relocate out of the City.
- **Location and Type of Affordable Housing.** As noted above, the Dublin community is generally affluent and has high housing costs, in addition to being a very high opportunity City. The retail trade and arts, entertainment, recreation, accommodation, and food service sectors represent about 15 percent of the City's total workforce but earn incomes that are much lower than the City's median income. Persons working in these sectors, as well as other sectors earning below the City's median income, may not have the opportunity to live in the City they work in and commute longer distances.
- **Access to Opportunities for Persons with Disabilities.** Affordability, design, and discrimination limit the supply of housing for persons with disabilities. Amendments to the Fair Housing Act, as well as State law, require ground-floor units of new multi-family construction with more than four units to be accessible to persons with disabilities. Units built prior to 1989 are not required to be accessible to persons with disabilities. As shown in **Figure B-8**, 32.6 percent of the City's housing stock was built prior to 1989.

4. Analysis of Sites Pursuant to AB 686

AB 686 requires that jurisdictions identify sites throughout the community in a manner that is consistent with its duty to affirmatively further fair housing. The site identification requirement involves not only an analysis of site capacity to accommodate the RHNA (provided in Appendix D), but also whether the identified sites serve the purpose of replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity. **Figures C-29** through **C-35** below identify the sites to accommodate future housing, as identified in the adequate sites analysis, overlaid on demographic data.

Figure C-29 shows the identified candidate sites to meet the RHNA in relation to the percentage of Dublin residents with Hispanic origin. These sites take into consideration access to vital goods, services, and public transportation and are therefore ideal areas for future housing growth in the City. **Figure C-29** shows the following:

- 17 candidate sites to accommodate RHNA (totaling 2,180 units, including 952 units affordable to low- and very low-income households) are located within block groups that have a percentage of the population with Hispanic origin less than 20 percent.
- 8 candidate sites to accommodate RHNA (totaling 1,323 units, including 608 units affordable to low- and very low-income households) are located within block groups that have a percentage of the population with Hispanic origin between 20 and 40 percent.
- Four candidate sites to accommodate RHNA (totaling 676 units, including no units affordable to low- and very low-income households) are located within block groups that have a percentage of the population with Hispanic origin between 40 and 60 percent.

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Figure C-29: Candidate Sites and Percent Hispanic Population

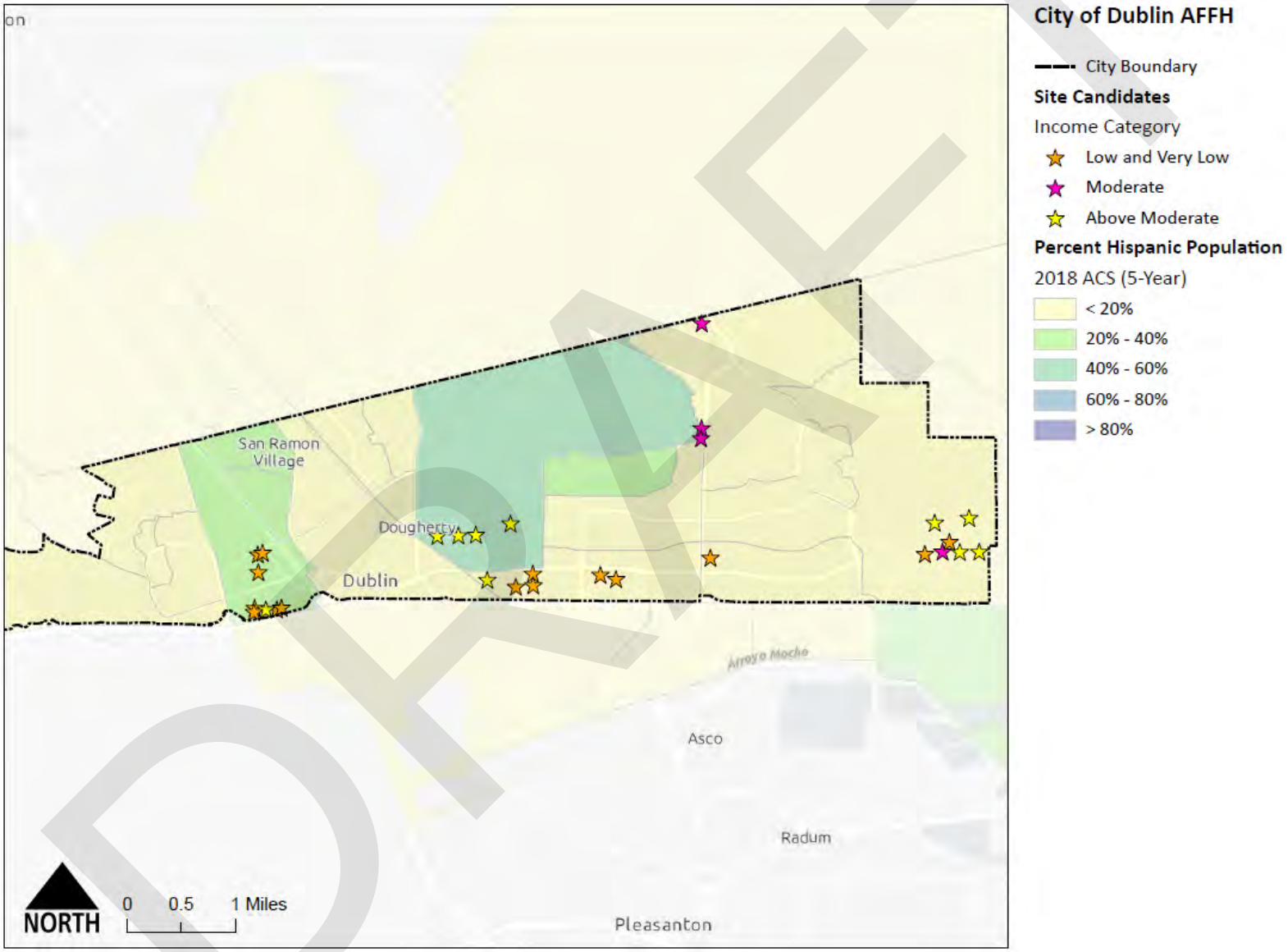

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Figure C-30 shows the identified candidate sites to meet the RHNA in relation to the percentage of Non-White population per census block group**. Figure C-30** shows the following:

- Eight candidate sites to accommodate RHNA (totaling 1,323 units, including 608 units affordable to low- and very low-income households) are located within block groups that have a percentage of Non-White population between 40 and 60 percent.
- 21 candidate sites to accommodate RHNA (totaling 3,486 units, including 952 units affordable to low- and very low-income households) are located within block groups that have a percentage of Non-White population between 60 and 80 percent.

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Figure C-30: Candidate Sites and Percent Non-White Population

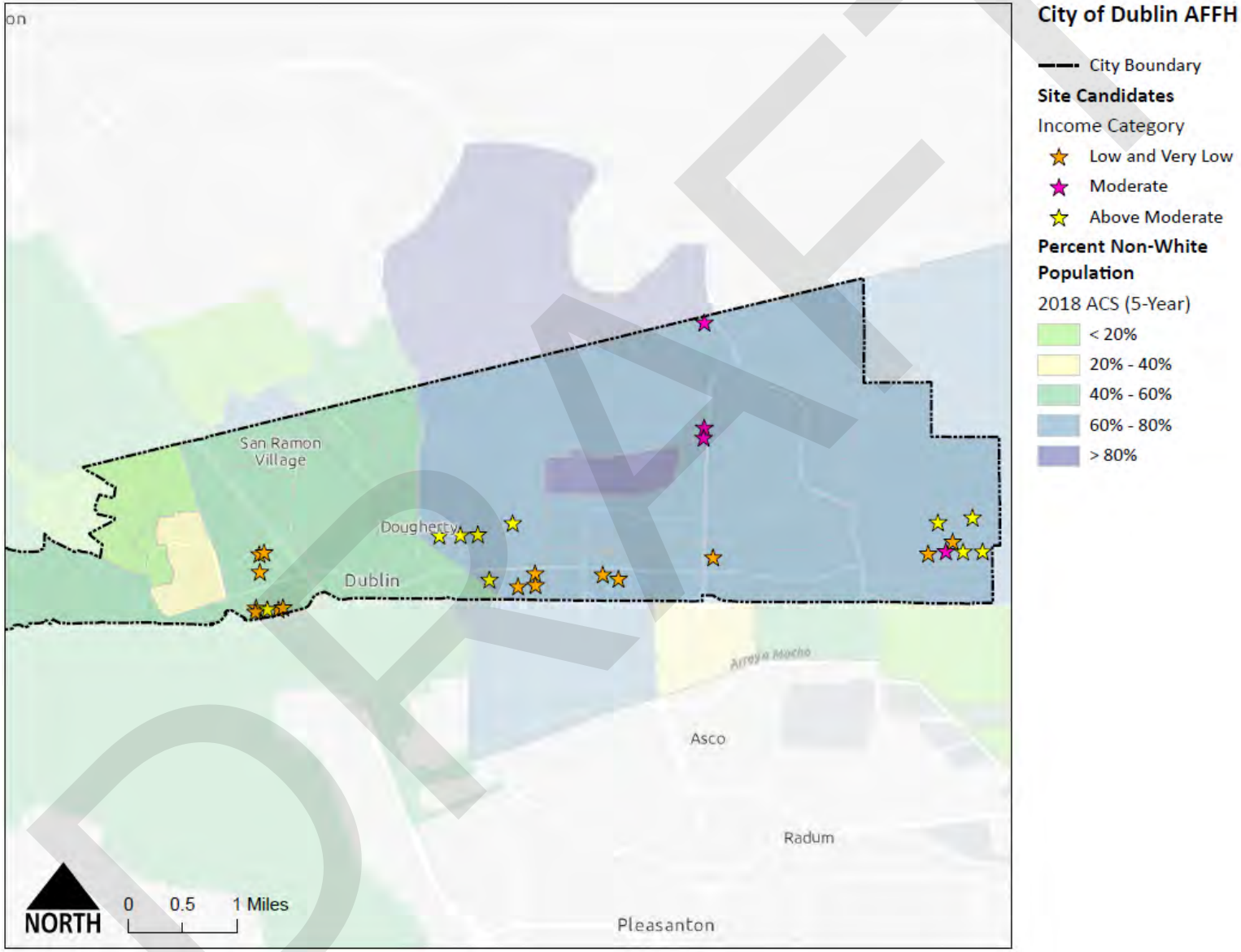

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Figure C-31 below shows the identified candidate sites to meet the RHNA in relation to the percentage of low- and moderate-income population per census block group. **Figure C-31** shows the following:

- 11 candidate sites to accommodate RHNA (totaling 1,686 units, including 134 units affordable to low- and very low-income households) are located within block groups that have a percentage of low- and moderate-income population less than 10 percent.
- 17 candidate sites to accommodate RHNA (totaling 3,023 units, including 1,326 units affordable to low- and very low-income households) are located within block groups that have a percentage of low- and moderate-income population between 10 and 25 percent.
- One candidate site to accommodate RHNA (totaling 100 units, including 100 units affordable to low- and very low-income households) is located within a block group that has a percentage of low- and moderate-income population between 25 and 50 percent.

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Figure C-31: Candidate Sites and Percent Low- and Moderate-Income Population

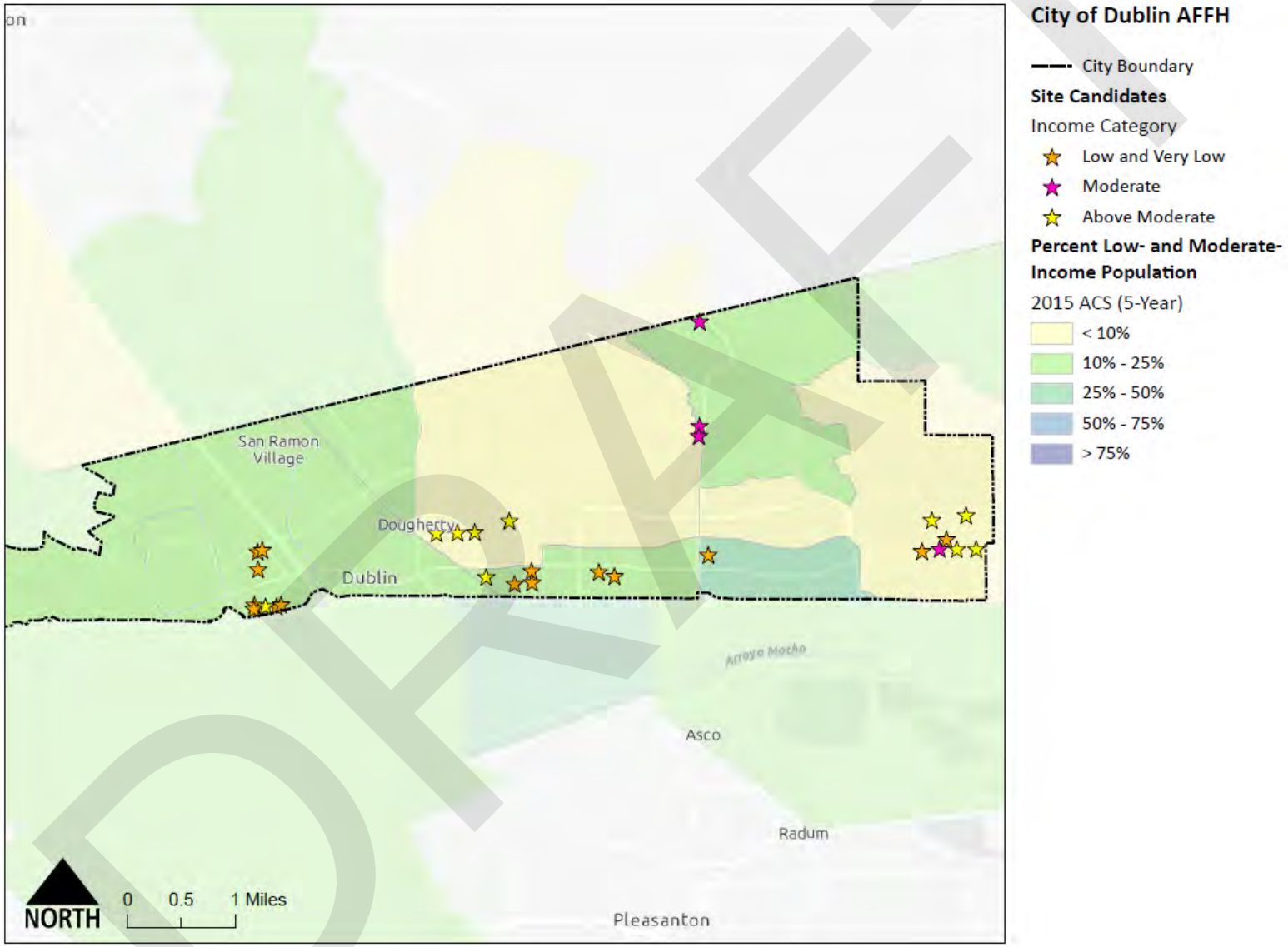

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Figure C-32 below shows the identified candidate sites to meet the RHNA in relation to R/ECAP areas within the City. R/ECAPs are racially or ethnically concentrated areas of poverty; they are marked in red hatchings. As shown, there are no R/ECAPs located within Dublin.

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Figure C-32: Candidate Sites and R/ECAPs

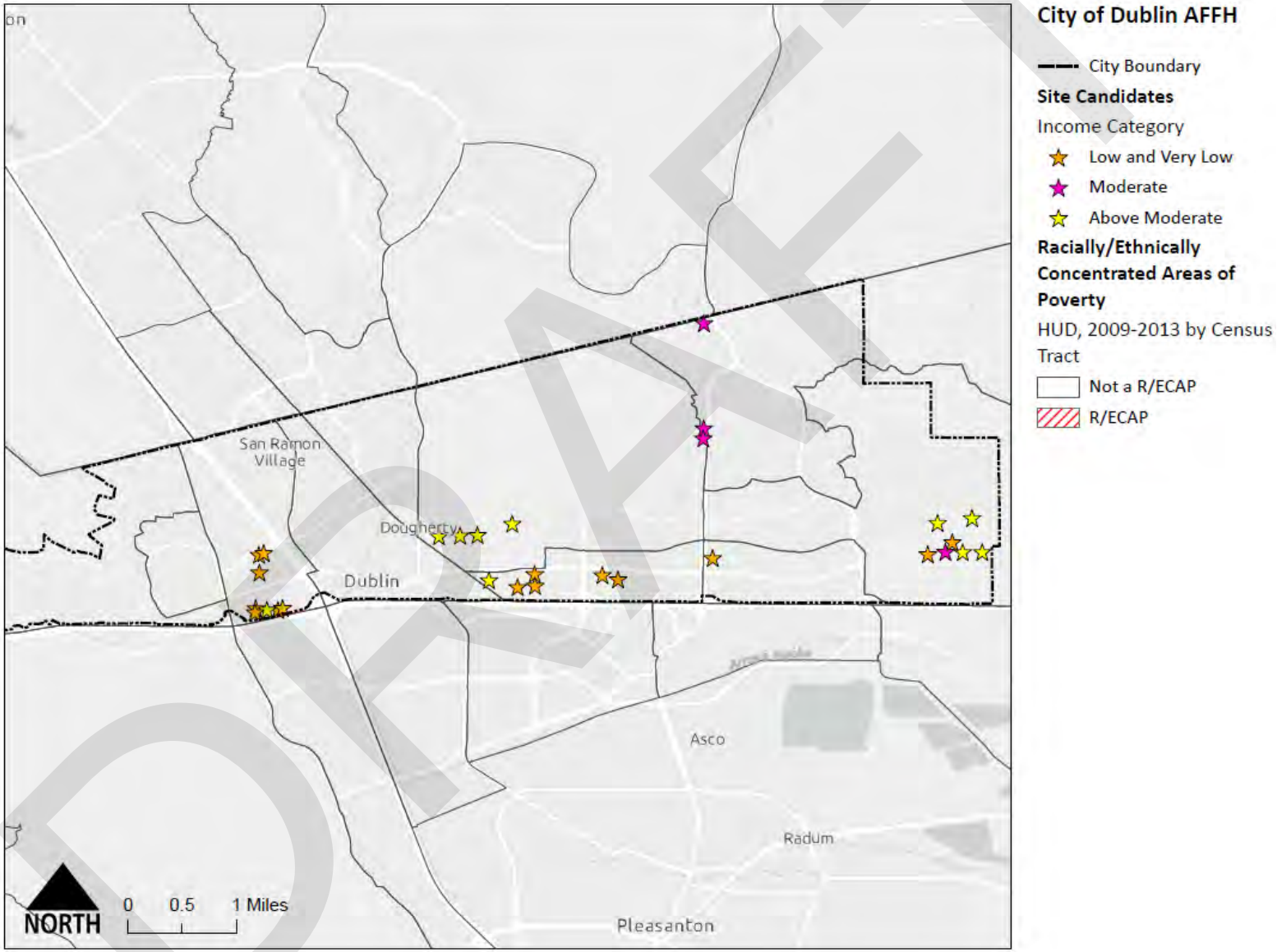

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Figure C-33 below shows the identified candidate sites to meet the RHNA in relation to RCAAs within the City. RCAAs are racially or ethnically concentrated areas of affluence; they are identified as areas with both a White, Non-Hispanic population greater than 80 percent and median-household income greater than $125,000. **Figure C-33** shows there are no RCAAs located within the City.

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Figure C-33: Candidate Sites and RCAAs

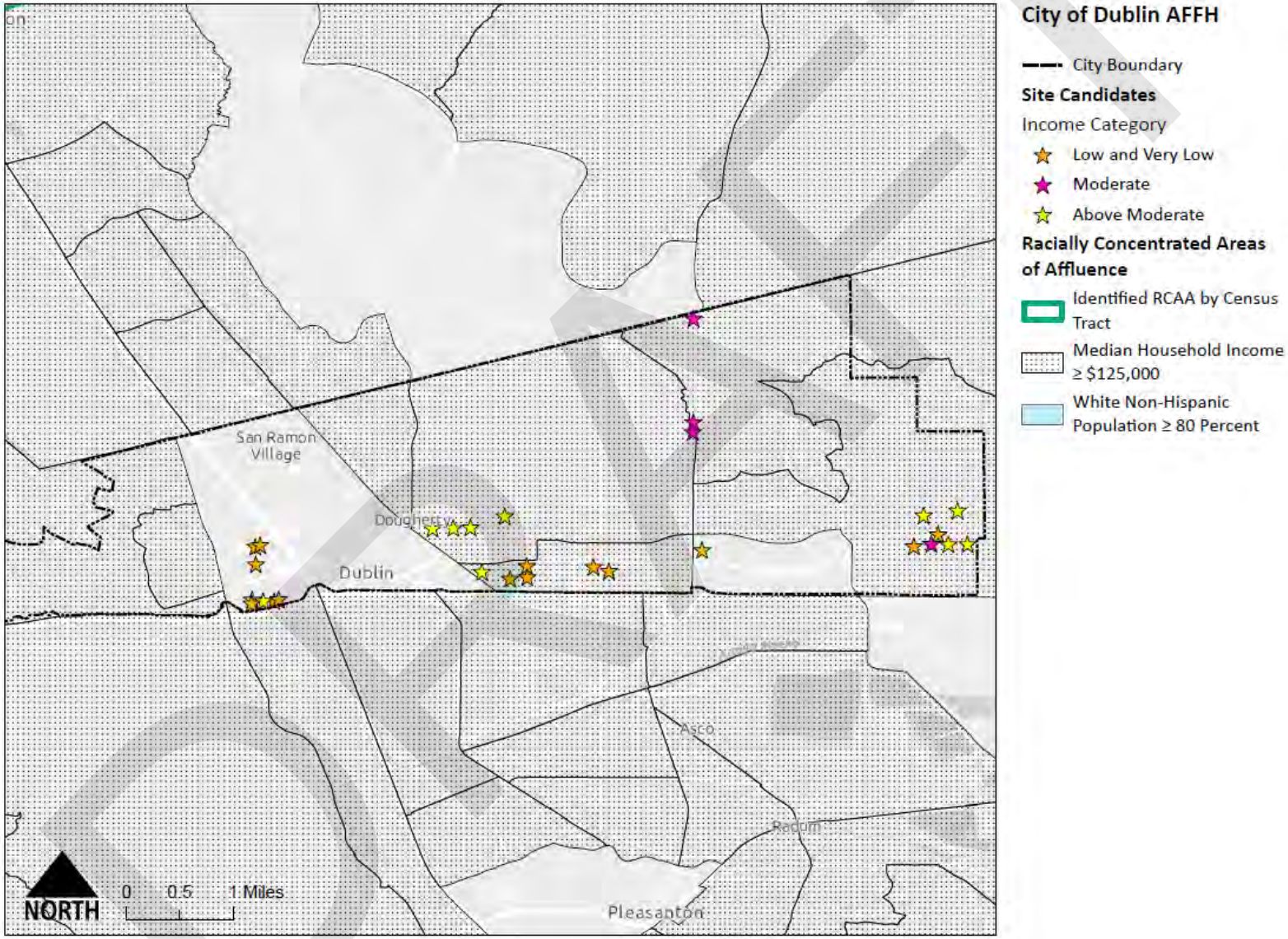

Figure C-34 below shows the identified candidate sites to meet the RHNA in relation to California Tax Credit Allocation Committee/Housing and Community Development (TCAC/HCD) Opportunity areas within the City. TCAC/HCD Opportunity Area Maps show how resources are spatially distributed throughout the City. The figure shows the following findings:

- Eight candidate sites to accommodate RHNA (totaling 1,323 units, including 608 units affordable to low- and very low-income households) are located within census groups identified as High Resource areas.
- 21 candidate sites to accommodate RHNA (totaling 3,486 units, including 952 units affordable to low- and very low-income households) are located within census groups identified as Highest Resource areas.

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Figure C-34: Candidate Sites and TCAC/HCD Opportunity Areas

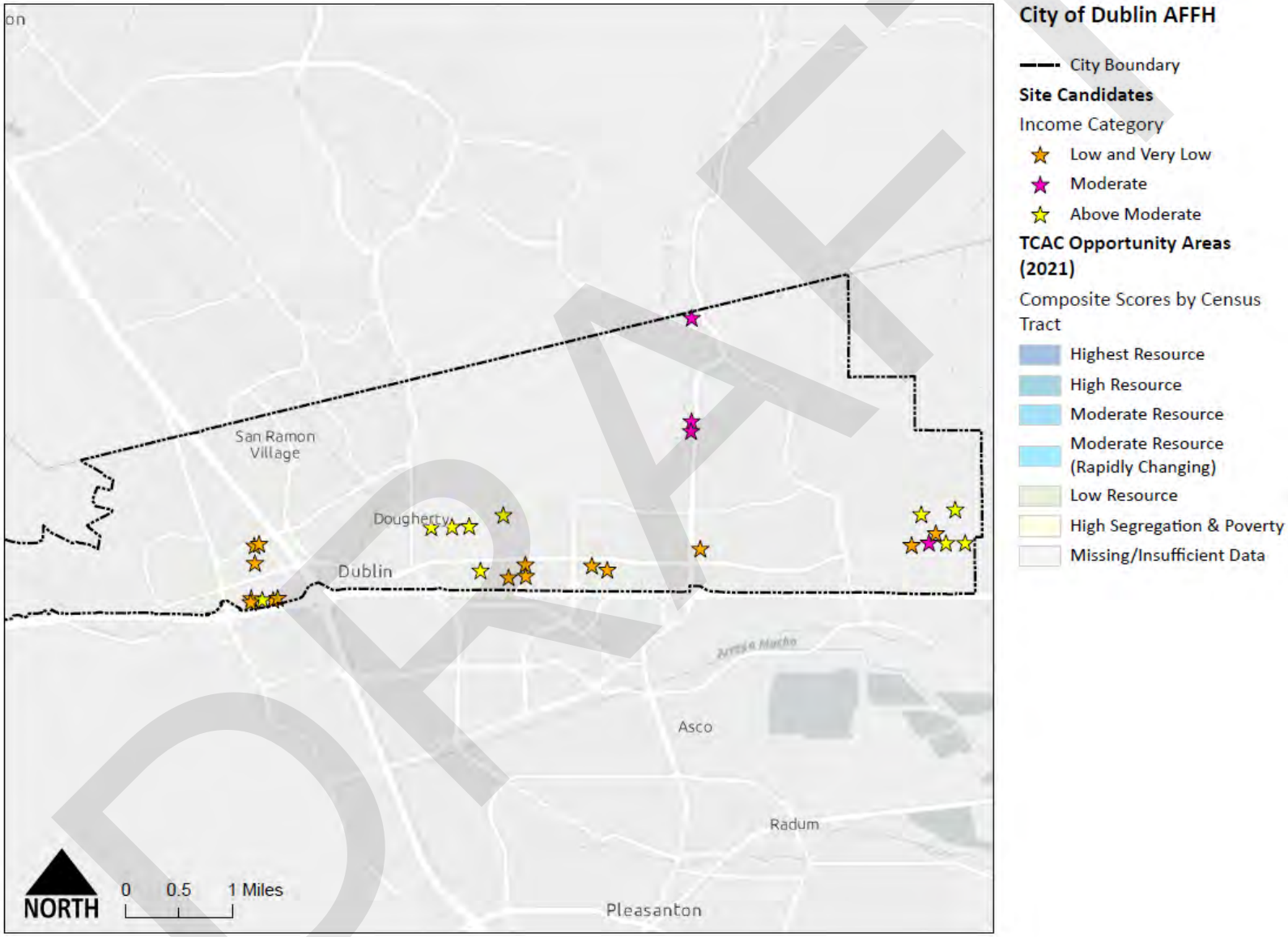

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Figure C-35 shows the identified candidate sites to meet the RHNA in relation to displacement and gentrification data. The figure shows the following findings:

- Eight candidate sites to accommodate RHNA (totaling 1,323 units, including 608 units affordable to low- and very low-income households) are located within Stable Moderate/Mixed-Income displacement typology areas.
- 11 candidate sites to accommodate RHNA (totaling 2,243 units, including 718 units affordable to low- and very low-income households) are located within Stable/Advanced Exclusive displacement typology areas.
- 10 candidate sites to accommodate RHNA (totaling 1,243 units, including 234 units affordable to low- and very low-income households) are located within an that has unavailable or unreliable data.

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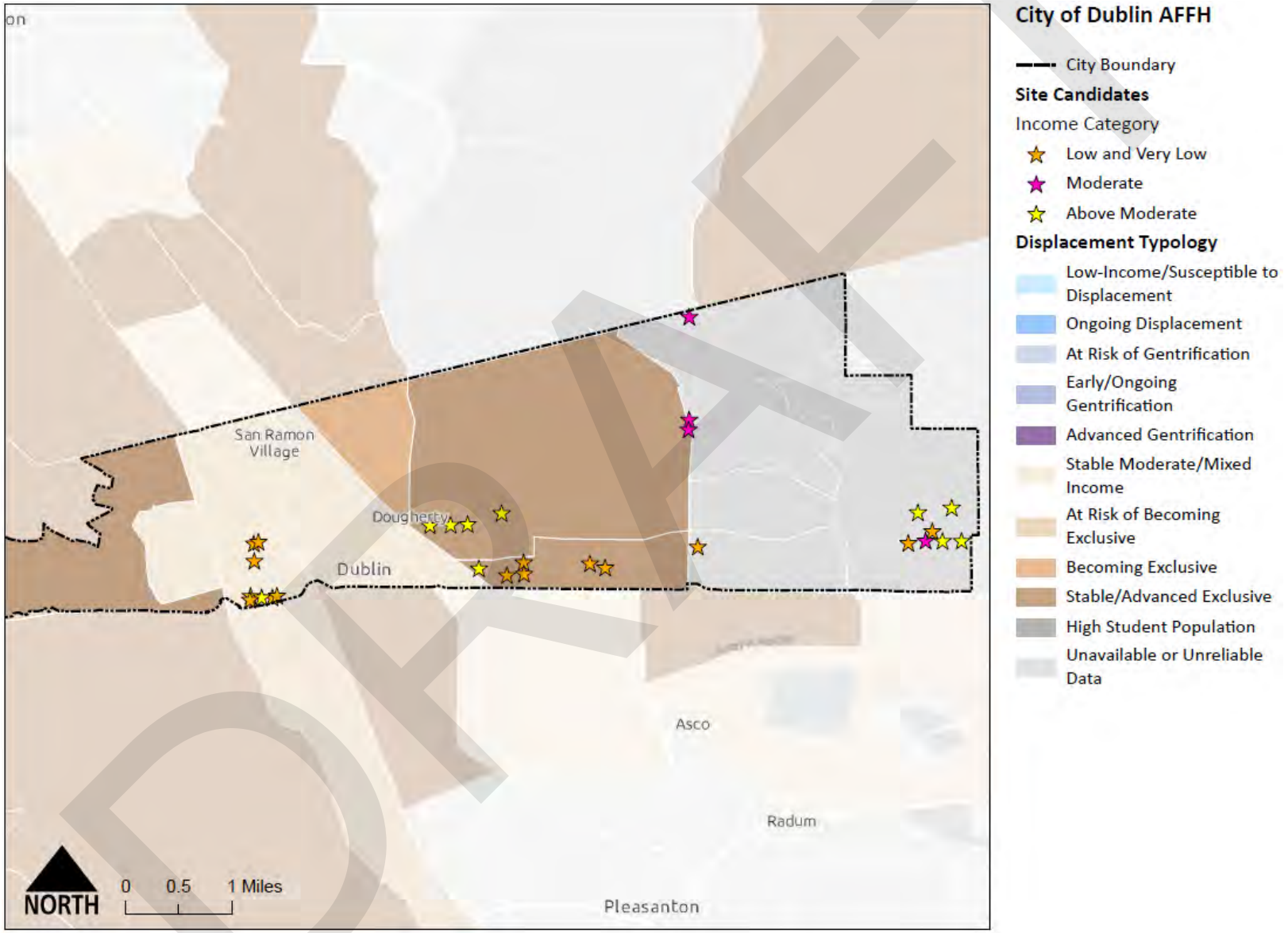
Figure C-35: Candidate Sites and Displacement Mapping



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5. Analysis of Fair Housing Priorities and Goals

Chapter 2: Housing Plan of this Housing Element provides goals, policies, and programs to increase housing opportunities, remove constraints to affordable housing, improve the existing housing stock, and provide equal opportunities for all current and future residents of Dublin.

Goal D of the **Housing Plan** is: Provide housing opportunities for all Dublin residents, regardless of race, color, ancestry, national origin, religion, age, gender, gender identity and expression, marital status, familial status, medical condition or disability, military or veteran status, source of income, sexual orientation, or any other protected characteristic. The following three policies are established to support this goal:

- **Policy D.1:** Support services and programs that fight housing discrimination; promote agencies and organizations that provide assistance to victims of housing discrimination.
- **Policy D.2:** Promote housing with supportive services to meet the special housing needs of all Dublin residents.
- **Policy D.3:** Encourage the provision of housing to meet the needs of households of all sizes.

Additionally, the following programs have been established to implement the City's goals and policies as they relate to fair housing:

- Program A.2: Housing Choice Voucher Rental Assistance
- Program A.5: Preserve and Monitor Affordable Units At-Risk of Converting to Market Rate
- Program B.5: Commercial Linkage Fee
- Program B.6: Housing Type and Size Variations
- Program B.11: Transitional and Supportive Housing
- Program B.12: Single-Room Occupancy (SRO)
- Program D.3: Emergency Shelters
- Program E.1: Affirmatively Further Fair Housing
- Program E.2: Equal Housing Opportunity
- Program E.3: Reasonable Accommodations
- Program E.4: Low-Barrier Navigation Centers
- Program E.5: Housing for Persons with Developmental Disabilities
- Program E.6: Farmworker and Employee Housing
- Program E.7: First-Time Homebuyer Program
- Program E.8: Homeless Assistance
- Program E.9: Water and Sewer Service Providers

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APPENDIX D:
ADEQUATE SITES ANALYSIS

A. Adequate Sites Analysis Overview

The Housing Element is required to identify sites by income category to meet the City's Regional Housing Needs Allocation (RHNA). The sites identified within the 2023-2031 Housing Element represent the City's ability to accommodate housing at the designated income levels during the 2023-2031 planning period. This Appendix provides detailed information on the sites identified to meet the City's RHNA, including:

- Assessor Parcel Number (APN)
- Address
- Size (Acres)
- Zoning
- General Plan Land Use
- Ownership
- Existing On-site Uses
- Density
- Potential Development Capacity (Dwelling Units)

Table D-1 shows the City's 2023-2031 RHNA by income category and how the RHNA will be accommodated. The analysis demonstrates the City has the capacity to meet the RHNA through a variety of methods, including:

- Projects in the pipeline
- Future development of accessory dwelling units (ADUs)
- Capacity on existing, residentially-zoned sites
- Identification of land to rezone to accommodate remaining RHNA

Table D-1: Summary of Sites Inventory

	Extremely Low-/Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
RHNA (2023-2031)	**1,085**	**625**	**560**	**1,449**	**3,719**
Projects in the Pipeline and ADUs					
Projects in the Pipeline	344		184	1,572	2,100
Accessory Dwelling Units	149		74	25	248
Existing Zoning					
Downtown Dublin	363		50	0	413
Vacant 5th Cycle Sites	0		252	573	825
Public/Semi-Public Sites	134		0	0	134
Total Potential Capacity Based on Existing GP and Zoning	**497**		**302**	**573**	**1,372**
Strategies to Accommodate Remaining Need					
Alameda County Surplus Properties	323		0	322	645
Hacienda Crossings	297		0	297	594
SCS Property	100		0	0	100
Additional Rezone Capacity	**720**		**0**	**619**	**1,339**
Sites Inventory Total					
Total Units (All Categories)	**1,710**		**560**	**2,789**	**5,059**

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1. Adequacy of Sites to Accommodate RHNA

Availability of Water, Sewer, and Dry Utilities

The City has existing or planned water, sewer, and dry utilities that have been designed and located to accommodate potential residential development identified for the 2023-2031 Housing Element.

The Dublin San Ramon Services District (DSRSD) provides sanitary sewer service. DSRSD operates two wastewater treatment plants, one in Pleasanton, which has a capacity of 17 million gallons per day (MGD), and the other in Livermore, which has a capacity of eight MGD. Regional wastewater disposal matters are handled by the Livermore Amador Valley Water Management Agency (LAVWMA), a joint powers authority formed in June 1974 between DSRSD and the cities of Pleasanton and Livermore. LAVWMA is responsible for maintaining the pipeline that transports treated wastewater from the two treatment plants to San Lorenzo. It is then discharged into San Francisco Bay by the East Bay Dischargers Authority (EBDA), another joint powers authority made up of the City of San Leandro, Oro Loma Sanitary District, Castro Valley Sanitary District, the City of Hayward, and Union Sanitary District and provides contract services to LAVWMA, DSRSD, and the cities of Pleasanton and Livermore. EBDA operates and maintains a large outfall system to the Bay.

DSRSD is the water retailer for residents in Dublin and the Dougherty Valley portion of San Ramon. DSRSD buys wholesale potable water from Zone 7 of the Alameda County Flood Control and Water Conservation District (also referred to as the Zone 7 Water Agency, or Zone 7). Zone 7 obtains most of its water supply from the State Water Project (SWP), with additional supplies derived from the local watershed and the Byron Bethany Irrigation District. Zone 7 uses the main groundwater aquifers in the Tri-Valley area to store imported water. Approximately 80 percent of Zone 7's water comes from the SWP, traveling from the Sierra Nevada mountains through Lake Oroville and the Sacramento/San Joaquin Delta. The water is then pumped into the South Bay Aqueduct near Tracy, where it enters the Tri-Valley. Zone 7 also pumps DSRSD's groundwater quota for delivery to DSRSD customers.

According to the General Plan Water Resources Element, potable and recycled water use in Dublin has generally increased since 2002 with much of the increased water usage resulting from planned growth. The Water Resources Element identifies residential users, specifically single-family residential users, as the largest consumer of water in the City. Although total water demand has increased for the single-family residential category, the total number of single-family residences has increased at a greater rate than the total water demand rate reported. Therefore, the average annual water consumption per single-family residence has decreased due to installation of water-efficient fixtures, planting water-efficient and drought-tolerant landscapes, use of recycled water for landscape irrigation, and increased public education regarding the importance of water conservation.

The City's electric power is supplied by a combination of private suppliers which sell power to Pacific Gas and Electric (PG&E) for resale. PG&E's distribution system provides electricity directly to residential and commercial customers. Most electric power is brought to electric substations in the region via transmission lines connected to the statewide grid system. Electric power capacity is looked at on a

subregional (rather than citywide) basis. Local electrical capacity is a function of transmission network capacity to bring this power to the subregion, capacity of the local substations to lower the voltages (or step down the power) to deliverable suitable voltage, and the ability of the local distribution network to deliver adequate power to customers. Additionally, the City receives renewable energy from East Bay Community Energy (EBCE). EBCE supplies energy received from clean sources such as hydropower, wind, and solar.

Natural gas is supplied directly to residential and commercial customers by PG&E. Natural gas is pumped from underground reservoirs into large transmission pipelines, which transport the gas to local distribution pipelines. Some local distribution systems lead to underground storage. These natural gas storage areas are utilized during seasonal peaks.

The General Plan Energy Conservation Element establishes policy programs which promote energy conservation and efficiency in new and existing buildings throughout the City.

Each site in the Sites Inventory has been evaluated to ensure there is adequate access to utility services and connections, including water, sewer, and dry utilities. Each site is situated with a direct connection to a public street that has the appropriate water and sewer mains and other infrastructure services.

2. Accessory Dwelling Units and Junior Accessory Dwelling Units

In addition to primary dwelling units, there is capacity for the development of Accessory Dwelling Units (ADUs) and Junior ADUs on existing and future single-family properties. It is anticipated an additional 248 ADUs can be accommodated throughout the community during the 2023-2031 planning period.

The State Department of Housing and Community Development (HCD) has supported a strategy for estimating future development of ADUs in the City based on the average number of ADUs from past performance (2018 to 2021).

Table D-2 displays the City's past performance in permitting ADUs from 2018 through 2021. The data shows that in total, the City nearly doubled ADU production between 2020 and 2021. The City has taken actions to incentivize ADUs, such as streamlining the review process, modified the development standards, developed prototype plans, prepared an ADU Manual, and waived permit fees for certain ADUs, which are anticipated to further increase ADU production. Using a conservative method of doubling the average number of ADUs permitted from 2018 to 2021, the City estimates 31 ADUs will be permitted per year for a total of 248 ADUs from 2023 to 2031. The estimates are consistent with the City's most recent ADU trends and are reflective of the changes in State law and the City's ability to streamline review and approval of applications.

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Table D-2: Accessory Dwelling Units Past Performance and Future Projections	
Year	**ADU Permitted and Projected**
2018	19
2019	11
2020	11
2021	20
Annual Projection (2023-2030)	**31 per year***
2023	31
2024	31
2025	31
2026	31
2027	31
2028	31
2029	31
2030	31
Projection Period Total	**248**

*Estimate based on double the average of ADUs permitted between 2018 and 2021.
Note: Data for 2018 through 2021 is based on the total number of building permits issued for ADUs and reported in the General Plan and Housing Element Annual Progress Reports.

To support the assumptions above, the City can demonstrate the appropriate amount of land and market opportunity for ADU development. The City has a total of 4,268 parcels zoned for residential use, totaling 993 acres. In accordance with State law, ADUs are allowed in all zones that allow single-family or multiple-family residences. Junior ADUs are permitted on parcels with an existing or proposed single-family residence in the A, R-1, R-2, R-M, and Planned Development zoning districts. As such, the City has potential to permit at least 4,268 ADUs and 4,268 Junior ADUs, totaling 8,536 units. Combined with a market appetite based on past performance (**Table D-2**), 248 ADUs represent an appropriate assumption.

Additionally, to facilitate the development of ADUs available for lower-income households, Program B.7 is included in the **Housing Plan**. For the purposes of Sites Inventory, the City assumes a percentage of ADUs will be affordable based on the draft *Using ADUs to Satisfy RHNA Technical Memo,* produced by the Association of Bay Area Governments (ABAG). ABAG's analysis consisted of the following steps:

- Calculated maximum rent limits for RHNA income categories for one-person and two person households by county
- Surveyed rents for ADUs in the ABAG region
- Used survey data to determine proportion of ADUs within each income category
- Created assumption of how many persons will occupy each ADU, finalize proportions

Using ABAG's analysis, **Table D-3** shows estimated ADU projections for Dublin by income category.

Table D-3: Accessory Dwelling Unit Projections by Income Category		
Income Category	**Percentage**	**Units**
Low- and Very Low-Income	60%	149 units
Moderate-Income	30%	74 units
Above Moderate-Income	10%	25 units
	Total	**248 units**

3. Projects in the Pipeline

HCD guidance states that residential projects that are approved, permitted, or receive a certificate of occupancy after the beginning of the RHNA period may be credited toward meeting the RHNA based on the affordability and unit count of the development. **Table D-4** shows nine projects in the pipeline totaling 2,100 units, including the following:

- 266 very low-income units
- 78 low-income units
- 184 moderate-income units
- 1,572 above moderate-income units

Table D-4: Projects in the Pipeline[1]

Project Name	Project Status (as of April 2022)	Map ID	Projected Units				
			Extremely Low-/ Very Low-Income	Low - Income	Moderate -Income	Above Moderate-Income	Total
Eden Housing / Regional Street Senior Affordable Housing	Planning Application Approved	1	112	0	0	1	**113**
BRIDGE Housing / Amador Station	Planning Application Approved	2, 3	56	78	162	4	**300**
Ashton at Dublin Station	Under Construction	6	0	0	22	198	**220**
Boulevard (Phases 2 + 3)	Under Construction	5, 8	0	0	0	225	**225**
Boulevard (Phases 4 + 5)	Under Construction	9, 10	0	0	0	451	**451**
Avalon Bay Communities (Saint Patrick Way)	Under Construction	7	0	0	0	499	**499**
Eastern Dublin/Pleasanton BART Station (Site D-1)	Planning Application Filed	13	98	0	0	1	**99**
Branaugh	Planning Application Filed	14	0	0	0	97	**97**
Righetti	Planning Application Filed	15	0	0	0	96	**96**
Total Projected Units			**266**	**78**	**184**	**1,572**	**2,100**

[1] Project unit projections are planning-level assumptions and are subject to change. Table is based upon available data at the time the draft document was prepared.

B. Very Low- and Low-Income Sites Inventory

This Section contains a description and listing of the sites identified to meet the City's very low- and low-income allocation.

1. Strategy for Accommodating Very Low- and Low-Income RHNA

Existing Zoning and Land Use

HCD has identified 30 dwelling units per acre as the default density, or feasible density to accommodate very low- and low-income housing. The City has four zoning districts that can accommodate residential development at this density, including Residential Multiple (R-M), Downtown Dublin, Public/Semi-Public, and certain Planned Developments. Parcels within these zoning districts were analyzed for compliance with Assembly Bill 1397 (AB 1397) requirements and analyzed for vacancies or opportunity for redevelopment.

Existing residentially zoned parcels can accommodate 505 very low- and low-income units. Utilizing the City's existing residentially zoned land, ADU assumptions, and projects in the pipeline, the City can accommodate approximately 60 percent of the very low- and low-income allocation.

Downtown Dublin Specific Plan

The Downtown Dublin Specific Plan establishes development standards and design guidelines to create a mixed-use center that provides a wide array of opportunities for shopping, services, dining, working, living, and entertainment in a pedestrian-friendly and aesthetically pleasing setting that attracts both local and regional residents. Downtown Dublin consists of 284 acres and the Specific Plan designates three districts: Village Parkway, Transit-Oriented, and Retail. Although all three districts allow residential development, only the Transit-Oriented and Retail Districts allow development at a density of at least 30 dwelling units per acre.

- **Transit Oriented District.** The Transit Oriented District is zoned to allow a minimum residential density of 30 dwelling units per acre with a maximum of 85 dwelling units per acre. The district has seen multiple residential projects constructed with at least 60 dwelling units per acre (see **Table D-5** for recent multi-family residential development in Downtown Dublin).
- **Retail District.** The Residential District is zoned to allow a minimum residential density of 22 dwelling units per acre and has no maximum density. The district has seen two residential projects constructed with at least 30 dwelling units per acre (see **Table D-5**).

Residential development within the Specific Plan is also governed by a Development Pool with 2,500 units, which has a projected remaining balance of 828 units. Based on previous development within the Specific Plan and an analysis of sites within the Downtown feasible for residential development during the planning period, 413 units are projected to develop affordably. To facilitate the development of these 413 projected affordable units, Program B.9 in the **Housing Plan** specifies they will not be subject to the Development Pool, nor a Community Benefit Program Agreement.

Table D-5: Evidence of Multi-Family Residential Development in Downtown Dublin					
Project Name	**GPLU**	**Zoning**	**Lot Size**	**Estimated Density**	**Total**
Aster (Bay West), 6775 Golden Gate Drive	DDTOD	DDZD	4.97 acres	63 du/acre	313
Avesta Development, 7601 Amador Valley Blvd.	DDRD	DDZD	0.98 acres	34 du/acre	35
Connelly Station, 7550 Saint Patrick Way	DDTOD	DDZD	3.68 acres	84 du/acre	309
The Perch / Trumark, 7144 Regional Street	DDRD	DDZD	2.72 acres	22 du/acre	60
Valor Crossing, 7500 Saint Patrick Way	DDTOD	DDZD	1.37 acres	48 du/acre	66
Wicklow Square Senior Apartments, 7606 Amador Valley Blvd.	DDRD	DDZD	0.59 acres	32 du/acre	54

Rezoning

After utilizing existing residentially zoned land, pipeline projects, and ADU assumptions, the City has a remaining unmet housing need of 720 very low- and low-income units. To accommodate the remaining need, the City has identified a total of 24.4 acres to be rezoned in the following areas:

- Alameda County Surplus Property
- Hacienda Crossings Shopping Center
- SCS Property

The City's complete rezone strategy and analysis is detailed below in **Section 5: Rezone Strategy to Accommodate Remaining Very Low- and Low-Income RHNA**.

2. Calculation of Unit Capacity

Site-by-Site Calculation

The City has identified unit capacity on sites considering existing development and the feasibility of adding housing, development standards for the respective zone, and the feasible buildable acreage of the site. Then unit capacity was calculated by multiplying the net acreage of the site (considering existing environmental issues and existing structures) by the assumed density. A sample site calculation for a site is shown below in **Table D-6**.

Table D-6: Sample Sites Calculation	
Site Descriptor	**Data**
Unique ID	S-86
APN	986-0034-012-00
Zone	Rezone of Alameda County Surplus Properties
Assumed Density	66 du/acre
Existing Use	Vacant Lot
Existing Structures	0
Acreage	Approximately 7.5 acres
Net Units	493
Affordability Assumptions	50 percent
Total Affordable Unit Yield	247

Affordability Assumptions

Sites identified for rezoning to accommodate the remaining RHNA are assumed to develop with 50 percent of units affordable to very low- and low-income households and 50 percent of units affordable to above moderate-income households. The goal of the 2023-2031 Housing Element is to create more opportunities for affordable housing and to work with the affordable housing development community to bring additional very low- and low-income housing opportunities to Dublin.

PAST PERFORMANCE

The City can demonstrate a past performance in approving residential projects that include at least 50 percent affordable units. **Table D-7** below displays example completed housing projects in the City with at least 50 percent affordable units.

Table D-7: Projects with at least 50 Percent Affordable Units

Name	Address	APN	Year Completed	Total Units	Total Affordable Units
Camellia Place	5450 DeMarcus Boulevard, A1	986-0034-008-00	2007	112	111
Carlow Court at Emerald Vista	6880 Mariposa Circle	941-2839-013-00	2013	50	49
Oak Grove at Dublin Ranch	4161 Keegan Street	985-0048-004-00	2007	304	243
Pine Grove at Dublin Ranch	3115 Finnian Way	985-0048-003-00	2007	322	292
Valor Crossing	7500 Saint Patrick Way	941-1500-032-02	2017	66	65
Wexford Way at Emerald Vista	6900 Mariposa Circle	941-2839-014-04	2013	130	129
Wicklow Square	7606 Amador Valley Boulevard	941-0305-042-00	2005	54	53

Source: City of Dublin, March 11, 2022.

The City has identified sufficient land, including land identified for rezoning, to accommodate the 2023-2031 RHNA. To support the assumption that projects will develop with affordable units, the City has identified programs and policies encouraging affordable developer interest and feasibility. These programs are detailed in **Chapter 2: Housing Plan**.

3. Adequacy of Sites to Accommodate Very Low- and Low-Income Housing

Selection of Sites

Sites identified to meet the City's very low- and low-income RHNA were selected based on AB 1397 parcel size requirements of at least half an acre but not greater than 10 acres. Each site identified in the City's Sites Inventory meets the minimum default density of 30 dwelling units per acre or will be rezoned to comply with the minimum density requirement as outlined in Section 5 below. The City has a

demonstrated history of approving residential projects, specifically affordable units at this density. This supports the viability of these sites for affordable housing development.

Vacant Parcels

The City has identified sufficient land to accommodate 44.8 percent of the RHNA for very low- and low-income units on currently vacant parcels. Of the 14 parcels identified as having potential to accommodate lower-income units, seven parcels (20.4 acres) are currently vacant and have a propensity to accommodate 767 very low- and low-income units.

Therefore, the existing uses on the remaining 50 percent of sites identified to accommodate very low- and low-income units are not presumed to impede additional residential development. Existing uses on the non-vacant sites have also been evaluated for potential to accommodate future residential uses.

Replacement Analysis

The Sites Inventory includes three sites with existing residential units. This includes one pipeline project (Site 14, the Branaugh project site) and two 5th Cycle Sites in East Dublin (Sites 12 and 23). As such, Program B.15 is included in the **Housing Plan** to ensure demolished residential units occupied by lower-income households, or households subject to affordability requirements within the last five years, are replaced in compliance with Government Code Section 65915.

Public/Semi-Public Sites

The City identified two Public/Semi-Public sites in the Sites Inventory, totaling 4.5 acres, on portions of large, master-planned developments occurring in east Dublin that can accommodate 134 lower income units. The Public/Semi Public land use designation allows a broad range of uses, including the potential for affordable housing developed by a non-profit entity. The two sites in the inventory total 4.5 acres and are planned for affordable housing at a minimum density of 30 dwelling units per acre.

Alameda County Surplus Property

The City is in coordination with the Alameda County Surplus Property Authority to support housing development on two surplus properties at the Dublin Transit Center. The two surplus properties include 645 total units, of which 323 units would be affordable to lower-income households, on 9.5 buildable acres. More details are provided in **Section 5**.

Hacienda Crossings Shopping Center

The City is in coordination with the Hacienda Crossings shopping center to support permitting a residential mixed-use development to help revitalize the shopping center, which is currently underutilized, has vacant tenant spaces, and could benefit from introduction of residential development. The two properties include 594 total units, of which 297 units would be affordable to lower-income households, on 12.4 buildable acres. More details are provided in **Section 5**.

SCS Property

On February 15, 2022, the City Council approved a Preferred Plan for the SCS Property, which is a vacant 76.9-acre property located north of Interstate 580 between Tassajara Road and Brannigan Street and

extending to the north of Gleason Drive. The Preferred Plan includes a 2.5-acre Public/Semi-Public site for affordable housing, which is envisioned to include high-density affordable housing at a density of 40 dwelling units per acre and can accommodate 100 units affordable to lower-income households. More details are provided in **Section 5**.

Identification of Small or Large Sites

AB 1397 identifies parcels measuring between half an acre and 10 acres to be appropriate for the development of affordable housing units. Parcels that are less than half an acre ("smaller") or above 10 acres ("larger") are not deemed adequate to accommodate lower-income housing needs unless past performance shows a tendency for affordable housing projects to develop on smaller or larger sites.

The City's Sites Inventory does not include affordable units on sites that fall outside the size requirements of AB 1397. The Sites Inventory includes a total of 14 parcels ranging from 1.2 to 10 buildable acres to accommodate lower-income units.

4. Non-Vacant Sites

For non-vacant sites, State law requires that the City analyze:

- The extent to which existing uses may constitute an impediment to the future residential development within the planning period
- Past experience converting existing uses to higher density residential uses
- Current market demand for the existing use
- Analysis of leases that would prevent redevelopment of the site
- Development trends
- Market conditions
- Regulations or incentives to encourage redevelopment

Lease Analysis

Existing lease agreements on infill and non-vacant properties present a potential impediment that may prevent residential development within the planning period. State law requires the City to consider lease terms in evaluating the use of non-vacant sites. The City made diligent efforts to review existing lease agreements; however, the City does not have access to private party lease agreements or other contractual agreements amongst private parties. While the City does not have access to lease structures, as these are private documents, Staff conducted an analysis to identify sites that show characteristics indicating they are likely to redevelop within the planning period, including the following:

- Past performance redeveloping non-vacant sites
- Analysis of existing use
- Market analysis of land costs and redevelopment opportunities

In addition, the City has met with the property owners of existing non-vacant sites at Hacienda Crossings shopping center and in Downtown Dublin. Property owners expressed interest and support in the City's Sites Inventory rezone strategy to allow for residential uses on these non-vacant parcels. Furthermore, the Hacienda Crossings shopping center has a large, underutilized parking lot, which could be redeveloped with housing should the existing buildings need to remain.

Past Performance Developing Non-Vacant Sites for Residential Uses

Table D-8 lists previously approved projects developed on non-vacant sites. As shown, the City has been successful in not only approving residential housing developments on non-vacant sites, but also in approving the development of affordable units on non-vacant sites. Alameda County Housing Collaborative's Non-Vacant Site Database also provides additional residential projects that were approved in neighboring jurisdictions – showing a regional tendency and further supporting Dublin's use of non-vacant sites in the Sites Inventory as a way of meeting the City's RHNA.

Table D-8: Example Development of Non-Vacant Sites for Residential Uses

Project and Address	Acreage	Economic Band	Previous Use	Zoning	Year Completed	Total Unit Count	Affordable Unit Count
The Perch 7144 Regional Street	2.72	Medium/Low Rent Levels	Distributor	DDZD	2018	60	0
Aster 6775 Golden Gate Drive	4.97	Medium/Low Rent Levels	Car Dealership	DDZD	2017	313	313
Valor Crossing 7500 Saint Patrick Way	1.37	Medium/Low Rent Levels	Car Dealership	DDZD	2017	66	65
Avesta Senior Care Facility 7601 Amador Valley Blvd.	0.98	Medium/Low Rent Levels	Vacant Commercial Building	DDZD	2021	35	0
Tralee Village - Condos 6670 Dublin Blvd.	3.87	Medium/Low Rent Levels	K-Mart Strip Mall	PD	2012	130	16
Tralee Village - Townhomes 6656 Adare Street	6.15	Medium/Low Rent Levels	K-Mart Strip Mall	PD	2014	103	2

Source: Alameda County Housing Collaborative – Non-Vacant Site Database and City of Dublin

5. Rezone Strategy to Accommodate Remaining Very Low- and Low-Income RHNA

After utilizing pipeline projects, projected ADU assumptions, and existing residentially zoned land (including 5th Cycle Housing Element sites, Public/Semi-Public Sites, and Downtown Dublin), there is a remaining need of 720 lower-income units. Below is the strategy for rezoning sites to meet the City's remaining RHNA.

Part 1: Rezoning Opportunities Utilizing Alameda County Surplus Property Authority Sites

The City has identified two parcels owned by the Alameda County Surplus Property Authority for rezoning to accommodate a portion of the remaining lower-income RHNA. The County is supportive of amending the General Plan and rezoning these sites to accommodate future residential development. The two vacant parcels total 19.7 acres, of which 13.82 acres are buildable due to the approval of the Westin Hotel on the southern 5.88 acres of Site 28. Within the Sites Inventory 9.4 acres are identified for future residential development to allow the remaining four acres to be developed with a compatible use. The average density of 66 dwelling units per acre proposed for these sites is comparable to the average

residential density within the Transit Center and is based on existing development trends, proximity to high-capacity transit, and coordination with the property owner. Utilizing the unit capacity outlined above, the City assumes a density of 66 dwelling units per acre with a 50 percent affordability factor. In total, the proposed rezoned parcels can accommodate 645 units, of which 323 are estimated to be affordable to lower-income households.

Part 2: Rezoning Opportunities Utilizing Hacienda Crossings

The City has identified two parcels at the Hacienda Crossings shopping center for rezoning to accommodate a portion of the remaining lower-income RHNA. The property owners are supportive of permitting a residential mixed-use development to help revitalize the shopping center, which is currently underutilized, has vacant tenant spaces, and could benefit from introduction of residential development. The two parcels total 21.2 acres, but only 12.4 acres are identified as buildable acreage for future residential development. The two parcels are envisioned to develop with residential units at an average density of 48 dwelling units per acre, similar to the nearby Waterford Place Shopping Center and Apartments. This density is also based on existing development trends, proximity to high-capacity transit, and coordination with the property owners. Utilizing the unit capacity calculations outlined above, the City assumes a density of 48 dwelling units per acre with a 50 percent affordability factor. In total, the proposed rezoned parcels can accommodate 594 units, of which 297 are estimated to be affordable to lower-income households.

Part 3: Rezoning Opportunities Using SCS Property

On February 15, 2022, the City Council approved a Preferred Plan for the SCS Property, which is a vacant 76.9-acre property located north of Interstate 580 between Tassajara Road and Brannigan Street and extending to the north of Gleason Drive. The Preferred Plan includes a 2.5-acre Public/Semi-Public site for affordable housing that contemplates between 70 and 150 units. The City has identified this 2.5-acre site for rezoning to accommodate a portion of the remaining lower-income RHNA. The SCS Property has been included in several development proposals in recent years. However, under the current proposal, the 2.5-acre Public/Semi-Public site included in the Sites Inventory (Site S-82) is envisioned to include high-density affordable housing at a density of 40 dwelling units per acre. In total, the proposed rezoned parcel complies with the Preferred Plan and can accommodate 100 units affordable to lower-income households.

C. Moderate- and Above Moderate-Income Sites Inventory

This Section contains a description and listing of the sites identified to meet Dublin's moderate- and above moderate-income allocation.

1. Strategy for Accommodating Moderate-Income Allocation

Utilizing pipeline projects, projected ADU assumptions, and existing residential zoning, the City can fully accommodate the 560 moderate-income RHNA utilizing the sources detailed below.

Projects in the Pipeline

As shown in **Table D-4**, there are two projects currently in the pipeline that are accommodating a total of 184 moderate-income units. The BRIDGE Housing/Amador Station project has received planning application approval for a total of 300 units, including 162 units affordable to moderate-income households. The Ashton at Dublin Station project is currently constructing 220 units, including 22 units affordable to moderate-income households.

Accessory Dwelling Units (ADUs)

Based on ABAG's *Using ADUs to Satisfy RHNA Technical Memo*, the City estimates 30 percent of the 248 projected ADUs will develop at a moderate-income affordability, totaling 74 units. **Table D-3** provides a breakdown of projected ADU development by affordability level.

5th Cycle Sites

State law limits a jurisdiction's ability to re-use sites from the prior RHNA cycle. Vacant sites identified in the last two Housing Elements and non-vacant sites identified in a prior Housing Element may not be counted towards the lower-income RHNA categories unless: 1) the sites are zoned at the "default" density of 30 dwelling units per acre; or 2) the sites allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households. In October 2020, the City Council gave direction to allow housing by right rather than up zoning properties. A "use by right" is one in which the use does not require "a conditional use permit, planned unit development permit, or other discretionary local government review or approval," such as the Community Benefit Agreement, although it specifically allows for design review. The City may count units on the existing 5th Cycle Sites as either moderate- or above moderate-income units since they do not meet the minimum density of 30 dwelling units per acre required to count for lower-income categories. These sites can accommodate 825 total units, including 252 moderate-income units and 573 above moderate-income units.

Downtown Dublin

Of the 413 units projected in Downtown Dublin, 50 units are projected to develop as moderate-income units. This assumption is made based on existing trends of affordable housing development throughout the City.

2. Strategy for Accommodating Above Moderate-Income Allocation

Utilizing pipeline projects alone, the City can fully accommodate the above moderate-income RHNA of 1,449 units, with a surplus of units from the projected ADU assumptions, existing residential zoning, and rezone strategies, utilizing the following sources.

Projects in the Pipeline

As shown in **Table D-4**, there are nine projects currently in the pipeline that are accommodating a total of 1,572 above moderate-income units. Five of the nine projects have received planning application approval and some are currently under construction.

Accessory Dwelling Units (ADUs)

Based on ABAG's draft *Using ADUs to Satisfy RHNA Technical Memo*, the City estimates that 10 percent of the 248 projected ADUs will develop at an above moderate-income affordability, totaling 30 units. **Table D-3** provides a breakdown of projected ADU development by affordability level.

5th Cycle Sites

As noted above, the City may count units on existing 5th Cycle Sites as either moderate- or above moderate-income units since they do not meet the minimum density of 30 dwelling units per acre required to count for lower-income categories. These sites can accommodate 825 total units, including 573 above moderate-income units.

Rezone Strategies

As discussed in Section B.5 of this Appendix, the rezone strategies are anticipated to accommodate residential development at an affordability of 50 percent. The other 50 percent of units (619 units) are anticipated to develop at an above moderate-income level.

Selection of Sites

The Sites Inventory contains a selection of sites that are most likely to be developed for moderate- and above moderate-income housing. For the purpose of identifying sites with the potential to be developed within the planning period, this analysis considered existing zoned parcels that permit residential as a primary use.

For the purposes of this analysis, projected ADU assumptions were calculated separately as outlined within Section A.2 above. ADUs represent additional potential units to meet the City's RHNA.

D. Summary of RHNA Status and Sites Inventory

The City has reviewed all sites for environmental concerns and considerations as well as development and land use restrictions. Additionally, each site has been reviewed for existing use; access to infrastructure, water, utilities; and additional development constraints. Where the analysis showed increased barriers to development related to environmental concerned, infrastructure concerns or existing conditions and development concerns (such as slope and grading, hazardous surrounding uses, restrictive development standards) the sites were removed. The result is a list and analysis of sites that are most ripe for development or redevelopment for housing. A summary of the City's ability to meet the RHNA obligation for 2023-2031 is shown in **Table D-1.**

E. Sites Identified to Accommodate RHNA and Maps

Figures D-1 through **D-3** below map all sites identified to accommodate the City's 2023-2031 RHNA. **Table D-9** is the Sites Inventory sorted by Unique ID for reference in the maps.

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Figure D-1: 2023-2031 RHNA Sites Inventory Map

Figure D-2: 2023-2031 RHNA Sites Inventory Map

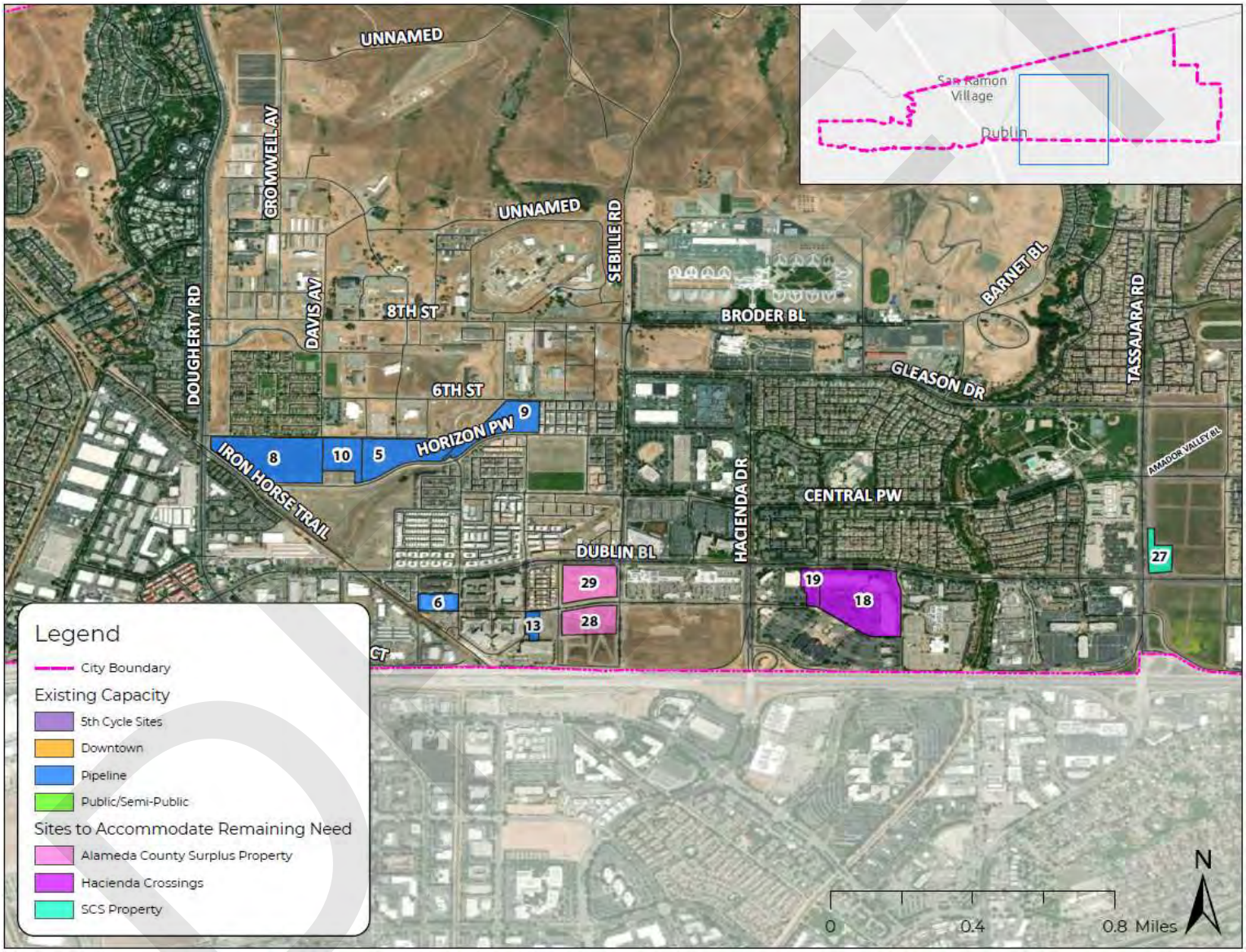
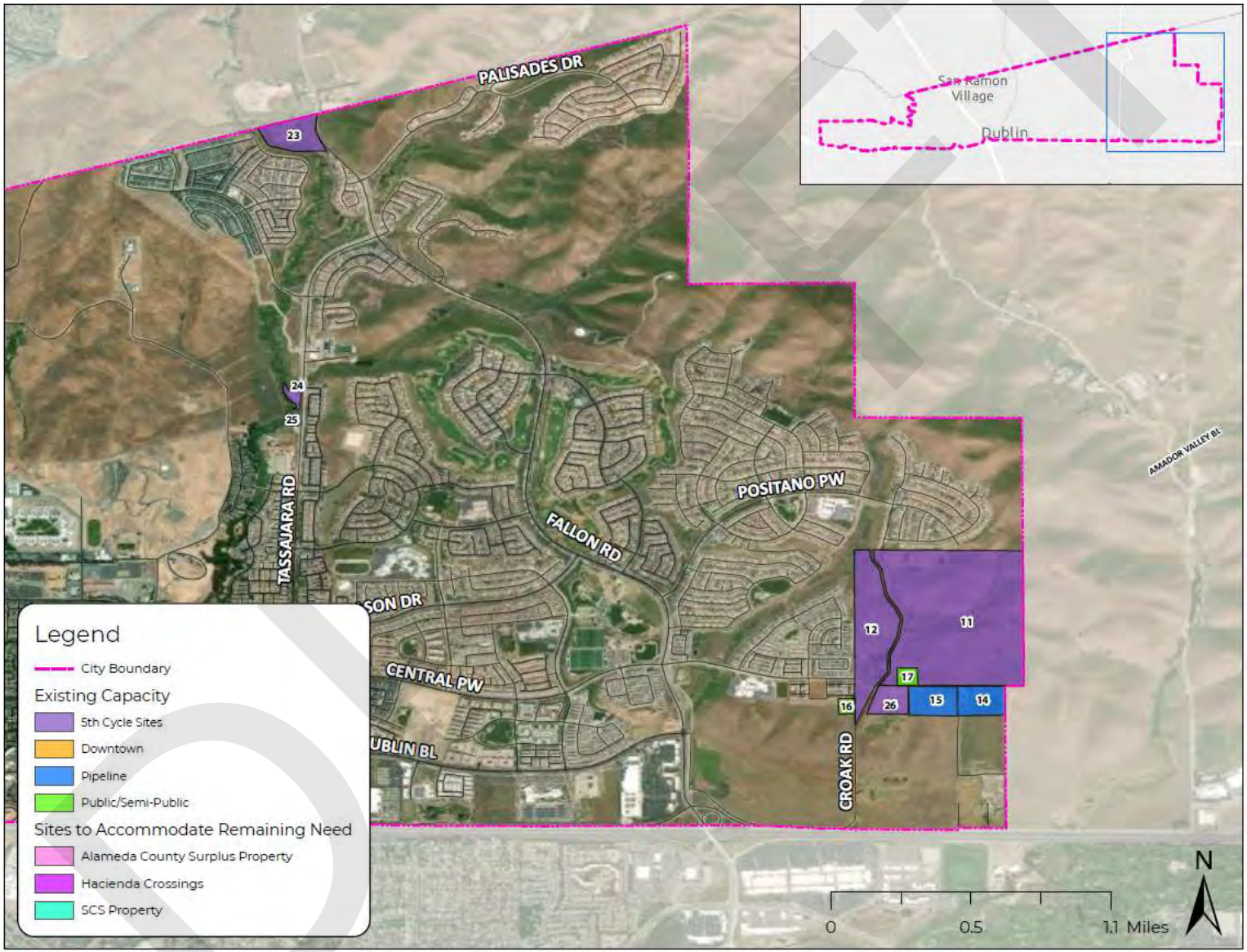


Figure D-3: 2023-2031 RHNA Sites Inventory Map



Unique ID	Map Category	APN	Vacancy	Existing Units	Street Address	Gross Acreage	Buildable Acreage	HCD Sizing Criteria	5th Cycle?	ZONING	GPLU	Expected Density	Rezone Expected Density	Net Potential Units	Net Units by Income Category			Assumed Income Category	Pipeline Projects	Rezone	Existing Use and Additional Information
															Low	Mod.	Above Mod.				
1	Pipeline	941-1500-025-00	Yes	5	6543 Regional Street, Dublin, CA 94568	1.3	1.3	Yes	Yes	DDZD	DDTOD	73	-	113	112	0	1	Low and Very Low	Yes	No	This site is a project in the pipeline and will be an affordable housing development by Eden Housing. The project will include 112 units of affordable housing.
2	Pipeline	941-2842-002-00	No	0	6501 Golden Gate Drive, Dublin, CA 94568	2.6	2.6	Yes	No	DDZD	DDTOD	73	-	136	134	0	2	Low and Very Low	Yes	No	This site (1/2) is a project in the pipeline and will be an affordable housing development by BRIDGE Housing. The project will include 134 units of lower-income housing and 162 units of moderate-income housing.
3	Pipeline	941-2842-004-00	No	0	6501 Golden Gate Drive, Dublin, CA 94568	1.1	1.1	Yes	No	DDZD	DDTOD	73	-	164	0	162	2	Low and Very Low	Yes	No	This site (2/2) is a project in the pipeline and will be an affordable housing development by BRIDGE Housing. The project will include 134 units of lower-income housing and 162 units of moderate-income housing.
4	Downtown	941-0305-028-00	No	2	7590 Amador Valley Blvd., Dublin, CA 94568	2.9	2.9	Yes	No	DDZD	DDRD	85	-	80	80	0	0	Low and Very Low	No	Yes	The City has a memorandum of understanding with an affordable housing developer to develop on this property, the site of a former Grocery Outlet.
5	Pipeline	986-0073-001-00	Yes	0	790 5thStreet, Dublin, CA 94568	10.3	10.3	No	No	DCZD	DC	N/A	-	112	0	0	112	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Boulevard project, a development of 1,995 units.
6	Pipeline	986-0034-009-00	Yes	0	5421 Campbell Lane, Dublin, CA 94568	2.4	2.4	Yes	No	PD	HDR	N/A	-	220	0	22	198	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Ashton at Dublin Station project, a development of 220 units, 22 of which will be moderate income.
7	Pipeline	941-1500-047-07	Yes	0	6700 Golden Gate Drive, Dublin, CA 94568	8.6	8.6	Yes	No	DDZD	DDTOD	N/A	-	499	0	0	499	Above Moderate	Yes	No	This parcel is a project in the pipeline by developer Avalon Bay Communities and is a development of 499 units.
8	Pipeline	986-0072-001-00	Yes	0	150 Adams Avenue, Dublin, CA 94568	17.3	17.3	No	No	DCZD	DC	N/A	-	113	0	0	113	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Boulevard project, a development of 1,995 units.
9	Pipeline	986-0068-001-00	Yes	0	Unaddressed Parcel	7.7	7.7	Yes	No	DCZD	DC	N/A	-	225	0	0	225	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Boulevard project, a development of 1,995 units.
10	Pipeline	986-0064-002-00	Yes	0	180 5th Street, Dublin, CA 94568	5.5	5.5	Yes	No	DCZD	DC	N/A	-	226	0	0	226	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Boulevard project, a development of 1,995 units.
11	5th Cycle Sites	905-0002-002-00	Yes	0	4038 Croak Road, Dublin, CA 94588	129.0	129.0	No	Yes	PD	NP	3	-	286	0	0	286	Above Moderate	Yes	No	This parcel is a vacant candidate site in east Dublin. Similar projects within the vicinity at comparable densities, such as Jordan Ranch and

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Unique ID	Map Category	APN	Vacancy	Existing Units	Street Address	Gross Acreage	Buildable Acreage	HCD Sizing Criteria	5th Cycle?	ZONING	GPLU	Expected Density	Rezone Expected Density	Net Potential Units	Net Units by Income Category			Assumed Income Category	Pipeline Projects	Rezone	Existing Use and Additional Information
															Low	Mod.	Above Mod.				
																					Positano, were also recently developed, further indicating the potential for above moderate-income development.
12	5th Cycle Sites	905-0002-001-01	No	1	Unaddressed Parcel	34.1	34.1	No	Yes	PD	NP	10	-	287	0	0	287	Above Moderate	Yes	No	This parcel is a vacant candidate site in east Dublin. Similar projects within the vicinity at comparable densities, such as Jordan Ranch and Positano, were also recently developed, further indicating the potential for above moderate-income development.
13	Pipeline	986-0034-013-01	Yes	0	5201 Ironhorse Parkway, Dublin, CA 94568	2.5	2.5	Yes	No	PD	CO	80	-	99	98	0	1	Low and Very Low	Yes	No	This parcel is a project in the pipeline at the Dublin Transit Center including 98 units of affordable housing.
14	Pipeline	905-0001-004-04	No	3	1881 Collier Canyon Road, Dublin, CA 94568	40.1	9.9	Yes	No	PD	IP	8	-	97	0	0	97	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Branaugh project, a development of 97 units.
15	Pipeline	905-0001-005-02	Yes	0	Unaddressed Parcel	49.7	9.8	Yes	No	PD	IP	8	-	96	0	0	96	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Righetti project, a development of 97 units.
16	Public/ Semi-Public	985-0027-002-00	Yes	0	Unaddressed Parcel	136.6	2.0	Yes	No	PD	P/SP	30	-	60	60	0	0	Low and Very Low	No	No	This parcel has the Public/Semi-Public designation, which allows a broad range of uses including affordable housing developed by a non-profit entity. This parcel is in east Dublin and is currently vacant.
17	Public/ Semi-Public	905-0002-001-01	Yes	1	Unaddressed Parcel	34.1	2.5	Yes	No	PD	NP	30	-	74	74	0	0	Low and Very Low	Yes	No	This portion of the parcel has the Public/Semi-Public designation, which allows a broad range of uses including affordable housing developed by a non-profit entity. This parcel is in east Dublin and is currently vacant.
18	Hacienda Crossings	986-0008-009-00	No	10	4820 Dublin Blvd., Dublin, CA 94568	18.8	10.0	Yes	No	PD	GC	-	48	478	239	0	239	Low and Very Low	No	Yes	This parcel is one of two parcels at Hacienda Crossings shopping center to be rezoned (see Section 5, Part 2). This parcel contains a large parking lot serving existing "big box" department stores, several of which are currently vacant. This parcel has a significant opportunity for redevelopment based on economic trends and existing housing development to the north across Dublin Blvd. Notably, the site is less than one mile from the Dublin/Pleasanton BART station. The City is also proactively

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Unique ID	Map Category	APN	Vacancy	Existing Units	Street Address	Gross Acreage	Buildable Acreage	HCD Sizing Criteria	5th Cycle?	ZONING	GPLU	Expected Density	Rezone Expected Density	Net Potential Units	Net Units by Income Category			Assumed Income Category	Pipeline Projects	Rezone	Existing Use and Additional Information
															Low	Mod.	Above Mod.				
																					coordinating with the property owners, who are considering redeveloping the site to include housing units. Although this site is considered a large parcel as it is over 10 acres, only 10 acres of the site are considered "buildable" based on AB 1397 and existing trends in the development of affordable housing.
19	Hacienda Crossings	986-0008-010-00	No	3	4980 Dublin Blvd., Dublin, CA 94568	2.4	2.4	Yes	No	PD	GC	-	48	116	58	0	58	Low and Very Low	No	Yes	This parcel is one of two parcels at Hacienda Crossings shopping center to be rezoned (see Section 5, Part 2). This parcel contains a large parking lot serving existing "big box" department stores, several of which are currently vacant. This parcel has a significant opportunity for redevelopment based on economic trends and existing housing development to the north across Dublin Blvd. Notably, the site is less than one mile from the Dublin/Pleasanton BART station. The City is also proactively coordinating with the property owners, who are considering redeveloping the site to include housing units.
20	Downtown	941-0305-040-00	No	0	7050 Amador Plaza Road, Dublin, CA 94568	7.5	3.6	Yes	No	DDZD	DDRD	85	-	307	127	33	0	Low and Very Low	No	Yes	This parcel is in Downtown Dublin and is part of the Retail District. The existing uses include a large parking lot and a "big box" style store, Hobby Lobby. As part of the Downtown Dublin Preferred Vision (Preferred Vision), this site is planned to include residential units. Based on the existing uses on the site and alignment with the Preferred Vision, only about half of the acreage of the parcel is considered buildable in this analysis.
21	Downtown	941-1500-030-00	No	0	6513 Regional Street, Dublin, CA 94568	1.2	1.2	Yes	Yes	DDZD	DDTOD	73	-	113	113	0	0	Low and Very Low	No	No	This parcel is in Downtown Dublin and is part of the Transit-Oriented District. The existing uses include a parking lot and a vacant one-story commercial complex. The Transit-Oriented District allows residential development up to 85 du/ac to maximize development proximate to the West Dublin/Pleasanton BART station, which is about a

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Unique ID	Map Category	APN	Vacancy	Existing Units	Street Address	Gross Acreage	Buildable Acreage	HCD Sizing Criteria	5th Cycle?	ZONING	GPLU	Expected Density	Rezone Expected Density	Net Potential Units	Net Units by Income Category			Assumed Income Category	Pipeline Projects	Rezone	Existing Use and Additional Information
															Low	Mod.	Above Mod.				
																					quarter mile away from this site. Several recent developments and projects in the pipeline in the Transit Oriented District further reinforce this site's propensity to redevelop with high-density housing.
22	Downtown	941-0305-027-00	No	0	7300 Amador Plaza Road, Dublin, CA 94568	1.4	1.4	Yes	No	DDZD	DDRD	85	-	119	43	17	0	Low and Very Low	No	Yes	This parcel is in Downtown Dublin and is part of the Retail District. The existing uses include a large parking lot and vacant commercial building (former credit union). As part of the Downtown Dublin Preferred Vision (Preferred Vision), this site is planned to include almost exclusively residential units. Based on the existing uses on the site and alignment with the Preferred Vision, the entirety of the acreage of the parcel is considered buildable in this analysis.
23	5th Cycle Sites	986-0004-001-00	No	1	7440 Tassajara Road, Dublin, CA 94568	11.6	11.6	No	Yes	PD	MDR	10	-	114	0	114	0	Moderate	No	No	This parcel is in east Dublin and is a mostly vacant site adjacent to existing townhome-style development. The site includes one residential unit on the west side of the site. Based on surrounding development and the existing zoning and land use designation, this site is anticipated to develop moderate-income units.
24	5th Cycle Sites	986-0003-001-02	No	0	6060 Tassajara Road, Dublin, CA 94568	1.9	1.9	Yes	Yes	PD	MHD and OS	10	-	19	0	19	0	Moderate	No	No	This parcel is in east Dublin and is a vacant site adjacent to existing townhome-style development. Based on surrounding development and the existing zoning and land use designation, this site is anticipated to develop moderate-income units.
25	5th Cycle Sites	986-0028-002-00	No	1	5868 Tassajara Road, Dublin, CA 94568	1.0	1.0	Yes	Yes	PD	SC	10	-	9	0	9	0	Moderate	No	No	This parcel is in east Dublin and is a mostly vacant site adjacent to existing townhome-style development. The site includes one residential unit on the west side of the site. Based on surrounding development and the existing zoning and land use designation, this site is anticipated to develop moderate-income units.
26	5th Cycle Sites	905-0001-006-03	Yes	0	3457 Croak Road, Dublin, CA 94588	50.7	7.2	Yes	Yes	PD	GCCO	15.4		110	0	110	0	Moderate	No	No	This parcel is in east Dublin and is a vacant site adjacent to existing townhome-style development. Based on surrounding development and the existing zoning and land use

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Unique ID	Map Category	APN	Vacancy	Existing Units	Street Address	Gross Acreage	Buildable Acreage	HCD Sizing Criteria	5th Cycle?	ZONING	GPLU	Expected Density	Rezone Expected Density	Net Potential Units	Net Units by Income Category			Assumed Income Category	Pipeline Projects	Rezone	Existing Use and Additional Information
															Low	Mod.	Above Mod.				
																					designation, this site is anticipated to develop moderate-income units.
27	SCS Property	985-0051-006-00	Yes	0	4441 Tassajara Road, Dublin, CA 94568	30.4	2.5	Yes	No	PD	GC	40	-	100	100	0	0	Low and Very Low	No	No	This site is a vacant parcel north of Dublin Blvd. and east of Tassajara Road. This parcel and those adjacent have been included in several development proposals in recent years, the most recent of which is known as the SCS Property. Under the most recent proposal, this portion of the site is envisioned to include high-density affordable housing. Although the site is more than 30 acres, the Preferred Plan and the proposed development plans identify a 2.5-acre site including 100 affordable units.
28	Alameda County Surplus Property	986-0034-014-00	Yes	0	Unaddressed Parcel	12.3	2.3	Yes	No	PD	CO	-	66	152	76	0	76	Low and Very Low	No	Yes	This parcel is one of two parcels to be rezoned as part of the Alameda County Surplus Property (see Section 5, Part 1). The County is supportive of amending the General Plan and rezoning these sites to accommodate these units. Notably, a third parcel of Alameda County Surplus Property in the same area (Site P-7) is currently an affordable housing project in the pipeline. Although this parcel is a large parcel at 12.3 acres, only 2.3 acres are buildable due to the approval of the Westin Hotel on the southern 5.88 acres of the site. 2.3 acres are identified for future residential development to allow the remaining four acres to be developed with a compatible use.
29	Alameda County Surplus Property	986-0034-012-00	Yes	0	Unaddressed Parcel	7.5	7.5	Yes	No	PD	CO	-	66	493	247	0	246	Low and Very Low	No	Yes	This parcel is one of two parcels to be rezoned as part of the Alameda County Surplus Property (see Section 5, Part 1). The County is supportive of amending the General Plan and rezoning these sites to accommodate these units. Notably, a third parcel of Alameda County Surplus Property in the same area (Site P-7) is currently an affordable housing project in the pipeline.

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APPENDIX E:
HOUSING PLAN PROGRAMS SUMMARY

Housing Plan Programs Summary

This Appendix contains an outline of all the Policy Programs included within **Chapter 2: Housing Plan**. **Table E-1** includes each program's objectives, responsible agency, funding source, and timeline.

Table E-1: Housing Plan Programs

Program	Objectives	Responsible Agency	Funding Source	Timeframe
A.1: Housing Rehabilitation Assistance	Continue to support the Alameda County Community Development Agency to implement the Minor Home Improvement Program (including accessibility grants) and Renew Alameda County and promote the Dublin Home Rehabilitation Program with the goal of assisting 32 households between 2023 and 2031.	Alameda County Community Development Agency; Community Development Department	CDBG; Alameda County Measure A-1 Bond Fund; Dublin General Fund	Review annually; 2023-2031
A.2: Housing Choice Voucher Rental Assistance	Continue to support the assistance of 350 lower-income households each year between 2023 and 2031.	Housing Authority of Alameda County	HUD Section 8	Review annually; 2023-2031
	Continue to refer interested households to the Housing Authority of Alameda County.			
A.3: Code Enforcement	Continue to enforce local ordinances relating to property maintenance and substandard housing both proactively and on a complaint basis.	Community Development Department	General Fund	On a case-by-case basis; Review annually; 2023-2031
	Conduct residential inspections to ensure property maintenance standards are met and to abate substandard structures.			
	Perform annual reviews of City ordinances.			
A.4: Condominium Conversion Ordinance	Monitor conversion activities annually.	Community Development Department	Permit Processing Fees	Review annually; 2023-2031
A.5: Preserve and Monitor Affordable Units At-Risk of Converting to Market Rate	Maintain an inventory and establish an early warning system for assisted housing units that have the potential to convert to market-rate units.	Community Development Department	General Fund	Within three years of adopting the 2023-2031 Housing Element; Review annually; 2023-2031
	Outreach to and coordinate with property owners with assisted housing units at-risk of converting to market-rate units to preserve affordability.			

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Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
B.1: Mixed-Use Development	Facilitate the construction of 300 residential units within mixed-use projects between 2023-2031.	Community Development Department	Affordable Housing Fund; General Fund	Review annually; 2023-2031
	Continue to incentivize mixed-use projects through flexible development standards and other means.			
B.2: Affordable Housing Developers	Negotiate a specific incentives package for each project, with increased incentives for projects that include units for extremely low-income households, seniors, and persons with disabilities.	Community Development Department	Affordable Housing Fund; General Fund	On a case-by-case basis; Review annually; 2023-2031
	Provide application/technical assistance as needed.			
	Provide assistance to affordable housing developers to facilitate the construction of 100 affordable housing units between 2023-2031, with the goal of achieving 20 affordable units for extremely low-income households and/or persons with special needs.			
	Contact developers to discuss affordable housing opportunities.			
B.3: Density Bonuses	Review and, as necessary, revise the Density Bonus Ordinance to ensure compliance with State law.	Community Development Department	General Fund	Provide information on a case-by-case basis; Revise as necessary; Review annually; 2023-2031
	Continue to implement the Density Bonus Ordinance and provide the Ordinance to developers and other interested parties.			
	Maintain updated information on the City's affordable housing incentives, such as density bonus and fee deferment, on the City's website.			
B.4: Inclusionary Zoning	Review the Inclusionary Regulations.	Community Development Department	General Fund	Review the Inclusionary Regulations and In-Lieu Fees within two years of adopting the 2023-2031 Housing Element
	Prepare a nexus study reviewing the Affordable Housing In-Lieu Fee.			
	Facilitate the construction of 100 affordable housing units.			
B.5: Commercial Linkage Fee	Prepare a nexus study reviewing the Commercial Linkage Fee.		Affordable Housing Fund; General Fund	Prepare a nexus study reviewing

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Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
	Utilize funding to facilitate the construction of 100 affordable housing units.	Community Development Department		the Commercial Linkage Fee within two years of adopting the 2023-2031 Housing Element; Provide information on a case-by-case basis; Review annually; 2023-2031
	Assist at least five moderate-income households with first-time homebuyer loans.			
	Provide funding towards homeownership training and foreclosure prevention services, rental assistance programs, and the Alameda County Homeless Management Information System.			
B.6: Housing Type and Size Variations	Require developers to provide a diversity of housing type and size on a case-by-case basis to meet the City's housing needs.	Community Development Department	General Fund	On a case-by-case basis; Review annually; 2023-2031
B.7: Accessory Dwelling Units and Junior Accessory Dwelling Units	Maintaining and updating, as necessary, permit-ready ADU plans to minimize design costs, expedite permit processing, and provide development certainty.	Community Development Department	General Fund	Create and update public information on ADUs within three years of adopting the 2023-2031 Housing Element; Review annually; 2023-2031
	Maintaining and updating, as necessary, an ADU Manual guiding applicants through the construction of an ADU.			
	Maintaining and updating, as necessary, an ADU webpage informing the community on ADU related codes, processes, and incentives.			
	Developing and implementing a public awareness campaign for construction of ADUs and the City's incentives utilizing all forms of media and outreach distribution.			
	Waiving certain City permitting fees for building permits, for ADUs applied for between January 1, 2022, and December 31, 2026, that are less than 750 square feet and ADUs 750 square feet or larger that are deed restricted as lower-income units for a period of 55 years.			

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
B.8: Accessory Dwelling Unit Monitoring Program	Maintain the ADU Monitoring Program.	Community Development Department	General Fund	Review annually; 2023-2031
B.9: Non-Vacant Adequate Sites to Satisfy By-Right Requirements of AB 1397	Amend the Downtown Dublin Specific Plan to specify the units on the four non-vacant lower-income sites in Downtown Dublin are allowed by right and not included in the Downtown Dublin Development Pool and are exempt from a Community Benefit Agreement requirement.	Community Development Department	General Fund	Within three years of adopting 2023-2031 Housing Element; Review annually; 2023-2031
B.10: Objective Design Standards and Streamlined Ministerial Review	Review and, as necessary, revise the Citywide Multi-Family Objective Design Standards to ensure compliance with State law in order to facilitate the development of housing.	Community Development Department	General Fund	Review annually; 2023-2031; If determined to be necessary, the City will make any required changes to the Objective Design Standards within 18 months
	Continue to implement the Citywide Multi-Family Objective Design Standards.			
B.11: Transitional and Supportive Housing	Collaborate with local organizations and agencies to discuss the needs of persons experiencing homelessness.	Community Development Department	General Fund	On a case-by-case basis; Review annually; 2023-2031
	Support and, when possible, fund local and regional efforts to address the housing needs of persons experiencing homelessness.			
B.12: Single-Room Occupancy (SRO)	Collaborate with local organizations and agencies to discuss the needs of persons who previously experienced homelessness.	Community Development Department	General Fund	Review annually; 2023-2031
	Support and, when possible, fund local and regional efforts to address the housing needs of persons in Dublin who previously experienced homelessness.			
B.13: Universal Design Ordinance	Maintain updated information about the Universal Design Ordinance on the City's website and at City Hall.	Community Development Department	Permit Processing Fees	Update as necessary; Review annually; 2023-2031

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
B.14: Residential Incentives	Promote existing incentives and identify potential new incentives for the development of residential uses on sites identified in the Sites Inventory that allow both residential and non-residential uses.	Community Development Department	General Fund	Review annually; 2023-2031
B.15 Replacement Housing	Adopt a formal replacement housing program.	Community Development Department	General Fund	Within three years of adopting the 2023-2031 Housing Element
C.1: Sites Inventory and RHNA Monitoring	Ensure the sites identified in the Sites Inventory are developed at densities appropriate for fulfilling the City's RHNA and identify additional sites as necessary. Complete the rezoning strategies.	Community Development Department	General Fund	Complete the rezoning strategies within three years of adopting the 2023-2031 Housing Element; Review the Sites Inventory annually and as projects are proposed; 2023-2031
C.2: Safety Element and Environmental Justice Policies	Adopt an updated Safety Element, which identifies and addresses flood and fire hazards. Amend portions of the General Plan to include environmental justice policies.	Community Development Department	General Fund	Within one year of adopting the 2023-2031 Housing Element
D.1: Remove Development Constraints	Review residential development standards for potential constraints to the development of new units, particularly affordable units.	Community Development Department	General Fund	On a case-by-case basis; Review annually; 2023-2031
D.2: Fee Deferment	Continue to offer the deferment of Traffic Impact Fees, Public Facilities Fees, and Fire Facilities Fees for multi-family projects in the Transit Districts and development processing and development impact fees for affordable housing projects that exceed the inclusionary housing requirements for on-site construction of affordable units.	Community Development Department	Inclusionary Zoning In-Lieu Fee Fund	On a case-by-case basis; Review annually; 2023-2031

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Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
	Maintain updated information on the City's affordable housing incentives, such as density bonus and fee deferment, on the City's website.			
D.3: Emergency Shelters	Review and amend, if necessary, the Emergency Shelters Ordinance for consistency with Government Code Section 65583(a)(4).	Community Development Department	General Fund	Within two years of adopting the 2023-2031 Housing Element
D.4: Monitoring of Development Fees	The City will evaluate development fee impacts on housing development and make appropriate adjustments.	Community Development Department	General Fund	Review annually; 2023-2031
D.5: Maintain Zoning, Development Standards, and Fee Schedules Online	Maintain updated zoning, development standards, and fee schedules on the City's website.	Community Development Department	General Fund	Review annually; 2023-2031
E.1: Affirmatively Further Fair Housing	Develop and adopt environmental justice policies in the General Plan.	Community Development Department	General Fund; State and Federal Grants	Within three years of adopting the 2023-2031 Housing Element; Review annually; 2023-2031
	Review and identify regulations that contribute to disparities in access to housing and consider innovative solutions to encourage diversified development and support opportunities for wealth building through home ownership.			
	Research and consider adopting additional policies and regulations to combat displacement.			
	Collaborate with local community organizations and agencies to better understand and identify solutions to the needs of the community, specifically special needs populations.			
E.2: Equal Housing Opportunity	Provide referrals to appropriate agencies for services.	Community Development Department; ECHO Housing; Alameda County Community Development Agency	CDBG; General Fund	Review annually; 2023-2031
	Distribute fair housing information in public locations.			
	Post information on the City's website.			

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Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
E.3: Reasonable Accommodations	Maintain updated information on reasonable accommodations on the City's website and at City Hall.	Community Development Department	General Fund	Review annually; 2023-2031; if determined to be necessary, the City will amend its procedures and/or requirements within six months
	Review and, if necessary, update applicable procedures and/or requirements to remove potential constraints.			
E.4: Low-Barrier Navigation Centers	Adopt and implement procedures and regulations to process low-barrier navigation centers. Procedures shall include establishing a ministerial approval process.	Community Development Department	General Fund	Within three years of adoption of the 2023-2031 Housing Element; Review annually; 2023-2031
	Annually review, and if necessary, update regulations and procedures to comply with State law.			
E.5: Housing for Persons with Developmental Disabilities	Encourage construction and rehabilitation of housing with supportive services for persons with developmental disabilities.	Community Development Department	General Fund	Within three years of adopting the 2023-2031 Housing Element; Review annually; 2023-2031
	Seek State and Federal funding to support housing construction for persons with developmental disabilities.			
	Review and consider regulatory incentives for projects proposing housing for persons with developmental disabilities.			
	Collaborate with housing developers and local organizations to identify the needs of local persons with developmental disabilities.			
E.6: Farmworker and Employee Housing	Amend the Dublin Municipal Code to comply with the Health and Safety Code; update as necessary throughout the planning period.	Community Development Department	General Fund	Within three years of adopting the 2023-2031 Housing Element; Review annually; 2023-2031
E.7: First-Time Homebuyer Loan Program	Promote the FTHLP program online on the City's website and at the public counter.			Within three years of adopting the

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
	Provide FTHLP loans to households earning up to 120 percent AMI.	Community Development Department	Affordable Housing Fund; State and Federal Grants	2023-2031 Housing Element; Review annually; 2023-2031
	Review the FTHLP for opportunities to broaden the use of the program and to ensure compatibility with similar loan programs offered by the County and the State.			
E.8: Homeless Assistance	Support and, when possible, fund local and regional efforts that seek to address and lessen homelessness.	Community Development Department; HCCC; Tri-Valley Haven	CDBG; State and Federal Grants; General Fund	Review annually; 2023-2031
E.9: Water and Sewer Service Providers	Deliver 2023-2031 Housing Element to DSRSD following adoption.	Community Development Department	General Fund	Immediately after adopting the 2023-2031 Housing Element
	Coordinate with DSRSD when reviewing proposed residential projects.			
F.1: Green Building Guidelines	Continue to implement the provisions of the Green Building Ordinance and State Standards and Codes.	Community Development Department	Permit Processing Fees; General Fund	Update as necessary; Review annually; 2023-2031
	Continue to update brochures that describe program requirements and make them available to any interested parties and continue to provide Green Building resources on the City's website.			
F.2: Energy Conservation	Implement applicable Waste Management and Building Code regulations, provide Green Building training to Staff, and distribute energy conservation information to the public.	Community Development Department	Permit Processing Fees; General Fund	Review annually; 2023-2031

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APPENDIX F:
COMMUNITY ENGAGEMENT SUMMARY

Community Engagement Summary

Section 65583 of the Government Code states, "The local government shall make diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." Meaningful community participation is also required in connection with the City's Assessment of Fair Housing (AFH). As such, a summary of community participation is provided within this Appendix.

As part of the 2023-2031 Housing Element Update process, the City conducted a variety of outreach and engagement efforts beginning in Winter 2020. These include virtual community workshops, study sessions with the Planning Commission and City Council, check-in meetings with the City Council, an online survey in English and Mandarin, social media outreach, news articles, direct mailings, an informational webpage, one-on-one meetings with property owners, and public meetings. Project materials, including meeting and workshop recordings, flyers, and draft public review documents are available on the City's website: dublin.ca.gov/2241/Housing-Element-Update.

A summary of community engagement and outreach for the 2023-2031 Housing Element is outlined below:

- **Housing Element Update Webpage:** A Housing Element Update webpage was created on the City's website to provide relevant information and guide the public to outreach events and resources throughout the course of the update process. The website provides information about the update process, key features of the housing element, recorded meetings, a project timeline, surveys and forms, and contact information. The website also provided a link to the community survey tool as well as the contact information of the City for residents and community members to send additional comments or request additional information. The website is available at: https://dublin.ca.gov/2241/Housing-Element-Update.
- **City Council Meeting #1:** On February 18, 2020, Staff presented to City Council and members of the public during a regular City Council meeting. The presentation provided the Council with introductory information on the Housing Element Update process, details on the City's RHNA allocation, and key milestones. The agenda item was organized to solicit input and recommendations from the City Council.
- **City Council Meeting #2:** On October 6, 2020, Staff presented to City Council and members of the public during a regular City Council meeting. The presentation provided the Council with an update on the update process and preliminary information on the strategies to meet the RHNA allocation. The agenda item was organized to solicit input and recommendations from the City Council.
- **City Council Meeting #3:** On June 15, 2021, Staff presented to City Council and members of the public during a regular City Council meeting. The presentation provided the Council with an update on the update process and background on the RHNA appeals procedures. The agenda item was organized to solicit input and recommendations from the City Council.

- **City Council Meeting #4:** On November 2, 2021, Staff presented to City Council and members of the public during a regular City Council meeting. The presentation revolved around the strategies to meet the RHNA allocation and particular candidate sites. The agenda item was organized to solicit input and recommendations from the City Council.
- **Community Survey:** From December 20, 2021 through February 28, 2022, the City released an online community survey to solicit feedback and input on potential locations for housing and possible housing policies. The survey was made available in English and Mandarin and was linked on the Housing Element Update webpage. There was a total of 205 respondents that participated in the survey.
- **Community Workshop #1:** On January 19, 2022, the City conducted a virtual community workshop to inform the community of the Housing Element Update process, the RHNA allocation, and upcoming engagement opportunities. The workshop also solicited feedback and input from participants through live polling and a Q&A session.
- **Community Workshop #2:** On February 17, 2022, the City held a second virtual community workshop. This workshop provided participants with information on the City's engagement efforts and proposed strategies to meet the RHNA allocation. The workshop also solicited feedback and input from participants through live polling and a Q&A session.
- **Planning Commission Meeting #1:** On March 8, 2022, Staff presented the Planning Commission with background information on the Housing Element Update process and a status update. The presentation included community engagement efforts to-date and consideration of strategy options to address the City's RHNA. The agenda was organized to be informative and solicit feedback from the Commission.
- **City Council Meeting #5:** On March 15, 2022, Staff presented the City Council with a status update on the Housing Element Update and sought a decision from the Council on which RHNA strategy to move forward with in preparation for the Public Review Draft Housing Element.

This Appendix contains a summary of all public comments regarding the Housing Element received by the City at scheduled public meetings. As required by Government Code Section 65585(b)(2), all written comments regarding the Housing Element made by the public have previously been provided to each member of the City Council.

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E.1 Community Workshop #1

This Section contains all available materials created for the virtual community workshop. Public comments for the workshop were received verbally and through the Zoom chat function. The recorded workshop is available on the City's YouTube channel.

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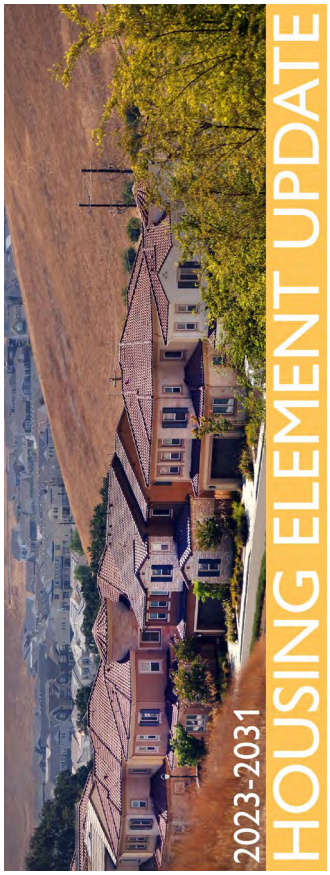

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100 Civic Plaza
Dublin, CA 94568

IMPORTANT NOTICE

«NAME»
«AGENCY»
«ADDRESS»
«CITYSTATEZIP»

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Housing Element Update Workshop

January 19, 2022, at 6:00 p.m.

The workshop will be held via teleconference. A Zoom Meeting link is available below and on the City's Housing Element Update webpage: https://dublin.ca.gov/2241/Housing-Element-Update

The City of Dublin is conducting a workshop to receive community feedback on the Housing Element Update to help create policies and programs that appropriately address the housing needs of current and future Dublin residents.

The Housing Element is one of seven mandated elements of the General Plan and must be updated every eight years to address existing and projected housing needs for all economic segments. The City is currently in the process of updating its General Plan Housing Element for the 2023-2031 planning period.

Additional information about the Housing Element Update can be found on the City's website at the link provided above.

Zoom Meeting link:
https://dublinca.zoom.us/j/83461588853?pwd=QjdDMHVTWjVab1ErdzRqblN2Vllldz09
Passcode: ES0vdg89

We Want to Hear from You!!

In addition to the workshop, the City is conducting a survey for the Housing Element Update to receive community feedback. The survey is available at the following link https://forms.office.com/r/3C7vkiLsY0 and will be open through February 28, 2022.

Questions? Contact:
Michael P. Cass, Principal Planner
(925) 833-6610
michael.cass@dublin.ca.gov

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2023-2031

HOUSING ELEMENT UPDATE

City of Dublin Community Workshop #1

Time: 6 PM
Date: Wednesday, January 19, 2022
Location: Virtual - Zoom

1

Agenda

- Overview of Housing Element
- Regional Housing Needs Allocation (RHNA)
- Outreach Efforts To-Date
- Workshop Discussion
- Next Steps

2

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Overview of Housing Element

3

What is a Housing Element?

- One of the seven mandated elements of the General Plan
- Addresses the housing needs of residents
- Identifies existing and projected housing needs by income category
- Establishes Citywide goals, policies, programs, and objectives to guide future housing
- Requires certification by the California Department of Housing and Community Development (HCD)

Dublin General Plan

- Land Use
- Parks and Open Space
- Schools, Public Lands, and Utilities
- Circulation and Scenic Highways
- Housing
- Conservation
- Seismic and Safety
- Noise
- Community Design and Sustainability
- Economic Development
- Water Resources and Energy Conservation

4

Housing Element Requirements

Housing Element

- Population and housing profile
- Evaluation of housing constraints and resources
- Evaluation of existing housing programs and policies
- Analysis of sites to accommodate the City's Regional Housing Needs Allocation
- Policies, programs, and quantified objectives to achieve the City's housing goals

5

Why are Housing Elements Updated?

- Ensures the City complies with State housing laws
- Demonstrates Dublin's ability to meet existing and projected housing needs
- Allows the City to become eligible for State-sponsored assistance programs, grants, and funding sources
- Allows the community to engage in planning process
- Prevents the State from penalizing the City

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What is included in the Update Process?

- Community Workshops
- Online Community Survey
- Update of the City's demographic conditions, and policies, programs, and objectives
- Analysis of adequate sites to meet RHNA
- CEQA Review
- HCD Review and Certification
- Planning Commission/City Council Meetings

7

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CALIFORNIA

Regional Housing Needs Allocation (RHNA)

8

What is RHNA?

- Regional Housing Needs Allocation (RHNA)
- Quantifies the need for housing within each City/County in California
- Based on future growth in population, employment, transportation, and households

9

How is RHNA determined?

Department of Housing and Community Development
HCD determined and distributed the State's housing need to Regional Planning Agencies (MPOs)

Association of Bay Area Governments
ABAG developed methodology to determine "fair share" distribution of the region's housing need to local jurisdictions

City of Dublin RHNA
2023-2031
3,719

10

RHNA Allocation: 6th Cycle (2023-2031)

Income Category	% of Median Family Income	Income Range*		RHNA Allocation (Housing Units)
		Min.	Max.	
Very Low Income	0 - 50% MFI	--	$68,500	1,085
Low Income	51 – 80% MFI	$68,501	$109,600	625
Moderate Income	81 – 120% MFI	$109,601	$150,700	560
Above Moderate Income	>120% MFI	$150,701	--	1,449
			Total:	**3,719**

**Based on the 2021 median family income for a family of 4 in Alameda County - $125,600*

11

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Outreach Efforts To-Date

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Project Efforts To-Date

- City Council Check-Ins
  - October 2020
  - November 2021
- Sites Analysis:
  - City Council advised on strategies to meet City's RHNA
  - City Council advised a selection of sites dispersed throughout the City

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Workshop Discussion

14

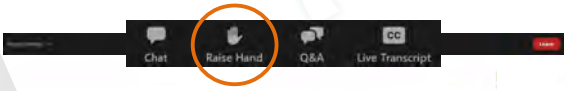
Discussion Questions

- In a few words, tell us about your housing experience in Dublin.
- What are some housing challenges or needs in Dublin?
- What are some housing opportunities in Dublin?
- What is your vision for housing in Dublin?

15

Open Discussion

- If you have a question or comment, please click on the "raise hand" function and we will unmute you to speak.
- You may also type in questions or comments in the chat or Q&A functions.



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Next Steps

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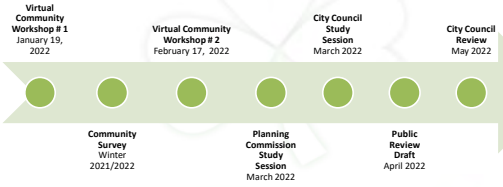
Tentative Housing Element Update Schedule



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We Want Your Input!

- Provide your input and comments by taking a quick survey
- Available in English and Mandarin
- Got to: **https://forms.office.com/r/3C7vkiLsY0**

Also available on the Housing Element webpage:
https://dublin.ca.gov/2241/Housing-Element-Update

19

Your participation is important!

The survey and other engagement opportunities provide the City with important community feedback to help shape:

✓ Goals
✓ Policies, and
✓ Programs

Within the Housing Element.

The City of Dublin wants to hear your ideas about Housing. Your input is very important!

20

Thank you!

Questions?

Michael Cass, Principal Planner
Michael.cass@dublin.ca.gov
(925) 833-6610

Or visit: https://dublin.ca.gov/2241/Housing-Element-Update
Subscribe for e-notifications on the Housing Element webpage.

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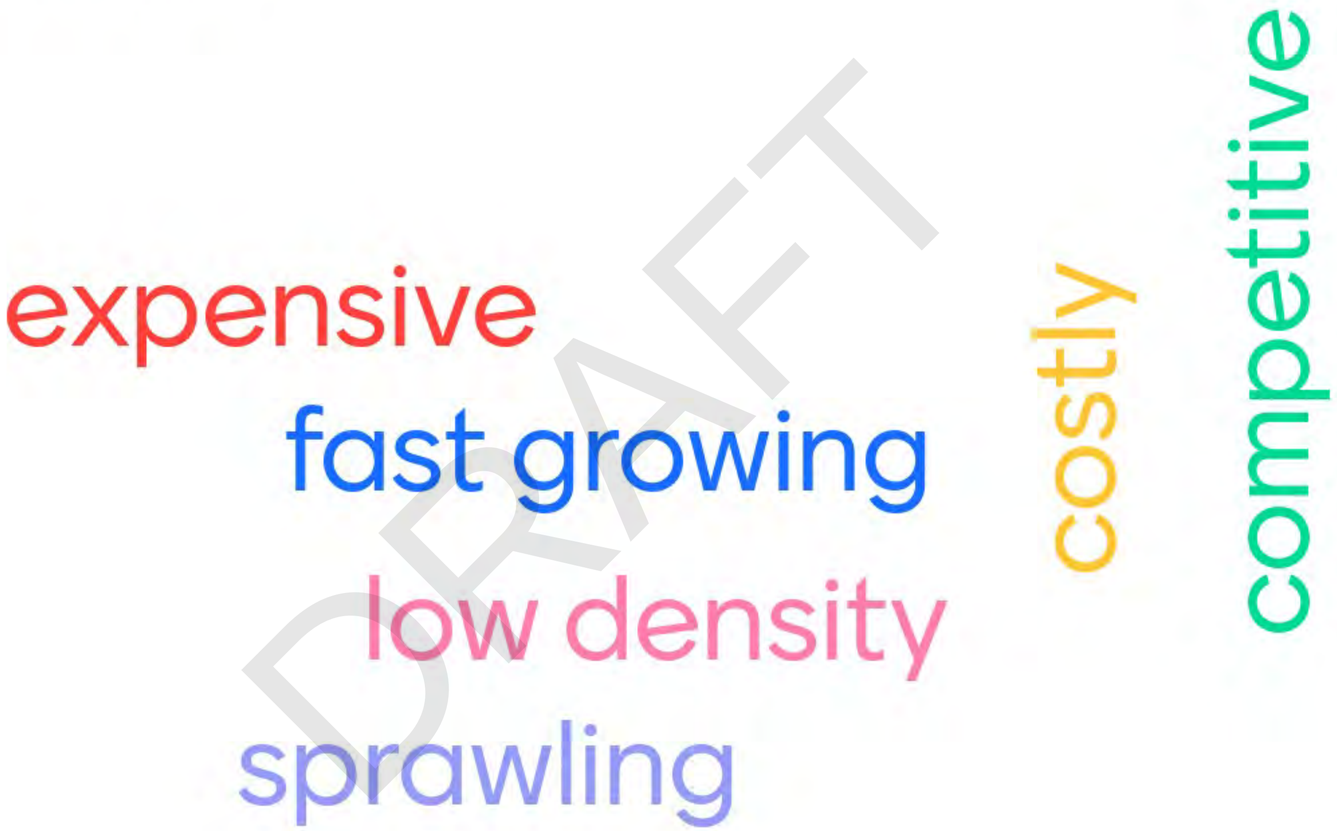
In a few words, tell us about your housing experience in Dublin.

Mentimeter



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3

What are some housing opportunities in Dublin?

Mentimeter

ADUs

Limited affordable housing

transit-oriented development

upzoning

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4

What are some housing challenges or needs in Dublin?

Mentimeter

- Public transit
- making Dublin walkable
- +1 to limited public transit
- Affordability
- Environmental concerns
- impact to schools
- School overcrowding
- Traffic
- bureaucratic red tape

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What are some housing challenges or needs in Dublin?

Mentimeter

Infrastructure- water, electricity

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10

What is your vision for housing in Dublin?

Mentimeter

Transit oriented districts :)

Reduce miles driven - mixed use

affordable units

mixed income housing

lower density housing and more office space

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5

E.2 Community Workshop #2

This Section contains all available materials created for the virtual community workshop. Public comments for the workshop were received verbally and through the Zoom chat function. The recorded workshop is available for viewing on the Housing Element Update webpage.

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2023-2031 HOUSING ELEMENT UPDATE

CELEBRATING 40 YEARS 1982 – 2022 DUBLIN CALIFORNIA

100 Civic Plaza
Dublin, CA 94568

IMPORTANT NOTICE

«NAME»
«AGENCY»
«ADDRESS»
«CITYSTATEZIP»

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CELEBRATING 40 YEARS 1982 – 2022 DUBLIN CALIFORNIA

Housing Element Update Workshop #2

February 17, 2022, at 6:00 p.m.

The workshop will be held via teleconference. A Zoom Meeting link is available below and on the City's Housing Element Update webpage: https://dublin.ca.gov/2241/Housing-Element-Update

The City of Dublin is conducting the second of two workshops to receive community feedback on the Housing Element Update to help create policies and programs that appropriately address the housing needs of current and future Dublin residents.

The Housing Element is one of seven mandated elements of the General Plan and must be updated every eight years to address existing and projected housing needs for all economic segments. The City is currently in the process of updating its General Plan Housing Element for the 2023-2031 planning period.

Additional information about the Housing Element Update can be found on the City's website at the link provided above.

Zoom Meeting link:
https://dublinca.zoom.us/j/82382805239?pwd=c2taeG41WlhydEVGaEN4c1IKanNxZz09
Passcode: ES0vdg89

We Want to Hear from You!!

In addition to the workshop, the City is conducting a survey for the Housing Element Update to receive community feedback. The survey is available at the following link https://forms.office.com/r/3C7vkiLsY0 and will be open through February 28, 2022.

Questions? Contact:
Michael P. Cass, Principal Planner
(925) 833-6610
michael.cass@dublin.ca.gov

2023-2031

HOUSING ELEMENT UPDATE

City of Dublin Community Workshop #2

Time: 6 PM
Date: Thursday, February 17, 2022
Location: Virtual - Zoom

1

Agenda

- Overview of Housing Element
- Outreach Efforts To-Date
- Candidate Sites Strategies
- Policies and Programs
- Next Steps

2

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Overview of Housing Element

3

What is a Housing Element?

- One of the seven mandated elements of the General Plan
- Addresses the housing needs of residents
- Identifies existing and projected housing needs by income category
- Establishes Citywide goals, policies, programs, and objectives to guide future housing
- Requires certification by the California Department of Housing and Community Development (HCD)

Dublin General Plan

- Land Use
- Parks and Open Space
- Schools, Public Lands, and Utilities
- Circulation and Scenic Highways
- Housing
- Conservation
- Seismic and Safety
- Noise
- Community Design and Sustainability
- Economic Development
- Water Resources and Energy Conservation

4

Why are Housing Elements Updated?

- Ensures City complies with State housing laws
- Demonstrates Dublin's ability to meet existing and projected housing needs
- Allows City to become eligible for State-sponsored assistance programs, grants, and funding sources
- Allows the community to engage in planning process
- Prevents the State from penalizing City

5

What is included in the Update Process?

- Community Workshops
- Online Community Survey
- Update of the City's demographic conditions, and policies, programs, and objectives
- Analysis of adequate sites to meet RHNA
- CEQA Review
- Planning Commission/City Council Meetings
- HCD Review and Certification

6

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Community Engagement Efforts To-Date

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Engagement Efforts To-Date

- City Council Check-Ins
  - October 2020
  - November 2021
- Community Workshops
  - January 19, 2022
  - February 17, 2022
- Ongoing Online Survey
  - December 2021-February 2022

8

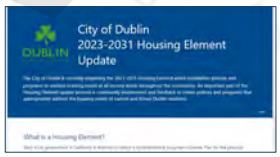
Preliminary Survey Findings

- Missing housing types:
  1. Affordable housing
  2. Senior housing
- Recommended locations of future housing:
  1. Near transit hubs (such as BART)
  2. Regional shopping centers (such as Hacienda Crossings)
- 72% report need for both for sale and rental units
- 22% report need for more for sale units

9

We Want Your Input!

- Survey is open through end of February
- Available in English and Mandarin
- Go to: **https://forms.office.com/r/3C7vkiLsY0**



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Candidate Sites Strategies

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			Total:	**3,719**

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12

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Candidates Sites Strategies

- Housing Element must identify candidate sites to accommodate 2023-2031 RHNA need of 3,719 total units
- Candidate sites must consider:
  - Access to community resources and services
  - Infrastructure
  - Environmental barriers
  - Access to transportation

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City Council Approved Strategies

- Projected ADU development
- "Pipeline" projects
- Existing Housing Element sites
- Public/Semi-Public Sites
- Downtown

14

Strategies for Remaining RHNA

- Hacienda Crossings
- Alameda County Surplus Properties

15

Participant Activity

- Open aerial map of the City's candidate sites and request feedback/comments.
- Specify Council direction not to concentrate affordable housing.

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Policies and Programs

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Existing Housing Goals

- **Goal A**: Expand housing choice and multi-modal transportation opportunities for existing and future Dublin residents.
- **Goal B**: Expand housing opportunities for all segments of Dublin's population.
- **Goal C**: Use public and private resources to maintain and enhance existing residential neighborhood characteristics.
- **Goal D**: Provide housing opportunities for all Dublin residents, regardless of race, color, ancestry, national origin, religion, age, gender, marital status, familial status, disability, source of income, sexual orientation, or any other arbitrary factor.
- **Goal E**: Promote energy efficiency and conservation throughout Dublin.

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Existing Program Example

Program 10: Housing Type and Size Variations
A diverse housing stock in terms of type and size is necessary to meet the needs of all community residents. As a means of achieving housing diversity, the City will continue to require diversity of housing type and size as part of its negotiated process through specific plans, planned developments, and development agreements.

Financing:	Minor administrative cost to the City
Implementation Responsibility:	Community Development Department; Planning Commission; and City Council
Timeframe and Objectives:	• Require that developers provide a diversity of housing type and size on a case-by-case basis to meet the City's housing needs throughout the planning period.
Relevant Policies:	Policy A.1; Policy A.4; Policy A.6; Policy A.7; Policy B.1; Policy B.3; Policy B.4; Policy B.5; Policy D.2; Policy D.3

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New 6th Cycle Programs Required

- Fair Housing
- Promotion of Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Development
- Objective Development Standards
- SB 35 Streamlining
- Emergency Shelters, Transitional and Supportive Housing, and Lower Barrier Navigation Centers

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New 6th Cycle Programs (continued)

- Housing for Persons with Developmental Disabilities
- Farmworker and Employee Housing
- Funding and Rental Assistance Programs
- Housing Voucher Program
- Density Bonus
- Removal of Development Constraints

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Participant Activity

- (Open Ended) Tell us about your experience with housing in the City.
- Fair Housing – what fair housing issues does the City need to address? (ex: discrimination, etc.)
- (Open Ended) Have you recently gone through the entitlement process? If so, do you have any feedback on your experience?
- (Multiple Choice) Are there any particular housing types you would like to see more of in Dublin?
  - Single-family
  - Apartments
  - Condos
  - Townhomes
  - ADUs
  - Senior Housing
  - Affordable Housing
  - Transitional/Supportive Housing
  - Emergency Shelter
  - Other

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Next Steps

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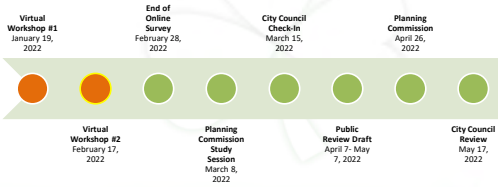
Housing Element Update Schedule



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Public Comments and Questions

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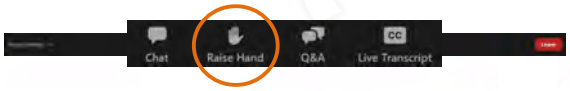

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Thank you!

Questions?

Michael Cass, Principal Planner
Michael.cass@dublin.ca.gov
(925) 833-6610

Or visit: https://dublin.ca.gov/2241/Housing-Element-Update
Subscribe for e-notifications on the Housing Element webpage.

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Tell us about your experience with housing in the City?

Mentimeter

resident in Downtown area

I have rented an apartment, lived in an owned condo, owned a home and am currently renting a home in Dublin over my 20 + years as a resident.

Frustrated that there is a possibility of disapproving a housing site that has been in the City's plans for 30+ year (specifically East Ranch). Especially because that project will provide a multitude of housing opportunities (also many BMR units).

There are a lot of big, expensive, single-family houses with big backyards on big lots in this city

market rate housing price out of reach

Since the pandemic there is proof of dire need for housing in Dublin.

crowded. haphazard. not enough for-sale affordable housing. 3rd fastest growing city in CA

Demand for housing is high, supply has not kept up with demand, housing here has gotten especially expensive over the last several years

Would like to see more housing opportunities (especially affordable housing opportunities) near transit. This is not a very walkable city at all.

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Tell us about your experience with housing in the City?

Mentimeter

Renter in downtown area. Would like to buy in the city someday, but high prices and corresponding high down payment make it challenging to get there. Would like to see more housing near transit!

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Do you have any fair housing concerns the City should address? (ex: discrimination, etc.)

Mentimeter

inclusionary housing has thus far been mainly moderate income. we need some low income.

A common concern is that people do not want to see affordable housing units spread out. SCS Property for example, has affordable housing confined to a small 2.5 acre space. Is that not a AFFH violation?

Our Veteran housing was successful and would like to see more transitional housing to help others be housed and part of the community.

There are no (or few) options for people with disabilities. The East Ranch project will provide this through the Sunflower Hill program yet there is a possibility for denial?

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Have you recently gone through the entitlement? Do you have any feedback based on your experience?

Mentimeter

affordable-by-design townhomes

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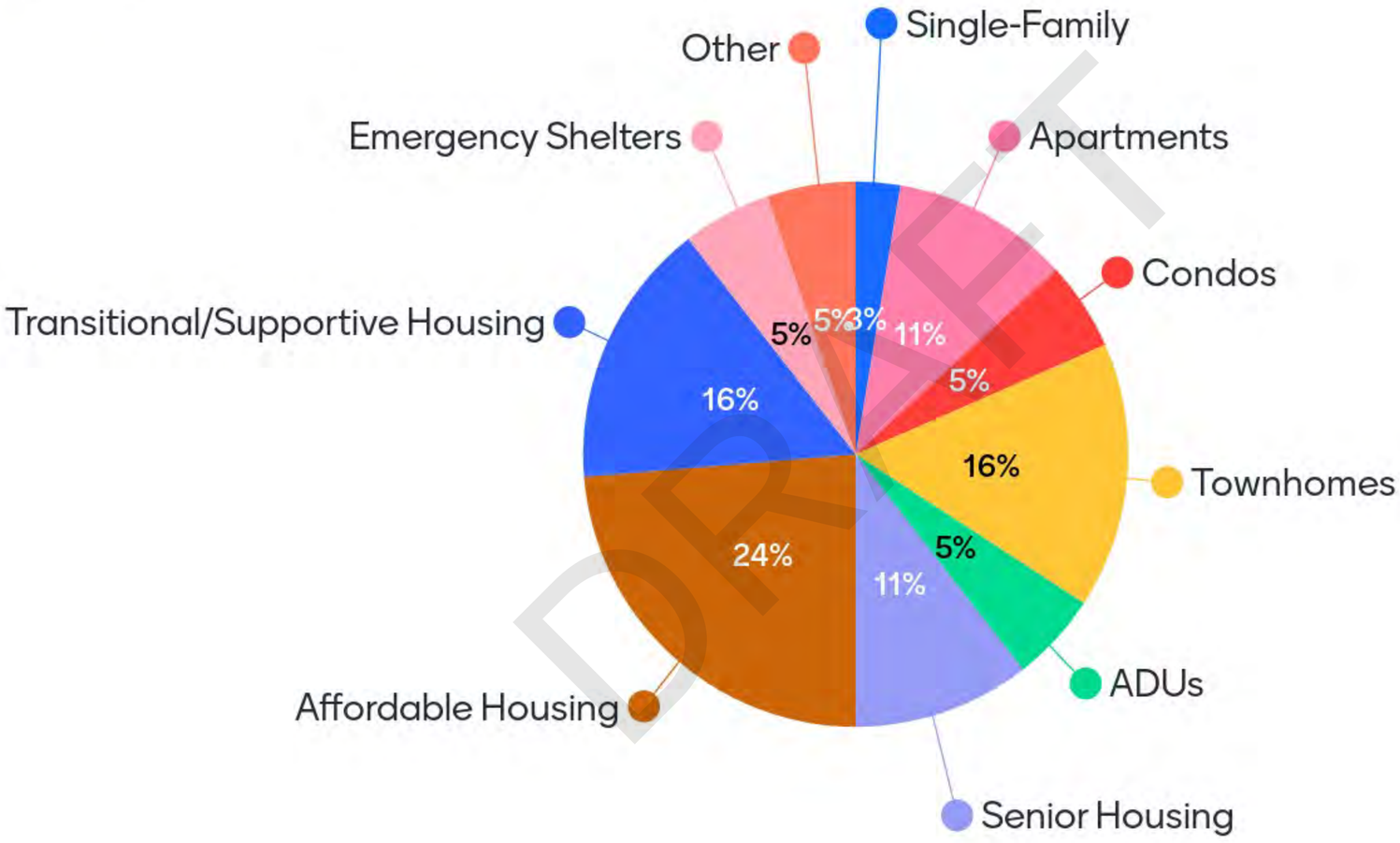
1

Are there particular housing types you would like to see more of?

Mentimeter



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E.3 Community Survey

This Section contains a survey summary of all collected data.

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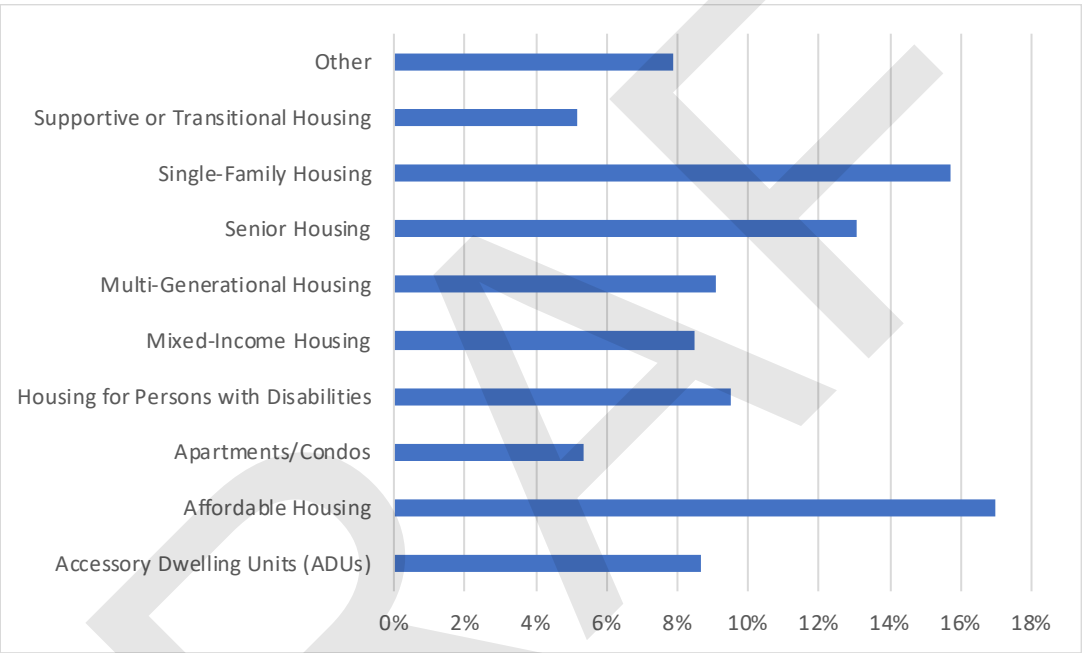
Housing Element Update Community Survey

From December 20, 2021 through February 28, 2022, the City of Dublin launched an online community survey to gather input and feedback regarding the Housing Element Update. Participants were asked to report on their housing experience in Dublin, consider potential policies and programs, and reflect on future housing opportunities in the City. A total of 205 surveys were completed and submitted. Below is a summary of the results.

Housing Types

What Types of housing do you think Dublin is missing? (Please select all that apply)



Other:

- One-level
- Assisted living through memory/long-term care
- Housing for Dublin workers earning minimum wage
- Low income/senior and diverse housing on the east side of town
- Middle income family housing
- Homes with yards
- Enough housing
- More schools

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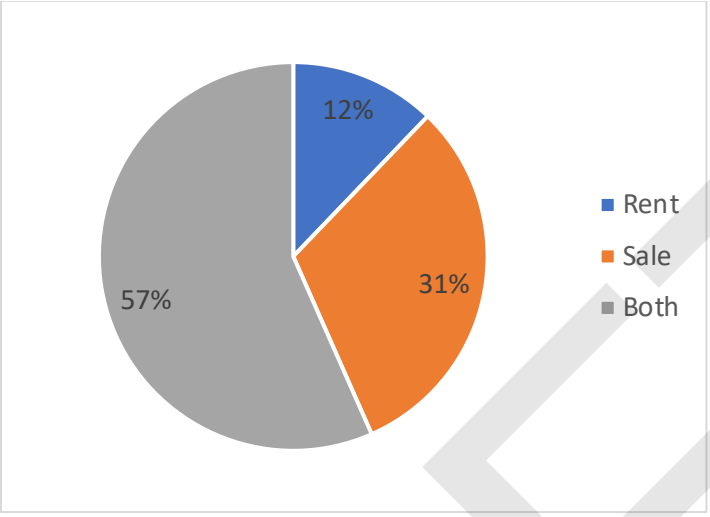
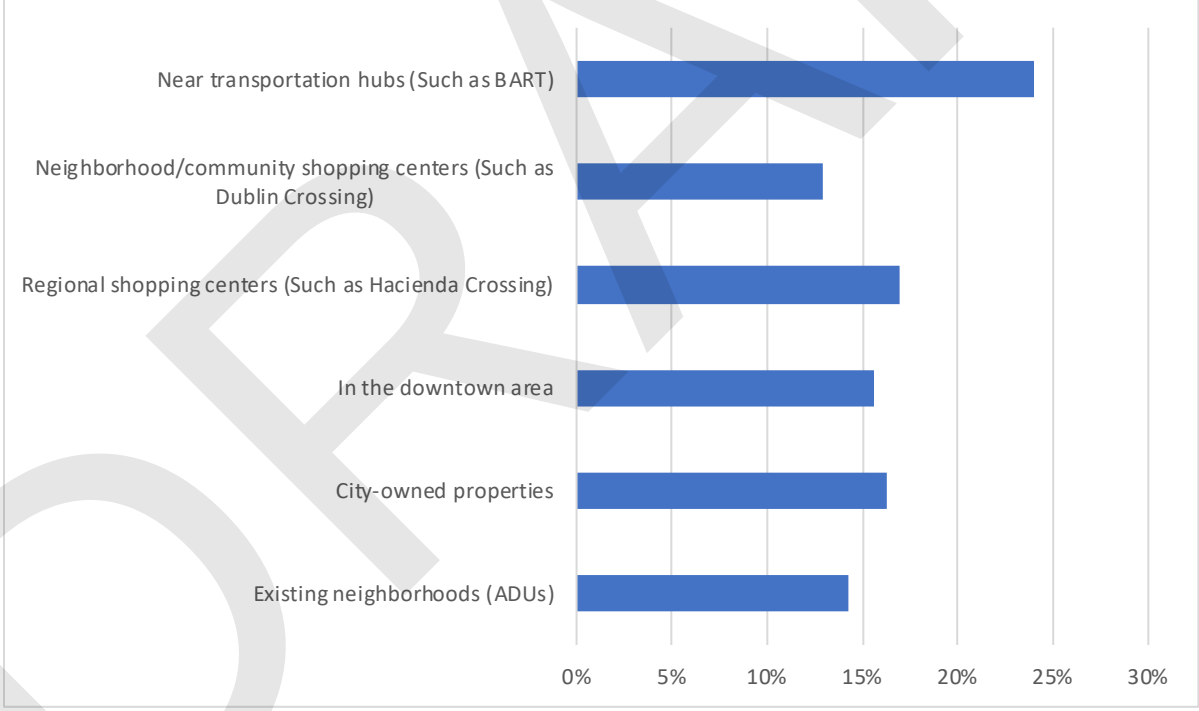
What type of housing, for rent or for sale, do you think is needed?



Where do you think the City should locate future housing that is required to be planned for in the Housing Element update? (Please select all that apply)



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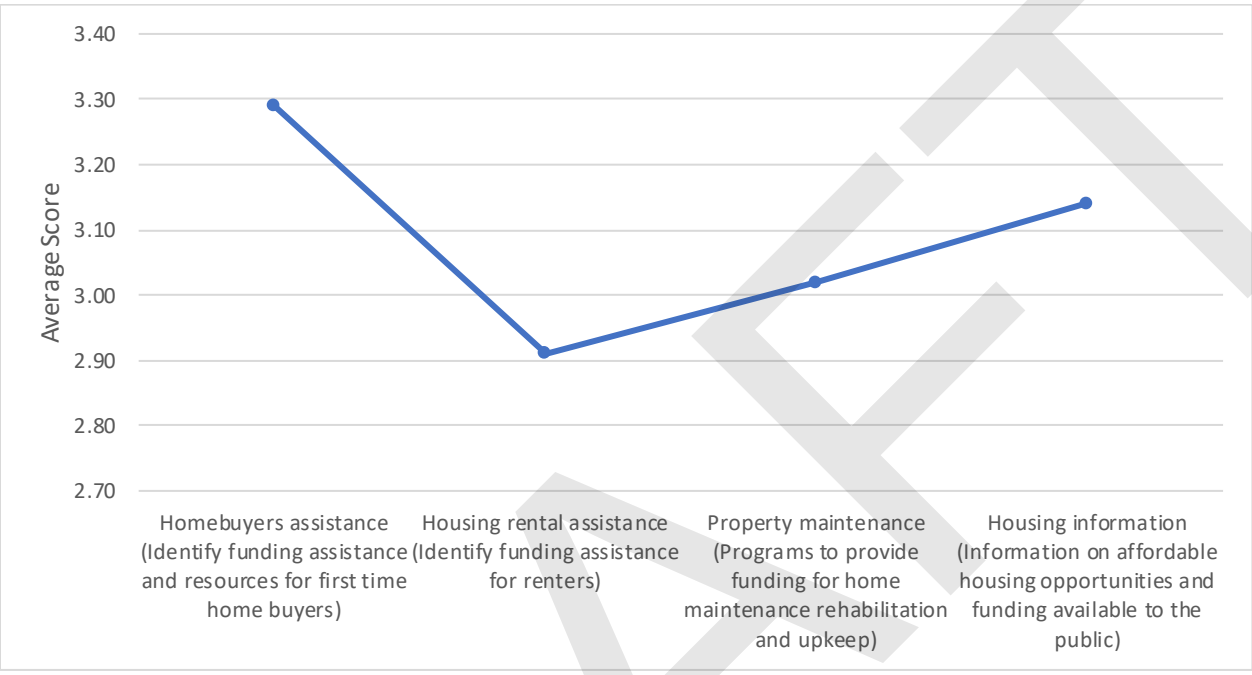
Housing Program Opportunities

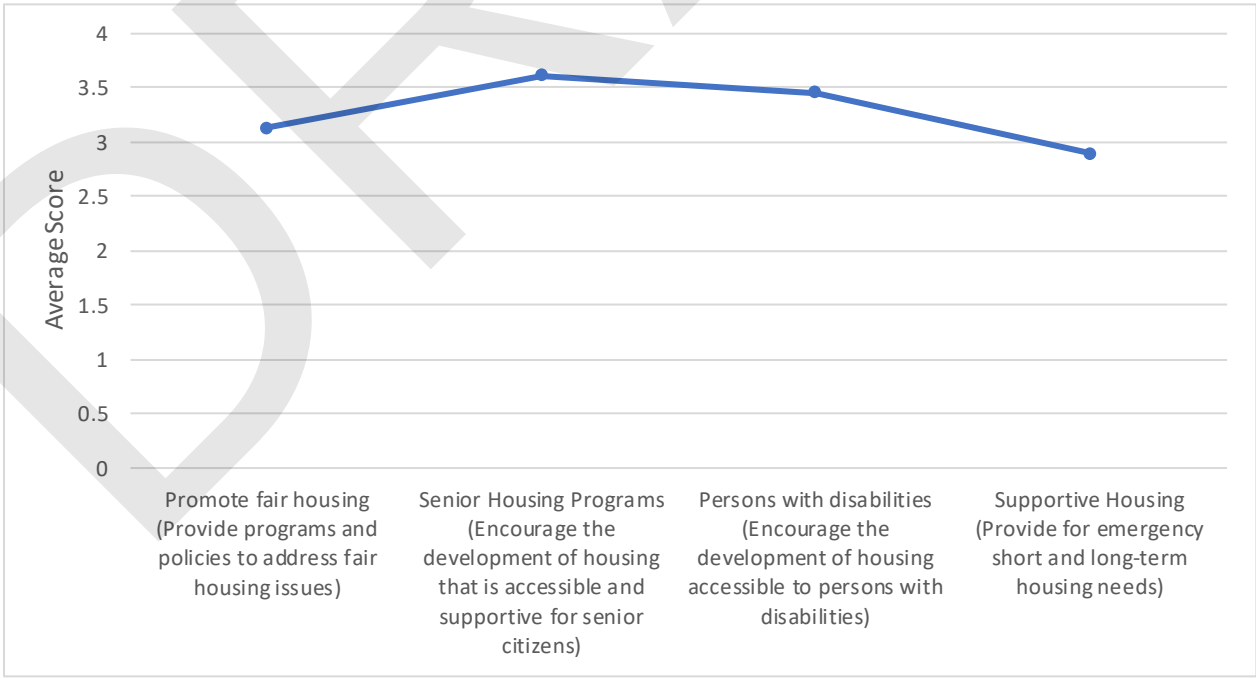
Community Assistance:

Please rate the following based on importance to the community. (1 being the least important and 5 being the most important)



Fair Housing:

Please rate the following based on importance to the community. (1 being the least important, 5 being the most important)



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Vision for the Future

In 10 words or less, describe your vision for the future of housing in Dublin.

Infill and affordable housing
Affordable, quality housing for first time home buyers.
I don't to see over population nor do I want to have a lot of low income properties.
Equitable, affordable housing/good neighborhoods for all income levels.
Senior, stand-alone housing, single level.
Not growing.
No more honeycombs. 4-unit max groupings for apts, townhouses.
Town homes located in infill areas or underutilized retail. Leave open space open
Less houses. BUILD MORE SCHOOLS TO SUPPORT NUMBER OF HOMES HERE!
Need middle school and elementary school existing schools are overcrowded.
don't screw up property values
Low and middle income housing desperately needed
Dublin needs to stop additional housing and focus on supporting infrastructure. The city has become a plague of development and homes. Traffic is ridiculous.
Dublin WILL continue to grow; supply needs to keep up.
I think future housing should be scaled way down.
Stop building
Dublin is pretty much built out. We need closer to home employment, not more housing
inclusionary housing by private developers. no more huge apartment buildings.
NO MORE HOUSES PLEASE. The Dublin streets and corresponding freeways cannot handle more houses.
Where people from all incomes can find a home.
Just enough
Land in Dublin is already quite filled up and the school district can't keep up. No more new housing
Affordable housing for mixed demographic population with access to schools, utilities, and basic infrastructure
Stop adding more houses to an already overpopulated city. Keep Dublin small.
More spacious single family homes with bigger lot six having more space between two adjacent homes.
Plan for baby boomers to remain in Dublin to open up existing houses to new families.
Equitable, fair, and transparent community needs.
Please have a affordable housing for low income families
For seniors.
Inclusive for all current and new residents
STOP the excessive overbuilding! Especially the dense housing of condos/townhomes. Dublin should not bear the sole responsibility for any housing shortage for the entire county/state. Schools are overcrowded, roads are overcrowded, great majority of residents agree we are overcrowded and also agree the explanation given to us that the City is required to continue building thousands of units is ridiculous. If this is the case, then push back and do something to change it. STOP allowing those outside our City to determine the well-being of our City based on reports and numbers read from afar. Those that live here and those that have taken positions responsible for our best interests have an obligation to fight for our best interests even when it's hard and even when it's directly against

DRAFT

current established criteria/rules. Circumstances change and therefore rules and criteria may also require change. STOP the building! DEMAND CHANGE to the current criteria. DO WHAT'S BEST AND WANTED FOR OUR RESIDENTS.
Denser housing that makes Dublin more walkable
stop sprawl, start building up, and support mixed-use
Affordable housing for Next generation to stay in Dublin.
Housing Maintenance / mortgage programs for disabled and elderly persons.
Diverse
Dublin is the city of choice for East Bay area
Housing in Dublin should be easily affordable and publicly funded.
It MUST involve additional community infrastructure.
Dublin needs more housing but spread out, not near to existing congested areas.
Less high density housing due to water shortage, climate change, and full schools. More senior citizen housing or senior communities.
accessible to all
No more housing at all.
Add housing to shopping centers, similar to the Waterford Place Apartments which sit above and adjacent to the Shops at Waterford. These properties are generally located near major traffic arteries and transit lines and can support increased density. Adding housing will also support retail without increasing vehicular travel.
Housing for all
Stop building!
Walkable, mixed-use, transit-oriented development
Provide help with SB 9 application
relentless development of large, trashy high-density eyesores
A great place for everyone to live.
I feel the city is overbuilt and overcrowded. More focus on improving infrastructure is needed than housing.
Stopping growth is futile, we need to increase housing supply
dense, accessible, affordable, inclusive, diverse, maintained, transit-oriented
I wish housing didn't outpace schools, but homebuilders rule us.
Modern and mixed with commercial areas and near public transportation
Affordable for housing for anyone to be able to live in this city.
Balanced housing with schools, commercial and SF/MF properties
Nice, safe community close to everything with range of housing options
Slow, steady growth that the schools can keep up with
affordable for those that grew up in this community, currently live and work here
Transit oriented housing for all income levels
Do not construct or allow housing until new schools are built
Smart growth does not burden residents
Dublin should invoke a 10-year moratorium on any new development and focus on failing infrastructure. Schools are overcrowded, there's a traffic nightmare on city roads, city services cannot support any new development. City council has turned Dublin into a concrete jungle and needs a break.

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Dublin is overcrowded and there is no infrastructure to support any more homes. STOP Building new homes
Plenty of housing options for people
Dublin Boulevard should have a strong sense of place defined by 4 to 5 story apartments and condos.
Diverse, welcoming to all income levels and ages
We need more single family houses in Dublin
Less condos/stack n pac. Dublin Blvd/Bart areas so congested!
Where housing is seen as a right not a privilege and there is greater understanding that housing is not primarily an investment but a necessity. I hope to see communities with mixed styles of housing, so neighborhoods aren't separated into silos
Overcrowded high density housing is not recommended nor needed.
Less dense in fill housing
Have east Dublin get their share of more diverse housing types vs packing it all into west Dublin so it's not in their fancy backyards & neighborhoods
More housing but not in small downtown area
Great families and affordable housing
Less density
More affordable housing
More housing for all income levels is needed
Pause on housing development to allow infrastructure and schools to catch up.
SCS planning need more open space and infrastructure than housing
Don't turn into Fremont, you're starting to
Affordable
More supportive amenities and parks.
Quiet, safe, affluent, vibrant community
Stop the massive growth. More parks and open land.
no more housing! we are over capacity
More green, fewer new homes
No more dense neighborhoods. More infrastructure.
We need city rule for SB-9
More village like with higher core density areas and transit
Provide more mid-size (1300 - 1600 sq) affordable single-family houses (600K - 800k), instead of building BIG million dollars houses.
low-income housing, affordable housing is still out of reach.
Have more parks and less traffic. It is getting really crowded
One that has much less Mello Roos taxation
Sustainable environmentally conscious inclusive green spaces and community gardens
We need more retail to keep the revenue here.
For young family
Single family homes. Affordable rentals
Sick of stack and pack. NO ADUs. Changes character of neighborhood.
Better living for all
Best housing in the bay area
Available and Affordable to all

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Someone in middle single income household 130k could afford a house HERE new perf everything is 780k++
no more housing. it's already too much
A significant reduction in the future approval of an unsustainable number of profligate housing developments.
High density housing ruining character of Dublin please stop it.
Build schools, not houses.
More single family houses needed
Slow down the building. Provide infrastructure.
No more new homes in Dublin. Enough is enough.
Affordable and accessible housing for every income level
Large single family homes with backyards
Please stop building!!! Dublin is full
Affordable single family houses for first time home buyers
Less density
Less houses
More individual homes. No more townhomes!
Walkable (accessible), sustainable. and neighborhood friendly.
needs based. not haphazard. Organized plans. not changed because business.
Develop without impacting already overcrowded schools, traffic, or community safety.
Semi-high-rise
Dublin used to be a great community existing primarily of single family homes. Now Dublin is known for apartments and townhomes. Outsiders don't think of Dublin as having traditional neighborhoods of single family homes. Dublin should work to get back to the neighborhoods which were integral in establishing a great community for families.
Keep the small town feel of the city.
Dublin doesn't need any more condos or apartments
Smaller lot sizes. Build upwards. Don't neglect parks and traffic.
Single family detached homes with neighborhoods and yards are necessary.
Aesthetically pleasing, slow down planning, more schools
More schools for houses.
AFFORDABLE single family homes mixed with apartments and townhomes
More diversity inclusive neighborhoods
Affordable with supporting infrastructure such as schools and roads
Slow Down. Think 100 year plan.
Housing available for all types of individuals and families
less single-family, actually enough homes for those who want them
It's already doomed, between DUSD and the City of Dublin there is no hope.
Less density, affordable 55+ single family home community
bousing that never exceeds infrastructure capacity - roads, water, transportation
Inclusive housing that builds a wonderful safe community
No need to construct new homes. Already too crowded
In need of single family homes with big backyards
Make it less crowded

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Yards, community, trees
NO MORE HOUSING DEVELOPMENTS PLEASE! DUBLIN TOO OVERBUILT AND CROWDED.
More schools and parks. Less high density communities
More affordable housing to allow for opportunities for families
Have homes with large lot sizes
Need affordable housing, many of us are leaving Dublin because of housing costs....
Stop building multi-level townhouse style expensive condo developments.
Housing accessible to a mix of socioeconomic backgrounds
Balanced semi-urban open space town
Affordable, multigenerational, and senior housing especially on the eastern side.
Too many already, need community facilities
Housing needs are adequate, if you don preserve the nature and adjust only according to human needs, we will lose our way, let's not cram the city.
A shining example for the region for YIMBY, especially near Transit
No more housing, more libraries
Accessible for working class that works here
develop housing that creates prestige neighborhood to better the city
Build more homes.
More schools, less houses. Dublin school ratings have dropped due to overcrowding
Don't use up all the lands. Save some for future.
Please stop building these horrible tri-level homes with no front or backyards. We need single family 2-story homes with yards.
No further development, keep small town feel
Stop building homes!
More affordable housing and schools
I'm hoping that only single homes will be built in the future as there is enough high rise condos now. It's beginning to look like downtown New York or Detroit with only concrete for the children to play on. Dublin was once a beautiful country setting that attracted residents that wanted to leave the City. Now we are a City with not so many green space. Who is responsible for making all the decisions to compartmentalize people in square condos where your neighbor can hear you talking? Really, we've lived here for 50 plus years and are very disappointed in how Dublin has changed. More people, more accidents, more crime, more disagreements between neighbors, more litter etc. My vision is not a good one.
Fewer multi-family complexes; lower density
Stop building. Every piece of land does not have to have a structure on it. Nor are there the resources to support additional and continual building of homes. The population is declining for crying out loud.
Building up lots of, affordable, transit accessible, mixed-used units.
No more housing is my vision for Dublin's future.
STOP DESTROYING DUBLIN BY BUILDING ON EVERY SQUARE INCH!
Provide housing that facilitates resident investment in Dublin's 5-star status.
Less housing, more infrastructure like schools and parks please!
Turn existing buildings into housing. Toysrus, vacant buildings
More affordable options for all types of dwellings including for rent and for sale - also for seniors.
Only low income condos in built areas. Open land undeveloped

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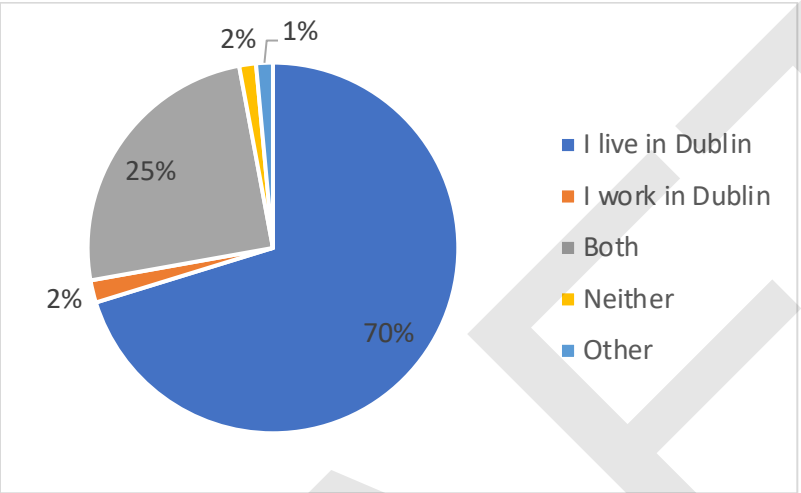
Demographics

The following questions will help us understand who in the community is participating in the process. Your information will be kept private.

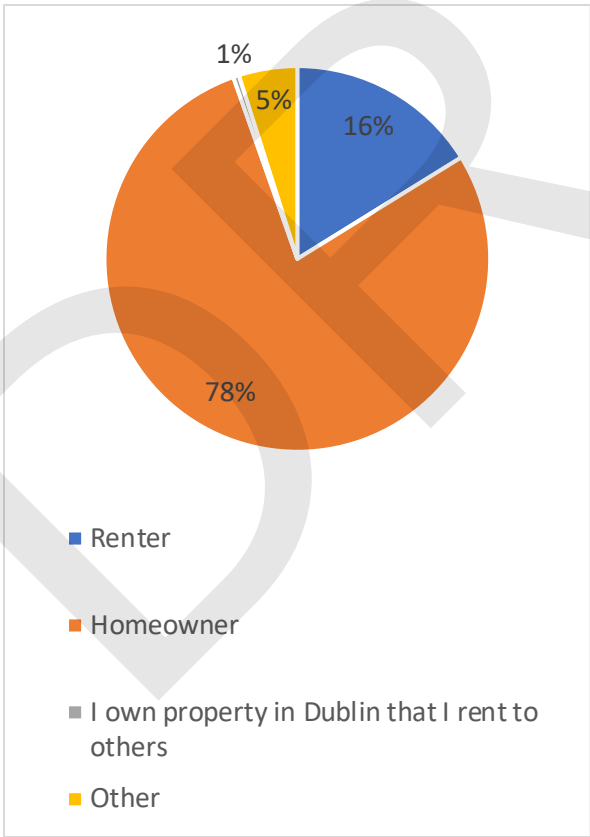
Do you live or work in Dublin?



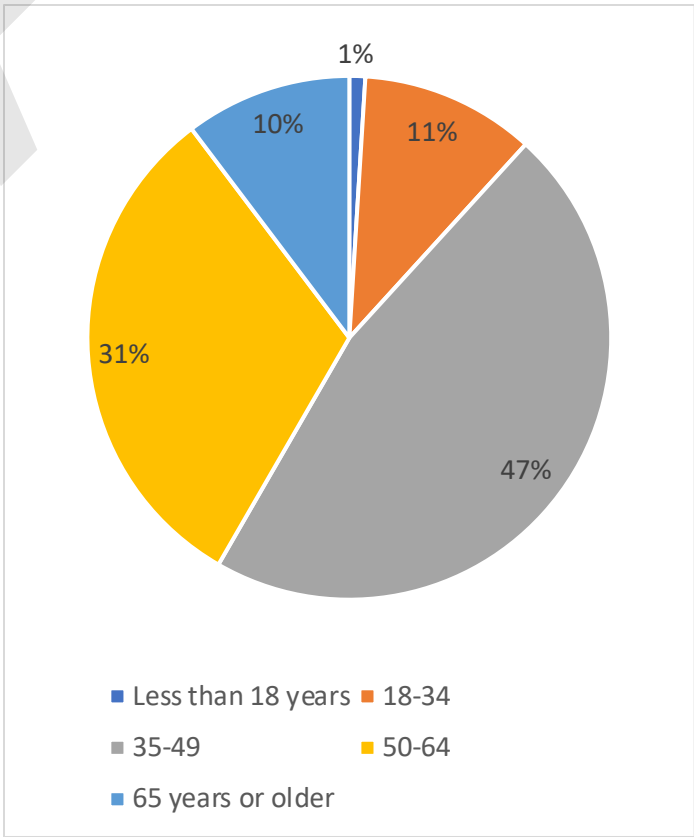
Other:

- Live with parents
- Dependent of a homeowner

Are you a renter of homeowner?



What is our age?



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E.4 City Council Meeting #1

This Section contains materials prepared for the City Council meeting on February 18, 2020.

DRAFT

STAFF REPORT
CITY COUNCIL

DATE: **February 18, 2020**

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Informational Report on Sixth Cycle Regional Housing Needs Allocation and Housing Element Update
Prepared by: Kristie Wheeler, Assistant Community Development Director

EXECUTIVE SUMMARY:

The City Council will receive information about the upcoming sixth cycle Regional Housing Needs Allocation (RHNA) and Housing Element Update.

STAFF RECOMMENDATION:

Receive the report.

FINANCIAL IMPACT:

None.

DESCRIPTION:

Background
Since 1969, the State has mandated that all California cities and counties plan for their share of the region's housing needs at all income levels. Every eight years, the California Department of Housing and Community Development (HCD) determines the share of the state's housing need for each region based on population projections prepared by the California Department of Finance. Councils of governments then distribute a share of a region's housing need to each city and county within the region. In the Bay Area, that group is called the Association of Bay Area Governments (ABAG). This is known as the Regional Housing Needs Allocation (RHNA) process. While state law does not require an agency to build the housing units assigned through the RHNA process, it does require that land use planning regulations accommodate the units.

Each city and county must then update the Housing Element of its General Plan to provide locations where housing can be built and the goals and policies necessary to meet the community's housing needs. The "No Net Loss" laws ensure that local governments do not downzone these "opportunity sites" after their Housing Element has been certified. Each jurisdiction must also submit an annual report to HCD to

demonstrate progress toward meeting the goals and policies of the Housing Element.

Table 1, below, shows the City of Dublin's RHNA for the last three cycles.

Table 1: Regional Housing Need Allocation (from the Adopted Housing Elements)

	1999-2006		2007-2014		2015-2023	
Income Level	**# Units**	**% of Total**	**# Units**	**% of Total**	**# Units**	**% of Total**
Extremely Low/Very Low	796	15%	1,092	32.8%	796	34.8%
Low	531	9%	661	19.8%	446	19.5%
Moderate	1,441	26%	653	19.6%	425	18.6%
Above Moderate	2,668	50%	924	27.7%	618	27%
Total	**5,436**	**100%**	**3,330**	**100%**	**2,285**	**100%**

Following the last RHNA process, the City updated the Housing Element and demonstrated how the RHNA could be achieved through a combination of approved projects and planned residential units. The City Council adopted the 2015 - 2023 General Plan Housing Element on November 18, 2014, and HCD certified that the updated Housing Element was compliant with State law. The City's on-going implementation and annual reporting over the past five years have also met with HCD approval. Staff is currently preparing the Annual Progress Report for 2019 and will provide it to the City Council for review and approval at an upcoming City Council meeting.

Regional Housing Needs Allocation

ABAG kicked off the sixth RHNA cycle with the formation of a Housing Methodology Committee, which began meeting in October 2019. The Methodology Committee is comprised of nine elected officials (one from each Bay Area county), 12 housing or planning staff members (at least one from each county), 13 regional stakeholders representing diverse perspectives, and one partner from state government. The goals of the Housing Methodology Committee are as follows:

- Advise ABAG staff on the RHNA allocation methodology for the RHNA cycle.
- Ensure the methodology and resulting allocation meet statutory requirements.
- Ensure the methodology and resulting allocation are consistent with the forecasted development pattern included in Plan Bay Area 2050.

Staff anticipates that preparation of the City's Housing Element Update for the sixth RHNA cycle will be more challenging than the last given the following:

- Higher expected total regional housing need.
- New requirements for identifying eligible sites in Housing Elements.
- More factors to consider in allocations (i.e., overpayment of rent/mortgage, overcrowding in residential unit, greenhouse gas emissions, jobs-housing fit).
- Expanded HCD oversight on methodology and allocations.

- Greater emphasis on social equity.

Of particular concern is the higher expected total regional housing need, which ABAG has indicated is due in part to prior RHNA cycles where the total of number units assigned has gotten progressively smaller while the need for housing has increased. Although the region often meets the needs for market-rate units, the region has consistently struggled to meet the goals for affordable units. Table 2 below shows the decline in the number of units assigned for the region over the last three RHNA cycles and progress toward meeting the RHNA.

Table 2: Bay Area RHNA Progress 1999-2017

RHNA		Permitted	Percent of RHNA Permitted				
Cycle	**Assignment**	**Total**	**All**	**Extremely Low/Very Low**	**Low**	**Moderate**	**Above Moderate**
1999-2006	230,743	213,024	92%	44%	79%	38%	153%
2007-2014	214,500	123,098	57%	29%	26%	28%	99%
2015-2023	187,990	87,691	65%	15%	25%	25%	125%

For example, in southern California, HCD recently assigned 1.34 million new housing units through the RHNA process to the Southern California Association of Governments (SCAG) compared to 412,137 units during the prior RHNA cycle. This represents an additional 932,603 units and a more than threefold increase over the prior RHNA cycle. Although SCAG filed a formal objection, HCD did not alter SCAG's RHNA. Using that metric, a similar increase in the Bay Area RHNA could result in a 6,855-unit allocation for Dublin.

The requirements for identifying eligible sites in the Housing Element is also an area of concern. Over the past three years, there has been additional scrutiny on sites identified in the Housing Element to meet the City's RHNA. For example, HCD has indicated that sites smaller than 0.5 acres and larger than 10 acres will require supportive analysis to document the viability of a site for housing, and sites identified in the current Housing Element cannot be reused unless rezoned to allow by-right development. Thus, Staff anticipates that the City will need to rezone vacant and underutilized sites, and potentially commercial sites, to be able to accommodate our RHNA.

As shown in Table 3 below, ABAG expects that HCD will issue the Regional Housing Need Determination (RHND) for the nine-county Bay Area in April 2020. Between May and September 2020, ABAG will release the proposed methodology (i.e., how the RHND will be allocated to cities and counties), hold public hearings, and submit the draft methodology to HCD for review and approval. In January 2021, the final methodology should be adopted and ABAG will release the draft RHNA to jurisdictions. Appeals can be submitted until March 2021, and decisions on appeals and the final RHNA will be issued by May 2021. The City will then have until December 2022 to adopt a Housing Element Update.

Table 3: Key Milestones

	Key Milestones	Date
1	HCD issues Regional Housing Need Determination (RHDA) for the Bay Area	April 2020
2	ABAG releases proposed RHNA methodology	May 2020
3	Public hearings on proposed RHNA methodology	June 2020
4	ABAG releases draft RHNA methodology and submits to HCD for review	September 2020
5	Final RHNA methodology adopted and draft RHNA released to jurisdictions	January 2021
6	Deadline for appeals	March 2021
7	Decision on appeals and final RHNA issued to jurisdiction	May 2021
8	Deadline to adopt Housing Element Update	December 2022

Preparing for Housing Element Update

Senate Bill 2 established a permanent source of funding intended to increase affordable housing stock in California and directed HCD to use 50 percent of the revenue in the first year to establish a program that provides financial and technical assistance to local governments to update planning documents and zoning ordinances to streamline housing production. On October 15, 2019, the City Council adopted a resolution authorizing the submittal of an application for Senate Bill (SB) 2 grant funds.

On January 16, 2020, HCD approved the City's SB 2 grant application totaling $310,000. The grant includes $55,000 to prepare an analysis of vacant and underutilized sites that could be used to accommodate the next RHNA allocation.

Staff will begin the site analysis described above later this year and develop a scope of work for the Housing Element Update. Staff anticipates the need to supplement staff resources with consultants to assist with preparation of the Housing Element Update and will be returning to the City Council later this year to select a consultant to begin this process.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

None.

ATTACHMENTS:

None.

Linda Smith, City Manager 2/12/2020

E.5 City Council Meeting #2

This Section contains materials prepared for the City Council meeting on October 6, 2020.

DRAFT

STAFF REPORT
CITY COUNCIL

DATE: **October 6, 2020**

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Report and Status Update on the Housing Element Update and Regional Housing Needs Allocation
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

The City Council will receive a report and status update on the Housing Element Update and Regional Housing Needs Allocation. Each California city and county must update their General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs of all economic segments of the community. Dublin's current Housing Element is for the 2014-2022 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023-2031 planning period.

STAFF RECOMMENDATION:

Receive the report and provide feedback on the Housing Element Update.

FINANCIAL IMPACT:

In July 2020, the City Council adopted a Resolution approving a Consulting Services Agreement between the City and Kimley-Horn to assist Staff with preparation of the Housing Element Update. Kimley-Horn's contract amount is $403,000. The City's Fiscal Year 2020-21 Budget sufficiently covers this cost, including $55,000 from an approved Senate Bill 2 Planning Grant. In addition, Staff anticipates the cost will be further offset by a pending, non-competitive $300,000 grant under the Local Early Action Planning (LEAP) Grant Program.

DESCRIPTION:

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law, enacted in 1969, mandates local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs

Allocation (RHNA) process.

The City's current Housing Element covers the period of 2014-2022. The Housing Element must be updated and then certified by the California Department of Housing and Community Development (HCD) by January 2023 for the 2023-2031 planning period.

Housing Element Update Planning Process

Following are the key phases of the Housing Element Update planning process, which Staff estimates will take approximately two years to complete:

- Baseline Analysis: Review current Housing Element policies and programs.
- Adequate Sites Identification: Evaluate current Housing Element sites and identify additional sites to meet RHNA.
- Community Engagement: Conduct online survey, stakeholder workshops, and Planning Commission and City Council meetings.
- Policy and Program Development: Develop policies and programs that constitute Housing Policy Plan.
- HCD Review: Prepare a Draft Housing Element and submit to HCD for an initial 60-day review.
- Public Hearings and Adoption: Hold public hearings with the Planning Commission and the City Council to consider adoption of the Housing Element Update and associated General Plan Amendments.

Regional Housing Needs Allocation

The Housing Methodology Committee (HMC) is an advisory committee to the Association of Bay Area Governments (ABAG) composed of 35 members including elected officials, local jurisdiction staff members, and stakeholders, and is tasked with creating a methodology for distributing HCD's Regional Housing Needs Determination (RHND) across the local jurisdictions in the nine-county Bay Area. Distribution of the RHND results in each jurisdiction's RHNA, which is the total number of housing units that the jurisdiction must plan for in the next Housing Element update. State law provides a series of statutory objectives that must be met in the RHNA methodology, including increasing affordability in an equitable manner, improving the balance between low-wage jobs and lower-income housing (jobs-housing fit), and addressing equity and fair housing. The statute also requires "consistency" between the RHNA and regional plans, such as Plan Bay Area (PBA).

On June 10, 2020, HCD released the RHND for the Bay Area, which identified 441,176 units (2.35 times the 187,990 units required in the current RHNA cycle). Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low, low, moderate and above-moderate income).

The HMC began meeting in October 2019 to prioritize different factors, consider weights for each factor, and develop a RHNA methodology. On September 14, 2020, the Tri-Valley communities of Dublin, Danville, Livermore, Pleasanton and San Ramon

submitted joint letters to the HMC and ABAG Executive Board expressing concerns with the RHNA methodology under consideration and recommended a methodology that: 1) focuses housing allocations in areas with the highest concentrations of jobs; 2) takes account of geographic and other constraints to housing development; and 3) provides residents with access to viable transit and transportation options (refer to Attachments 1 and 2). On September 18, 2020, the HMC forwarded a recommendation to the ABAG Executive Committee to use Methodology Option 8A. This Option only partially addresses the concerns raised by the Tri-Valley communities. Although preliminary at this time, the recommended methodology would result in a RHNA of 3,630 total units for Dublin. Table 1 shows the City's current and HMC's recommended RHNA by income category.

Table 1: Current and Preliminary RHNA

	Extremely / Very Low	Low	Moderate	Above Moderate	Total
RHNA – Current	796	446	425	618	2,285
HMC Recommendation	1,090	610	550	1,410	3,630
Percent Increase	136.93%	136.77%	129.41%	228.16%	158.86%

As shown in Table 2 below, the ABAG Regional Planning Committee and ABAG Executive Board will review HMC's recommendations in October 2020 and submit the draft methodology in winter 2021 to HCD for review and approval. In spring 2021, the final methodology should be adopted and ABAG will release the draft RHNA to jurisdictions. Appeals of the draft RHNA can be submitted until summer 2021, and decisions on appeals and the final RHNA will be issued by the end of 2021. The City will then have until January 2023 to adopt a Housing Element Update.

Table 2: Key Milestones

	Key Milestones	Date
1	ABAG Regional Planning Committee reviews proposed RHNA Methodology	October 1, 2020
2	ABAG Executive Board reviews proposed RHNA Methodology	October 15, 2020
3	ABAG submits draft RHNA Methodology to HCD for review	Winter 2021
4	Final RHNA Methodology adopted and draft allocation released to jurisdictions	Spring 2021
5	Deadline for appeals	Summer 2021
6	Decision on appeals and final RHNA issued to jurisdiction	End of 2021
7	Deadline to adopt Housing Element Update	January 2023

Adequate Sites Identification

The Housing Element must include an inventory of specific sites or parcels that are available for residential development to meet the RHNA. Land suitable for residential development must be appropriate and available for residential use in the planning period. Characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., susceptibility to flooding, slope instability or erosion, or environmental considerations) and location (proximity to transit, job centers, and public or community services). Land suitable for residential development includes vacant sites that are zoned for residential development, underutilized sites that are zoned for

residential development and capable of being redeveloped at a higher density or with greater intensity, and vacant and underutilized sites that are not zoned for residential development, but can be redeveloped for, and/or rezoned for, residential use (via program actions).

Following is a summary of key considerations in identifying sites to meet the City's RHNA:

- Density: Housing Element Law allows jurisdictions to assume that a site can be developed with housing affordable to low-income and very-low income households only if the site has the capacity to be developed at or above a certain default density. The default densities vary depending on the location and population of the jurisdiction. For Dublin, the default minimum density is 30 dwelling units per acre.

- Capacity: For all sites in the inventory, the jurisdiction must determine the number of units that can be realistically accommodated for all income categories. Jurisdictions cannot assume development capacity for housing at a particular level of affordability based solely on land use controls and site development requirements. Jurisdictions must now also analyze: 1) realistic development capacity of the site; 2) typical densities of existing or approved developments at a similar affordability level; and 3) the current or planned availability and accessibility to sufficient water, sewer, and dry utilities (e.g., gas and electricity).

- Use of Prior Housing Element Sites: Recent State law limits a jurisdiction's ability to reuse sites from the prior RHNA cycle. Vacant sites identified in the last two housing elements and non-vacant sites identified in a prior housing element may not be counted towards RHNA unless: 1) the sites are zoned at the "default" density of 30 dwelling units per acre; or 2) the sites allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households.

- Use of Small and Large Sites: For a jurisdiction to count a site that is less than one-half acre or more than 10 acres towards its lower-income RHNA, the Housing Element must demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units or provide other evidence that the site can be developed as lower-income housing.

- Use of Non-Vacant Sites: Prior to 2018, jurisdictions could rely on sites with existing uses to accommodate the RHNA to evaluate the sites development potential. Now, for non-vacant sites, jurisdictions must also: 1) demonstrate past experience with converting existing uses to higher density residential development; 2) analyze the current market demand for the existing use; and 3) assess any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site. When a jurisdiction relies on non-vacant sites to accommodate more than 50 percent or more of its lower-income RHNA, HCD presumes the existing use will impede additional residential development, so the Housing Element must include site-specific findings based

on substantial evidence that the use is likely to be discontinued during the planning period.

- Use of Vacant Non-Residential Sites: A jurisdiction may choose to identify vacant non-residential sites and rezone those sites to allow housing as part of the Housing Element Update or the Housing Element can include a program to accomplish the rezoning within the first three years of the planning period. The benefit of rezoning the sites as part of the Housing Element Update is that it ensures the Housing Element remains in compliance and allows environmental review of the rezoning to be accomplished as part of the Housing Element Update.

- Use of Sites with Current or Past Residential Uses: Sites that currently have, or in the past five years have had, deed restricted affordable housing for low-income or very-low income households, rent-controlled housing, or housing occupied by low-income or very-low income households are subject to the replacement housing requirements described in Density Bonus Law.

- Adequate Sites Alternatives: A jurisdiction may receive credit for up to 25 percent of the RHNA obligation for any income category through the identification of sites for accessory dwelling units, substantial rehabilitation of housing units with committed assistance from the jurisdiction, conversion of market rate housing to affordable housing with assistance from the jurisdiction, and/or for units under construction between the beginning of the Housing Element projection period and the deadline for adopting the Housing Element (June 30, 2022 to January 31, 2023). Prioritizing land use policies to enable the City to accommodate a portion of RHNA through ADUs would align with the Tri-Valley Housing and Policy Framework.

No Net Loss

In addition to the key considerations in identifying sites to meet the City's RHNA, the "No Net Loss" laws (including recently adopted AB 1397 and SB 166) ensure that jurisdictions do not downzone these "opportunity sites" after HCD certifies the Housing Element. Jurisdictions also cannot approve new housing at significantly lower densities or at different income categories than was projected in the Housing Element without making specific findings and identifying other sites that could accommodate these units and affordability levels "lost" as a result of the approval. Similarly, jurisdictions cannot deny a project because it does not include units at the income categories identified in the Housing Element. In light of these requirements, it may be prudent to "overplan" RHNA sites so that the City has some flexibility in its future project approvals. Without such headroom, the City may often be forced to find additional sites each time it approves a residential project that does not meet the requirements at the lower income levels.

Preliminary Sites Inventory

Staff has done an initial review of sites that may be able to accommodate the potential RHNA under HMC's recommended methodology where 3,630 units must be planned for in the next Housing Element update. A complete sites inventory and a more in-depth analysis will be completed as Staff delves further into the Housing Element Update and

reports back to the City Council. The following is initial information for illustrative purposes.

The current Housing Element includes 10 remaining vacant sites with a development capacity of 2,456 units. These residential sites are located predominantly in Eastern Dublin with a development capacity of 965 units, and Downtown Dublin with a capacity of 1,491 units. These sites may be reused in the Housing Element update if density is a minimum of 30 units per acre or if housing is permitted by right with a minimum of 20 percent lower-income affordable units. Only the Downtown Transit Oriented District (TOD) currently meets the minimum density requirement of 30 units per acre and has a capacity to provide 891 units. The current Housing Element sites can accommodate approximately 6,952 units (including the 891 units in the TOD) if all sites were "up zoned" to ensure a minimum density of 30 units per acre. Alternatively, if housing is permitted by right with a minimum of 20 percent lower-income affordable units provided, then the development capacity of current Housing Element sites is 2,456 units with no required modifications to existing permitted density. Refer to Attachment 3 for a map and table of existing Housing Element sites.

In addition to reusing prior Housing Element sites, the City could evaluate using other vacant residential sites, underutilized non-residential sites, and vacant non-residential sites. Vacant residential sites with existing residential land uses include a portion of At Dublin, and Dublin Transit Center Site D-1 which could accommodate 456 units, based upon current permitted density. Refer to Attachment 4 for a map and table of vacant residential sites.

The City could evaluate existing underutilized non-residential sites for redevelopment potential (i.e. sites with existing underutilized commercial and industrial uses). For example, based upon a preliminary analysis, approximately 13.59 acres on the north side of Dublin Boulevard between Dublin Court and Clark Avenue could be rezoned to accommodate housing and encourage redevelopment. Additionally, Hacienda Crossing could be rezoned to allow housing to supplement the existing commercial development within the shopping center.

Also, based upon preliminary analysis, Staff identified 10 vacant (i.e. undeveloped) non-residential sites, totaling approximately 110.13 acres, that the City could consider rezoning to permit housing. Refer to Attachment 5 for a map and table of existing vacant non-residential sites.

Based upon this initial review, it appears likely that the City will not have enough undeveloped residential sites to accommodate the RHNA without having to reuse prior Housing Element sites and/or rezone non-residential sites to accommodate residential uses. Therefore, Staff is seeking feedback from the City Council to help guide this analysis and the identification of potential sites to accommodate the RHNA. Staff will return to the City Council to further discuss the sites inventory analysis once completed.

<u>Questions for the City Council</u>
Staff seeks preliminary feedback from the City Council on the following questions regarding the adequate sites' identification:

- Prioritize Existing Sites or Study Non-Residential Sites: Prior Housing Element sites will not be able to be reused with the Housing Element Update unless they are rezoned to allow a minimum density of 30 units/acre or if housing is allowed by right with a minimum of 20 percent lower-income affordable units provided. Should the City prioritize the reuse of prior Housing Element sites (Attachment 3) or convert non-residential sites to residential use?

- Prioritize Higher Densities or Housing-By-Right: If reusing prior Housing Element sites, should the City prioritize higher densities or by-right development?

- Prioritize Vacant or Underutilized Non-Residential Sites: If the City does not have an adequate supply of undeveloped sites or prior Housing Element sites to accommodate the RHNA, should the City prioritize the conversion of undeveloped non-residential sites or the conversion of developed but underutilized non-residential sites to accommodate a portion of the RHNA?

Prioritize ADUs: Up to 25 percent of the RHNA for each income category may be satisfied by ADUs under certain circumstances. These units would likely require a deed restriction to ensure they are rented to lower income households (which could require the City to offer programs such as financial incentives to encourage homeowners to deed restrict their ADUs). Should the City prioritize land use policies that would enable the City to accommodate a portion of the RHNA through ADUs?

Identify Surplus Sites: Due to the "No Net Loss" laws, should the City identify more sites than are required to accommodate RHNA to maintain flexibility should properties be developed without the required number of deed restricted affordable units?

The City Council will have more in-depth discussion about potential Housing Element sites with site-specific data in early 2021.

Next Steps
A tentative project schedule for the Housing Element Update is included as Attachment 6. Table 3 provides a summary of next steps:

Table 3: Next Steps

	Next Steps	Date
1	Launch Housing Element Update Webpage on the City's Website	Fall 2020
2	Evaluate Current Housing Element	Fall 2020 - Winter 2021
3	Analyze/Identify Adequate Housing Sites	Fall 2020 - Winter 2021
4	Check-In Meeting #2 – Review Adequate Sites Analysis	Winter/Spring 2021

ENVIRONMENTAL REVIEW:

The informational report on the Housing Element Update is exempt from the requirements of the California Environmental Quality Act (CEQA).

STRATEGIC PLAN INITIATIVE:

Strategy 3: Create More Affordable Housing Opportunities.

DRAFT

Objective E: Update the City's General Plan Housing Element in accordance with state law and to ensure an adequate supply of sites to accommodate the City's Regional Housing Needs Allocation for the period 2023-31.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

None.

ATTACHMENTS:

1. Tri-Valley Cities Letter to Housing Methodology Committee, dated September 14, 2020
2. Tri-Valley Cities Letter to ABAG Executive Board, dated September 14, 2020
3. Map and Table of Existing Housing Element Sites
4. Map and Table of Vacant Residential Sites Not Identified in Current Housing Element
5. Map and Table of Vacant Non-Residential Sites
6. Housing Element Update Tentative Schedule

Linda Smith, City Manager 9/29/2020

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Tri-Valley Cities

DANVILLE • DUBLIN • LIVERMORE • PLEASANTON • SAN RAMON

September 14, 2020

Mayor Jesse Arreguín, Chair
Housing Methodology Committee
Association of Bay Area Governments
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Dear Chair Arreguín:

On behalf of the Tri-Valley cities of Danville, Dublin, Livermore, Pleasanton, and San Ramon, we are writing to express our concern about the methodology options that will be considered by the Housing Methodology Committee on September 18.

The Tri-Valley Cities (TVC) appreciate the urgency of the statewide housing crisis and the responsibility of local jurisdictions to address this important issue. Each of our five cities has taken significant steps over recent years to facilitate the construction of both market-rate and affordable housing – evidenced by the construction of more than 10,300 new housing units since the start of the last Housing Element cycle – these efforts have made the Tri-Valley one of the fastest-growing regions in the Bay Area and the State. Through dedicated affordable housing projects, application of inclusionary ordinances, and policies to encourage ADUs, we have also made progress towards fulfilling our affordable housing needs, although, as has been experienced by most cities, the lack of funding for lower-income housing continues to present a significant challenge.

We very much appreciate the efforts and dedication of the HMC in addressing the significant challenges presented by the upcoming 6th Cycle RHNA process. Although we commend the HMC's prior decision to utilize the Plan Bay Area 2050 Households Baseline in the methodology, we would urge reconsideration of the currently proposed methodologies and factors, in order to more appropriately balance the RHNA Statutory Objectives identified in State Law including equity and fair housing goals, as well as those related to efficient growth patterns and GHG reductions.

Methodology options 5A and 6A that will be under consideration by the HMC on September 18, have significant flaws. In particular, both place a disproportionate emphasis on factors that allocate RHNA to high opportunity areas, without consideration of the negative consequences of the resultant land use patterns. The following points reflect our specific concerns regarding the proposed methodology options:

- The options do not adequately address factors related to transit and jobs proximity, and fail to take into account the lack of high-quality transit within the Tri-Valley, and distance from the major employment centers of the South Bay, Oakland, and San Francisco. The methodologies allocate growth in a manner that will promote auto dependency and longer commute times, exacerbate GHG impacts, and run counter to the goals and objectives well-formulated and strongly articulated in the recently released Plan Bay

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Area Blueprint. This is also counter to RHNA Statutory Objective 2: Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns.

- The options push significant housing allocations into the outer ring of Bay Area suburbs, including the Tri-Valley, exacerbating the jobs/housing imbalance, and compelling long commutes to distant jobs centers. Even in our relatively jobs-rich Tri-Valley cities, data shows that many of our residents, today, commute significant distances to work. This comes at a significant cost: not just in negative environmental consequences, but as time spent away from families, and a further strain on household finances, particularly for lower-income households.

- Our smaller cities have limited land area and sites that are candidates for re-zoning. Significant RHNA allocations may have the unintended consequence of causing speculative increases in land values, and create pressure to develop agricultural and open space lands, areas subject to natural hazards, and other sensitive resources.

Given these concerns, we would urge the Committee to reject the current options 5A and 6A, and consider methodology options that emphasize factors and factor weightings that 1) focus housing allocations in areas most proximate to the highest concentrations of jobs, and particularly where jobs growth has outpaced recent housing production (e.g jobs proximity factors); 2) provide realistic allocations that take account of geographic and other constraints to housing development (e.g. urbanized land area factors); and 3) provide residents with access to viable transit and transportation options that do not add to regional congestion, commute times, and household transportation costs (e.g. transit proximity factors).

Thank you for your consideration of these important concerns.

Respectfully,

Karen G. Stepper
Town of Danville
Mayor Karen Stepper

David G. Haubert
City of Dublin
Mayor David Haubert

John Marchand
City of Livermore
Mayor John Marchand

Jerry T. Thorne
City of Pleasanton
Mayor Jerry Thorne

Bill Clarkson
City of San Ramon
Mayor Bill Clarkson

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Tri-Valley Cities

DANVILLE • DUBLIN • LIVERMORE • PLEASANTON • SAN RAMON

September 14, 2020

Mayor Jesse Arreguín, President
Association of Bay Area Governments, Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Dear Board President Arreguín:

On behalf of the Tri-Valley cities of Danville, Dublin, Livermore, Pleasanton, and San Ramon, we are writing to express our concern about the methodology options that will be considered by the Housing Methodology Committee on September 18.

The Tri-Valley Cities (TVC) appreciate the urgency of the statewide housing crisis and the responsibility of local jurisdictions to address this important issue. Each of our five cities has taken significant steps over recent years to facilitate the construction of both market-rate and affordable housing – evidenced by the construction of more than 10,300 new housing units since the start of the last Housing Element cycle – these efforts have made the Tri-Valley one of the fastest-growing regions in the Bay Area and the State. Through dedicated affordable housing projects, application of inclusionary ordinances, and policies to encourage ADUs, we have also made progress towards fulfilling our affordable housing needs, although, as has been experienced by most cities, the lack of funding for lower-income housing continues to present a significant challenge.

We very much appreciate the efforts and dedication of the HMC in addressing the significant challenges presented by the upcoming 6th Cycle RHNA process. Although we commend the HMC's prior decision to utilize the Plan Bay Area 2050 Households Baseline in the methodology, we would urge reconsideration of the currently proposed methodologies and factors, in order to more appropriately balance the RHNA Statutory Objectives identified in State Law including equity and fair housing goals, as well as those related to efficient growth patterns and GHG reductions.

Methodology options 5A and 6A that will be under consideration by the HMC on September 18, have significant flaws. In particular, both place a disproportionate emphasis on factors that allocate RHNA to high opportunity areas, without consideration of the negative consequences of the resultant land use patterns. The following points reflect our specific concerns regarding the proposed methodology options:

- The options do not adequately address factors related to transit and jobs proximity, and fail to take into account the lack of high-quality transit within the Tri-Valley, and distance from the major employment centers of the South Bay, Oakland, and San Francisco. The methodologies allocate growth in a manner that will promote auto dependency and longer commute times, exacerbate GHG impacts, and run counter to the goals and objectives well-formulated and strongly articulated in the recently released Plan Bay Area Blueprint. This is also counter to RHNA Statutory Objective 2: Promoting infill

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development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns.

- The options push significant housing allocations into the outer ring of Bay Area suburbs, including the Tri-Valley, exacerbating the jobs/housing imbalance, and compelling long commutes to distant jobs centers. Even in our relatively jobs-rich Tri-Valley cities, data shows that many of our residents, today, commute significant distances to work. This comes at a significant cost: not just in negative environmental consequences, but as time spent away from families, and a further strain on household finances, particularly for lower-income households.

- Our smaller cities have limited land area and sites that are candidates for re-zoning. Significant RHNA allocations may have the unintended consequence of causing speculative increases in land values, and create pressure to develop agricultural and open space lands, areas subject to natural hazards, and other sensitive resources.

Given these concerns, we would urge the Executive Board to reject the current options 5A and 6A, and consider methodology options that emphasize factors and factor weightings that 1) focus housing allocations in areas most proximate to the highest concentrations of jobs, and particularly where jobs growth has outpaced recent housing production (e.g jobs proximity factors); 2) provide realistic allocations that take account of geographic and other constraints to housing development (e.g. urbanized land area factors); and 3) provide residents with access to viable transit and transportation options that do not add to regional congestion, commute times, and household transportation costs (e.g. transit proximity factors).

Thank you for your consideration of these important concerns.

Respectfully,

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Town of Danville
Mayor Karen Stepper

David G. Haubert
City of Dublin
Mayor David Haubert

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City of Livermore
Mayor John Marchand

Jerry T. Thorne
City of Pleasanton
Mayor Jerry Thorne

Bill Clarkson
City of San Ramon
Mayor Bill Clarkson

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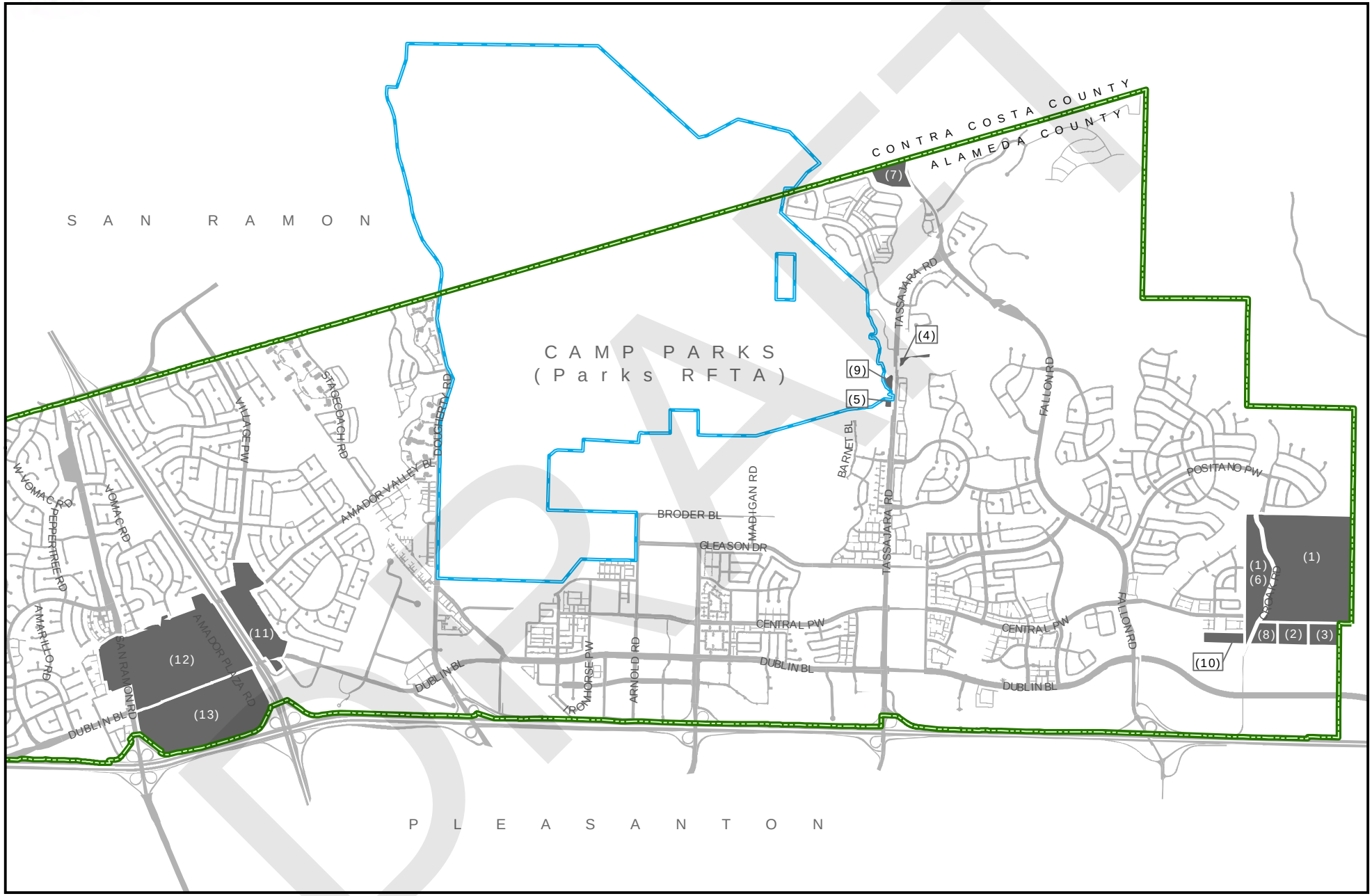
City of Dublin

Attachment 3
Existing Housing Element Sites



Camp Parks RFTA
City of Dublin
City of Dublin, Sphere of Influence
Right of Ways
Existing Housing Element Sites

0 0.25 0.5 1 1.5 Miles

N W E S

2015-2023 Housing Element

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Table of Existing Housing Element Sites

No.	Project	Min. Units	Max. Units	Potential Units	Potential Affordability	GP Land Use	APN	Lot Size (Acres)	Zoning	Min. Density	Max. Density	Potential Density	Existing Use
(1)	Croak	104	692	346	Above Moderate	Low Density	905-0002-002 905-0002-001-01	115.4	PD	0.9	6.0	3.0	Vacant
(2)	Righetti	59	134	77	Above Moderate	Medium Density	905-0001-005-02	9.6	PD	6.1	14.0	8.0	Vacant
(3)	Branaugh	59	136	78	Above Moderate	Medium Density	905-0001-004-04	9.7	PD	6.1	14.0	8.0	Vacant
(4)	Kobold	12	28	16	Above Moderate	Medium Density	985-0072-002	2.0	PD	6.1	14.0	8.0	Rural Homesite
(5)	McCabe	6	14	10	Moderate	Medium Density	986-0028-002	1.0	PD	6.1	14.0	10.0	Single-Family Home
(6)	Croak	63	146	104	Moderate	Medium Density	905-0002-001-01	10.4	PD	6.1	14.0	10.0	Vacant
(7)	Tipper	50	115	82	Moderate	Medium Density	986-0004-01	8.2	PD	6.1	14.0	10.0	Agricultural
(8)	Anderson	99	175	108	Moderate	Medium-High Density	905-0001-006-03	7.0	PD	14.1	25.0	15.4	Vacant
(9)	Beltran / Sperfslage	45	80	64	Moderate	Medium-High Density	986-0003-001-02	3.2	PD	14.1	25.0	20.0	Vacant
(10)	Chen	56	100	80	Moderate	Medium-High Density	985-0027-002	4.0	PD	14.1	25.0	20.0	Vacant
(11)	Village Parkway	-	-	200	Above Moderate	Downtown Dublin – Village Parkway District	-	-	DDZD	None	15.0	-	Varies
(12)	Retail	-	-	400	Lower Income	Downtown Dublin – Retail District	-	-	DDZD	22.0	-	-	Varies
(13)	Transit-Oriented	-	-	891	Lower Income	Downtown Dublin – Transit-Oriented District	-	-	DDZD	30.0	85.0	-	Varies

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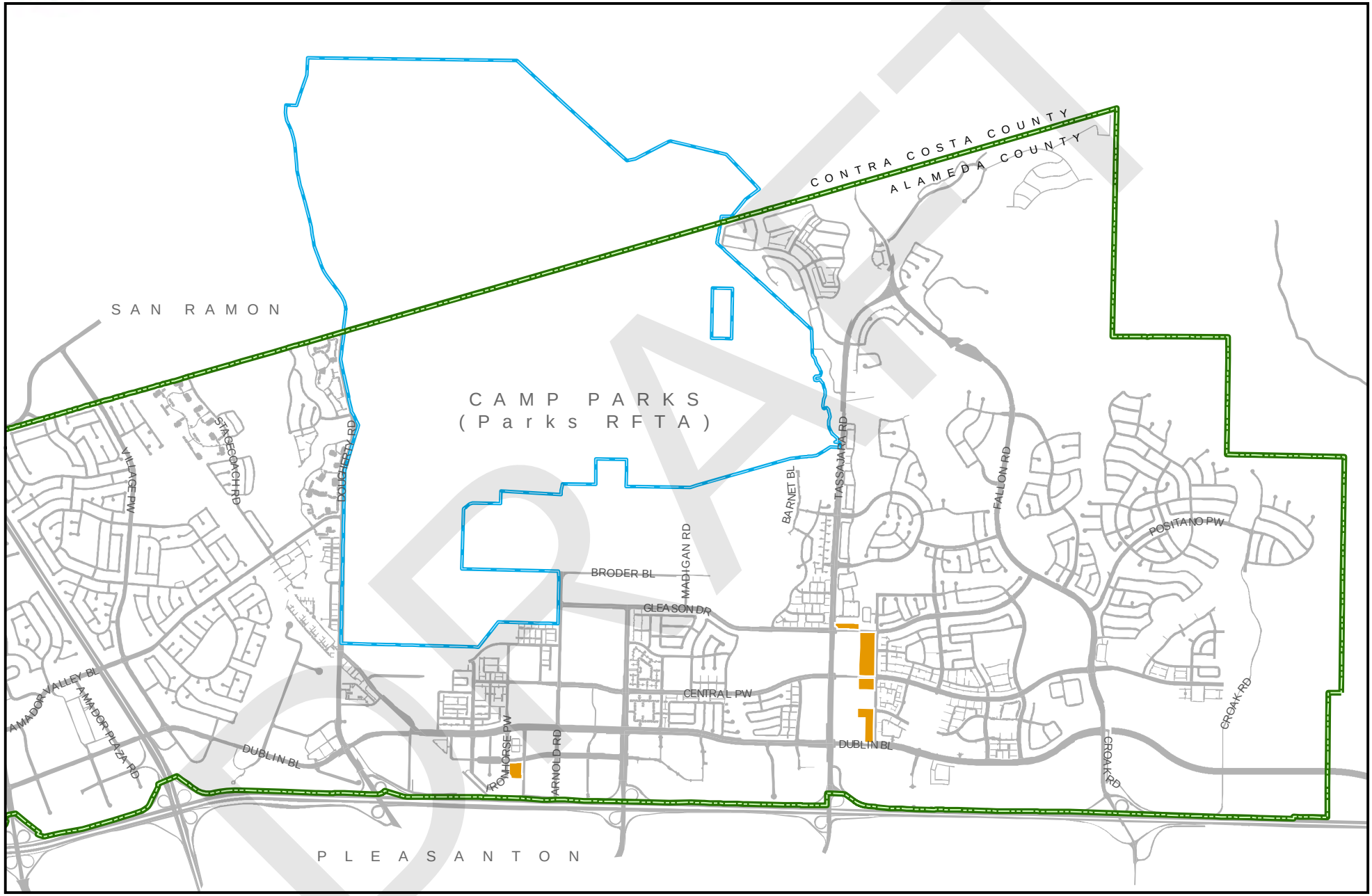
Attachment 4

City of Dublin

Vacant Residential Sites (Not Identified in Current Housing Element)



Camp Parks RFTA
City of Dublin
City of Dublin, Sphere of Influence
Right of Ways
Vacant Residential Sites (Not Identified in Current Housing Element)

0 0.25 0.5 1 1.5 Miles

N W E

2015-2023 Housing Element

Table of Vacant Residential Sites (Not Identified in Current Housing Element)

No.	Address or Name	APN	Lot Size (Acreage)	Potential Units	GP Land Use	Zoning
(1)	At Dublin	985-0051-006-00 985-0052-024-00 985-0052-025-00	12.8	261	Medium Density Residential Medium-High Density Residential High Density Residential	PD
(2)	Dublin Transit Center, Site D-1	986-0034-013-01	2.46	195	Campus Office	PD

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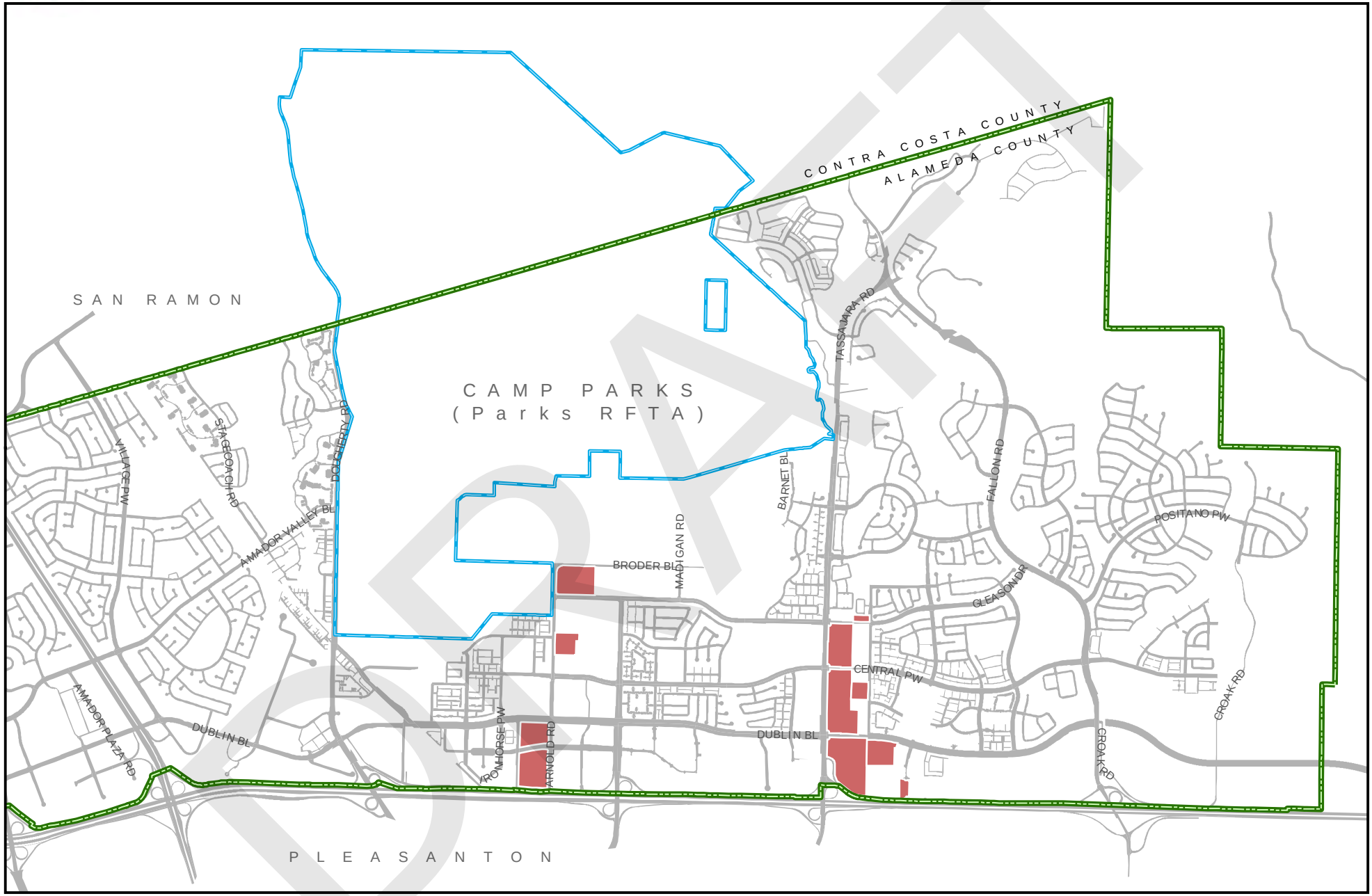
City of Dublin

Attachment 5
Vacant Non-Residential Sites



Camp Parks RFTA
City of Dublin
City of Dublin, Sphere of Influence
Right of Ways
Vacant Non-Residential Sites

0 0.25 0.5 1 1.5 Miles

N W E

2015-2023 Housing Element

Table of Vacant Non-Residential Sites

No.	Address or Name	APN	Lot Size (Acreage)	GP Land Use	Zoning
(1)	At Dublin	985-0051-005-00 985-0051-006-00 985-0052-024-00 985-0052-025-00	67.3	General Commercial Neighborhood Commercial	PD
(2)	Gleason Drive	986-0005-038-01	12.79	Public/Semi-Public Facility	PD
(3)	Dublin Blvd.	985-0061-012-00	8.14	General Commercial	PD
(4)	4020 Grafton Street	985-0061-015-00	2.08	General Commercial	PD
(5)	Dublin Transit Center, Site D-2	986-0034-014-00	6.43	Campus Office	PD
(6)	Dublin Transit Center, Site E-2	986-0034-012-00	7.66	Campus Office	PD
(7)	5751 Arnold Road	986-0014-013-00	5.73	Campus Office	PD

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City of Dublin Housing Element Update
Project Schedule

TASK	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
	2020					2021												2022					
1 PROJECT INITIATION																							
Kick-off Meeting																							
Contract Approval																							
On-going Project Coordination																							
2 REGIONAL HOUSING NEEDS ASSESSMENT																							
Document Review																							
Evaluate Current Housing Element																							
Housing Needs, Constraints, Resources and Profile																							
Housing Policy Plan																							
3 COMMUNITY ENGAGEMENT																							
Community Outreach Plan																							
Online Community Survey																							
Stakeholder Workshops (2)																							
Planning Commission Study Session																							
City Council Check-ins (4)																							
4 DRAFT HOUSING ELEMENT																							
Screencheck Draft																							
Public Review Draft																							
HCD Submittal Draft																							
Response to HCD Comments																							
Final Draft Housing Element																							
5 GENERAL PLAN AMENDMENTS																							
Land Use Element Revisions																							
Codes Amendments - Rezones																							
Safety Element Revisions																							
Environmental Justice Policies																							
6 PLAN ADOPTION																							
CEQA Compliance																							
Public Hearings																							
HCD Certification																							
General Plan Consistency Amendments																							

Kimley-Horn / City Staff
Public Meetings

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City of Dublin Housing Element Update
Project Schedule

TASK	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
	2020					2021												2022					
1 PROJECT INITIATION																							
2 REGIONAL HOUSING NEEDS ASSESSMENT																							
3 COMMUNITY ENGAGEMENT																							
4 DRAFT HOUSING ELEMENT																							
5 GENERAL PLAN AMENDMENTS																							
6 PLAN ADOPTION																							

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E.6 City Council Meeting #3

This Section contains materials prepared for the City Council meeting on June 15, 2021.

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Agenda Item 7.1

STAFF REPORT
CITY COUNCIL

DATE: June 15, 2021

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Draft Regional Housing Needs Allocation Appeal Framework
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

Each California city and county must update their General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. State law mandates updates to the Housing Element, which plan for a city or county's Regional Housing Needs Allocation, no later than January 2023 for the 2023-2031 planning period. On May 20, 2021, the ABAG Executive Board approved the Final Regional Housing Needs Allocation Methodology and Draft Allocation. The Draft Allocation assigns 3,719 units of housing to the City of Dublin. A jurisdiction may file an appeal of the Draft RHNA by July 9, 2021. Staff will present the City Council with the proposed framework for an appeal of the City's Draft Regional Housing Needs Allocation.

STAFF RECOMMENDATION:

Provide feedback and direct Staff to submit an appeal of the City's Draft Regional Housing Needs Allocation.

FINANCIAL IMPACT:

None.

DESCRIPTION:

Background

Housing Element Update
Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law, enacted in 1969, mandates local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic

segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process. The Housing Element must be updated and then certified by the California Department of Housing and Community Development (HCD) by January 2023 for the 2023-2031 planning period.

Regional Housing Needs Allocation

The Housing Methodology Committee (HMC) is an advisory committee to the Association of Bay Area Governments (ABAG) composed of elected officials, local jurisdiction staff members, and stakeholders. The HMC was tasked with creating a methodology for distributing the Regional Housing Needs Determination (RHND) across the local jurisdictions in the nine-county Bay Area. Distribution of the RHND results in each jurisdiction's RHNA, which is the total number of housing units the jurisdiction must plan for in the next Housing Element update. State law provides a series of statutory objectives that must be met in the RHNA methodology, including increasing affordability in an equitable manner, improving the balance between low-wage jobs and lower-income housing (jobs-housing fit), and addressing equity and fair housing. The statute also requires consistency between the RHNA and regional plans, such as Plan Bay Area 2050.

On June 10, 2020, HCD released the RHND for the Bay Area, which identified 441,176 units (2.35 times the 187,990 units required in the current RHNA cycle). Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low, low, moderate, and above-moderate income).

The HMC met from October 2019 to September 2020 to develop a RHNA methodology. On September 14, 2020, the Tri-Valley communities of Dublin, Danville, Livermore, Pleasanton, and San Ramon submitted joint letters to the HMC and ABAG Executive Board expressing concerns with the RHNA methodology under consideration and recommended a methodology that: 1) focuses housing allocations in areas with the highest concentrations of jobs; 2) takes account of geographic and other constraints to housing development; and 3) provides residents with access to viable transit and transportation options. On September 18, 2020, the HMC forwarded a recommended methodology to the ABAG Executive Committee without making modifications to address the concerns expressed by the Tri-Valley communities.

On November 17, 2020, the City submitted a letter to the ABAG Executive Board again expressing concerns that the RHNA methodology: 1) does not adequately address job-housing proximity; 2) promotes auto dependence; 3) exasperates the jobs-housing imbalance; and 4) fails to consider progress made during current RHNA cycle. On January 21, 2021, the ABAG Executive Board approved the Draft RHNA Methodology without making modifications to address the City's concerns and submitted the draft methodology to HCD for review. Subsequently, on April 12, 2021, HCD sent a letter to ABAG confirming the Draft RHNA Methodology furthers the RHNA objectives.

On May 20, 2021, the ABAG Executive Board, by a vote of 20-10, approved the Final RHNA Methodology and Draft Allocations. The Draft Allocation assigns 3,719 units of housing to the City of Dublin. Table 1 shows the City's Draft Allocation by household income category for the 2023 – 2031 planning period:

Table 1. Dublin's 2023-2031 Draft Allocation					
	Very Low	Low	Moderate	Above Moderate	Total
Draft RHNA	1,085	625	560	1,449	3,719

Draft RHNA Appeals Procedures

Pursuant to the Government Code, any local jurisdiction within the ABAG region may file an appeal to modify its Draft Allocation or another jurisdiction's Draft Allocation included as part of ABAG's Draft RHNA Plan. Additionally, HCD may also file an appeal to the Draft Allocation(s) of one or more jurisdictions. The Appeals Procedures established by ABAG are provided as Attachment 1 and provide fairly narrow grounds for filing an appeal. It is important to note that the basis for an appeal is limited to the allocation and not the methodology used to determine that allocation. Appeals must be submitted to ABAG using the prescribed RHNA Appeal Request Form by 5:00 p.m. on July 9, 2021.

Appeals may be brought on one of the following three grounds:

1. ABAG failed to adequately consider information submitted in the local jurisdiction survey.
2. ABAG did not determine the jurisdiction's allocation in accordance with its adopted methodology and in a manner that furthers, and does not undermine, the RHNA objectives.
3. A significant and unforeseen change in circumstances has occurred in the local jurisdiction or jurisdictions that merits revision of information submitted as part of the local jurisdiction survey. Appeals on this basis shall only be made by the jurisdiction or jurisdictions where the change in circumstances has occurred.

The following outlines the key dates in the RHNA appeals process:

- July 9, 2021: Deadline for jurisdictions and HCD to file an appeal of Draft Allocations.
- August 30, 2021: Deadline for jurisdictions and HCD to comment on appeals submitted.
- September - October 2021: ABAG Administrative Committee considers appeals (includes public hearing). ABAG will provide a minimum of 21 days' notice to jurisdictions in advance of the appeals hearing.
- October or November 2021: ABAG ratifies written final determination of each appeal and issues Final Allocations that include adjustments from successful appeals. If the total of successfully appealed units is less than 7% of the RHND (30,882 units), then ABAG shall redistribute the units proportionately. If the successfully appealed units is more than 7% of the RHND, then ABAG may develop its own methodology to redistribute the units.
- November or December 2021: ABAG Executive Board will conduct a public hearing and adopt Final RHNA Plan.

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Appeals in Other Councils of Government

During the 6th Cycle Housing Element Update, three other Councils of Government have already completed their Regional Housing Needs Allocation process. To provide context to the appeals process and to learn from past successes, Staff reviewed the appeals filed in these jurisdictions. Following is a summary of the appeals outcomes for other Councils of Government:

- Sacramento Area Council of Governments (SACOG): No appeals filed.
- San Diego Association of Governments (SANDAG): Four appeals were filed with only one partially upheld, affecting 135 units. The City of Coronado successfully argued the jobs data used in the methodology was not verified and the City had different military housing data. This resulted in an increase to the allocation for the City of Coronado and an increase to the allocation for the City of Imperial Beach and the City of San Diego.
- Southern California Association of Governments (SCAG): Forty-eight appeals were filed with only two partially upheld. The County of Riverside successfully argued that they do not have land use authority over the projected growth from the March Joint Powers Authority, where 215 units were projected. The City of Pico Rivera successfully argued there is a lack of available land suitable for residential use since the City lies within a flood inundation area, due to the potential failure and/or spillway path of the Whittier Narrows Dam, resulting in a reduction of their total allocation from 3,939 units to 1,024 units.

Analysis

The following illustrates the proposed framework for an appeal of Dublin's RHNA. This framework follows the grounds for an appeal as specified in the Appeals Procedures provided by ABAG and noted above and included in Attachment 1.

- Past Performance and Lack of Suitable Land (Appeal Grounds 1.b.ii): From 2010 to 2019, Dublin's population increased from 46,036 to 66,147, a 44% increase, making Dublin one of the fastest growing cities in California during that timeframe, due to significant steps taken to facilitate the construction of both market-rate and affordable housing. During the current RHNA cycle, the City has issued building permits for the construction of 4,396 dwelling units compared to our allocation of 2,285 units. Specifically, as of May 31, 2021, the City has issued permits for 4,252 above-moderate income, 79 moderate income, 39 low-income, and 26 very low-income units. The City has an additional 2,682 units in the project pipeline, further limiting available land suitable for development. Additionally, Dublin is different from many other communities in the Bay Area, since a significant portion of the City is comprised of new construction, which is not appropriate for redevelopment opportunities.

- Water Supply and Drought (Appeal Grounds 1.b.i and 3): Zone 7 Water Agency supplies drinking water to local water retailers. The Dublin San Ramon Services District (DSRSD) is the local water retailer for the City of Dublin. DSRSD contracts with Zone 7 to provide the water supply that services Dublin residents. This 30-year contract expires in 2024.

Zone 7's water supply has two major components: 1) incoming water supplies available through contracts and water rights each year, and 2) accumulated water supplies in storage derived from previous years. Incoming water supplies typically consist of annually allocated imported surface water supply and local surface water runoff. Accumulated or "banked" water supplies are available in local and non-local storage locations.

The Department of Water Resources operates the State Water Project (SWP). The SWP is by far Zone 7's largest water source, providing approximately 90% of the treated water supplied to its customers on an annual average basis. Zone 7 anticipates future supply deficits as SWP reliability continues to decline and Zone 7's service area population grows.

DSRSD's recently prepared the Draft 2020 Urban Water Management Plan, dated May 2021. The Urban Water Management Plan acknowledges that Dublin could experience problems due to an expiring water supply contract, dependence on imported water sources, and increased demand.

Additionally, the Department of Water Resources indicates "drought is best defined by its impacts on a particular class of water users in a particular location. In this sense, drought is a very local circumstance." As discussed above, Dublin obtains the majority of its water from imported sources. Therefore, drought conditions throughout California could have significant impacts on access to water resources for the Dublin community. While drought could have an impact on the entire region, the extent of those impacts is unknown at this time. However, drought conditions could be more impactful on communities, like Dublin, which source water from the delta. Water supplied from the delta is more susceptible to problems due to endangered species and increased use by the agricultural industry.

An expiring contact, dependence on imported water sources, increased demand, and the drought could create a challenge to provide water service for existing and planned growth. This challenge could be compounded by the additional burden resulting from further growth induced by RHNA.

- Population Decrease (Appeal Grounds 2 and 3): California's population dipped by approximately 182,000 residents last year, bringing the state's total to approximately 39,466,000 people as of January 1, 2021, according to new population estimates and housing data released by the California Department of Finance on May 7, 2021. This reduction of 0.46% represents the first 12-month decline since state population estimates have been recorded. Locally, Dublin's population decreased from 65,161 to 64,695, a decrease of 466 residents or 0.7%. Dublin's population decline was more than 1.5 times the State average. If the declining population trend continues, it could translate to decreased households in 2050, which is a factor used for calculating the City's allocation.

- Overcrowding (Appeal Grounds 1.b.g and 2): According to the Embarcadero Institute, the Department of Finance (DOF) factors overcrowding and cost-burdening into their household projections. These projections are developed by multiplying the estimated population by the headship rate (the proportion of the population who will be head of a

household). The DOF, in conjunction with HCD, uses higher headship rates to reflect optimal conditions and intentionally "alleviate the burdens of high housing cost and overcrowding." The Embarcadero Institute report asserts that Senate Bill 828 caused the state to double count the overcrowding numbers, resulting in an increase of approximately 104,000 units throughout the Bay Area. If correct, this could have inflated the projected housing need in Dublin by 877 units when compared to the percentage of the Bay Area's RHND the City was allocated.

- Vacancy Rate (Appeal Grounds 2): According to the Embarcadero Institute, Senate Bill 828 wrongly assumed a 5% vacancy rate in owner-occupied housing is healthy. Government Code 65584.01(b)(1)(E) specifies a 5% vacancy rate applies only to the rental housing market. In the U.S. homeowner vacancy has hovered around 1.5% since the '70s, briefly reaching 3% during the foreclosure crisis. This incorrect assumption erroneously projected a need for approximately 59,000 additional units throughout the Bay Area. This could have inflated the housing need in Dublin by 497 units, when compared to the percentage of the Bay Area's RHND the City was allocated.

- High Opportunity Areas (Appeal Grounds 2): With the Final RHNA Methodology, ABAG allocates more housing units to jurisdictions with a higher percentage of households living in areas labelled High Resource or Highest Resource on the 2020 Opportunity Map. The Opportunity Map, prepared by HCD and the California Tax Credit Allocation Committee (TCAC), stems from HCD's policy goals to avoid further segregation and concentration of poverty and to encourage access to opportunity through affordable housing programs. The map uses publicly available data sources to identify areas in the state where characteristics have been shown by research to support positive economic, educational, and health outcomes for low-income families. The majority of Dublin is labelled High Resource or Highest Resource on the 2020 Opportunity Map.

  However, according to the 2019 American Community Survey, 61.1% of the Dublin population racially identify as minorities or multi-racial. By relying on the 2020 Opportunity Map and not factoring demographic data, more housing is allocated to Dublin compared to other jurisdictions throughout the area. This methodology detracts from HCD's policy goal to promote diversity since more housing must be planned in Dublin, rather than in more segregated portions of the Bay Area, thus prioritizing economics over racial diversity.

  Facilitating the production of housing for lower income households in high opportunity areas is laudable. However, the Draft RHNA assigns 1,449 above-moderate income units to Dublin. Above-moderate income units are effectively market rate housing. While in general, additional units have the potential to further diversity goals, assigning more market rate housing to Dublin does not achieve the stated purpose of providing affordable housing and access to opportunity for lower-income households. This methodology also fails to acknowledge the City's past performance in the above-moderate income category. During the current RHNA cycle the City has already issued permits for 4,252 above-moderate income units, thus exceeding the current RHNA allocation of 618 units by 688% in the

above-moderate income category. Requiring the City to plan for an additional 1,449 above-moderate income units ignores Dublin's past production and unfairly burden's Dublin with providing more of the region's share of market rate housing.

- Coronavirus Pandemic (Appeal Grounds 3): The Coronavirus pandemic has significantly altered the way our job sector operates by increasing telecommuting options and decreasing reliance on traditional office space. By decreasing the demand for office space, the Bay Area's major employment centers of the South Bay, Oakland, and San Francisco have more available, suitable land and can replace office space with housing, in turn decreasing the demand for housing in outer suburban areas such as Dublin. The increased telecommuting options also provide opportunities for workers to live outside the Bay Area. Thus, having the potential to further reduce the need for additional housing in the Bay Area.

  Additionally, the pandemic significantly decreased public transit ridership, which will transform where Bay Area residents will live, work, and travel. Some experts argue that transit operators in need of riders and revenue will never fully recover, thus increasing the use of single-occupancy vehicles and its associated traffic and environmental impacts. In Dublin, approximately 60% of greenhouse gas emissions come from the transportation sector. To offset these impacts and meet the State and region's greenhouse gas emissions targets, provided by the State Air Resources Board, it is more crucial than ever to ensure the Regional Housing Needs Allocation promotes a jobs-housing balance, as public transportation may become a less reliable commute alternative.

- Land Use Authority (Appeal Grounds 2): The City does not have land use authority over the Parks Reserve Forces Training Area (Camp Parks) or the United States Department of Justice. Both locations should not be used for calculating the City's Draft Allocation.

Staff is seeking feedback and direction from the City Council on the proposed framework to use as the basis for filing an appeal of Dublin's RHNA. With direction from the City Council, Staff will prepare and file a timely appeal by the July 9, 2021 deadline.

ENVIRONMENTAL DETERMINATION:

The informational report on the Housing Element Update and Regional Housing Needs Allocation is exempt from the requirements of the California Environmental Quality Act (CEQA).

STRATEGIC PLAN INITIATIVE:

Strategy 3: Create More Affordable Housing Opportunities.
Objective E: Update the City's General Plan Housing Element in accordance with state law and to ensure an adequate supply of sites to accommodate the City's Regional Housing Needs Allocation for the period 2023-31.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) ABAG 2023-2031 RHNA Cycle Appeals Procedures

DRAFT

E.7 City Council Meeting #4

This section contains materials prepared for City Council meeting on November 2, 2021.

DRAFT

Agenda Item 3.1

STAFF REPORT
CITY COUNCIL

DATE: November 2, 2021

TO: City Council

SUBJECT: Status Report on the Housing Element Update, Regional Housing Needs Allocation, and Preliminary Sites Inventory
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

The City Council will receive a status report on the Housing Element Update, Regional Housing Needs Allocation, and Preliminary Sites Inventory. Each California city and county must update its General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. Dublin's current Housing Element is for the 2014-2022 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023-2031 planning period. Staff is seeking feedback from the City Council on policy direction about the Preliminary Sites Inventory. Following the meeting, Staff will finalize the sites inventory and incorporate it into the draft Housing Element for consideration by the City Council at a future public hearing.

STAFF RECOMMENDATION:

Receive the report and provide feedback on the Housing Element Update.

FINANCIAL IMPACT:

In July 2020, the City Council approved a consulting services agreement between the City and Kimley-Horn to assist Staff with preparation of the Housing Element Update. Kimley-Horn's contract amount is $403,000. The City's Fiscal Year 2021-22 Budget sufficiently covers this cost. The cost to prepare the Housing Element Update will be offset by grants totaling $401,436, including $55,000 from an approved Senate Bill 2 Planning Grant, $300,000 from the Local Early Action Planning (LEAP) Grant Program, and $46,436 via the Regional Early Action Planning (REAP) Grant Program.

DESCRIPTION:

Background

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law, enacted in 1969, mandates that

local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process.

The City's current Housing Element covers the period of 2014-2022. The Housing Element must be updated and then certified by the California Department of Housing and Community Development (HCD) by January 2023 for the 2023-2031 planning period.

Regional Housing Needs Allocation

The Association of Bay Area Governments (ABAG) is responsible for creating a methodology for distributing HCD's Regional Housing Needs Determination (RHND) across the local jurisdictions in the nine-county Bay Area. Distribution of the RHND results in each jurisdiction's RHNA, which is the number of housing units the jurisdiction must plan for in the next Housing Element update. State law provides a series of statutory objectives that must be met in the RHNA methodology, including increasing affordability in an equitable manner, improving the balance between low-wage jobs and lower-income housing (jobs-housing fit), and addressing equity and fair housing. The statute also requires "consistency" between the RHNA and regional plans, such as Plan Bay Area.

On June 10, 2020, HCD released the RHND for the Bay Area, which identified 441,176 units (2.35 times the 187,990 units required in the current RHNA cycle). Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low-, low-, moderate-, and above-moderate-income).

On January 21, 2021, the ABAG Executive Board approved the Draft Regional Housing Needs Allocation (RHNA) Methodology and submitted the draft methodology to HCD for review. On April 12, 2021, HCD confirmed the Draft RHNA Methodology furthers the RHNA objectives.

On May 20, 2021, the ABAG Executive Board approved the Final Methodology and Draft Allocation, which assigns 3,719 units of housing to the City of Dublin. Table 1 shows the City's Draft Allocation by household income category for the 2023 – 2031 planning period:

Table 1. Dublin's 2023-2031 Draft Allocation

	Very-Low-	Low-	Moderate-	Above-Moderate-	Total
Draft Allocation	1,085	625	560	1,449	3,719

On July 9, 2021, the City filed an appeal of the Draft Allocation of 3,719 units based on direction of the City Council with emphasis on past performance and lack of suitable land, as well as the properties where the City does not have land-use authority. ABAG received appeals from 28 jurisdictions, including the City of Dublin. Based on the number of appeals filed, the ABAG Administrative Committee considered appeals on six dates in September and October 2021. The

City's appeal was heard by the ABAG Administrative Committee on September 24, 2021, and the Committee unanimously voted to preliminarily deny the City's appeal.

ABAG is anticipated to ratify the final determination of each appeal and issue Final Allocations that include adjustments from successful appeals in November 2021. If the total number of successfully appealed units is lower than 7% of the RHND (30,882 units), then ABAG shall redistribute the units proportionately. If the number is higher than 7% of the RHND, then ABAG may develop its own methodology to redistribute the units. The ABAG Executive Board will then conduct a public hearing and adopt the Final RHNA Plan in December 2021.

Preliminary Sites Inventory

The Housing Element must include an inventory of specific sites or parcels that are available for residential development to meet the RHNA. Land suitable for residential development must be appropriate and available for residential use in the planning period. Characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., susceptibility to flooding, slope instability or erosion, and environmental considerations) and location (proximity to transit, job centers, and public or community services). Land suitable for residential development includes vacant sites that are zoned for residential development, underutilized sites that are zoned for residential development and capable of being redeveloped at a higher density or with greater intensity, and vacant and underutilized sites that are not zoned for residential development, but can be redeveloped for, and/or rezoned for, residential use.

On October 6, 2020, the City Council received a report on the Housing Element Update and RHNA. This included an overview of the framework for selecting sites to include in the Preliminary Sites Inventory. The City Council was generally supportive of evaluating the options presented by Staff and gave direction to include sites from the current Housing Element with by-right development rather than increase the minimum density as further discussed below.

Existing Sites

Staff prepared a Preliminary Sites Inventory to accommodate the Draft RHNA of 3,719 units. This inventory prioritizes pipeline projects, accessory dwelling units, and existing zoning to accommodate the RHNA before looking to rezone additional sites. Refer to Attachment 1 for a map of existing sites. The following describes these components of the Preliminary Sites Inventory:

- Pipeline Projects: Pipeline projects are those that are at any stage within the City's entitlement process or under construction as of December 15, 2022, but that have not obtained a certificate of occupancy. An estimated 2,723 units are in the pipeline, including 266 very-low, 128 low, 202 moderate, and 2,127 above-moderate units. Staff made these estimates based upon approved entitlements, pending applications, and City Staff knowledge of forthcoming projects and inquiries with prospective applicants. It is noteworthy that the pipeline projects exceed the City's allocated above-moderate-income units. Refer to Attachment 2 for a list of these projects.
- Accessory Dwelling Units: Staff anticipates that the Site Inventory will include 149 very low-, 82 low-, and 17 moderate-income accessory dwelling units (ADUs). HCD's recent Housing Element certifications have allowed ADUs to be included in the Sites Inventory at a

rate of two times the average ADUs built annually from 2018 – 2021 and multiplied that by eight years to estimate ADU development for 2023 – 2031. Using this methodology, approximately 248 ADUs are included in the Preliminary Sites Inventory. ADU quantity and affordability level estimates are tentative based on recent Housing Element certifications. In the Bay Area, the actuals are likely to be based on ABAG's methodology in development for approval by HCD and use by local jurisdictions. ABAG's methodology is anticipated to be similar to the methodology approved by HCD in other certifications, which is based upon market conditions for ADUs rented in the region. HCD may perform a review of ADU production (based on Annual Progress Reports) two years into this next planning period and jurisdictions may need to identify additional sites if the ADU projections are not being met. Unlike other units, the location of anticipated ADUs do not need to be mapped in the Preliminary Sites Inventory.

- Existing Zoning: The City can take credit in the Preliminary Sites Inventory for existing zoning capacity as discussed below.
    - 5th Cycle Moderate-Income Sites: Staff has identified eligible sites from the current Housing Element that can be included in the Site Inventory to accommodate 252 moderate-income units. State law limits a jurisdiction's ability to re-use certain sites from the prior RHNA cycle. Those limits only apply to sites used to meet the lower-income categories. See below. A number of 5th Cycle Sites were designated as moderate or above-moderate-income sites, since they do not meet the minimum density of 30 dwelling units per acre required to count for lower-income categories. These sites can accommodate 252 units.
    - Public/Semi-Public Sites: Two Public/Semi-Public Sites in Eastern Dublin can accommodate 134 lower-income units. On June 15, 2021, the City Council adopted a General Plan and Eastern Dublin Specific Plan Amendment to change the land use designation of 2.5 acres of the GH PacVest and 2.0 acres of the East Ranch properties from Semi-Public to Public/Semi-Public. This amendment allows a broader range of uses, including the potential for affordable housing developed by a non-profit entity. These sites can accommodate 134 lower-income units, as the allowed densities exceed 30 units per acre.
    - Downtown Dublin Development Pool: Within the Downtown Dublin Specific Plan, 828 units remain in the Development Pool and, if the Housing Element meets certain requirements, the Sites Inventory for the lower-income categories may include 828 lower-income units in Downtown Dublin. Non-vacant sites that were identified in a prior Housing Element may not be counted towards RHNA unless: (a) the sites are zoned to allow up to 30 dwelling units per acre (they are) and (b) the Housing Element requires the sites be rezoned by 2026 "to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households." A "use by right" is one in which the use does not require "a conditional use permit, planned unit development permit, or other discretionary local government review or approval" that would be subject to CEQA review, although it specifically allows for design review. In October 2020, the City Council gave direction to prioritize reusing such sites rather than up-zoning other property. These units in the Development Pool could be counted as lower-

income units if the City commits in the Housing Element to rezone the sites within 3 years to allow as a use by right housing developments in which at least 20% of the units are affordable to lower income households.

Table 2 below details how the various proposed components of the Preliminary Sites Inventory above would reduce the City's RHNA and require that the inventory include a site or sites that could accommodate 247 lower-income units.

Table 2. Dublin's Remaining Need				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Draft Allocation	1,710	560	1,449	3,719
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	786	42	-	828
Remaining Need	247	(18)	(695)	247

To minimize the number of additional sites needed to accommodate the RHNA, Staff prepared an inventory scenario that assumes 100% of the units produced on the Public/Semi-Public sites and in Downtown Dublin would be affordable to lower-income households. This approach avoids the need to identify a significant number of additional sites that would need to be rezoned at densities of at least 30 units per acre.

On the other hand, this approach would create certain consequences under the "No Net Loss" law (Government Code § 65863) that are important considerations. Among other things, the "No Net Loss" requires a jurisdiction, if it approves a project on a site included in the Site Inventory with fewer than the number of lower-income units identified in the inventory, to identify additional sites to continue to accommodate the RHNA by income level. It is unlikely that 100% of the units actually produced on the Downtown Dublin sites would be affordable to lower-income households. The Public/Semi-Public Sites are likely to develop with affordable housing because the land use designation only allows residential uses if developed by "a non-profit entity and serves to meet affordable housing needs or the housing needs of an underserved economic segment of the community."

Therefore, if the actual development of these Downtown Dublin sites includes all or some portion of market rate units, the City will be required to identify new sites – within 180 days of the project approval – to accommodate the lower-income units that were included on the sites in the inventory. Quickly completing such an identification may be a difficult undertaking.

The City could limit this consequence of the "No Net Loss" law by assuming that a lower percentage of the units would be affordable to lower-income households. However, such an

alternative approach would require the Housing Element to include an increased number of sites in the Sites Inventory and would increase the overall number of units planned in the community.

Given the significant policy implications of either approach, Staff believes it prudent for the City Council to consider both approaches. Tables 3 and 4 below illustrate two affordability scenarios for the units in the Downtown: 100% and 50% affordable. The 100% affordable scenario could accommodate all but 247 RHNA units using existing sites. Alternatively, the 50% scenario can accommodate all but 644 RHNA units using existing sites. Both scenarios show a surplus of above-moderate-income units, since the Pipeline Projects exceed the City's allocated above-moderate-income units, and the 50% scenario assumes half the units in the Downtown are affordable and half are above-moderate-income units.

Table 3. Remaining Need with Downtown 100% Affordable Scenario				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Downtown Dublin	786	42	-	828
Remaining Need	247	(18)	(695)	247

Table 4. Remaining Need with Downtown 50% Affordable Scenario				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Downtown Dublin	389	25	414	828
Remaining Need	644	(1)	(1,109)	644

It should be noted that the 100% scenario (Table 3) clusters most of the lower-income RHNA units in the Downtown. This approach further assumes that all remaining units in the Downtown Development Pool (i.e., 828 units) would be lower-income units. These units would be in addition to the 839 already existing and planned lower-income units in the Downtown.

As an additional consideration, this Housing Element cycle includes for the first time an express requirement the Housing Element "affirmatively further fair housing." Affirmatively furthering fair housing means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities." These new statutory obligations charge all public agencies with broadly examining their existing and future policies, plans, programs, rules, practices, and related activities and make proactive changes to promote more inclusive communities. Concentrating affordable housing in the Downtown has benefits, such as promoting transit-oriented development, decreasing household transportation expenses, and decreasing greenhouse gas emissions; however, HCD and others may argue that concentrating affordable housing in one area is inconsistent with the obligation to affirmatively further fair housing.

Additional Sites
As discussed above, the City would have to include an additional 247 or 644 units in the Sites Inventory, depending on the level of affordability as illustrated in the two scenarios above (Tables 3 and 4). This section addresses the potential "additional sites" that could accommodate the remaining need.

All of the remaining need is in the "lower income" category, which requires sites allow "at least 30 units per acre." To satisfy the additional remaining need, the City will need to amend the General Plan and/or rezone additional sites to accommodate these units. For each of these additional sites, Staff and the consultant assigned a potential density between 30 and 85 units per acre. The proposed densities are based on other similar existing sites/developments in Dublin. The assigned density for the additional sites could be adjusted based on direction from the City Council. Refer to Attachment 3 for a map of the additional sites.

Staff has identified the following properties that could accommodate the remaining units:

- Development Pool Amendment: The City could amend the Downtown Dublin Specific Plan to increase the Downtown Development Pool. This action would be consistent with the Downtown Dublin Preferred Vision which contemplates the need for additional units to support the transition of Dublin Place and Dublin Plaza over the term of 30-50 years. Such changes could accommodate between 1,200 - 2,200 lower-income units. The City can maintain the Downtown Development Pool after the Housing Element Update.
- Alameda County Surplus Properties: The General Plan land use designation for the remaining 13.35-acre undeveloped sites at the Transit Center (Sites D-2 and E-2) is currently Campus Office. If developed at a density of 85 units per acre, which is consistent with the existing development at the Transit Center, such as Avalon at Dublin Station and Dublin Station by Windsor, then these sites could accommodate up to 1,133 lower-income units, not including the southern portion of Site D-2 where the Westin Hotel is approved.
- SCS Property: The SCS Property is the vacant 76.9-acre property located north of I-580 between Tassajara Road and Brannigan Street and extending to the north of Gleason Drive. The existing General Plan and EDSP assume residential development of 261 units. This site is the subject of a General Plan Amendment Study. The City Council directed Staff to work with the property owner to conduct a community outreach process to gather input on the future use and development of the property. That process is underway and the number of residential units on this site has not yet been determined.
- Hacienda Crossings: Rezoning a portion of Hacienda Crossings for mixed-use development at a minimum density of 48 units per acre could accommodate up to 1,839 lower-income units. Staff preliminarily envisions such density to result in a product like the Waterford Place Apartments, while balancing other impacts such as traffic and parking.
- North Side of Dublin Boulevard: Rezoning the commercial sites on the north side of Dublin Boulevard, between Dublin Court and Clark Avenue to a minimum density of 30 du/acre could accommodate up to 548 lower-income units. This density would be consistent with the existing Tralee Apartments located in the vicinity and meets the minimum density requirement to qualify as lower-income units. Additionally, the Tralee

Apartments could be cited as an example to HCD about the viability of these properties being redeveloped.

- IKEA Site: Rezoning approximately seven acres of the Ikea site not slated for the IKEA store to a minimum density of 48 units per acre could accommodate approximately 315 lower-income units. This density would be like that of the Waterford Place Apartments, which is the density Staff preliminarily envisions could be accommodated on this site, while balancing other impacts and development standards, such as traffic and parking.
- Hexcel Corporation Site: The Hexcel Site, located at 11711 Dublin Boulevard directly west of the Dublin Historic Park and Museums, comprises two parcels totaling 8.95 acres. Hexcel will be relocating from this site which is currently available for sale. The entire site has a General Plan Land Use of Business Park/Industrial. Both parcels are in the Dublin Village Historic Area Specific Plan and have a Business Park/Industrial land use. The eastern portion of the site is zoned Light Industrial (M-1) and the western portion of the site has Planned Development Zoning that allows Commercial-Office (C-O) uses. If the site is redeveloped at a minimum density of 30 units per acre, then 264 lower-income units could be accommodated. This density was selected as it meets the minimum density requirement to qualify as lower-income units.

Table 5 below summarizes the potential sites to accommodate Dublin's remaining need of 247 or 644 units, depending on the level of affordability as illustrated in the two scenarios:

Table 5. Potential Sites to Accommodate Remaining Need	
Site	Potential Number of Units
Development Pool Amendment and Retail District Up-Zoning	1,200 - 2200 units
Alameda County Surplus Properties	1,133 units
SCS Property	TBD
Hacienda Crossings	1,839 units
North Side of Dublin Boulevard	548 units
Ikea Site	315 units
Hexcel Corporation Site	264 units

When selecting "Additional Sites," notable factors and characteristics to consider include, but are not limited to, the following:

- Proximity to Public Transit and Vehicle Miles Traveled
- Displacement of Existing Uses
- Probability of Redevelopment
- Mix of Compatible Uses
- Site Constraints
- The extent to which a particular site affirmatively furthers fair housing

Tables 6 and 7 illustrate potential options to accommodate the remaining RHNA units again using the assumption that either 100% or 50% of the units on these sites are produced as affordable units. Simply for illustrative purposes, Table 6 adds 247 units at the Transit Center. Table 7 adds 450 units at the Transit Center and 194 units at Hacienda Crossings.

Table 6. Preliminary Sites Analysis Example (100% Affordable Scenario)				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	786	42	-	828
Alameda County Surplus Properties	247	-	-	247
Total	1,710	578	2,144	4,432

Table 7. Preliminary Sites Analysis Example (50% Affordable Scenario)				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	389	25	414	828
Alameda County Surplus Properties	450	-	450	900
Hacienda Crossings	194	-	194	388
Total	1,710	561	3,202	5,473

As shown in Table 6 above, the 100% affordable scenario would result in 4,432 units, including 713 more units than the City's Draft Allocation. Most of that excess includes 678 above-moderate-income units in the project pipeline. This option still relies on all remaining units in the Downtown Development Pool to satisfy a portion of the lower-income category. However, this reliance on the units in the Downtown could be reduced by increasing the number of lower-income units placed on the Alameda County Surplus Properties.

As shown in Table 7 above, the 50% affordable scenario would result in 5,473 units, including 1,754 more units than the City's Draft Allocation. That excess above our Draft Allocation primarily includes above-moderate-income units in the project pipeline, Downtown Dublin, Alameda County Surplus Properties, and Hacienda Crossings. This results from the assumption that only 50% of the

units on those sites would be affordable. This scenario would reduce the clustering of lower-income units in the Downtown by only relying on approximately half of the current Development Pool to satisfy the lower-income categories.

Staff seeks feedback from the City Council on the following questions:

1. What percentage of planned units should be assumed as affordable on opportunity sites? Should Staff assume 100%, 50%, or a different percentage of affordable units?
2. Based on the requirement to affirmatively further fair housing, should an emphasis be placed on providing lower-income affordable units in the Downtown or should they be dispersed throughout the City?
3. Which "Additional Sites" should be prioritized to accommodate the RHNA obligation not met by "Existing Sites"?

Following the meeting, Staff will work with the Consultant to refine and finalize the sites inventory to be included in the Housing Element which the City Council will consider adopting at a future public hearing.

Project Schedule and Next Steps
Table 8 below summarizes the key dates in the Housing Element Update Process:

Table 8. Key Dates	
Step / Task	Date(s)
Public Outreach (Survey and Stakeholder Workshops)	November 2021 – February 2022
City Council Approve Draft Housing Element and Submit to HCD for Review	May 2022
Environmental Review	June – November 2022
Revise Housing Element in Response to HCD's Comments	August – November 2022
Adopt Housing Element Update	December 2022 / January 2023

ENVIRONMENTAL DETERMINATION:

The informational report on the Housing Element Update is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

STRATEGIC PLAN INITIATIVE:

Strategy 3: Create More Affordable Housing Opportunities.
Objective E: Update the City's General Plan Housing Element in accordance with state law and to ensure an adequate supply of sites to accommodate the City's Regional Housing Needs Allocation for the period 2023-31.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Map of Existing Sites
2) Pipeline Projects Table
3) Map of Additional Sites

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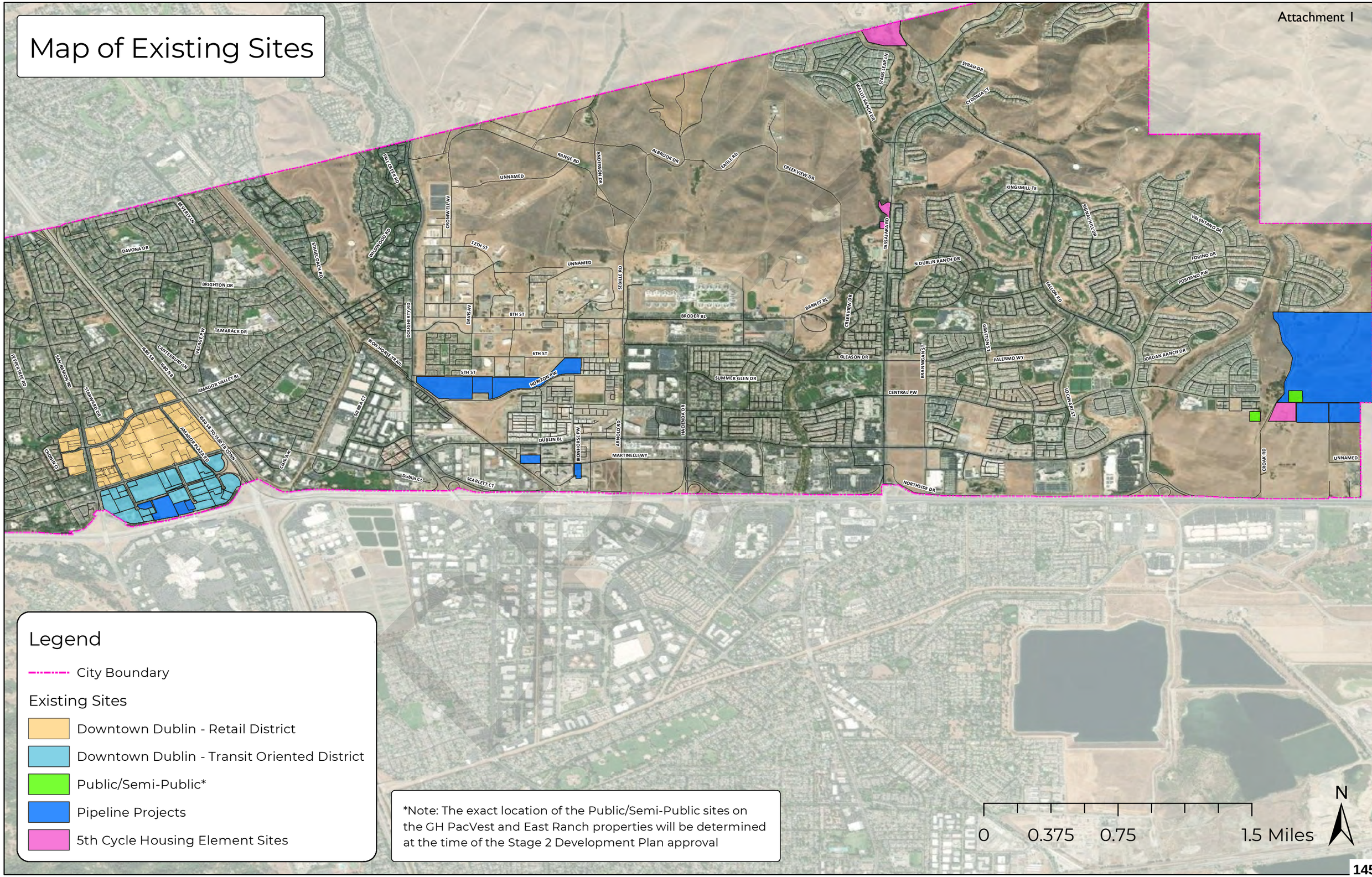
Map of Existing Sites



Pipeline Projects Table

Pipeline Project	Address	Units				
		Very Low	Low	Moderate	Above Moderate	Total
Eden Housing / Regional Street	6543 Regional Street	112	0	0	1	113
East Ranch (Croak Road)	Croak Road	0	50	18	555	623
Bridge Housing / Amador Station	6501 Golden Gate Drive	56	78	162	4	300
Ashton at Dublin Station	Dougherty Road	0	0	22	198	220
Boulevard (Phases 2 + 3)	Dougherty Road	0	0	0	225	225
Boulevard (Phases 4 + 5)	Dougherty Road	0	0	0	451	451
Avalon Bay Communities (Saint Patrick Way)	6700 Golden Gate Drive	0	0	0	499	499
Eastern Dublin/Pleasanton BART Station (Site D-1)	Dougherty Road	98	0	0	1	99
Branagh	1881 Collier Canyon Road	0	0	0	97	97
Righetti	Unaddressed	0	0	0	96	96

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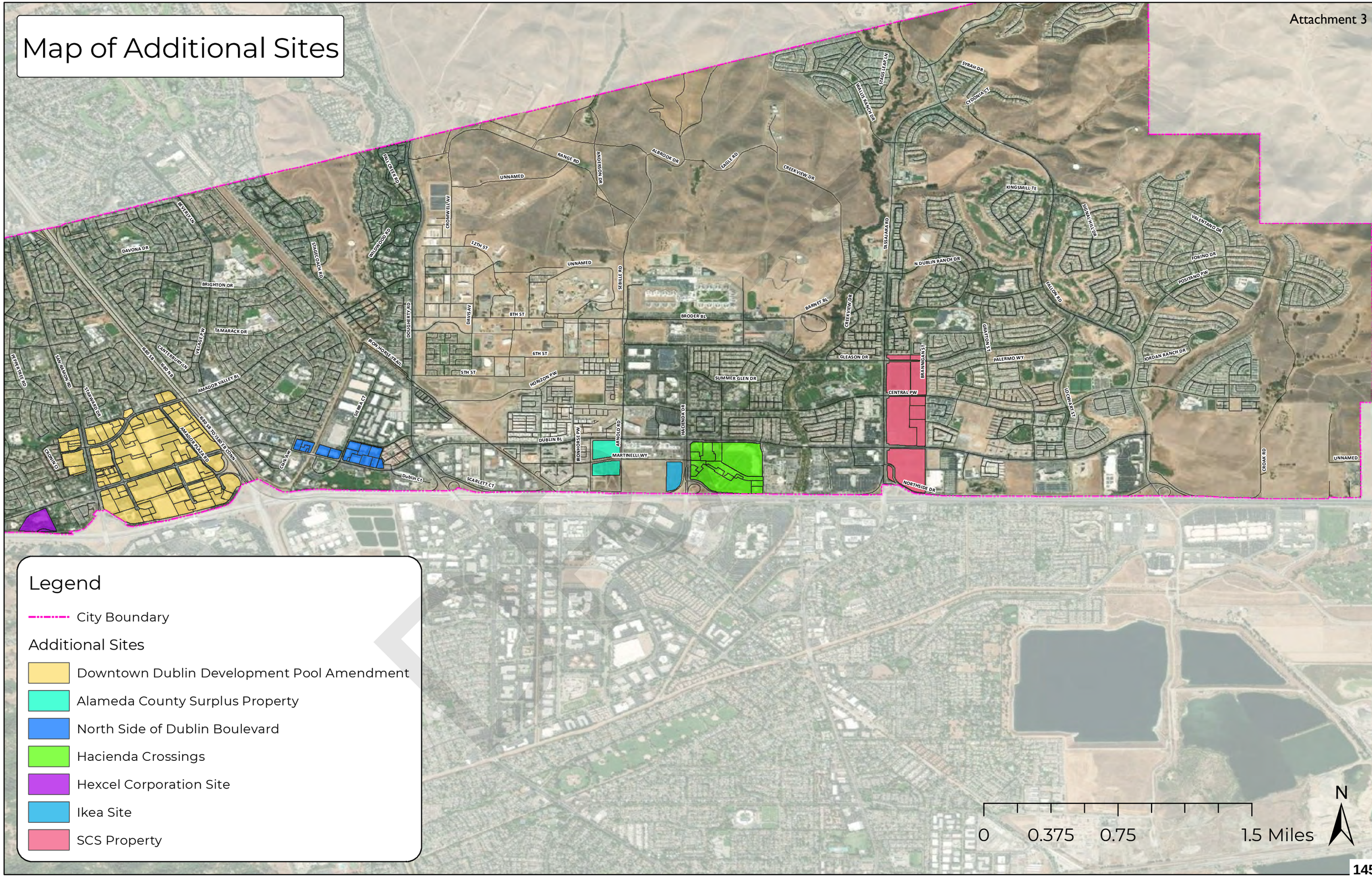
Map of Additional Sites



Item 3.1

DUBLIN
CALIFORNIA

Housing Element Update, Regional Housing Needs Allocation, and Preliminary Sites Inventory

City Council
November 2, 2021

Final Methodology and Draft Allocation

- Draft allocation assigns 3,719 units to Dublin

Income Category	Very Low	Low	Moderate	Above Moderate	Total
Units	1,085	625	560	1,449	3,719

- Draft allocation on appeal
- ABAG Executive Board will tentatively adopt the Final RHNA in December 2021

Preliminary Sites Inventory

- Must include an inventory of specific sites available for residential development to meet RHNA
- October 6, 2020 – City Council received a report on Housing Element Update and directed Staff to include sites from the current Housing Element
- Preliminary Sites Inventory prioritizes pipeline projects, ADUs, and existing zoning to accommodate RHNA before looking to rezone

Existing Sites

- Pipeline Projects
- Accessory Dwelling Units
- Existing Zoning:
  - 5th Cycle Housing Element Sites
  - Public/Semi-Public Sites
  - Downtown Dublin

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Map of Existing Sites

Dublin's Remaining Need

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Draft Allocation	1,710	560	1,449	3,719
Pipeline Projects	394	202	2,127	2,723
ADUs	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	786	42	-	828
Remaining Need	247	(18)	(695)	247

"No Net Loss"

- If project approved with fewer than number of lower-income units identified in inventory, City would need to identify additional sites to accommodate RHNA by income level
- Identify new sites within 180 days of project approval

Affordability Scenarios

Remaining Need with Downtown 100% Affordable Scenario				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Downtown Dublin	786	42	-	828
Remaining Need	247	(18)	(695)	247

Remaining Need with Downtown 50% Affordable Scenario				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Downtown Dublin	389	25	414	828
Remaining Need	644	(1)	(1,109)	644

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Additional Sites

- Identified additional sites to accommodate the remaining need
- Second part of tonight's discussion due to recusal of Council Members

Questions

1. What percentage of planned units should be assumed as affordable on opportunity sites? Should Staff assume 100%, 50%, or a different percentage of affordable units?

2. Based on the requirement to affirmatively further fair housing, should an emphasis be placed on providing lower-income affordable units in the Downtown or should they be dispersed throughout the City?

Additional Sites

- Sites for unmet housing need
- All remaining sites must allow at least 30 units/acre
- Potential densities between 30-85 units/acre, based on similar existing developments
- Site characteristics

Potential Additional Sites to Accommodate Remaining Need

Site	Potential Number of Units
Downtown Dublin	1,200 – 2,200 units
Alameda County Surplus Properties	1,133 units
SCS Property	TBD
Hacienda Crossings	1,839 units
North Side of Dublin Boulevard	548 units
IKEA Site	315 units
Hexcel Corporation Site	264 units

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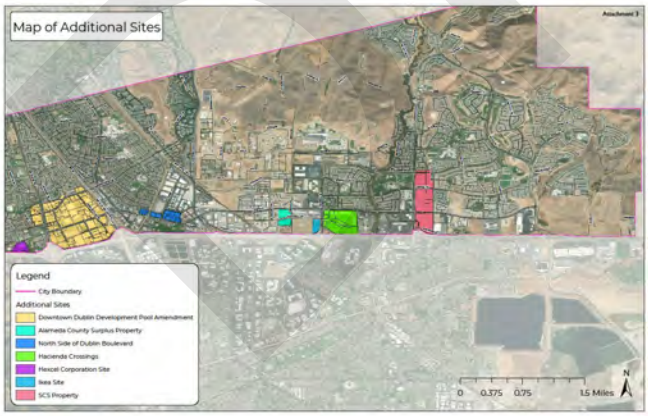
Sites Inventory Example: 100% Affordability Scenario

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Pipeline Projects	394	202	2,127	2,723
ADUs	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	786	42	-	828
Alameda County Surplus Properties	247	-	-	247
Total	1,710	578	2,144	4,432

Sites Inventory Example: 50% Affordability Scenario

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Pipeline Projects	394	202	2,127	2,723
ADUs	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	389	25	414	828
Alameda County Surplus Properties	450	-	450	900
Hacienda Crossings	194	-	194	388
Total	1,710	561	3,202	5,473

Map of Additional Sites



Question

3. Which "Additional Sites" should be prioritized to accommodate the RHNA obligation not met by "Existing Sites"?

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E.8 Planning Commission Meeting #1

This Section contains materials prepared for the Planning Commission meeting on March 8, 2022.

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Agenda Item 8.1

STAFF REPORT

PLANNING COMMISSION

DATE: March 8, 2022

TO: Planning Commission

SUBJECT: Housing Element Update Study Session
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

Each California city and county must update its General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. Dublin's current Housing Element is for the 2014-2022 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023-2031 planning period. Staff will provide a presentation on the current Housing Element Update process, Preliminary Sites Analysis, policy framework, and project schedule. The Planning Commission will receive a presentation and provide feedback regarding the Housing Element Update.

STAFF RECOMMENDATION:

Receive presentation and provide feedback on the Housing Element Update.

DESCRIPTION:

Background

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law, enacted in 1969, mandates that local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process.

The City's current Housing Element covers the period of 2014-2022. The Housing Element must be updated and certified by the California Department of Housing and Community Development (HCD) by January 2023 for the 2023-2031 planning period. Additionally, the Housing Element Update will trigger recent State law requirements to amend the General Plan, including policies regarding environmental justice and amendments to the Safety Element.

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Regional Housing Needs Allocation

RHNA is the state-mandated process to identify the number of housing units, by affordability level, that each jurisdiction must accommodate in the Housing Element of its General Plan. As part of this process, HCD identifies the total housing need for the nine-county Bay Area for an eight-year period, also referred to as the Regional Housing Needs Determination (RHND). This determination is based on population projections produced by the California Department of Finance and the application of specific adjustments to determine the total amount of housing need for the region. The adjustments include a target vacancy rate, the rate of overcrowding, and the share of cost-burdened households. As the Council of Governments (COG) for the Bay Area, the Association of Bay Area Governments (ABAG) is responsible for creating a methodology for distributing HCD's RHND across local jurisdictions.

The Housing Methodology Committee (HMC) is an advisory committee to ABAG composed of elected officials, local jurisdiction staff members, and stakeholders. The HMC was tasked with creating a methodology for distributing the RHND. Distribution of the RHND results in each jurisdiction's RHNA, which is the number of housing units the jurisdiction must plan for in the next Housing Element update. State law provides a series of statutory objectives that must be met in the RHNA methodology, including increasing affordability in an equitable manner, improving the balance between low-wage jobs and lower-income housing (jobs-housing fit), and addressing equity and fair housing. The statute also requires "consistency" between the RHNA and regional plans, such as Plan Bay Area.

On June 10, 2020, HCD released the RHND for the Bay Area, which identified 441,176 units (2.35 times the 187,990 units required in the current RHNA cycle). Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low-, low-, moderate-, and above-moderate-income).

The HMC met from October 2019 to September 2020 to develop a RHNA methodology. On September 14, 2020, the Tri-Valley communities of Dublin, Danville, Livermore, Pleasanton, and San Ramon submitted joint letters to the HMC and ABAG Executive Board expressing concerns with the RHNA methodology under consideration and recommended a methodology that: 1) focuses housing allocations in areas with the highest concentrations of jobs; 2) takes account of geographic and other constraints to housing development; and 3) provides residents with access to viable transit and transportation options. On September 18, 2020, the HMC forwarded a recommended methodology to the ABAG Executive Board without making modifications to address the concerns expressed by the Tri-Valley communities.

On November 17, 2020, the City submitted a letter to the ABAG Executive Board again expressing concerns that the RHNA methodology: 1) does not adequately address job-housing proximity; 2) promotes auto dependence; 3) exacerbates the jobs-housing imbalance; and 4) fails to consider progress made during current RHNA cycle. On January 21, 2021, the ABAG Executive Board approved the Draft RHNA Methodology without making modifications to address the City's concerns and submitted the draft methodology to HCD for review. Subsequently, on April 12, 2021, HCD sent a letter to ABAG confirming the Draft RHNA Methodology furthers the RHNA objectives.

On May 20, 2021, the ABAG Executive Board approved the Final Methodology and Draft Allocation, which assigns 3,719 units of housing to the City of Dublin. The methodology includes a baseline allocation, based on each jurisdiction's share of the region's total households in the year 2050 from the Plan Bay Area 2050 Final Blueprint. Then factors and weights, including access to High Opportunity Areas and job proximity by automobile and transit, are used to determine a jurisdiction's allocation by income category.

On July 9, 2021, the City filed an appeal of the Draft Allocation of 3,719 units based on direction from the City Council with emphasis on past performance and lack of suitable land, as well as the properties where the City does not have land-use authority. ABAG received appeals from 28 jurisdictions, including the City of Dublin. Based on the number of appeals filed, the ABAG Administrative Committee considered appeals on six dates in September and October 2021. The City's appeal was heard by the ABAG Administrative Committee on September 24, 2021, and the Committee unanimously voted to preliminarily deny the City's appeal.

On December 16, 2021, the ABAG Executive Board adopted the Final Regional Housing Needs Allocation Plan: San Francisco Bay Area, 2023-2031, which is the final step in ABAG's RHNA process. The plan allocates 3,719 housing units to the City of Dublin. Table 1 shows the City's final RHNA by household income category for the 2023 – 2031 planning period.

Table 1. Dublin's 2023-2031 Regional Housing Needs Allocation

	Very-Low-	Low-	Moderate-	Above-Moderate-	Total
Final Allocation	1,085	625	560	1,449	3,719

The City of Dublin must now update the Housing Element of its General Plan to demonstrate how it can accommodate its RHNA. The Housing Element Update must be adopted by the City Council and submitted to HCD for certification by January 31, 2023.

Preliminary Sites Inventory

The Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the RHNA. Characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., susceptibility to flooding, slope instability or erosion, and environmental considerations) and location (e.g., proximity to transit, job centers, and public or community services). Land suitable for residential development includes vacant sites that are zoned for residential development, underutilized sites that are zoned for residential development and capable of being redeveloped at a higher density or with greater intensity, and vacant and underutilized sites that are not zoned for residential development, but can be redeveloped, and/or rezoned, for residential use.

On October 6, 2020, the City Council received a report on the Housing Element Update and RHNA. This included an overview of the framework for selecting sites to include in the Preliminary Sites Inventory. The City Council was generally supportive of evaluating the options presented by Staff

and gave direction to include sites from the current Housing Element with by-right development rather than increase the minimum density.

On November 2, 2021, the City Council held a Study Session on the Housing Element Update and RHNA, with emphasis on the Preliminary Sites Inventory. The City Council directed staff to disperse lower-income housing sites throughout Dublin and prioritize the Alameda County Surplus Properties and Hacienda Crossings shopping center as sites to accommodate the remaining need that cannot be accommodated by existing sites as further discussed below. In addition, the City Council directed Staff that on sites identified to meet the remaining need, 50% of the units should be affordable to lower-income households and 50% to above-moderate income households.

Existing Sites
Based on direction from the City Council, Staff prepared a Preliminary Sites Inventory to accommodate the RHNA of 3,719 units. This inventory prioritizes pipeline projects, accessory dwelling units, and existing zoning to accommodate the RHNA before looking to rezone additional sites. The following describes these components:

- **Pipeline Projects:** Pipeline projects are those that are at any stage within the City's entitlement process or under construction as of December 15, 2022, but that have not obtained a certificate of occupancy. An estimated **2,723 units are in the pipeline**, including 266 very-low, 128 low, 202 moderate, and 2,127 above-moderate units. Staff made these estimates based upon approved entitlements and pending applications.
- **Accessory Dwelling Units:** Staff anticipates that the Site Inventory will include **149 very low-, 82 low-, and 17 moderate-income accessory dwelling units (ADUs)**. HCD's recent Housing Element certifications in other regions of the state have allowed ADUs to be included in the Sites Inventory at a rate of two times the average ADUs built annually from 2018 – 2021 and multiplied that by eight years to estimate ADU development for 2023 – 2031. ABAG is working with HCD to create a similar methodology for Bay Area cities. Using this methodology, **248 ADUs** are included in the Preliminary Sites Inventory.
- **Existing Zoning:** The City can take credit in the Preliminary Sites Inventory for existing zoning capacity as discussed below.
    - **5th Cycle Moderate-Income Sites:** Staff has identified eligible sites from the current Housing Element that can be included in the Sites Inventory to accommodate **252 moderate-income units**. State law limits a jurisdiction's ability to re-use certain sites from the prior RHNA cycle. Those limits only apply to sites used to meet the lower-income categories. See discussion under *Downtown Sites*.
    - **Public/Semi-Public Sites:** The Sites Inventory identifies two Public/Semi-Public sites in Eastern Dublin that can accommodate **134 lower-income units.** The Public/Semi Public land use designation allows a broad range of uses, including the potential for affordable housing developed by a non-profit entity.
    - **Downtown Dublin Development Pool:** Within the Downtown Dublin Specific Plan, **828 units** remain in the Development Pool. These units were identified to

accommodate the RHNA in the current Housing Element and are proposed to be reused in the Housing Element Update. Of the remaining units in the Development Pool, the Sites Inventory identifies **389 lower-income units and 24 moderate-income units**.

As shown in Table 2 below, these components can accommodate all but 644 lower-income units, which is identified as the "remaining need."

Table 2. Dublin's Remaining Need				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	389	24		828
Remaining Need	644	-	(695)	644

To accommodate the remaining need, additional sites need to be identified to meet the City's RHNA. As noted above, the City Council held a Study Session on November 2, 2021, and directed Staff to prioritize the Alameda County Surplus Properties and Hacienda Crossings shopping center to accommodate the remaining need, with an emphasis on using the Alameda County Surplus Properties, which are located in the Transit Center near the Dublin/Pleasanton BART station.

In addition, the City Council directed that on sites identified to meet the remaining need and sites in Downtown, 50% of the units should be affordable to lower-income households and 50% to above-moderate income households. This approach attempts to address potential consequences under the "No Net Loss" law (Government Code § 65863). Among other things, "No Net Loss" requires a jurisdiction, if it approves a project on a site included in the Sites Inventory with fewer than the number of lower-income units identified in the inventory, to identify additional sites to continue to accommodate the RHNA by income level. If the actual development of a site identified in the Sites Inventory includes all or some portion of market rate units, the City will be required to identify new sites – within 180 days of the project approval – to accommodate the lower-income units that were included on the sites in the inventory.

Additional Sites

Based on direction from the City Council, Staff prepared a Preliminary Sites Inventory that prioritizes the Alameda County Surplus Properties and Hacienda Crossings shopping center to accommodate the remaining need. Staff prepared three options for consideration as illustrated in Table 3 and further discussed below. Option A addresses the City Council direction to prioritize the Alameda County Surplus Properties by assigning more units to this property; Option B splits the remaining need equally between the two sites; and Option C allocates some of the units to the

future affordable housing site identified in the recently adopted Preferred Plan for the SCS property. Each option includes lower-income and above-moderate-income units on the Alameda County Surplus Properties and Hacienda Crossings, but only includes the lower-income units on the SCS Property that were identified in the Preferred Plan. All of the remaining need in the "lower income" category requires sites to allow "at least 30 units per acre." To satisfy the remaining need, the City will need to amend the General Plan and/or rezone the sites to accommodate these units.

Table 3: Options to Distribute Remaining Need					
		Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Option A	Alameda County Surplus Property	441	0	441	882
	Hacienda Crossings	203	0	203	406
	SCS Property	0	0	0	0
	Total:	644	0	644	1,288
Option B	Alameda County Surplus Property	322	0	322	644
	Hacienda Crossings	322	0	322	644
	SCS Property	0	0	0	0
	Total:	644	0	644	1,288
Option C	Alameda County Surplus Property	250	0	250	500
	Hacienda Crossings	244	0	244	488
	SCS Property	150	0	0	150
	Total:	644	0	494	1,138

- **Alameda County Surplus Properties:** The General Plan land use designation of Site D-2 (northern portion) and Site E-2 in the Transit Center is Campus Office and has Planned Development Zoning. The 13.35 acres are located north of the Dublin/Pleasanton BART station and are currently undeveloped. Staff preliminarily envisions the property could be developed to allow a density of 66 units per acre, which is the average residential density within the Transit Center.
- **Hacienda Crossings:** The General Plan land use designation for the Hacienda Crossings shopping center, located southeast of Dublin Boulevard and Hacienda Drive, is General Commercial and has Planned Development Zoning. Staff preliminarily envisions a mixed-use development with a minimum density of 48 units per acre, similar to the Waterford Place Shopping Center and Apartments. Based on meetings with the property owner, Staff recommends including those units on the two large parcels located at the northeast corner of the shopping center, as it could be accommodated on the parking lots and maintain the existing development.
- **SCS Property:** On February 15, 2022, the City Council approved the Preferred Plan for the SCS Property, which is the vacant 76.9-acre property located north of I-580 between Tassajara Road and Brannigan Street and extending to the north of Gleason Drive. The

Preferred Plan includes a 2.5-acre Public/Semi Public site for affordable housing that contemplates between 70 and 150 units.

Refer to Attachment 1 for a map of the Preliminary Sites Inventory.

Downtown Sites

As shown in Table 2 above, 413 lower income units (389 very-low and low-, and 24 moderate-) are identified in Downtown Dublin. These units were identified in the current Housing Element to accommodate the RHNA, and they are being proposed to be reused in the Housing Element Update. Non-vacant sites that were identified in a prior Housing Element may not be counted towards RHNA unless: (a) the sites are zoned to allow up to 30 dwelling units per acre (they are); and (b) the Housing Element requires the sites be rezoned "to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households." A "use by right" is one in which the use does not require "a conditional use permit, planned unit development permit, or other discretionary local government review or approval," such as the Community Benefit Agreement, although it specifically allows for design review.

In order to reuse these units in the Housing Element Update, the City must identify actual parcels to accommodate the units. Staff identified four properties in Downtown Dublin to accommodate these lower income units. These properties are shown in orange in Attachment 1. The four properties include: 1) the former Grocery Outlet property where the City entered into a Memorandum of Understanding to allow 80 affordable dwelling units; 2) the site with a vacant building at the southwest corner of Amador Valley and Amador Plaza Road; 3) a portion of the site where Hobby Lobby is located; and 4) the site of the former Willow Tree restaurant located at 6513 Regional Street.

A cornerstone of the Downtown Dublin Specific Plan is the Residential Development Pool whereby a Community Benefit Agreement is required to pull units from the pool. However, qualifying development on these sites must be "by right" and would not be subject to a Community Benefit Agreement, thus, the City would not achieve additional benefits by allocating these units from the existing pool. Therefore, Staff recommends adding these units to the Downtown Dublin Specific Plan outside of the Development Pool. The addition of these units outside of the Development Pool would support the Downtown Dublin Preferred Vision, which contemplates additional units.

<u>Housing Element Programs</u>

Each jurisdiction must identify specific programs in its Housing Element to implement the stated policies and achieve the stated goals and objectives. Programs must include specific action steps the City will take to implement its policies and achieve its goals and objectives. Programs must also include implementation measures including: a specific timeframe; responsible party; describe the jurisdiction's specific role in implementation; and (whenever possible) identify specific, measurable outcomes.

Programs should reflect the results and analyses of the jurisdiction's local housing needs, available land and financial resources, and the mitigation of identified governmental and non-governmental constraints. For example, if the analysis identifies constraints related to local regulations, the Housing Element should identify specific programmatic actions to address that constraint.

To make adequate provision for the housing needs of people of all income levels, a jurisdiction must, at a minimum, identify programs that do all of the following:

- Identify adequate sites, with appropriate zoning and development standards and services to accommodate the City's RHNA for each income level;
- Assist in the development of adequate housing to meet the needs of extremely low-, very low-, low-, and moderate-income households;
- Address and, where possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for people at all income levels, as well as housing for people with disabilities;
- Conserve and improve the condition of the existing affordable-housing stock;
- Preserve assisted housing developments at-risk of conversion to market-rate; and
- Promote equal housing opportunities for all people, regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

Additionally, there are a number of new program topics required with the 6th Cycle Housing Element including the following:

- Affirmatively furthering fair housing;
- Promotion of ADUs and Junior ADUs;
- Objective Development Standards;
- Senate Bill 35 streamlining;
- Emergency shelters, transitional and supportive housing, and lower barrier navigation centers;
- Housing for persons with developmental disabilities;
- Farmworker and employee housing;
- Funding and rental assistance programs; and
- Density Bonus and removal of development constraints.

Staff is preparing the draft Housing Element to incorporate these programs as required by State law.

Public Outreach

The City is in the process of implementing outreach and engagement strategies with the community, stakeholders, and decision makers during the Housing Element Update process. Notable outreach strategies since the November 2, 2022 City Council meeting include the following:

- **Survey.** Between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback that will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. The 10-question survey, available in English and Mandarin, focused on housing needs, desired housing locations, community assistance, fair housing, the vision for housing, and demographics. The City received 205 survey responses. The majority of respondents believe affordable and senior housing are missing in Dublin and prefer housing be located

near transportation hubs. For complete survey results, please refer to Attachment 2.

- **Workshops.** The City also hosted two Housing Element Workshops via Zoom on January 19, 2022, and February 17, 2022. The workshops provided an overview of the Housing Element and Regional Housing Needs Allocation, potential sites to include in the Sites Inventory, progress to date, required policy and program topics, as well as next steps. The workshops also included an interactive component using an online tool called "Mentimeter," where the attendees provided feedback on their housing experience, housing challenges and opportunities, and their vision for housing in Dublin. Recording of the workshops are available on the City's YouTube channel and on the Housing Element Update webpage.
- **Property Owner Meetings.** Additionally, Staff hosted one-on-one meetings with property owners of the "Additional Sites" under consideration to be included in the Sites Inventory. Both the representative for the Alameda County Surplus Land Authority and Hacienda Crossings shopping center are supportive of having their non-residential properties rezoned to accommodate RHNA.

Project Schedule and Next Steps

Table 4 below summarizes the key dates in the Housing Element Update Process:

Table 4. Key Dates	
Step / Task	**Date(s)**
City Council Check-In Meeting	March 15, 2022
Public Review of Draft Housing Element	April 7 – May 7, 2022
Planning Commission Review of Draft Housing Element	April 26, 2022
City Council Approve Draft Housing Element and Submit to HCD for Review	May 17, 2022
Environmental Review	June – November 2022
Revise Housing Element in Response to HCD's Comments	August – November 2022
Adopt Housing Element Update	November 2022 - January 2023

ENVIRONMENTAL DETERMINATION:

The informational report on the Housing Element Update is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The Planning Commission Agenda was posted.

ATTACHMENTS:

1) Sites Inventory Map
2) Survey Results

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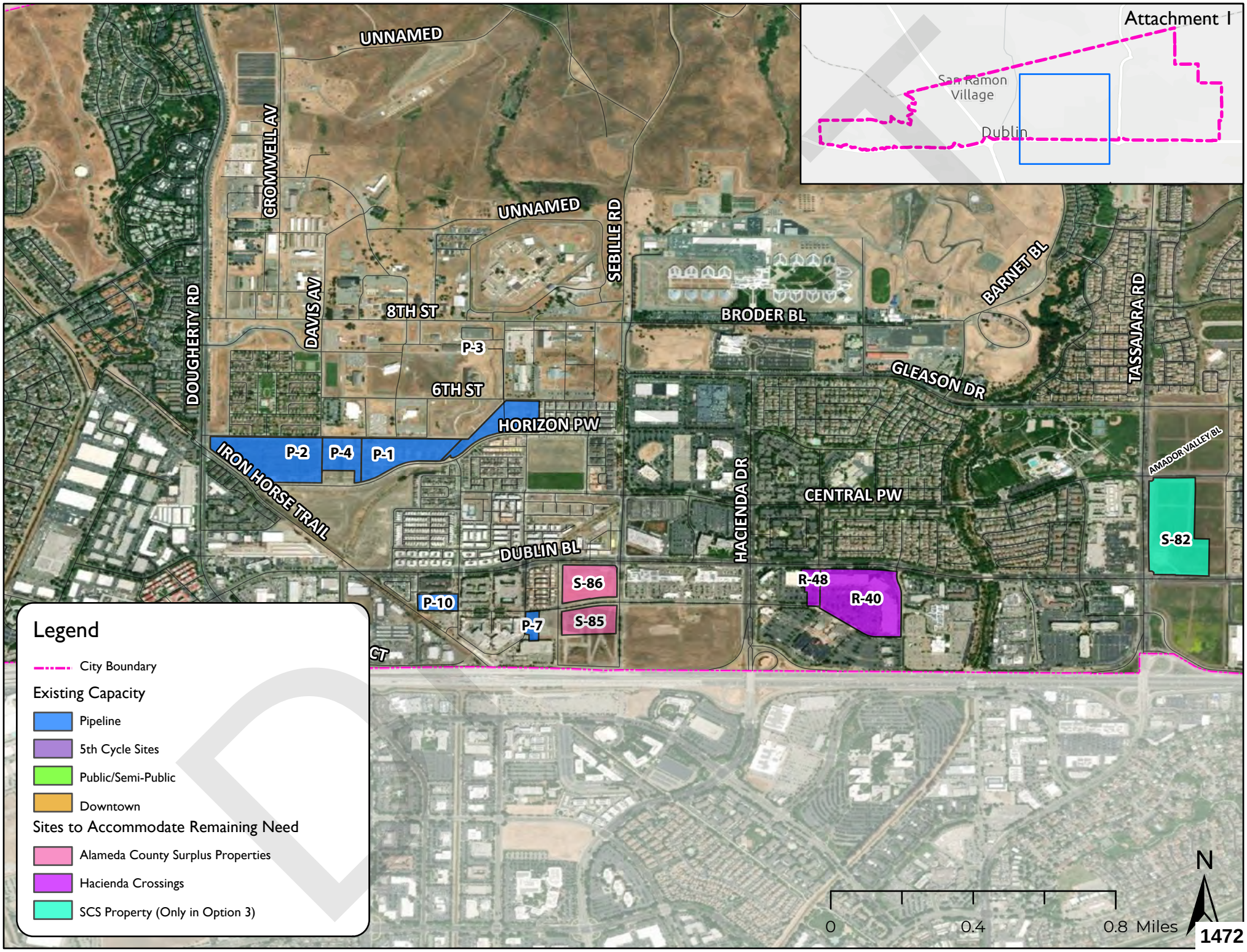
Attachment 1
San Ramon Village
Dublin
UNNAMED
UNNAMED
CROMWELL AV
DOUGHERTY RD
DAVIS AV
8TH ST
SEBILLE RD
BRODER BL
BARNET BL
TASSAJARA RD
GLEASON DR
P-3
6TH ST
HORIZON PW
P-2
P-4
P-1
IRON HORSE TRAIL
HACIENDA DR
CENTRAL PW
AMADOR VALLEY BL
S-82
DUBLIN BL
S-86
R-48
R-40
P-10
P-7
S-85
CT
Legend
City Boundary
Existing Capacity
Pipeline
5th Cycle Sites
Public/Semi-Public
Downtown
Sites to Accommodate Remaining Need
Alameda County Surplus Properties
Hacienda Crossings
SCS Property (Only in Option 3)
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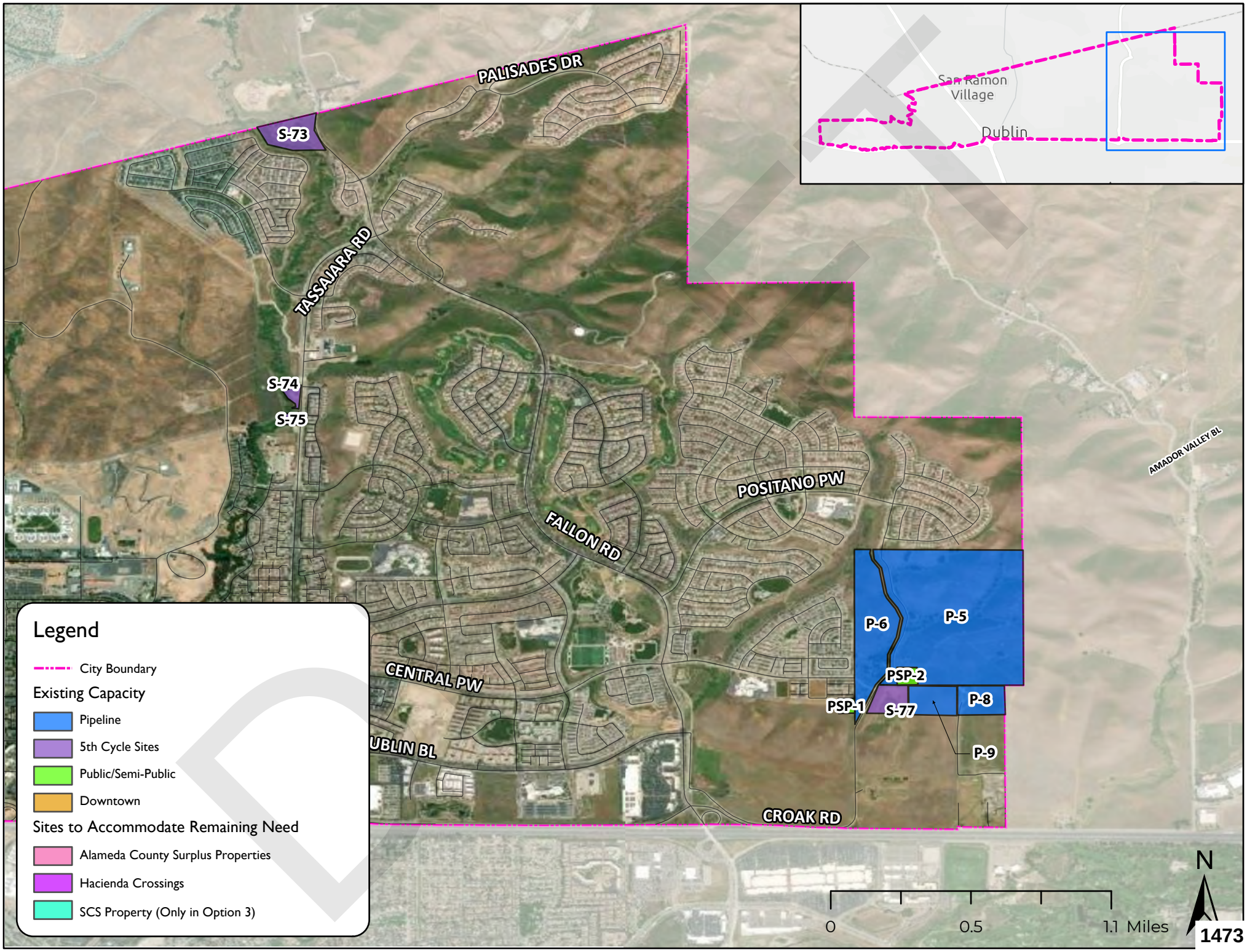
0.4
0.8 Miles
N


PALISADES DR
S-73
TASSAJARA RD
S-74
S-75
POSITANO PW
FALLON RD
CENTRAL PW
UBLIN BL
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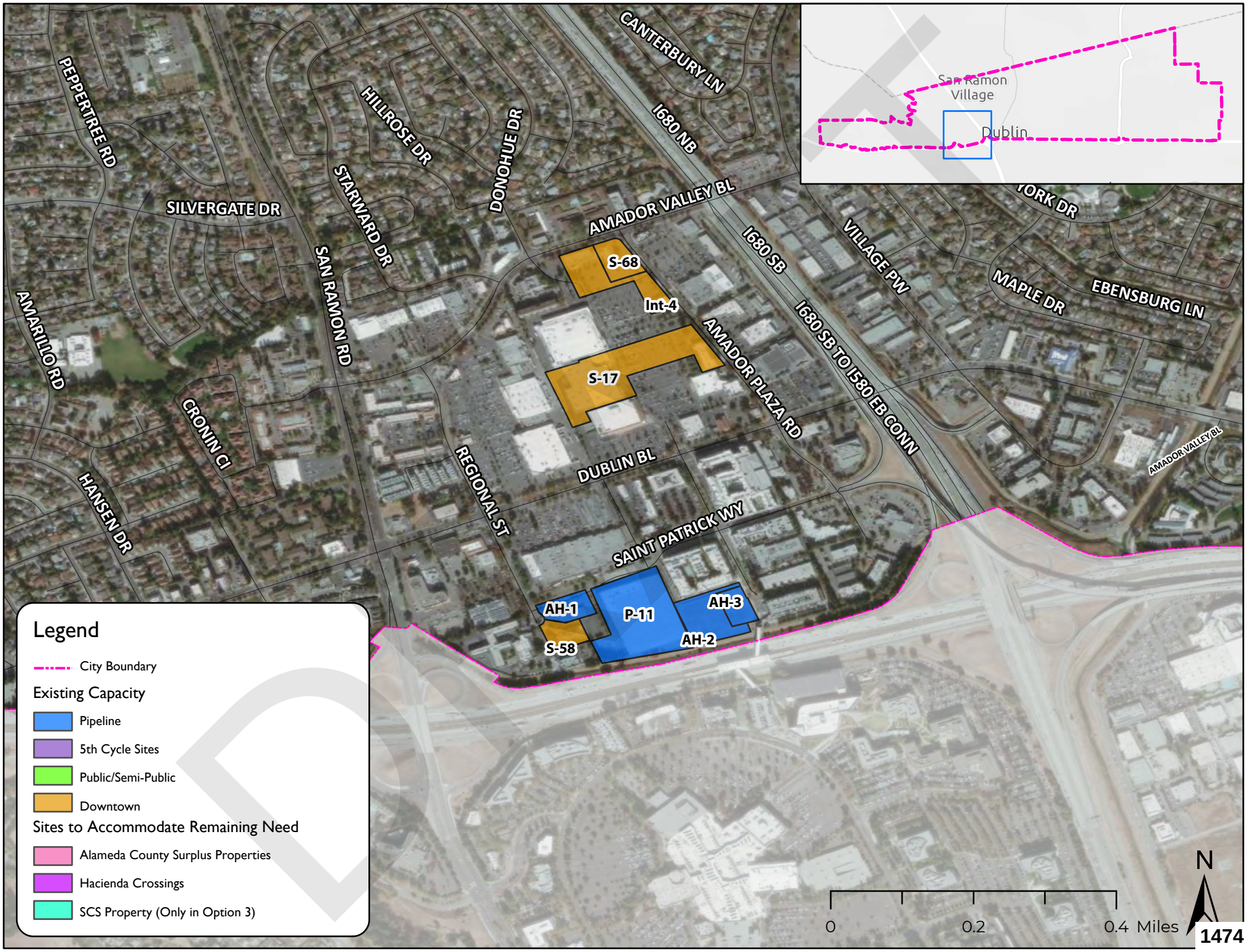
AMADOR VALLEY BL
P-6
P-5
PSP-2
PSP-1
S-77
P-8
P-9
San Ramon Village
Dublin
Legend
City Boundary
Existing Capacity
Pipeline
5th Cycle Sites
Public/Semi-Public
Downtown
Sites to Accommodate Remaining Need
Alameda County Surplus Properties
Hacienda Crossings
SCS Property (Only in Option 3)
0
0.5
1.1 Miles
N

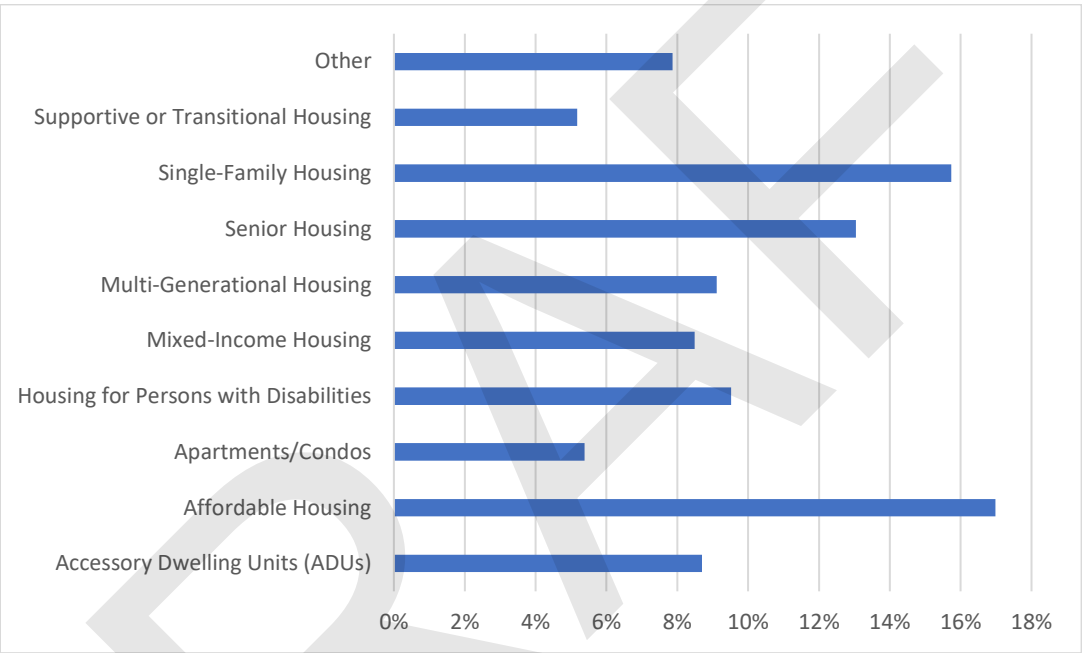

PEPPERTREE RD
HILLROSE DR
DONOHUE DR
CANTERBURY LN
1680 NB
SILVERGATE DR
STARWARD DR
SAN RAMON RD
AMADOR VALLEY BL
1680 SB
VILLAGE PW
YORK DR
MAPLE DR
EBENSBURG LN
AMARILLO RD
S-68
Int-4
AMADOR PLAZA RD
1680 SB TO I580 EB CONN
S-17
CRONIN CI
REGIONAL ST
DUBLIN BL
HANSEN DR
SAINT PATRICK WY
AH-1
P-11
AH-3
S-58
AH-2
San Ramon Village
Dublin
Legend
City Boundary
Existing Capacity
Pipeline
5th Cycle Sites
Public/Semi-Public
Downtown
Sites to Accommodate Remaining Need
Alameda County Surplus Properties
Hacienda Crossings
SCS Property (Only in Option 3)
0
0.2
0.4 Miles
N

Housing Element Update Community Survey

From December 20, 2021 through February 28, 2022, the City of Dublin launched an online community survey to gather input and feedback regarding the Housing Element Update. Participants were asked to report on their housing experience in Dublin, consider potential policies and programs, and reflect on future housing opportunities in the City. A total of 205 surveys were completed and submitted. Below is a summary of the results.

Housing Types

What Types of housing do you think Dublin is missing? (Please select all that apply)



Other:

- One-level
- Assisted living through memory/long-term care
- Housing for Dublin workers earning minimum wage
- Low income/senior and diverse housing on the east side of town
- Middle income family housing
- Homes with yards
- Enough housing
- More schools

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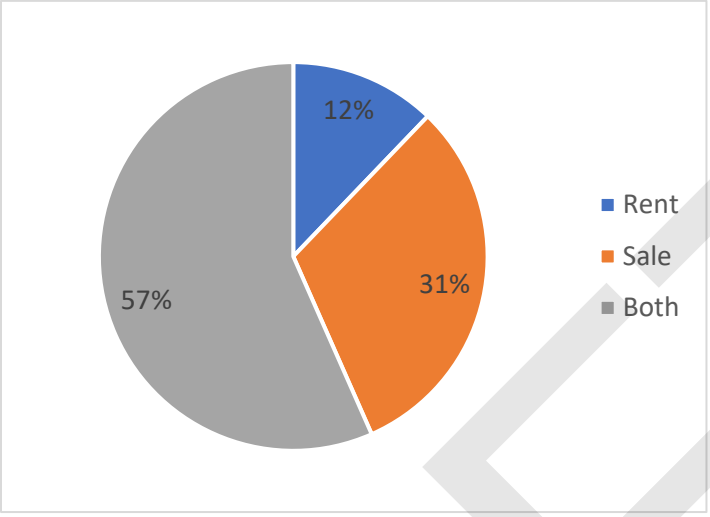
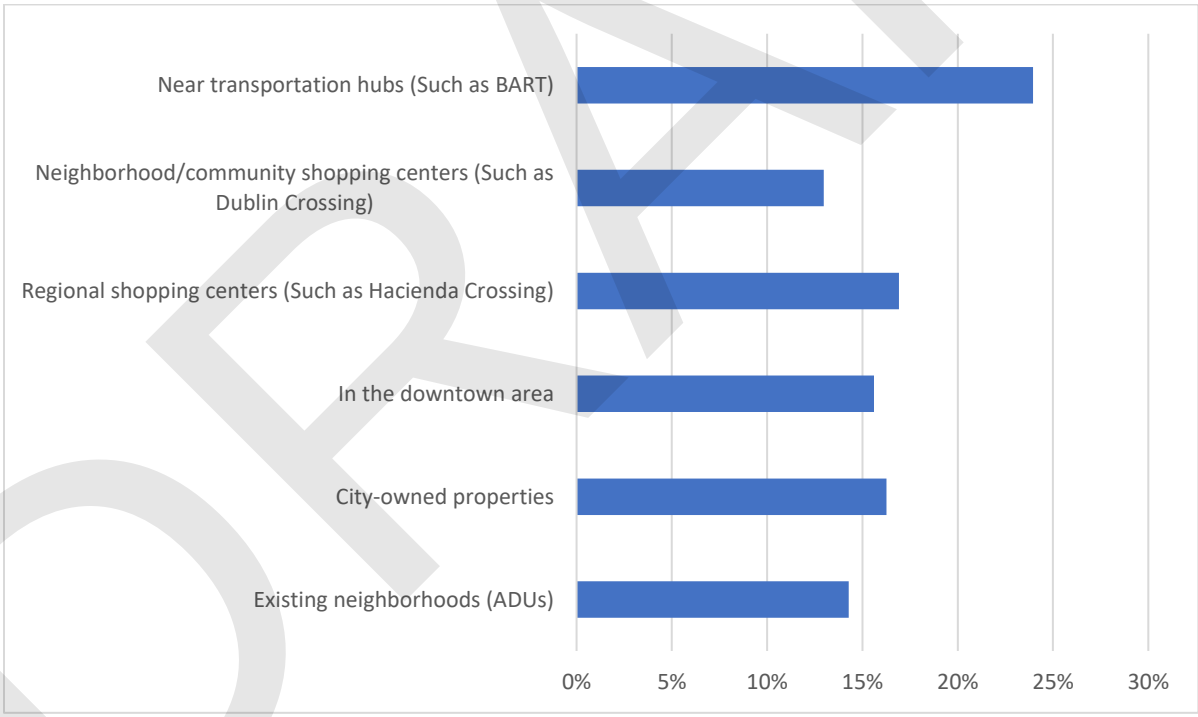
What type of housing, for rent or for sale, do you think is needed?



Where do you think the City should locate future housing that is required to be planned for in the Housing Element update? (Please select all that apply)



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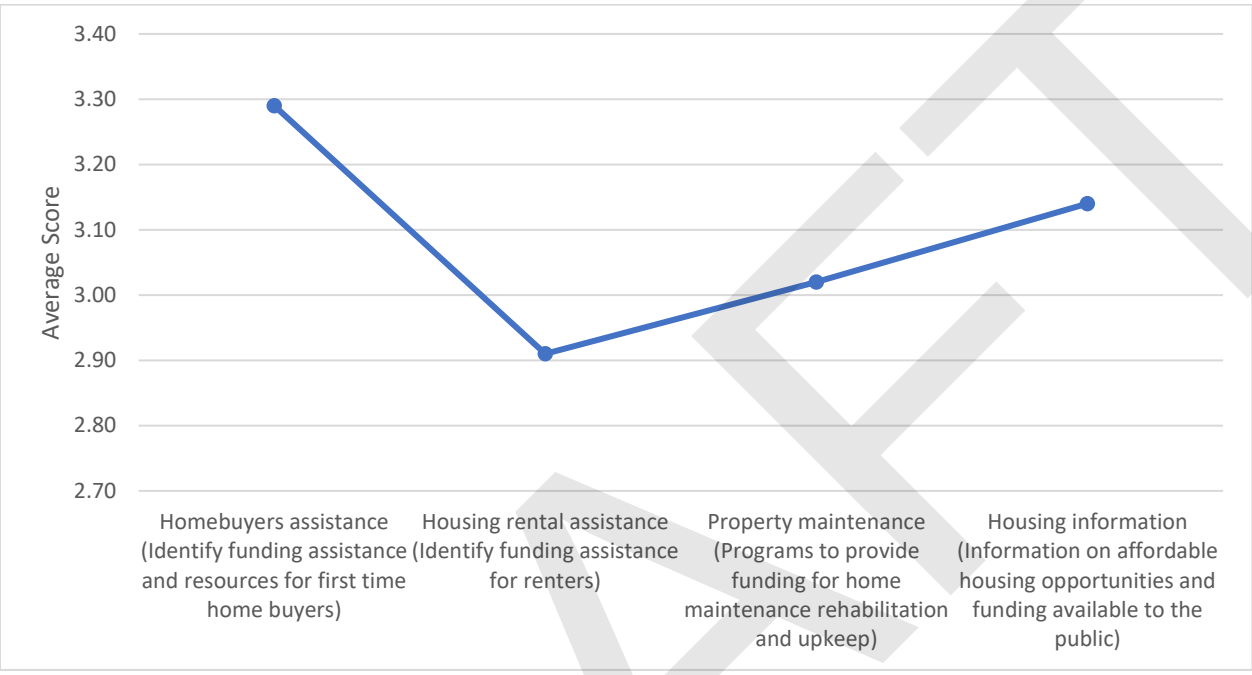
Housing Program Opportunities

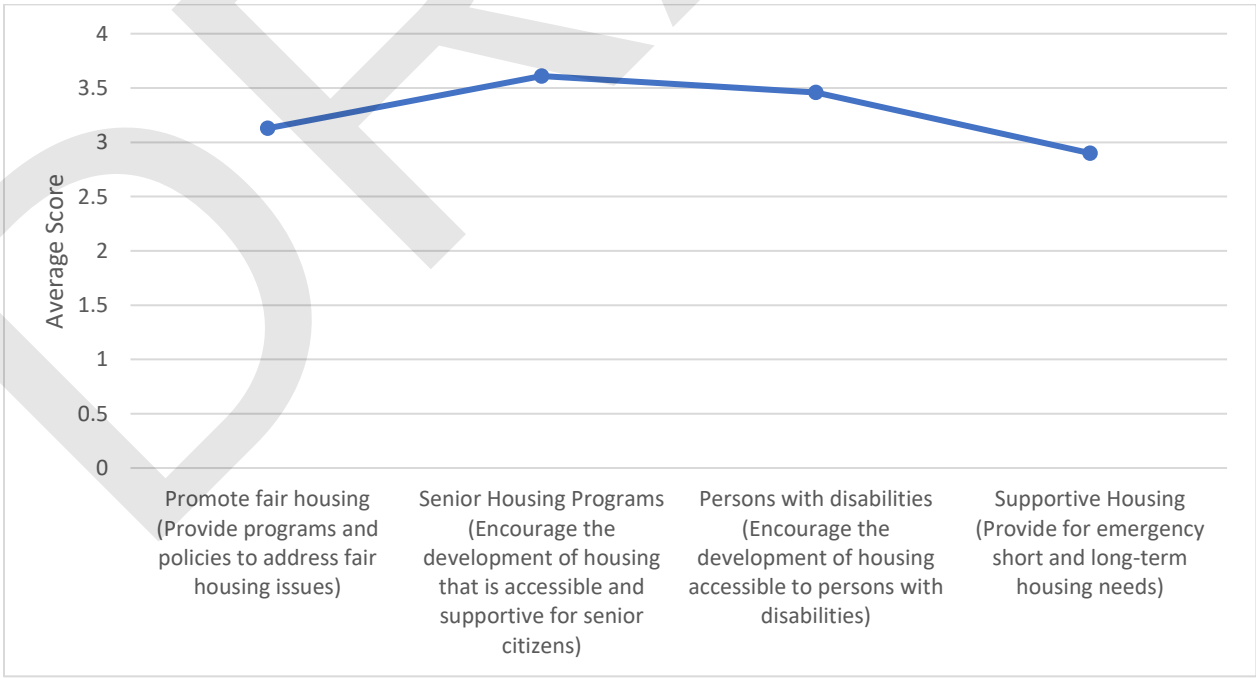
Community Assistance:

Please rate the following based on importance to the community. (1 being the least important and 5 being the most important)



Fair Housing:

Please rate the following based on importance to the community. (1 being the least important, 5 being the most important)



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Vision for the Future

In 10 words or less, describe your vision for the future of housing in Dublin.

Infill and affordable housing
Affordable, quality housing for first time home buyers.
I don't to see over population nor do I want to have a lot of low income properties.
Equitable, affordable housing/good neighborhoods for all income levels.
Senior, stand-alone housing, single level.
Not growing.
No more honeycombs. 4-unit max groupings for apts, townhouses.
Town homes located in infill areas or underutilized retail. Leave open space open
Less houses. BUILD MORE SCHOOLS TO SUPPORT NUMBER OF HOMES HERE!
Need middle school and elementary school existing schools are overcrowded.
don't screw up property values
Low and middle income housing desperately needed
Dublin needs to stop additional housing and focus on supporting infrastructure. The city has become a plague of development and homes. Traffic is ridiculous.
Dublin WILL continue to grow; supply needs to keep up.
I think future housing should be scaled way down.
Stop building
Dublin is pretty much built out. We need closer to home employment, not more housing
inclusionary housing by private developers. no more huge apartment buildings.
NO MORE HOUSES PLEASE. The Dublin streets and corresponding freeways cannot handle more houses.
Where people from all incomes can find a home.
Just enough
Land in Dublin is already quite filled up and the school district can't keep up. No more new housing
Affordable housing for mixed demographic population with access to schools, utilities, and basic infrastructure
Stop adding more houses to an already overpopulated city. Keep Dublin small.
More spacious single family homes with bigger lot six having more space between two adjacent homes.
Plan for baby boomers to remain in Dublin to open up existing houses to new families.
Equitable, fair, and transparent community needs.
Please have a affordable housing for low income families
For seniors.
Inclusive for all current and new residents
STOP the excessive overbuilding! Especially the dense housing of condos/townhomes. Dublin should not bear the sole responsibility for any housing shortage for the entire county/state. Schools are overcrowded, roads are overcrowded, great majority of residents agree we are overcrowded and also agree the explanation given to us that the City is required to continue building thousands of units is ridiculous. If this is the case, then push back and do something to change it. STOP allowing those outside our City to determine the well-being of our City based on reports and numbers read from afar. Those that live here and those that have taken positions responsible for our best interests have an obligation to fight for our best interests even when it's hard and even when it's directly against

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current established criteria/rules. Circumstances change and therefore rules and criteria may also require change. STOP the building! DEMAND CHANGE to the current criteria. DO WHAT'S BEST AND WANTED FOR OUR RESIDENTS.
Denser housing that makes Dublin more walkable
stop sprawl, start building up, and support mixed-use
Affordable housing for Next generation to stay in Dublin.
Housing Maintenance / mortgage programs for disabled and elderly persons.
Diverse
Dublin is the city of choice for East Bay area
Housing in Dublin should be easily affordable and publicly funded.
It MUST involve additional community infrastructure.
Dublin needs more housing but spread out, not near to existing congested areas.
Less high density housing due to water shortage, climate change, and full schools. More senior citizen housing or senior communities.
accessible to all
No more housing at all.
Add housing to shopping centers, similar to the Waterford Place Apartments which sit above and adjacent to the Shops at Waterford. These properties are generally located near major traffic arteries and transit lines and can support increased density. Adding housing will also support retail without increasing vehicular travel.
Housing for all
Stop building!
Walkable, mixed-use, transit-oriented development
Provide help with SB 9 application
relentless development of large, trashy high-density eyesores
A great place for everyone to live.
I feel the city is overbuilt and overcrowded. More focus on improving infrastructure is needed than housing.
Stopping growth is futile, we need to increase housing supply
dense, accessible, affordable, inclusive, diverse, maintained, transit-oriented
I wish housing didn't outpace schools, but homebuilders rule us.
Modern and mixed with commercial areas and near public transportation
Affordable for housing for anyone to be able to live in this city.
Balanced housing with schools, commercial and SF/MF properties
Nice, safe community close to everything with range of housing options
Slow, steady growth that the schools can keep up with
affordable for those that grew up in this community, currently live and work here
Transit oriented housing for all income levels
Do not construct or allow housing until new schools are built
Smart growth does not burden residents
Dublin should invoke a 10-year moratorium on any new development and focus on failing infrastructure. Schools are overcrowded, there's a traffic nightmare on city roads, city services cannot support any new development. City council has turned Dublin into a concrete jungle and needs a break.

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Dublin is overcrowded and there is no infrastructure to support any more homes. STOP Building new homes
Plenty of housing options for people
Dublin Boulevard should have a strong sense of place defined by 4 to 5 story apartments and condos.
Diverse, welcoming to all income levels and ages
We need more single family houses in Dublin
Less condos/stack n pac. Dublin Blvd/Bart areas so congested!
Where housing is seen as a right not a privilege and there is greater understanding that housing is not primarily an investment but a necessity. I hope to see communities with mixed styles of housing, so neighborhoods aren't separated into silos
Overcrowded high density housing is not recommended nor needed.
Less dense in fill housing
Have east Dublin get their share of more diverse housing types vs packing it all into west Dublin so it's not in their fancy backyards & neighborhoods
More housing but not in small downtown area
Great families and affordable housing
Less density
More affordable housing
More housing for all income levels is needed
Pause on housing development to allow infrastructure and schools to catch up.
SCS planning need more open space and infrastructure than housing
Don't turn into Fremont, you're starting to
Affordable
More supportive amenities and parks.
Quiet, safe, affluent, vibrant community
Stop the massive growth. More parks and open land.
no more housing! we are over capacity
More green, fewer new homes
No more dense neighborhoods. More infrastructure.
We need city rule for SB-9
More village like with higher core density areas and transit
Provide more mid-size (1300 - 1600 sq) affordable single-family houses (600K - 800k), instead of building BIG million dollars houses.
low-income housing, affordable housing is still out of reach.
Have more parks and less traffic. It is getting really crowded
One that has much less Mello Roos taxation
Sustainable environmentally conscious inclusive green spaces and community gardens
We need more retail to keep the revenue here.
For young family
Single family homes. Affordable rentals
Sick of stack and pack. NO ADUs. Changes character of neighborhood.
Better living for all
Best housing in the bay area
Available and Affordable to all

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Someone in middle single income household 130k could afford a house HERE new perf everything is 780k++
no more housing. it's already too much
A significant reduction in the future approval of an unsustainable number of profligate housing developments.
High density housing ruining character of Dublin please stop it.
Build schools, not houses.
More single family houses needed
Slow down the building. Provide infrastructure.
No more new homes in Dublin. Enough is enough.
Affordable and accessible housing for every income level
Large single family homes with backyards
Please stop building!!! Dublin is full
Affordable single family houses for first time home buyers
Less density
Less houses
More individual homes. No more townhomes!
Walkable (accessible), sustainable. and neighborhood friendly.
needs based. not haphazard. Organized plans. not changed because business.
Develop without impacting already overcrowded schools, traffic, or community safety.
Semi-high-rise
Dublin used to be a great community existing primarily of single family homes. Now Dublin is known for apartments and townhomes. Outsiders don't think of Dublin as having traditional neighborhoods of single family homes. Dublin should work to get back to the neighborhoods which were integral in establishing a great community for families.
Keep the small town feel of the city.
Dublin doesn’t need any more condos or apartments
Smaller lot sizes. Build upwards. Don't neglect parks and traffic.
Single family detached homes with neighborhoods and yards are necessary.
Aesthetically pleasing, slow down planning, more schools
More schools for houses.
AFFORDABLE single family homes mixed with apartments and townhomes
More diversity inclusive neighborhoods
Affordable with supporting infrastructure such as schools and roads
Slow Down. Think 100 year plan.
Housing available for all types of individuals and families
less single-family, actually enough homes for those who want them
It’s already doomed, between DUSD and the City of Dublin there is no hope.
Less density, affordable 55+ single family home community
bousing that never exceeds infrastructure capacity - roads, water, transportation
Inclusive housing that builds a wonderful safe community
No need to construct new homes. Already too crowded
In need of single family homes with big backyards
Make it less crowded

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Yards, community, trees
NO MORE HOUSING DEVELOPMENTS PLEASE! DUBLIN TOO OVERBUILT AND CROWDED.
More schools and parks. Less high density communities
More affordable housing to allow for opportunities for families
Have homes with large lot sizes
Need affordable housing, many of us are leaving Dublin because of housing costs....
Stop building multi-level townhouse style expensive condo developments.
Housing accessible to a mix of socioeconomic backgrounds
Balanced semi-urban open space town
Affordable, multigenerational, and senior housing especially on the eastern side.
Too many already, need community facilities
Housing needs are adequate, if you don preserve the nature and adjust only according to human needs, we will lose our way, let's not cram the city.
A shining example for the region for YIMBY, especially near Transit
No more housing, more libraries
Accessible for working class that works here
develop housing that creates prestige neighborhood to better the city
Build more homes.
More schools, less houses. Dublin school ratings have dropped due to overcrowding
Don't use up all the lands. Save some for future.
Please stop building these horrible tri-level homes with no front or backyards. We need single family 2-story homes with yards.
No further development, keep small town feel
Stop building homes!
More affordable housing and schools
I'm hoping that only single homes will be built in the future as there is enough high rise condos now. It's beginning to look like downtown New York or Detroit with only concrete for the children to play on. Dublin was once a beautiful country setting that attracted residents that wanted to leave the City. Now we are a City with not so many green space. Who is responsible for making all the decisions to compartmentalize people in square condos where your neighbor can hear you talking? Really, we've lived here for 50 plus years and are very disappointed in how Dublin has changed. More people, more accidents, more crime, more disagreements between neighbors, more litter etc. My vision is not a good one.
Fewer multi-family complexes; lower density
Stop building. Every piece of land does not have to have a structure on it. Nor are there the resources to support additional and continual building of homes. The population is declining for crying out loud.
Building up lots of, affordable, transit accessible, mixed-used units.
No more housing is my vision for Dublin's future.
STOP DESTROYING DUBLIN BY BUILDING ON EVERY SQUARE INCH!
Provide housing that facilitates resident investment in Dublin's 5-star status.
Less housing, more infrastructure like schools and parks please!
Turn existing buildings into housing. Toysrus, vacant buildings
More affordable options for all types of dwellings including for rent and for sale - also for seniors.
Only low income condos in built areas. Open land undeveloped

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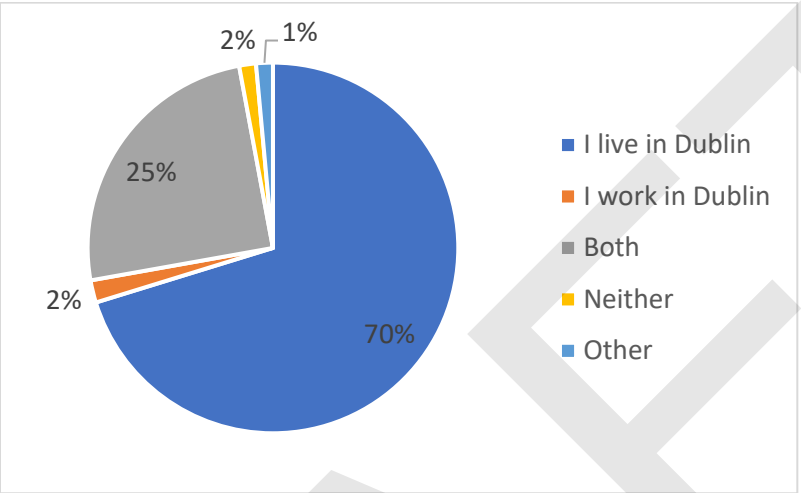
Demographics

The following questions will help us understand who in the community is participating in the process. Your information will be kept private.

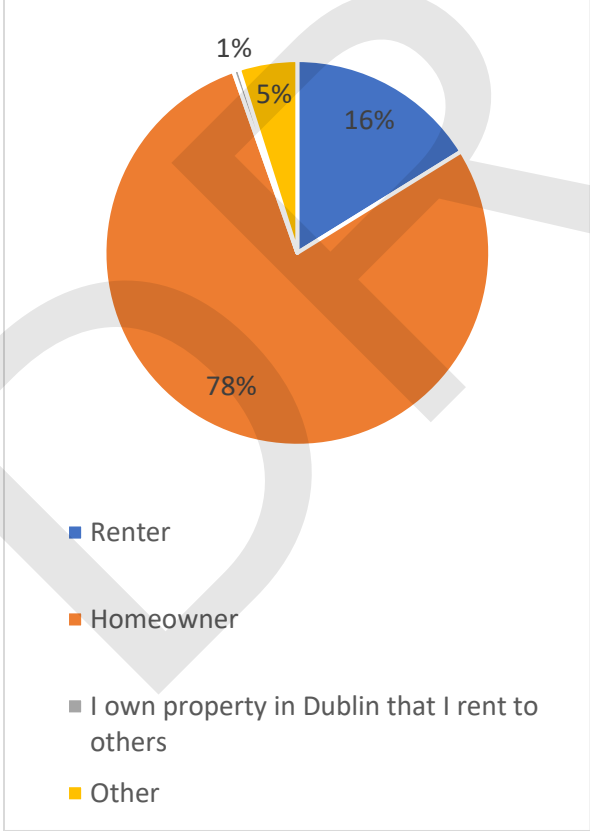
Do you live or work in Dublin?



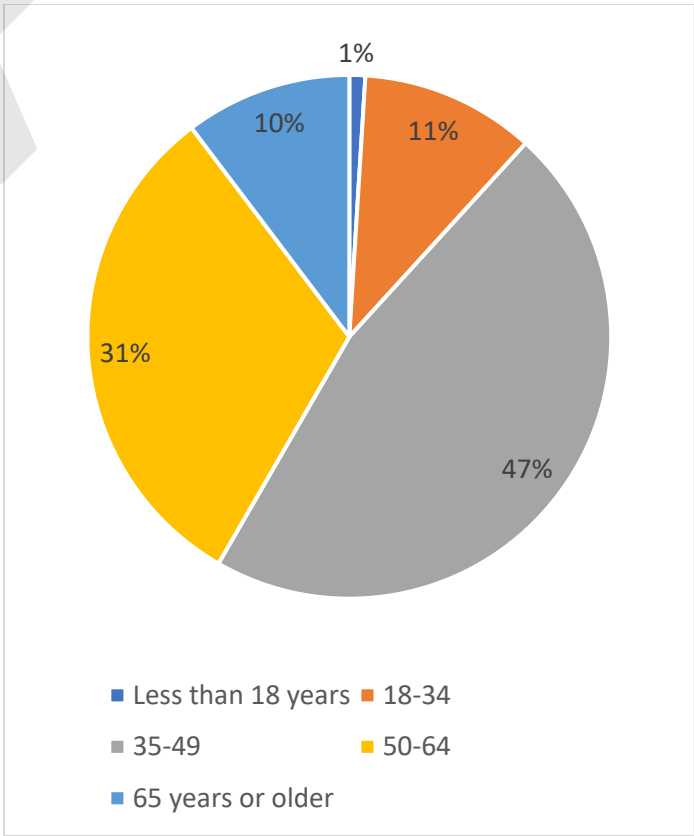
Other:

- Live with parents
- Dependent of a homeowner

Are you a renter of homeowner?



What is our age?



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2023-2031

HOUSING ELEMENT UPDATE

City of Dublin
Planning Commission Study Session

Time: 7 PM
Date: Tuesday, March 8, 2022
Location: City Council Chamber

1

Agenda

- Overview of Housing Element
- Outreach Efforts To-Date
- Regional Housing Needs Allocation (RHNA)
- Candidate Sites
- New Policy Program Requirements
- Next Steps

2

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Overview of Housing Element

3

What is a Housing Element?

- One of the seven mandated elements of the General Plan
- Addresses the housing needs of residents
- Identifies existing and projected housing needs by income category
- Establishes Citywide goals, policies, programs, and objectives to guide future housing
- Requires certification by the California Department of Housing and Community Development (HCD)

Dublin General Plan

- Land Use
- Parks and Open Space
- Schools, Public Lands, and Utilities
- Circulation and Scenic Highways
- **Housing**
- Conservation
- Seismic and Safety
- Noise
- Community Design and Sustainability
- Economic Development
- Water Resources and Energy Conservation

4

Why are Housing Elements Updated?

- Ensures the City complies with State housing laws
- Demonstrates Dublin's ability to meet existing and projected housing needs
- Allows the City to become eligible for State-sponsored assistance programs, grants, and funding sources
- Allows the community to engage in planning process
- Prevents the State from penalizing the City

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Housing Element Requirements

Housing Element

- Population and housing profile
- Evaluation of housing constraints and resources
- Evaluation of existing housing programs and policies
- Analysis of sites to accommodate the City's Regional Housing Needs Allocation
- Policies, programs, and quantified objectives to achieve the City's housing goals

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Outreach Efforts To-Date

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Outreach Efforts To-Date

- City Council Check-Ins
  - October 2020
  - November 2021
- Community Workshops
  - January 19, 2022
  - February 17, 2022
- Online Community Survey
  - December 2021 – February 2022
- One-On-One Property Owner Meetings

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Regional Housing Needs Allocation (RHNA)

9

What is RHNA?

- Regional Housing Needs Allocation (RHNA)
- Quantifies the need for housing within each City/County in California
- Based on future growth in population, employment, transportation, and households

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How is RHNA determined?

Department of Housing and Community Development
HCD determined and distributed the State's housing need to Regional Planning Agencies (MPOs)

Association of Bay Area Governments
ABAG developed methodology to determine "fair share" distribution of the region's housing need to local jurisdictions

City of Dublin RHNA
2023-2031
3,719

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RHNA Allocation: 6th Cycle (2023-2031)

Income Category	% of Area Median Income	Income Range*		RHNA Allocation (Housing Units)
		Min.	Max.	
Very Low Income	0 - 50% AMI	--	$68,500	1,085
Low Income	51 – 80% AMI	$68,501	$109,600	625
Moderate Income	81 – 120% AMI	$109,601	$150,700	560
Above Moderate Income	>120% AMI	$150,701	--	1,449
			Total:	**3,719**

**Based on the 2021 area median income for a family of four in Alameda County - $125,600*

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Candidate Sites

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Candidate Sites Strategies

- Identify sites to accommodate RHNA (3,719 units)
- Candidate sites must consider:
  - Access to community resources and services
  - Infrastructure
  - Environmental barriers
  - Access to transportation

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Existing Zoning Strategies

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	389	24		828
Remaining Need	644	-	(695)	644

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Remaining RHNA Need Options

- Remaining need: 644 very-low/low-income units
  - Alameda County Surplus Properties
  - Hacienda Crossings
  - SCS Property

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Remaining RHNA Rezone Strategies

Options to Distribute Remaining Need					
		Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Option A	Alameda County Surplus Property	441	0	441	882
	Hacienda Crossings	203	0	203	406
	SCS Property	0	0	0	0
	Total:	644	0	644	1,288
Option B	Alameda County Surplus Property	322	0	322	644
	Hacienda Crossings	322	0	322	644
	SCS Property	0	0	0	0
	Total:	644	0	644	1,288
Option C	Alameda County Surplus Property	250	0	250	500
	Hacienda Crossings	244	0	244	488
	SCS Property	150	0	0	150
	Total:	644	0	494	1,138

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Candidate Sites

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Candidate Sites (Continued)

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Candidate Sites (Continued)

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New Policy Program Requirements

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Existing Housing Element Goals

- **Goal A**: Expand housing choice and multi-modal transportation opportunities for existing and future Dublin residents.
- **Goal B**: Expand housing opportunities for all segments of Dublin's population.
- **Goal C**: Use public and private resources to maintain and enhance existing residential neighborhood characteristics.
- **Goal D**: Provide housing opportunities for all Dublin residents, regardless of race, color, ancestry, national origin, religion, age, gender, marital status, familial status, disability, source of income, sexual orientation, or any other arbitrary factor.
- **Goal E**: Promote energy efficiency and conservation throughout Dublin.

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New Policy Program Topics

- Affirmatively Furthering Fair Housing
- Promotion of Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Development*
- Objective Development Standards*
- Senate Bill 35 Streamlining
- Emergency Shelters, Transitional and Supportive Housing, and Lower Barrier Navigation Centers*

**Addressed in current Housing Element, but modifications required*

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New Policy Program Topics (cont.)

- Housing for Persons with Developmental Disabilities*
- Farmworker and Employee Housing*
- Density Bonus and Removal of Development Constraints*

**Addressed in current Housing Element, but modifications required*

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Next Steps

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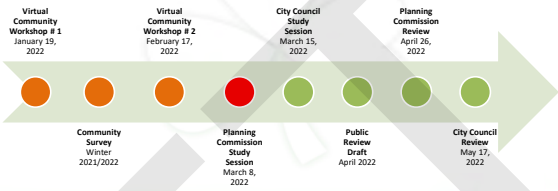
Tentative Housing Element Update Schedule



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Recommendation

- Receive presentation and provide feedback on the Housing Element Update.

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Thank you!

Questions?

Michael Cass, Principal Planner
michael.cass@dublin.ca.gov
(925) 833-6610

Or visit: https://dublin.ca.gov/2241/Housing-Element-Update
Subscribe for e-notifications on the Housing Element webpage.

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E.9 City Council Meeting #5

This Section contains materials prepared for the City Council meeting on March 15, 2022.

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Agenda Item 7.1

STAFF REPORT

CITY COUNCIL

DATE: March 15, 2022

TO: City Council

FROM: Linda Smith, City Manager

SUBJECT: Housing Element Update Check-In
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

The City Council will receive a status report on the Housing Element Update for the 2023-2031 planning period, including a presentation on the updated Preliminary Sites Analysis, policy framework, and project schedule. Staff is seeking feedback from the City Council on policy direction about the Preliminary Sites Inventory. Following the meeting, Staff will finalize the sites inventory and incorporate it into the draft Housing Element.

STAFF RECOMMENDATION:

Receive presentation and provide feedback on: 1) the distribution of Regional Housing Needs Allocation (RHNA) units on the additional sites; 2) the selection of sites identified in Downtown Dublin; and 3) holding Downtown RHNA units outside of the Downtown Dublin Specific Plan Development Pool.

FINANCIAL IMPACT:

In July 2020, the City Council approved a consulting services agreement between the City and Kimley-Horn to assist Staff with preparation of the Housing Element Update. Kimley-Horn's contract amount is $403,000. The cost to prepare the Housing Element Update will be offset in part by grants totaling $401,436, including $55,000 from an approved Senate Bill 2 Planning Grant, $300,000 from the Local Early Action Planning (LEAP) Grant Program, and $46,436 from the Regional Early Action Planning (REAP) Grant Program. The City's Fiscal Year 2021-22 Budget sufficiently covers the remaining cost.

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DESCRIPTION:

Background

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law, enacted in 1969, mandates that local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process.

The City's current Housing Element covers the period of 2014 – 2022. The Housing Element must be updated and certified by the California Department of Housing and Community Development (HCD) by January 2023 for the 2023-2031 planning period.

On December 16, 2021, the Association of Bay Area Governments (ABAG) Executive Board adopted the Final Regional Housing Needs Allocation Plan: San Francisco Bay Area, 2023-2031, which is the final step in ABAG's RHNA process. The plan allocates 3,719 housing units to the City of Dublin. Table 1 shows the City's final RHNA by household income category for the 2023 – 2031 planning period.

Table 1. Dublin's 2023-2031 Regional Housing Needs Allocation

	Very-Low-	Low-	Moderate-	Above-Moderate-	Total
Final Allocation	1,085	625	560	1,449	3,719

Preliminary Sites Inventory

The Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the RHNA. Staff prepared a Preliminary Sites Inventory to accommodate the Draft RHNA of 3,719 units. This inventory prioritizes pipeline projects, accessory dwelling units, and existing zoning to accommodate the RHNA before looking to rezone additional sites. Table 2 below details how the proposed components of the Preliminary Sites Inventory would accommodate the City's RHNA and identifies the "remaining need" for sites to accommodate 644 lower-income units. Refer to the City Council Staff Report dated November 2, 2021, for a complete discussion of the Preliminary Sites Inventory (Attachment 1).

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Table 2. Dublin's Remaining Need				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	(394)	(202)	(2,127)	(2,723)
Accessory Dwelling Units	(149)	(82)	(17)	(248)
5th Cycle Sites	-	(252)	-	(252)
Public/Semi-Public Sites	(134)	-	-	(134)
Downtown Dublin	(389)	(24)	-	(413)
Remaining Need	644	-	(695)	

On November 2, 2021, the City Council conducted a Study Session on the Housing Element Update and RHNA, with focus on the Preliminary Sites Inventory. The City Council directed staff to disperse, rather than concentrate in the Downtown, lower-income housing sites throughout Dublin and prioritized the Alameda County Surplus Properties and the Hacienda Crossings shopping center as sites to accommodate the remaining need.

In addition, the City Council directed that on sites identified to meet the remaining need, 50% of the units should be affordable to lower-income households and 50% to above-moderate income households. This approach attempts to address potential consequences under the "No Net Loss" law (Government Code § 65863). Among other things, "No Net Loss" requires a jurisdiction, if it approves a project on a site included in the Sites Inventory with fewer than the number of lower-income units identified in the inventory, to identify additional sites to continue to accommodate the RHNA by income level. If the actual development of a site identified in the Sites Inventory includes all or some portion of market rate units, the City will be required to identify new sites, within 180 days of the project approval, to accommodate the lower-income units that were included on the sites in the inventory.

Additional Sites

Based on the direction from the City Council, Staff prepared a Preliminary Sites Inventory that prioritizes the Alameda County Surplus Properties and the Hacienda Crossings shopping center to accommodate the remaining need. Staff prepared three options for consideration as illustrated in Table 3 and further discussed below. Option A addresses the City Council direction to prioritize the Alameda County Surplus Properties by assigning more units to this property; Option B splits the Remaining Need equally between the two sites; and Option C allocates some of the units to the future affordable housing site identified in the recently adopted Preferred Plan for the SCS Property. Each option includes lower-income and above moderate-income units on the County Property and Hacienda Crossings, but only includes the lower-income units on the SCS Property that were identified in the Preferred Plan. All the remaining need in the "lower-income" category requires sites to allow "at least 30 units per acre." To satisfy the remaining need, the City will be required to amend the General Plan and/or rezone the sites to accommodate these units.

Table 3: Options to Distribute Remaining Need					
		Very-Low- and Low-	**Moderate-**	**Above-Moderate-**	**Total**
Option A	**Alameda County Surplus Property**	441	0	441	882
	Hacienda Crossings	203	0	203	406
	Total:	644	0	644	1,288
Option B	**Alameda County Surplus Property**	322	0	322	644
	Hacienda Crossings	322	0	322	644
	Total:	644	0	644	1,288
Option C	**Alameda County Surplus Property**	250	0	250	500
	Hacienda Crossings	244	0	244	488
	SCS Property	150	0	0	150
	Total:	644	0	494	1,138

- **Alameda County Surplus Properties:** The General Plan land use designation of Site D-2 (northern portion) and Site E-2 in the Transit Center is Campus Office and has Planned Development Zoning. The 13.35 acres are located north of the Dublin/Pleasanton BART station and are currently undeveloped. Staff preliminarily envisions the property could be developed to allow a density of 66 units per acre, which is the average residential density within the Transit Center.
- **Hacienda Crossings:** The General Plan land use designation for the Hacienda Crossings shopping center, located southeast of Dublin Boulevard and Hacienda Drive, is General Commercial and has Planned Development Zoning. Staff preliminarily envisions a mixed-use development with a minimum density of 48 units per acre, similar to the Waterford Place Shopping Center and Apartments. Based on meetings with the property owner, Staff recommends including those units on the two large parcels located at the northeast corner of the shopping center, as it could be accommodated on the parking lots and maintain the existing development.
- **SCS Property:** On February 15, 2022, the City Council approved the Preferred Plan for the SCS Property, which is the vacant 76.9-acre property located north of I-580 between Tassajara Road and Brannigan Street and extending to the north of Gleason Drive. The Preferred Plan includes a 2.5-acre Public/Semi Public site for affordable housing that contemplates between 70 and 150 units.

Refer to Attachment 2 for a map of the Preliminary Sites Inventory.

Downtown Sites

As shown in Table 2 above, 413 lower income units (389 very-low- and low-income, and 24 moderate-income) are identified in Downtown Dublin. These units were identified in the current Housing Element to accommodate the RHNA and would be reused in the Housing Element Update. Non-vacant sites that were identified in a prior Housing Element may not be counted towards RHNA unless: (a) the sites are zoned to allow up to 30 dwelling units per acre (they are); and (b)

the Housing Element requires the sites be rezoned "to allow residential use by right for housing developments in which at least 20% of the units are affordable to lower-income households." A "use by right" is one in which the use does not require "a conditional use permit, planned unit development permit, or other discretionary local government review or approval," such as the Community Benefit Agreement, although it specifically allows for design review.

In order to reuse these units in the Housing Element Update, the City must identify actual parcels to accommodate the units. Staff identified four properties in Downtown Dublin to accommodate these lower-income units. These properties are shown in orange in Attachment 2. The four properties include: 1) the former Grocery Outlet property where the City entered into a Memorandum of Understanding to allow 80 affordable dwelling units; 2) the site with a vacant building at the southwest corner of Amador Valley and Amador Plaza Road; 3) a portion of the site where Hobby Lobby is located; and 4) the site of the former Willow Tree restaurant located at 6513 Regional Street.

A cornerstone of the Downtown Dublin Specific Plan is the Residential Development Pool whereby a Community Benefit Agreement is required to pull units from the pool. However, qualifying development on these sites must be "by right" and would not be subject to a Community Benefit Agreement, thus, the City would not achieve additional benefits by allocating these units from the existing pool. Therefore, Staff recommends adding these units to the Downtown Dublin Specific Plan outside of the Development Pool. The addition of these units outside of the Development Pool would support the Downtown Dublin Preferred Vision, which contemplates the additional units to support that vision.

<u>Housing Element Programs</u>
Each jurisdiction must identify specific programs in its Housing Element that will allow it to implement the stated policies and achieve the stated goals and objectives. Programs must include specific action steps the locality will take to implement its policies and achieve its goals and objectives. Programs must also include a specific timeframe for implementation, identify the responsible party for implementation, describe the jurisdiction's specific role in implementation, and (whenever possible) identify specific, measurable outcomes.

Programs should reflect the results and analyses of the jurisdiction's local housing needs, available land and financial resources, and the mitigation of identified governmental and non-governmental constraints. For example, if the analysis identifies constraints related to local regulations, the Housing Element should identify specific programmatic actions to address that constraint.

To make adequate provision for the housing needs of people of all income levels, a jurisdiction must, at a minimum, identify programs that do all of the following:

- Identify adequate sites, with appropriate zoning and development standards and services to accommodate the locality's share of the regional housing needs for each income level.
- Assist in the development of adequate housing to meet the needs of extremely-low-, very-low-, low-, and moderate-income households.
- Conserve and improve the condition of the existing affordable housing stock.
- Preserve assisted housing developments at-risk of conversion to market-rate.

- Promote equal housing opportunities for all people, regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

Additionally, there are a number of new program topics required with the 6th Cycle Housing Element including the following:

- Affirmatively furthering fair housing.
- Promotion of ADUs and Junior ADUs.
- Objective Development Standards.
- Senate Bill 35 streamlining.
- Emergency shelters, transitional and supportive housing, and lower barrier navigation centers.
- Housing for persons with developmental disabilities.
- Farmworker and employee housing.
- Funding and rental assistance programs.
- Density Bonus; and removal of development constraints.

Staff is preparing the draft Housing Element to incorporate these programs as required by State law.

Public Outreach

The City is in the process of implementing outreach and engagement strategies with the community, stakeholders, and decision makers during the Housing Element Update process. Notable outreach strategies since the November 2, 2021 City Council meeting include the following:

- **Survey.** Between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback that will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. The 10-question survey, available in English and Mandarin, focused on housing needs, desired housing locations, community assistance, fair housing, the vision for housing, and demographics. The City received 205 survey responses. Most respondents believe affordable and senior housing are missing in Dublin and prefer housing be located near transportation hubs. For complete survey results, refer to Attachment 3.
- **Workshops.** The City also hosted two Housing Element Workshops via Zoom on January 19, 2022, and February 17, 2022. The workshops provided an overview of the Housing Element and RHNA, potential sites to include in the Sites Inventory, progress to date, required policy and program topics, as well as next steps. The workshops also included an interactive component using an online tool called "Mentimeter," where the attendees provided feedback on their housing experience, housing challenges and opportunities, and their vision for housing in Dublin. Community members expressed a desire for more affordable and transitional/supportive housing, introducing residential uses to underperforming retail centers, and general support for the proposed sites to include in the sites inventory. Concerns were also expressed about potential impacts on parks and about the referendum of the East Ranch project impacting the ability to bring more market rate and affordable housing to the community. Recordings of the workshops are available on the City's

YouTube channel and on the Housing Element Update webpage.

- **Property Owner Meetings.** Additionally, Staff hosted one-on-one meetings with property owners of the "Additional Sites" under consideration to be included in the Sites Inventory. Both the representative for the Alameda County Surplus Land Authority and Hacienda Crossings shopping center are supportive of having their non-residential properties rezoned to accommodate the RHNA.

Project Schedule and Next Steps

Table 4 below summarizes the key dates in the Housing Element Update Process:

Table 4. Key Dates	
Step / Task	**Date(s)**
Public Review of Draft Housing Element	April 7 – May 7, 2022
Planning Commission Review of Draft Housing Element	April 26, 2022
City Council Approve Draft Housing Element and Submit to HCD for Review	May 17, 2022
Environmental Review	June – November 2022
Revise Housing Element in Response to HCD's Comments	August – November 2022
Adopt Housing Element Update	November 2022 - January 2023

ENVIRONMENTAL DETERMINATION:

The informational report on the Housing Element Update is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

STRATEGIC PLAN INITIATIVE:

Strategy 3: Create More Affordable Housing Opportunities.
Objective E: Update the City's General Plan Housing Element in accordance with state law and to ensure an adequate supply of sites to accommodate the City's Regional Housing Needs Allocation for the period 2023-31.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) City Council Staff Report, dated November 2, 2021, without attachments
2) Sites Inventory Map
3) Survey Results

DRAFT

Agenda Item 3.1

STAFF REPORT
CITY COUNCIL

DATE: November 2, 2021

TO: City Council

SUBJECT: Status Report on the Housing Element Update, Regional Housing Needs Allocation, and Preliminary Sites Inventory
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

The City Council will receive a status report on the Housing Element Update, Regional Housing Needs Allocation, and Preliminary Sites Inventory. Each California city and county must update its General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. Dublin's current Housing Element is for the 2014-2022 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023-2031 planning period. Staff is seeking feedback from the City Council on policy direction about the Preliminary Sites Inventory. Following the meeting, Staff will finalize the sites inventory and incorporate it into the draft Housing Element for consideration by the City Council at a future public hearing.

STAFF RECOMMENDATION:

Receive the report and provide feedback on the Housing Element Update.

FINANCIAL IMPACT:

In July 2020, the City Council approved a consulting services agreement between the City and Kimley-Horn to assist Staff with preparation of the Housing Element Update. Kimley-Horn's contract amount is $403,000. The City's Fiscal Year 2021-22 Budget sufficiently covers this cost. The cost to prepare the Housing Element Update will be offset by grants totaling $401,436, including $55,000 from an approved Senate Bill 2 Planning Grant, $300,000 from the Local Early Action Planning (LEAP) Grant Program, and $46,436 via the Regional Early Action Planning (REAP) Grant Program.

DESCRIPTION:

Background

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law, enacted in 1969, mandates that

local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process.

The City's current Housing Element covers the period of 2014-2022. The Housing Element must be updated and then certified by the California Department of Housing and Community Development (HCD) by January 2023 for the 2023-2031 planning period.

Regional Housing Needs Allocation

The Association of Bay Area Governments (ABAG) is responsible for creating a methodology for distributing HCD's Regional Housing Needs Determination (RHND) across the local jurisdictions in the nine-county Bay Area. Distribution of the RHND results in each jurisdiction's RHNA, which is the number of housing units the jurisdiction must plan for in the next Housing Element update. State law provides a series of statutory objectives that must be met in the RHNA methodology, including increasing affordability in an equitable manner, improving the balance between low-wage jobs and lower-income housing (jobs-housing fit), and addressing equity and fair housing. The statute also requires "consistency" between the RHNA and regional plans, such as Plan Bay Area.

On June 10, 2020, HCD released the RHND for the Bay Area, which identified 441,176 units (2.35 times the 187,990 units required in the current RHNA cycle). Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low-, low-, moderate-, and above-moderate-income).

On January 21, 2021, the ABAG Executive Board approved the Draft Regional Housing Needs Allocation (RHNA) Methodology and submitted the draft methodology to HCD for review. On April 12, 2021, HCD confirmed the Draft RHNA Methodology furthers the RHNA objectives.

On May 20, 2021, the ABAG Executive Board approved the Final Methodology and Draft Allocation, which assigns 3,719 units of housing to the City of Dublin. Table 1 shows the City's Draft Allocation by household income category for the 2023 – 2031 planning period:

Table 1. Dublin's 2023-2031 Draft Allocation

	Very-Low-	Low-	Moderate-	Above-Moderate-	Total
Draft Allocation	1,085	625	560	1,449	3,719

On July 9, 2021, the City filed an appeal of the Draft Allocation of 3,719 units based on direction of the City Council with emphasis on past performance and lack of suitable land, as well as the properties where the City does not have land-use authority. ABAG received appeals from 28 jurisdictions, including the City of Dublin. Based on the number of appeals filed, the ABAG Administrative Committee considered appeals on six dates in September and October 2021. The

City's appeal was heard by the ABAG Administrative Committee on September 24, 2021, and the Committee unanimously voted to preliminarily deny the City's appeal.

ABAG is anticipated to ratify the final determination of each appeal and issue Final Allocations that include adjustments from successful appeals in November 2021. If the total number of successfully appealed units is lower than 7% of the RHND (30,882 units), then ABAG shall redistribute the units proportionately. If the number is higher than 7% of the RHND, then ABAG may develop its own methodology to redistribute the units. The ABAG Executive Board will then conduct a public hearing and adopt the Final RHNA Plan in December 2021.

Preliminary Sites Inventory

The Housing Element must include an inventory of specific sites or parcels that are available for residential development to meet the RHNA. Land suitable for residential development must be appropriate and available for residential use in the planning period. Characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., susceptibility to flooding, slope instability or erosion, and environmental considerations) and location (proximity to transit, job centers, and public or community services). Land suitable for residential development includes vacant sites that are zoned for residential development, underutilized sites that are zoned for residential development and capable of being redeveloped at a higher density or with greater intensity, and vacant and underutilized sites that are not zoned for residential development, but can be redeveloped for, and/or rezoned for, residential use.

On October 6, 2020, the City Council received a report on the Housing Element Update and RHNA. This included an overview of the framework for selecting sites to include in the Preliminary Sites Inventory. The City Council was generally supportive of evaluating the options presented by Staff and gave direction to include sites from the current Housing Element with by-right development rather than increase the minimum density as further discussed below.

Existing Sites

Staff prepared a Preliminary Sites Inventory to accommodate the Draft RHNA of 3,719 units. This inventory prioritizes pipeline projects, accessory dwelling units, and existing zoning to accommodate the RHNA before looking to rezone additional sites. Refer to Attachment 1 for a map of existing sites. The following describes these components of the Preliminary Sites Inventory:

- Pipeline Projects: Pipeline projects are those that are at any stage within the City's entitlement process or under construction as of December 15, 2022, but that have not obtained a certificate of occupancy. An estimated 2,723 units are in the pipeline, including 266 very-low, 128 low, 202 moderate, and 2,127 above-moderate units. Staff made these estimates based upon approved entitlements, pending applications, and City Staff knowledge of forthcoming projects and inquiries with prospective applicants. It is noteworthy that the pipeline projects exceed the City's allocated above-moderate-income units. Refer to Attachment 2 for a list of these projects.
- Accessory Dwelling Units: Staff anticipates that the Site Inventory will include 149 very low-, 82 low-, and 17 moderate-income accessory dwelling units (ADUs). HCD's recent Housing Element certifications have allowed ADUs to be included in the Sites Inventory at a

rate of two times the average ADUs built annually from 2018 – 2021 and multiplied that by eight years to estimate ADU development for 2023 – 2031. Using this methodology, approximately 248 ADUs are included in the Preliminary Sites Inventory. ADU quantity and affordability level estimates are tentative based on recent Housing Element certifications. In the Bay Area, the actuals are likely to be based on ABAG's methodology in development for approval by HCD and use by local jurisdictions. ABAG's methodology is anticipated to be similar to the methodology approved by HCD in other certifications, which is based upon market conditions for ADUs rented in the region. HCD may perform a review of ADU production (based on Annual Progress Reports) two years into this next planning period and jurisdictions may need to identify additional sites if the ADU projections are not being met. Unlike other units, the location of anticipated ADUs do not need to be mapped in the Preliminary Sites Inventory.

- Existing Zoning: The City can take credit in the Preliminary Sites Inventory for existing zoning capacity as discussed below.
    - 5th Cycle Moderate-Income Sites: Staff has identified eligible sites from the current Housing Element that can be included in the Site Inventory to accommodate 252 moderate-income units. State law limits a jurisdiction's ability to re-use certain sites from the prior RHNA cycle. Those limits only apply to sites used to meet the lower-income categories. See below. A number of 5th Cycle Sites were designated as moderate or above-moderate-income sites, since they do not meet the minimum density of 30 dwelling units per acre required to count for lower-income categories. These sites can accommodate 252 units.
    - Public/Semi-Public Sites: Two Public/Semi-Public Sites in Eastern Dublin can accommodate 134 lower-income units. On June 15, 2021, the City Council adopted a General Plan and Eastern Dublin Specific Plan Amendment to change the land use designation of 2.5 acres of the GH PacVest and 2.0 acres of the East Ranch properties from Semi-Public to Public/Semi-Public. This amendment allows a broader range of uses, including the potential for affordable housing developed by a non-profit entity. These sites can accommodate 134 lower-income units, as the allowed densities exceed 30 units per acre.
    - Downtown Dublin Development Pool: Within the Downtown Dublin Specific Plan, 828 units remain in the Development Pool and, if the Housing Element meets certain requirements, the Sites Inventory for the lower-income categories may include 828 lower-income units in Downtown Dublin. Non-vacant sites that were identified in a prior Housing Element may not be counted towards RHNA unless: (a) the sites are zoned to allow up to 30 dwelling units per acre (they are) and (b) the Housing Element requires the sites be rezoned by 2026 "to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households." A "use by right" is one in which the use does not require "a conditional use permit, planned unit development permit, or other discretionary local government review or approval" that would be subject to CEQA review, although it specifically allows for design review. In October 2020, the City Council gave direction to prioritize reusing such sites rather than up-zoning other property. These units in the Development Pool could be counted as lower-

income units if the City commits in the Housing Element to rezone the sites within 3 years to allow as a use by right housing developments in which at least 20% of the units are affordable to lower income households.

Table 2 below details how the various proposed components of the Preliminary Sites Inventory above would reduce the City's RHNA and require that the inventory include a site or sites that could accommodate 247 lower-income units.

Table 2. Dublin's Remaining Need				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Draft Allocation	1,710	560	1,449	3,719
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	786	42	-	828
Remaining Need	247	(18)	(695)	247

To minimize the number of additional sites needed to accommodate the RHNA, Staff prepared an inventory scenario that assumes 100% of the units produced on the Public/Semi-Public sites and in Downtown Dublin would be affordable to lower-income households. This approach avoids the need to identify a significant number of additional sites that would need to be rezoned at densities of at least 30 units per acre.

On the other hand, this approach would create certain consequences under the "No Net Loss" law (Government Code § 65863) that are important considerations. Among other things, the "No Net Loss" requires a jurisdiction, if it approves a project on a site included in the Site Inventory with fewer than the number of lower-income units identified in the inventory, to identify additional sites to continue to accommodate the RHNA by income level. It is unlikely that 100% of the units actually produced on the Downtown Dublin sites would be affordable to lower-income households. The Public/Semi-Public Sites are likely to develop with affordable housing because the land use designation only allows residential uses if developed by "a non-profit entity and serves to meet affordable housing needs or the housing needs of an underserved economic segment of the community."

Therefore, if the actual development of these Downtown Dublin sites includes all or some portion of market rate units, the City will be required to identify new sites – within 180 days of the project approval – to accommodate the lower-income units that were included on the sites in the inventory. Quickly completing such an identification may be a difficult undertaking.

The City could limit this consequence of the "No Net Loss" law by assuming that a lower percentage of the units would be affordable to lower-income households. However, such an

alternative approach would require the Housing Element to include an increased number of sites in the Sites Inventory and would increase the overall number of units planned in the community.

Given the significant policy implications of either approach, Staff believes it prudent for the City Council to consider both approaches. Tables 3 and 4 below illustrate two affordability scenarios for the units in the Downtown: 100% and 50% affordable. The 100% affordable scenario could accommodate all but 247 RHNA units using existing sites. Alternatively, the 50% scenario can accommodate all but 644 RHNA units using existing sites. Both scenarios show a surplus of above-moderate-income units, since the Pipeline Projects exceed the City's allocated above-moderate-income units, and the 50% scenario assumes half the units in the Downtown are affordable and half are above-moderate-income units.

Table 3. Remaining Need with Downtown 100% Affordable Scenario				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Downtown Dublin	786	42	-	828
Remaining Need	247	(18)	(695)	247

Table 4. Remaining Need with Downtown 50% Affordable Scenario				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Downtown Dublin	389	25	414	828
Remaining Need	644	(1)	(1,109)	644

It should be noted that the 100% scenario (Table 3) clusters most of the lower-income RHNA units in the Downtown. This approach further assumes that all remaining units in the Downtown Development Pool (i.e., 828 units) would be lower-income units. These units would be in addition to the 839 already existing and planned lower-income units in the Downtown.

As an additional consideration, this Housing Element cycle includes for the first time an express requirement the Housing Element "affirmatively further fair housing." Affirmatively furthering fair housing means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities." These new statutory obligations charge all public agencies with broadly examining their existing and future policies, plans, programs, rules, practices, and related activities and make proactive changes to promote more inclusive communities. Concentrating affordable housing in the Downtown has benefits, such as promoting transit-oriented development, decreasing household transportation expenses, and decreasing greenhouse gas emissions; however, HCD and others may argue that concentrating affordable housing in one area is inconsistent with the obligation to affirmatively further fair housing.

Additional Sites
As discussed above, the City would have to include an additional 247 or 644 units in the Sites Inventory, depending on the level of affordability as illustrated in the two scenarios above (Tables 3 and 4). This section addresses the potential "additional sites" that could accommodate the remaining need.

All of the remaining need is in the "lower income" category, which requires sites allow "at least 30 units per acre." To satisfy the additional remaining need, the City will need to amend the General Plan and/or rezone additional sites to accommodate these units. For each of these additional sites, Staff and the consultant assigned a potential density between 30 and 85 units per acre. The proposed densities are based on other similar existing sites/developments in Dublin. The assigned density for the additional sites could be adjusted based on direction from the City Council. Refer to Attachment 3 for a map of the additional sites.

Staff has identified the following properties that could accommodate the remaining units:

- Development Pool Amendment: The City could amend the Downtown Dublin Specific Plan to increase the Downtown Development Pool. This action would be consistent with the Downtown Dublin Preferred Vision which contemplates the need for additional units to support the transition of Dublin Place and Dublin Plaza over the term of 30-50 years. Such changes could accommodate between 1,200 - 2,200 lower-income units. The City can maintain the Downtown Development Pool after the Housing Element Update.
- Alameda County Surplus Properties: The General Plan land use designation for the remaining 13.35-acre undeveloped sites at the Transit Center (Sites D-2 and E-2) is currently Campus Office. If developed at a density of 85 units per acre, which is consistent with the existing development at the Transit Center, such as Avalon at Dublin Station and Dublin Station by Windsor, then these sites could accommodate up to 1,133 lower-income units, not including the southern portion of Site D-2 where the Westin Hotel is approved.
- SCS Property: The SCS Property is the vacant 76.9-acre property located north of I-580 between Tassajara Road and Brannigan Street and extending to the north of Gleason Drive. The existing General Plan and EDSP assume residential development of 261 units. This site is the subject of a General Plan Amendment Study. The City Council directed Staff to work with the property owner to conduct a community outreach process to gather input on the future use and development of the property. That process is underway and the number of residential units on this site has not yet been determined.
- Hacienda Crossings: Rezoning a portion of Hacienda Crossings for mixed-use development at a minimum density of 48 units per acre could accommodate up to 1,839 lower-income units. Staff preliminarily envisions such density to result in a product like the Waterford Place Apartments, while balancing other impacts such as traffic and parking.
- North Side of Dublin Boulevard: Rezoning the commercial sites on the north side of Dublin Boulevard, between Dublin Court and Clark Avenue to a minimum density of 30 du/acre could accommodate up to 548 lower-income units. This density would be consistent with the existing Tralee Apartments located in the vicinity and meets the minimum density requirement to qualify as lower-income units. Additionally, the Tralee

Apartments could be cited as an example to HCD about the viability of these properties being redeveloped.

- IKEA Site: Rezoning approximately seven acres of the Ikea site not slated for the IKEA store to a minimum density of 48 units per acre could accommodate approximately 315 lower-income units. This density would be like that of the Waterford Place Apartments, which is the density Staff preliminarily envisions could be accommodated on this site, while balancing other impacts and development standards, such as traffic and parking.
- Hexcel Corporation Site: The Hexcel Site, located at 11711 Dublin Boulevard directly west of the Dublin Historic Park and Museums, comprises two parcels totaling 8.95 acres. Hexcel will be relocating from this site which is currently available for sale. The entire site has a General Plan Land Use of Business Park/Industrial. Both parcels are in the Dublin Village Historic Area Specific Plan and have a Business Park/Industrial land use. The eastern portion of the site is zoned Light Industrial (M-1) and the western portion of the site has Planned Development Zoning that allows Commercial-Office (C-O) uses. If the site is redeveloped at a minimum density of 30 units per acre, then 264 lower-income units could be accommodated. This density was selected as it meets the minimum density requirement to qualify as lower-income units.

Table 5 below summarizes the potential sites to accommodate Dublin's remaining need of 247 or 644 units, depending on the level of affordability as illustrated in the two scenarios:

Table 5. Potential Sites to Accommodate Remaining Need	
Site	Potential Number of Units
Development Pool Amendment and Retail District Up-Zoning	1,200 - 2200 units
Alameda County Surplus Properties	1,133 units
SCS Property	TBD
Hacienda Crossings	1,839 units
North Side of Dublin Boulevard	548 units
Ikea Site	315 units
Hexcel Corporation Site	264 units

When selecting "Additional Sites," notable factors and characteristics to consider include, but are not limited to, the following:

- Proximity to Public Transit and Vehicle Miles Traveled
- Displacement of Existing Uses
- Probability of Redevelopment
- Mix of Compatible Uses
- Site Constraints
- The extent to which a particular site affirmatively furthers fair housing

Tables 6 and 7 illustrate potential options to accommodate the remaining RHNA units again using the assumption that either 100% or 50% of the units on these sites are produced as affordable units. Simply for illustrative purposes, Table 6 adds 247 units at the Transit Center. Table 7 adds 450 units at the Transit Center and 194 units at Hacienda Crossings.

Table 6. Preliminary Sites Analysis Example (100% Affordable Scenario)				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	786	42	-	828
Alameda County Surplus Properties	247	-	-	247
Total	1,710	578	2,144	4,432

Table 7. Preliminary Sites Analysis Example (50% Affordable Scenario)				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	389	25	414	828
Alameda County Surplus Properties	450	-	450	900
Hacienda Crossings	194	-	194	388
Total	1,710	561	3,202	5,473

As shown in Table 6 above, the 100% affordable scenario would result in 4,432 units, including 713 more units than the City's Draft Allocation. Most of that excess includes 678 above-moderate-income units in the project pipeline. This option still relies on all remaining units in the Downtown Development Pool to satisfy a portion of the lower-income category. However, this reliance on the units in the Downtown could be reduced by increasing the number of lower-income units placed on the Alameda County Surplus Properties.

As shown in Table 7 above, the 50% affordable scenario would result in 5,473 units, including 1,754 more units than the City's Draft Allocation. That excess above our Draft Allocation primarily includes above-moderate-income units in the project pipeline, Downtown Dublin, Alameda County Surplus Properties, and Hacienda Crossings. This results from the assumption that only 50% of the

units on those sites would be affordable. This scenario would reduce the clustering of lower-income units in the Downtown by only relying on approximately half of the current Development Pool to satisfy the lower-income categories.

Staff seeks feedback from the City Council on the following questions:

1. What percentage of planned units should be assumed as affordable on opportunity sites? Should Staff assume 100%, 50%, or a different percentage of affordable units?
2. Based on the requirement to affirmatively further fair housing, should an emphasis be placed on providing lower-income affordable units in the Downtown or should they be dispersed throughout the City?
3. Which "Additional Sites" should be prioritized to accommodate the RHNA obligation not met by "Existing Sites"?

Following the meeting, Staff will work with the Consultant to refine and finalize the sites inventory to be included in the Housing Element which the City Council will consider adopting at a future public hearing.

Project Schedule and Next Steps
Table 8 below summarizes the key dates in the Housing Element Update Process:

Table 8. Key Dates	
Step / Task	Date(s)
Public Outreach (Survey and Stakeholder Workshops)	November 2021 – February 2022
City Council Approve Draft Housing Element and Submit to HCD for Review	May 2022
Environmental Review	June – November 2022
Revise Housing Element in Response to HCD's Comments	August – November 2022
Adopt Housing Element Update	December 2022 / January 2023

ENVIRONMENTAL DETERMINATION:

The informational report on the Housing Element Update is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

STRATEGIC PLAN INITIATIVE:

Strategy 3: Create More Affordable Housing Opportunities.
Objective E: Update the City's General Plan Housing Element in accordance with state law and to ensure an adequate supply of sites to accommodate the City's Regional Housing Needs Allocation for the period 2023-31.

DRAFT

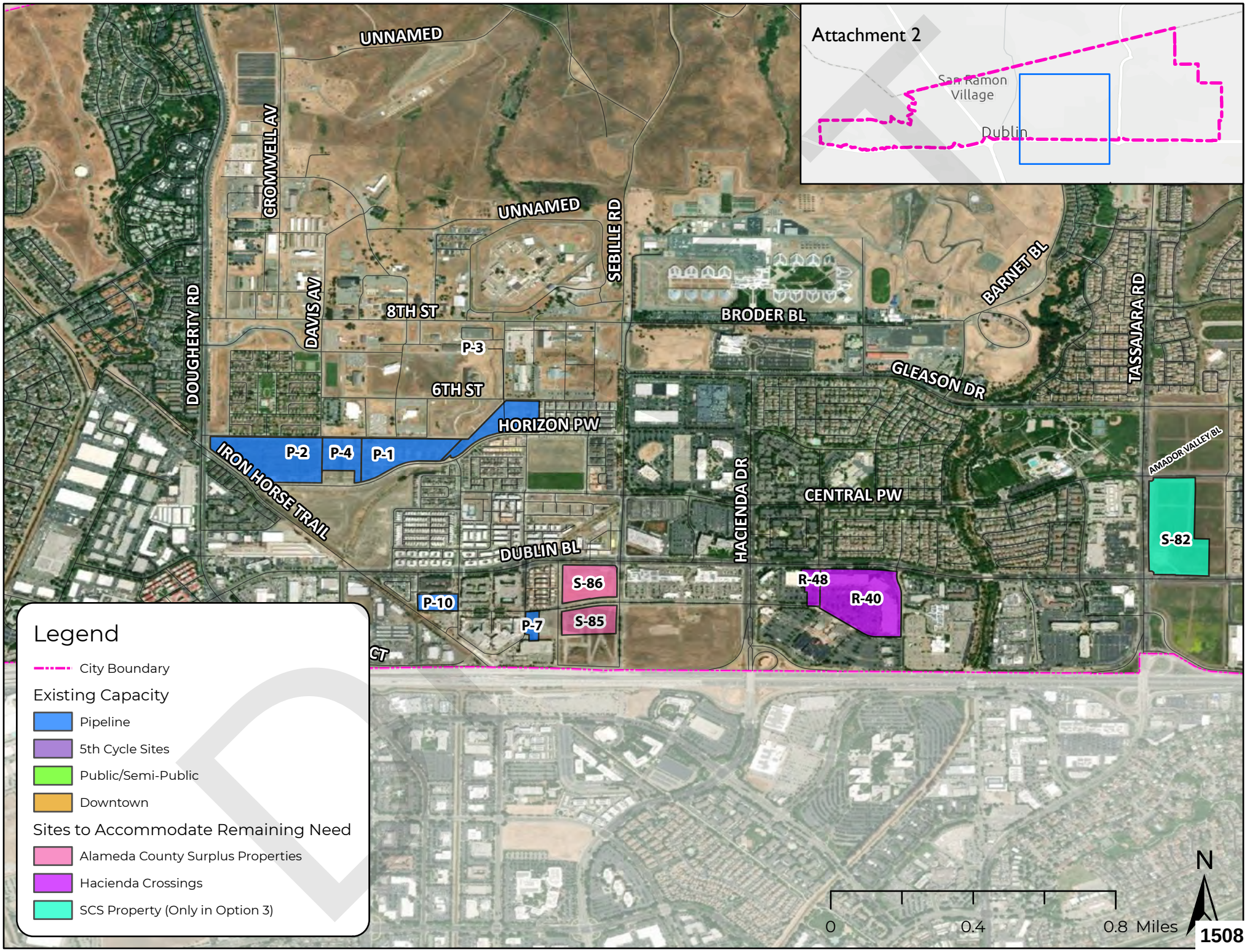
NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Map of Existing Sites
2) Pipeline Projects Table
3) Map of Additional Sites

DRAFT


Attachment 2
San Ramon Village
Dublin
UNNAMED
UNNAMED
CROMWELL AV
DOUGHERTY RD
DAVIS AV
SEBILLE RD
8TH ST
6TH ST
BRODER BL
BARNET BL
TASSAJARA RD
GLEASON DR
HORIZON PW
IRON HORSE TRAIL
P-1
P-2
P-3
P-4
P-7
P-10
HACIENDA DR
CENTRAL PW
AMADOR VALLEY BL
DUBLIN BL
S-82
S-86
S-85
R-48
R-40
Legend
City Boundary
Existing Capacity
Pipeline
5th Cycle Sites
Public/Semi-Public
Downtown
Sites to Accommodate Remaining Need
Alameda County Surplus Properties
Hacienda Crossings
SCS Property (Only in Option 3)
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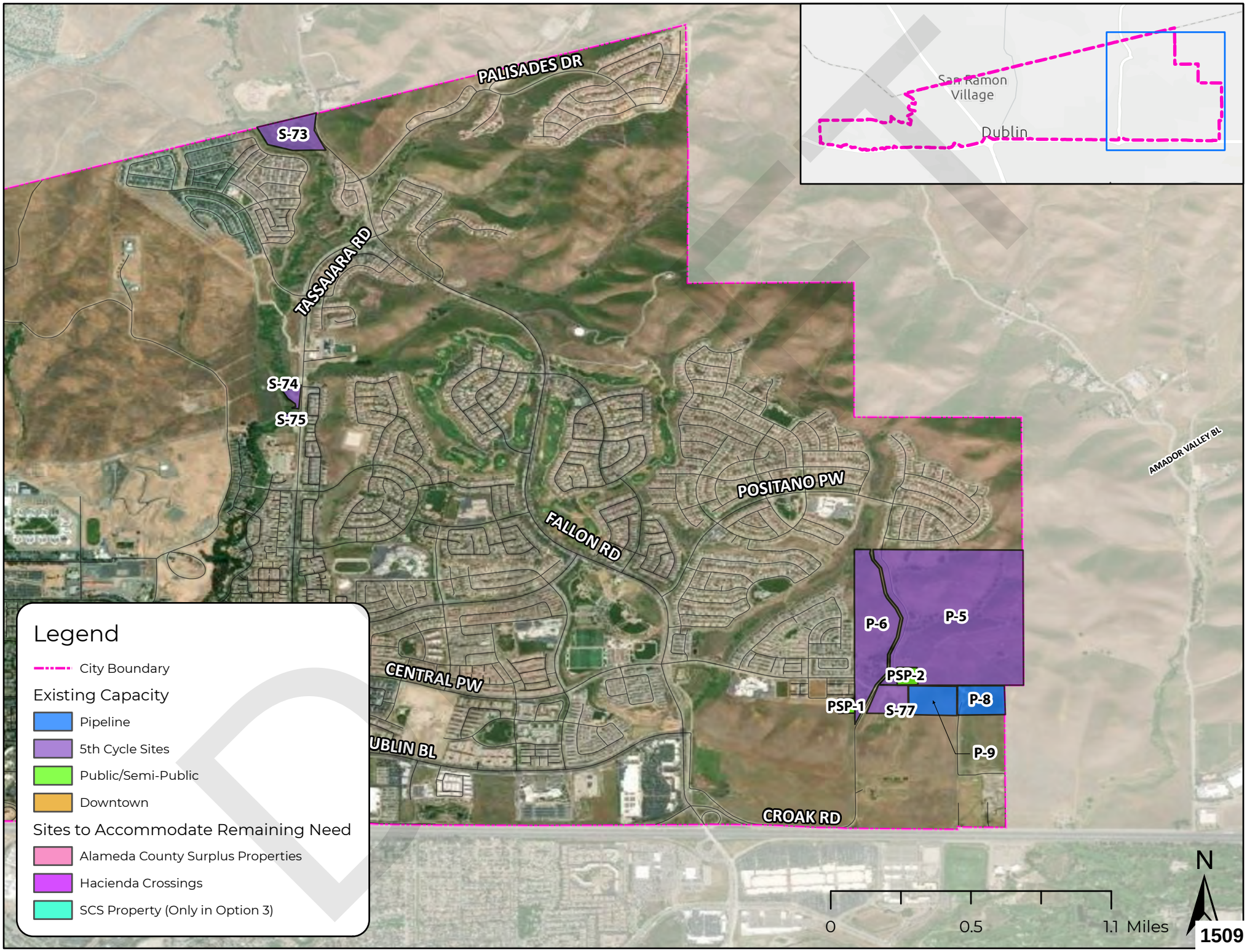
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TASSAJARA RD
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S-75
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FALLON RD
CENTRAL PW
UBLIN BL
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P-6
P-5
PSP-2
PSP-1
S-77
P-8
P-9
San Ramon Village
Dublin
Legend
City Boundary
Existing Capacity
Pipeline
5th Cycle Sites
Public/Semi-Public
Downtown
Sites to Accommodate Remaining Need
Alameda County Surplus Properties
Hacienda Crossings
SCS Property (Only in Option 3)
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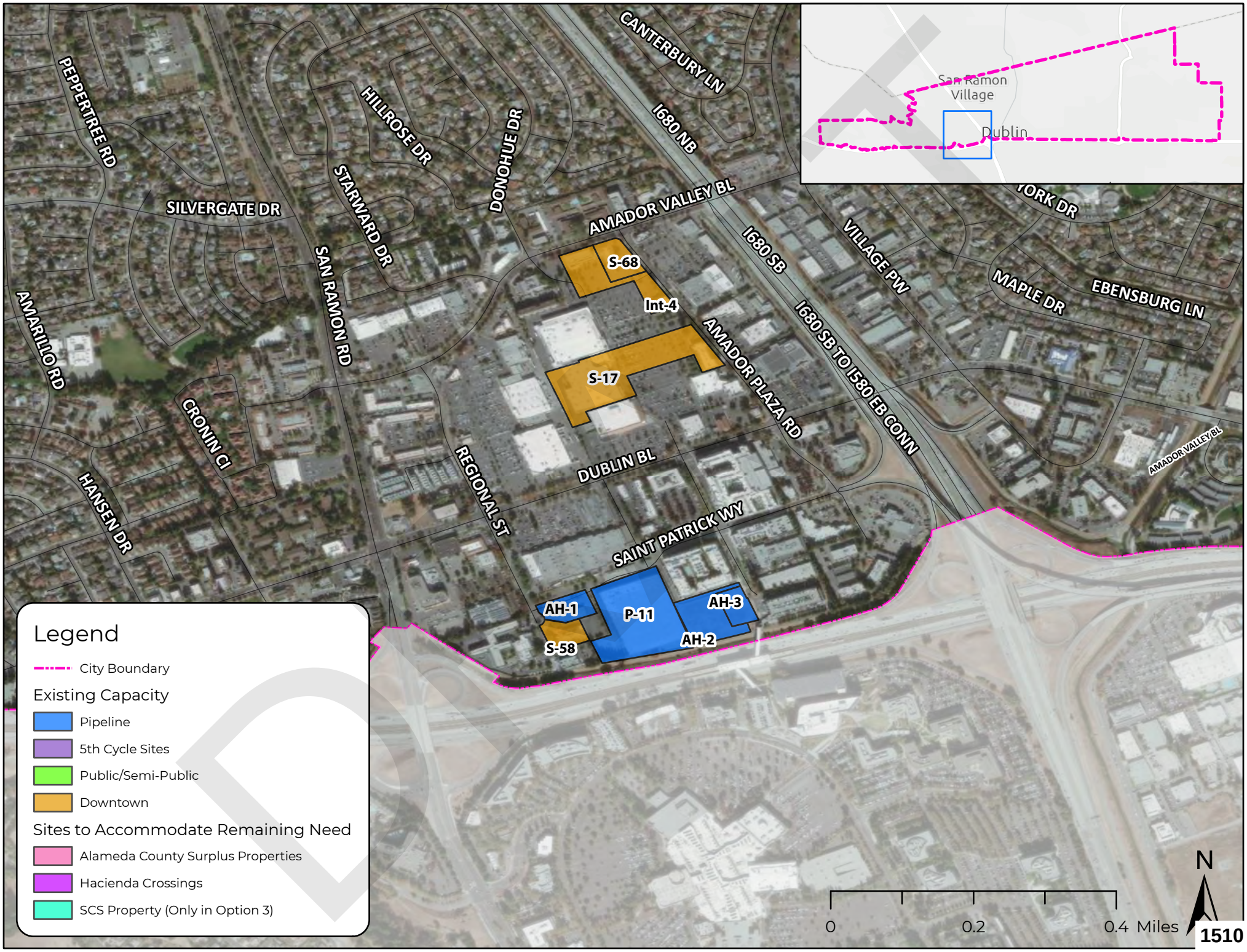
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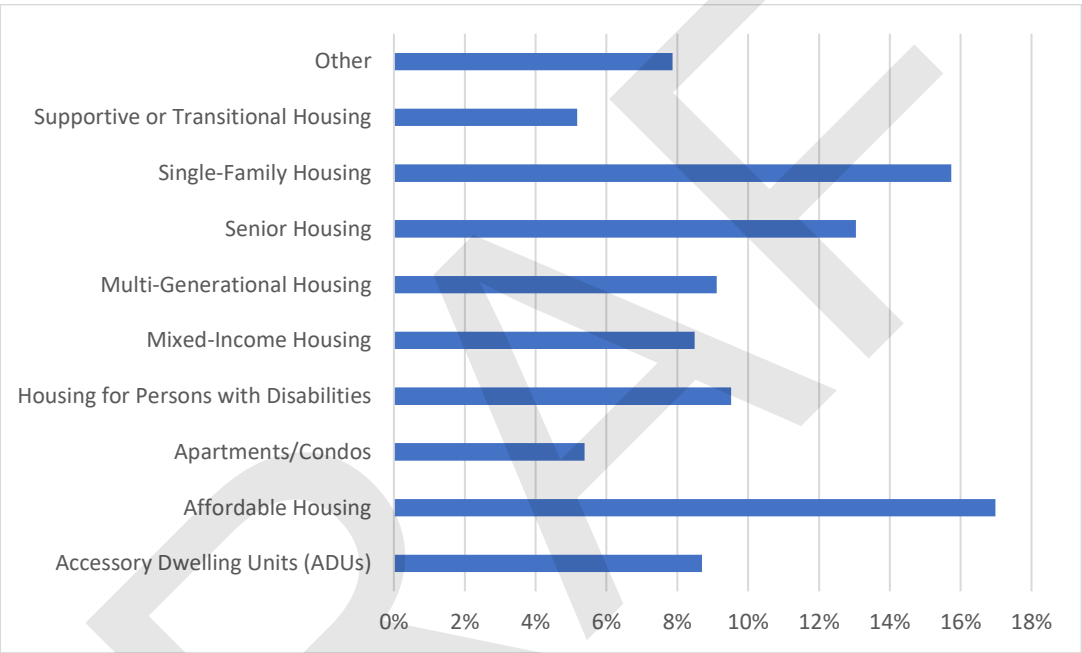
SILVERGATE DR
HILLROSE DR
STARWARD DR
DONOHUE DR
CANTERBURY LN
I680 NB
AMADOR VALLEY BL
I680 SB
VILLAGE PW
YORK DR
MAPLE DR
EBENSBURG LN
AMARILLO RD
SAN RAMON RD
CRONIN CI
HANSEN DR
REGIONAL ST
DUBLIN BL
AMADOR PLAZA RD
I680 SB TO I580 EB CONN
SAINT PATRICK WY
S-68
Int-4
S-17
AH-1
P-11
AH-3
S-58
AH-2
San Ramon Village
Dublin
Legend
City Boundary
Existing Capacity
Pipeline
5th Cycle Sites
Public/Semi-Public
Downtown
Sites to Accommodate Remaining Need
Alameda County Surplus Properties
Hacienda Crossings
SCS Property (Only in Option 3)
0
0.2
0.4 Miles
N

Housing Element Update Community Survey

From December 20, 2021 through February 28 2022, the City of Dublin launched an online community survey to gather input and feedback regarding the Housing Element Update. Participants were asked to report on their housing experience in Dublin, consider potential policies and programs, and reflect on future housing opportunities in the City. A total of 205 surveys were completed and submitted. Below is a summary of the results.

Housing Types

What Types of housing do you think Dublin is missing? (Please select all that apply)



Other:

- One-level
- Assisted living through memory/long-term care
- Housing for Dublin workers earning minimum wage
- Low income/senior and diverse housing on the east side of town
- Middle income family housing
- Homes with yards
- Enough housing
- More schools

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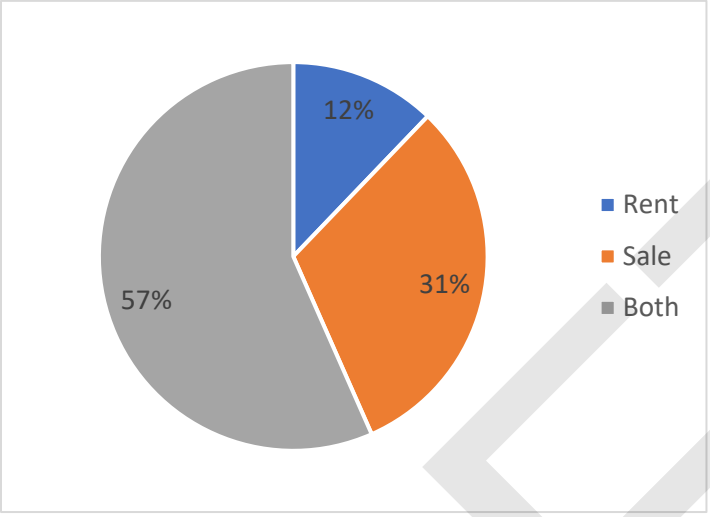
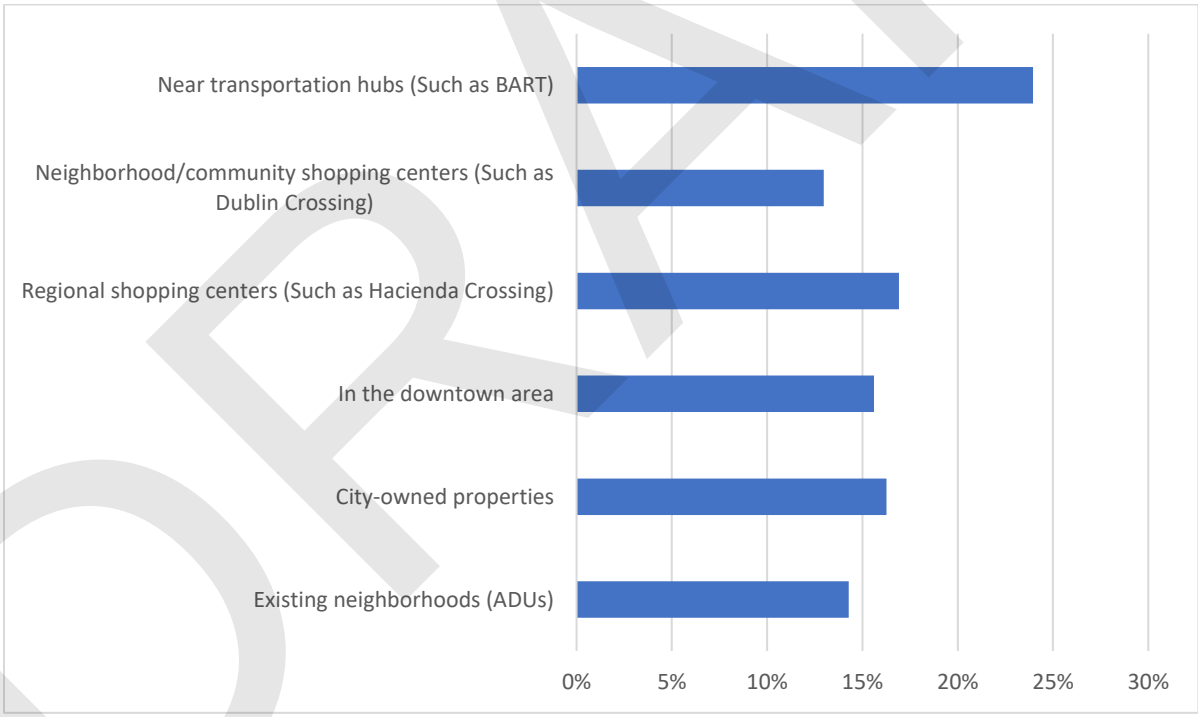
What type of housing, for rent or for sale, do you think is needed?



Where do you think the City should locate future housing that is required to be planned for in the Housing Element update? (Please select all that apply)



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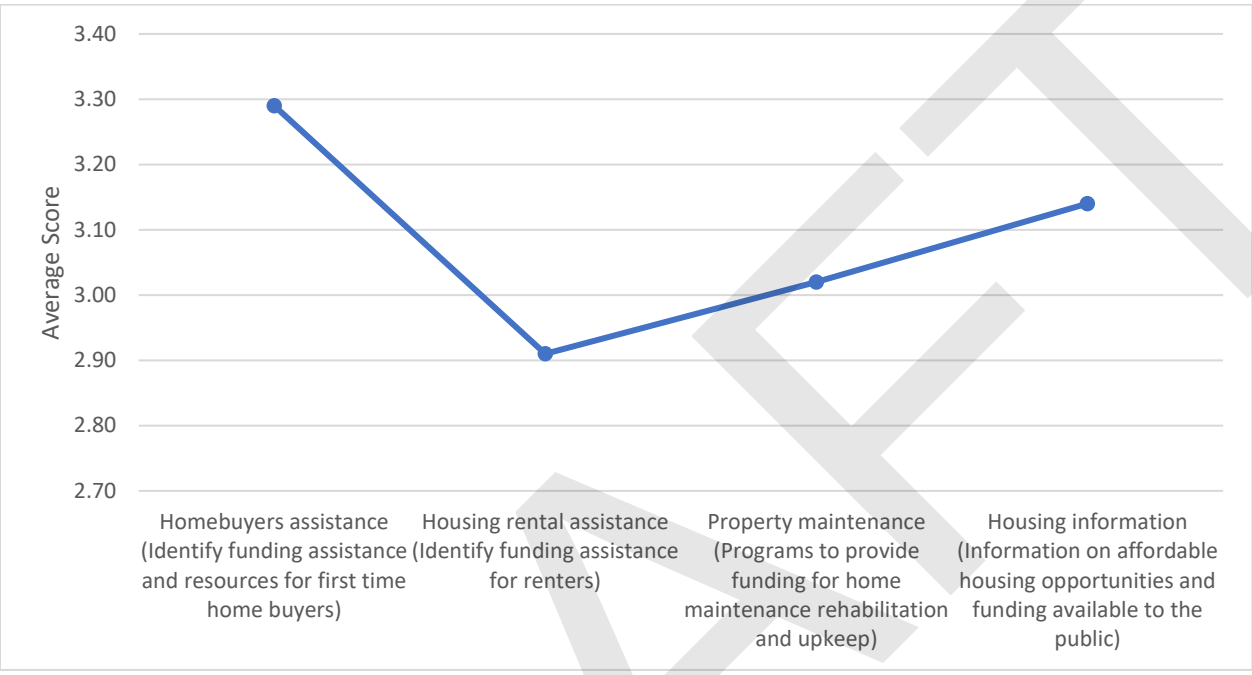
Housing Program Opportunities

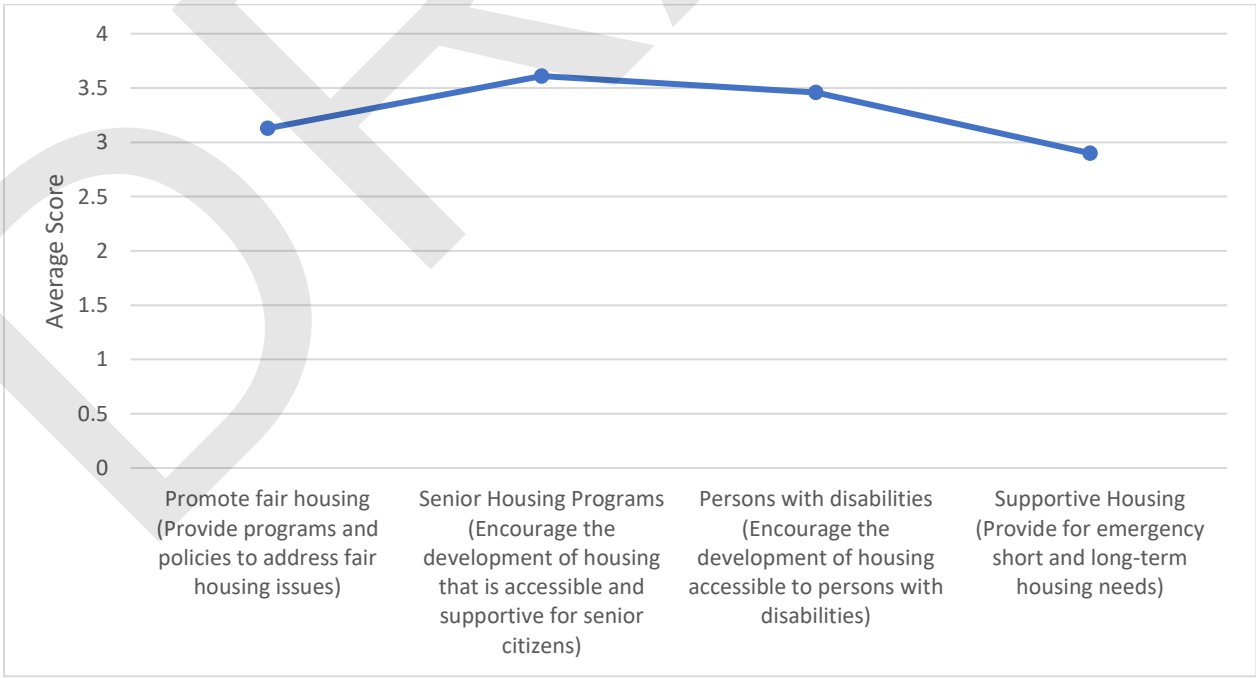
Community Assistance:

Please rate the following based on importance to the community. (1 being the least important and 5 being the most important)



Fair Housing:

Please rate the following based on importance to the community. (1 being the least important, 5 being the most important)



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Vision for the Future

In 10 words or less, describe your vision for the future of housing in Dublin.

Infill and affordable housing
Affordable, quality housing for first time home buyers.
I don't to see over population nor do I want to have a lot of low income properties.
Equitable, affordable housing/good neighborhoods for all income levels.
Senior, stand-alone housing, single level.
Not growing.
No more honeycombs. 4-unit max groupings for apts, townhouses.
Town homes located in infill areas or underutilized retail. Leave open space open
Less houses. BUILD MORE SCHOOLS TO SUPPORT NUMBER OF HOMES HERE!
Need middle school and elementary school existing schools are overcrowded.
don't screw up property values
Low and middle income housing desperately needed
Dublin needs to stop additional housing and focus on supporting infrastructure. The city has become a plague of development and homes. Traffic is ridiculous.
Dublin WILL continue to grow; supply needs to keep up.
I think future housing should be scaled way down.
Stop building
Dublin is pretty much built out. We need closer to home employment, not more housing
inclusionary housing by private developers. no more huge apartment buildings.
NO MORE HOUSES PLEASE. The Dublin streets and corresponding freeways cannot handle more houses.
Where people from all incomes can find a home.
Just enough
Land in Dublin is already quite filled up and the school district can't keep up. No more new housing
Affordable housing for mixed demographic population with access to schools, utilities, and basic infrastructure
Stop adding more houses to an already overpopulated city. Keep Dublin small.
More spacious single family homes with bigger lot six having more space between two adjacent homes.
Plan for baby boomers to remain in Dublin to open up existing houses to new families.
Equitable, fair, and transparent community needs.
Please have a affordable housing for low income families
For seniors.
Inclusive for all current and new residents
STOP the excessive overbuilding! Especially the dense housing of condos/townhomes. Dublin should not bear the sole responsibility for any housing shortage for the entire county/state. Schools are overcrowded, roads are overcrowded, great majority of residents agree we are overcrowded and also agree the explanation given to us that the City is required to continue building thousands of units is ridiculous. If this is the case, then push back and do something to change it. STOP allowing those outside our City to determine the well-being of our City based on reports and numbers read from afar. Those that live here and those that have taken positions responsible for our best interests have an obligation to fight for our best interests even when it's hard and even when it's directly against

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current established criteria/rules. Circumstances change and therefore rules and criteria may also require change. STOP the building! DEMAND CHANGE to the current criteria. DO WHAT'S BEST AND WANTED FOR OUR RESIDENTS.
Denser housing that makes Dublin more walkable
stop sprawl, start building up, and support mixed-use
Affordable housing for Next generation to stay in Dublin.
Housing Maintenance / mortgage programs for disabled and elderly persons.
Diverse
Dublin is the city of choice for East Bay area
Housing in Dublin should be easily affordable and publicly funded.
It MUST involve additional community infrastructure.
Dublin needs more housing but spread out, not near to existing congested areas.
Less high density housing due to water shortage, climate change, and full schools. More senior citizen housing or senior communities.
accessible to all
No more housing at all.
Add housing to shopping centers, similar to the Waterford Place Apartments which sit above and adjacent to the Shops at Waterford. These properties are generally located near major traffic arteries and transit lines and can support increased density. Adding housing will also support retail without increasing vehicular travel.
Housing for all
Stop building!
Walkable, mixed-use, transit-oriented development
Provide help with SB 9 application
relentless development of large, trashy high-density eyesores
A great place for everyone to live.
I feel the city is overbuilt and overcrowded. More focus on improving infrastructure is needed than housing.
Stopping growth is futile, we need to increase housing supply
dense, accessible, affordable, inclusive, diverse, maintained, transit-oriented
I wish housing didn't outpace schools, but homebuilders rule us.
Modern and mixed with commercial areas and near public transportation
Affordable for housing for anyone to be able to live in this city.
Balanced housing with schools, commercial and SF/MF properties
Nice, safe community close to everything with range of housing options
Slow, steady growth that the schools can keep up with
affordable for those that grew up in this community, currently live and work here
Transit oriented housing for all income levels
Do not construct or allow housing until new schools are built
Smart growth does not burden residents
Dublin should invoke a 10-year moratorium on any new development and focus on failing infrastructure. Schools are overcrowded, there's a traffic nightmare on city roads, city services cannot support any new development. City council has turned Dublin into a concrete jungle and needs a break.

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Dublin is overcrowded and there is no infrastructure to support any more homes. STOP Building new homes
Plenty of housing options for people
Dublin Boulevard should have a strong sense of place defined by 4 to 5 story apartments and condos.
Diverse, welcoming to all income levels and ages
We need more single family houses in Dublin
Less condos/stack n pac. Dublin Blvd/Bart areas so congested!
Where housing is seen as a right not a privilege and there is greater understanding that housing is not primarily an investment but a necessity. I hope to see communities with mixed styles of housing, so neighborhoods aren't separated into silos
Overcrowded high density housing is not recommended nor needed.
Less dense in fill housing
Have east Dublin get their share of more diverse housing types vs packing it all into west Dublin so it's not in their fancy backyards & neighborhoods
More housing but not in small downtown area
Great families and affordable housing
Less density
More affordable housing
More housing for all income levels is needed
Pause on housing development to allow infrastructure and schools to catch up.
SCS planning need more open space and infrastructure than housing
Don't turn into Fremont, you're starting to
Affordable
More supportive amenities and parks.
Quiet, safe, affluent, vibrant community
Stop the massive growth. More parks and open land.
no more housing! we are over capacity
More green, fewer new homes
No more dense neighborhoods. More infrastructure.
We need city rule for SB-9
More village like with higher core density areas and transit
Provide more mid-size (1300 - 1600 sq) affordable single-family houses (600K - 800k), instead of building BIG million dollars houses.
low-income housing, affordable housing is still out of reach.
Have more parks and less traffic. It is getting really crowded
One that has much less Mello Roos taxation
Sustainable environmentally conscious inclusive green spaces and community gardens
We need more retail to keep the revenue here.
For young family
Single family homes. Affordable rentals
Sick of stack and pack. NO ADUs. Changes character of neighborhood.
Better living for all
Best housing in the bay area
Available and Affordable to all

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Someone in middle single income household 130k could afford a house HERE new perf everything is 780k++
no more housing. it's already too much
A significant reduction in the future approval of an unsustainable number of profligate housing developments.
High density housing ruining character of Dublin please stop it.
Build schools, not houses.
More single family houses needed
Slow down the building. Provide infrastructure.
No more new homes in Dublin. Enough is enough.
Affordable and accessible housing for every income level
Large single family homes with backyards
Please stop building!!! Dublin is full
Affordable single family houses for first time home buyers
Less density
Less houses
More individual homes. No more townhomes!
Walkable (accessible), sustainable. and neighborhood friendly.
needs based. not haphazard. Organized plans. not changed because business.
Develop without impacting already overcrowded schools, traffic, or community safety.
Semi-high-rise
Dublin used to be a great community existing primarily of single family homes. Now Dublin is known for apartments and townhomes. Outsiders don't think of Dublin as having traditional neighborhoods of single family homes. Dublin should work to get back to the neighborhoods which were integral in establishing a great community for families.
Keep the small town feel of the city.
Dublin doesn’t need any more condos or apartments
Smaller lot sizes. Build upwards. Don't neglect parks and traffic.
Single family detached homes with neighborhoods and yards are necessary.
Aesthetically pleasing, slow down planning, more schools
More schools for houses.
AFFORDABLE single family homes mixed with apartments and townhomes
More diversity inclusive neighborhoods
Affordable with supporting infrastructure such as schools and roads
Slow Down. Think 100 year plan.
Housing available for all types of individuals and families
less single-family, actually enough homes for those who want them
It’s already doomed, between DUSD and the City of Dublin there is no hope.
Less density, affordable 55+ single family home community
bousing that never exceeds infrastructure capacity - roads, water, transportation
Inclusive housing that builds a wonderful safe community
No need to construct new homes. Already too crowded
In need of single family homes with big backyards
Make it less crowded

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Yards, community, trees
NO MORE HOUSING DEVELOPMENTS PLEASE! DUBLIN TOO OVERBUILT AND CROWDED.
More schools and parks. Less high density communities
More affordable housing to allow for opportunities for families
Have homes with large lot sizes
Need affordable housing, many of us are leaving Dublin because of housing costs....
Stop building multi-level townhouse style expensive condo developments.
Housing accessible to a mix of socioeconomic backgrounds
Balanced semi-urban open space town
Affordable, multigenerational, and senior housing especially on the eastern side.
Too many already, need community facilities
Housing needs are adequate, if you don preserve the nature and adjust only according to human needs, we will lose our way, let's not cram the city.
A shining example for the region for YIMBY, especially near Transit
No more housing, more libraries
Accessible for working class that works here
develop housing that creates prestige neighborhood to better the city
Build more homes.
More schools, less houses. Dublin school ratings have dropped due to overcrowding
Don't use up all the lands. Save some for future.
Please stop building these horrible tri-level homes with no front or backyards. We need single family 2-story homes with yards.
No further development, keep small town feel
Stop building homes!
More affordable housing and schools
I'm hoping that only single homes will be built in the future as there is enough high rise condos now. It's beginning to look like downtown New York or Detroit with only concrete for the children to play on. Dublin was once a beautiful country setting that attracted residents that wanted to leave the City. Now we are a City with not so many green space. Who is responsible for making all the decisions to compartmentalize people in square condos where your neighbor can hear you talking? Really, we've lived here for 50 plus years and are very disappointed in how Dublin has changed. More people, more accidents, more crime, more disagreements between neighbors, more litter etc. My vision is not a good one.
Fewer multi-family complexes; lower density
Stop building. Every piece of land does not have to have a structure on it. Nor are there the resources to support additional and continual building of homes. The population is declining for crying out loud.
Building up lots of, affordable, transit accessible, mixed-used units.
No more housing is my vision for Dublin's future.
STOP DESTROYING DUBLIN BY BUILDING ON EVERY SQUARE INCH!
Provide housing that facilitates resident investment in Dublin's 5-star status.
Less housing, more infrastructure like schools and parks please!
Turn existing buildings into housing. Toysrus, vacant buildings
More affordable options for all types of dwellings including for rent and for sale - also for seniors.
Only low income condos in built areas. Open land undeveloped

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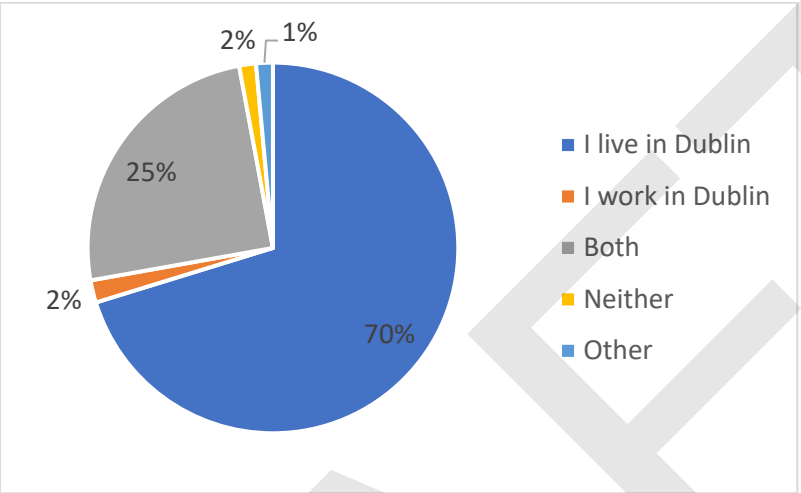
Demographics

The following questions will help us understand who in the community is participating in the process. Your information will be kept private.

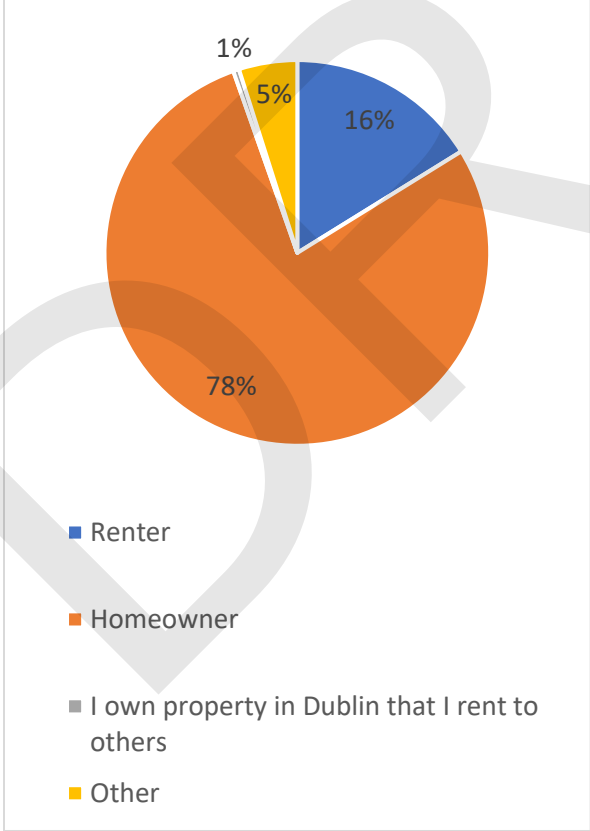
Do you live or work in Dublin?



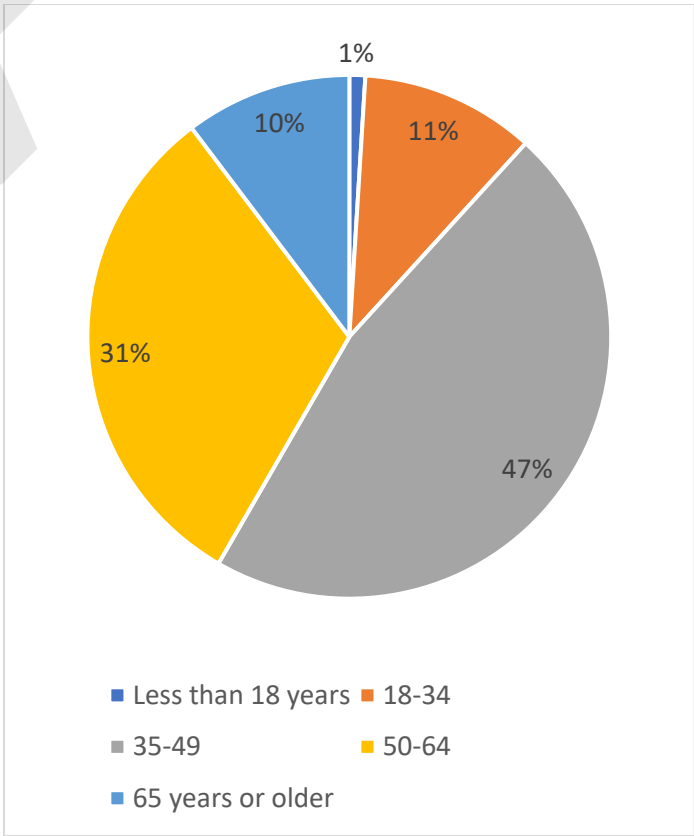
Other:

- Live with parents
- Dependent of a homeowner

Are you a renter of homeowner?



What is our age?



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Item 7.1

DUBLIN
CALIFORNIA

Housing Element Update Check-In

City Council
March 15, 2022

1

Agenda

- Background
- Preliminary Sites Inventory
  - Additional Sites
  - Downtown Sites
- Program Requirements
- Public Outreach
- Next Steps

2

Background

- One of the seven mandated elements of the General Plan
- Addresses the housing needs of residents
- Identifies existing and projected housing needs by income category
- Establishes Citywide goals, policies, programs, and objectives to guide future housing
- Requires certification by the California Department of Housing and Community Development (HCD)

3

Final Allocation

- Approved by ABAG on December 16, 2021
- Assigns 3,719 units to Dublin

Income Category	Very Low	Low	Moderate	Above Moderate	Total
Units	1,085	625	560	1,449	3,719

4

Existing Zoning Strategies

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	(394)	(202)	(2,127)	(2,723)
Accessory Dwelling Units	(149)	(82)	(17)	(248)
5th Cycle Sites	-	(252)	-	(252)
Public/Semi-Public Sites	(134)	-	-	(134)
Downtown Dublin	(389)	(24)	-	(413)
Remaining Need	644	-	(695)	

5

Additional Sites Distribution Options

Options to Distribute Remaining Need					
		Very Low and Low	Moderate	Above Moderate	Total
Option A	Alameda County Surplus Property	441	0	441	882
	Hacienda Crossings	203	0	203	406
	SCS Property	0	0	0	0
	Total:	644	0	644	1,288
Option B	Alameda County Surplus Property	322	0	322	644
	Hacienda Crossings	322	0	322	644
	SCS Property	0	0	0	0
	Total:	644	0	644	1,288
Option C	Alameda County Surplus Property	250	0	250	500
	Hacienda Crossings	244	0	244	488
	SCS Property	150	0	0	150
	Total:	644	0	494	1,138

6

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Downtown Sites

7

Downtown Sites

- Must be rezoned to allow residential use by right
- Not subject to Community Benefit Agreement
- Staff recommends adding the 413 units outside Development Pool

8

Housing Element Programs

- Must include specific programs to implement goals, policies, and objectives
- Programs must include:
  - Implementation timeframe
  - Responsible party
  - City's role
  - Specific, measurable outcomes

9

New Policy Program Topics

- Affirmatively Furthering Fair Housing
- Promotion of Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Development*
- Objective Development Standards*
- Senate Bill 35 Streamlining
- Emergency Shelters, Transitional and Supportive Housing, and Lower Barrier Navigation Centers*

**Addressed in current Housing Element, but modifications required*

10

New Policy Program Topics (cont.)

- Housing for Persons with Developmental Disabilities*
- Farmworker and Employee Housing*
- Density Bonus and Removal of Development Constraints*

**Addressed in current Housing Element, but modifications required*

11

Public Outreach

- City Council Check-Ins
  - October 2020
  - November 2021
- Community Workshops
  - January 19, 2022
  - February 17, 2022
- Online Community Survey
  - December 2021 – February 2022
- One-On-One Property Owner Meetings

12

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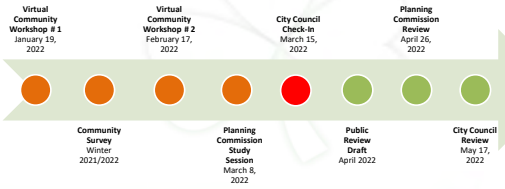
Tentative Schedule



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Recommendation

- Receive presentation and provide feedback on:
  - Distribution of RHNA on additional sites
  - Selection of sites identified in Downtown Dublin
  - Including Downtown RHNA units outside of Downtown Dublin Development Pool

14

Thank you!

Questions?

15

Alternative Distribution Option D

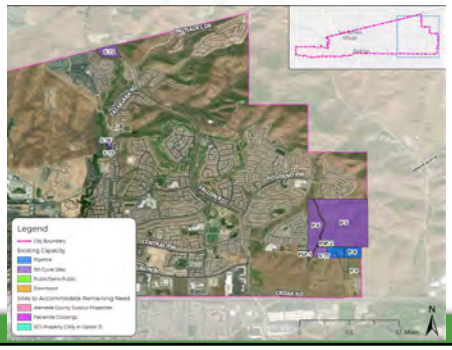
Alternative Option to Distribute Remaining Need				
	Very Low and Low	Moderate	Above Moderate	Total
Alameda County Surplus Property	250	-	-	250
Hacienda Crossings	244	-	-	244
SCS Property	150	-	494	644
Total:	644	0	494	1,138

16

Candidate Sites

17

Candidate Sites (Continued)



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E.10 Public Outreach Accomplishments

Following is a summary of all public outreach accomplishments:

Newsletters:

- City Report 2020-2021 newsletter
- City Report 2021-2022 newsletter
- Annual Report 2020-2021 newsletter
- Annual Report 2021-2022 newsletter

Backyard Brief:

- May 2021 (RHNA)
- July 2021 (RHNA appeal)
- January 2022 (survey and workshop promotion)
- February 2022 (survey and second workshop promotion)
- May 2022 (Draft Housing Element)

Website:

- Launched Fall 2020
- Periodically updated

Survey:

- December 10, 2021 – February 28, 2022
- English and Mandarin

Community Workshops:

- January 19, 2022
- February 17, 2022

Notify Me (website subscription):

- January 11, 2022 (survey and workshop promotion)
- February 10, 2022 (survey and second workshop promotion)
- February 22, 2022 (survey)
- March 7, 2022 (study session)
- April 15, 2022 (Draft Housing Element)

Notify Me (Backyard Brief promotion):

- May 3, 2021
- July 1, 2021
- January 5, 2022
- February 1, 2022

News Flash:

- January 11, 2021 (workshop promotion)
- May 3, 2021 (publicize the Backyard Brief)
- July 1, 2021 (publicize the Backyard Brief)
- July 30, 2021 (publicize the Annual Report)
- December 20, 2021 (promote the survey)
- January 5, 2022 (publicize the Backyard Brief)
- January 10, 2022 (workshop promotion)
- February 1, 2022 (second workshop promotion)

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- February 1, 2022 (publicize Backyard Brief)
- February 7, 2022 (second workshop)
- February 22, 2022 (survey deadline approaching)
- March 7, 2022 (study session)
- March 9, 2022 (promote City Report)
- April 15, 2022 (Draft Housing Element)

*Additionally, News Flash publicized summaries of City Council actions on the Housing Element.

Nextdoor:

- January 5, 2022 (publicize the Backyard Brief)
- May 3, 2021 (publicize the Backyard Brief)
- July 1, 2021 (publicize the Backyard Brief)
- December 20, 2021
- January 10, 2022 (workshop promotion)
- February 1, 2022 (publicize Backyard Brief)
- February 10, 2022 (second workshop)
- February 22, 2022
- April 15, 2022 (Draft Housing Element)

Facebook:

- December 21, 2021 (survey promotion)
- January 5, 2022 (survey promotion)
- January 11, 2022 (workshop promotion)
- January 18, 2022 (workshop promotion)
- January 20, 2022 (survey promotion, workshop recording, second workshop promotion)
- February 7, 2022 (survey and second workshop promotion)
- February 16, 2022 (survey and second workshop promotion)
- February 17, 2022 (second workshop)
- February 18, 2022 (survey and second workshop promotion)
- February 22, 2022 (survey deadline approaching)
- March 7, 2022 (study session)

Instagram:

- February 16, 2022 (survey and second workshop promotion)
- February 22, 2022 (survey deadline approaching)

Twitter:

- December 21, 2021 (survey promotion)
- January 5, 2022 (survey promotion)
- January 11, 2022 (workshop promotion)
- January 18, 2022 (workshop promotion)
- January 20, 2022 (survey promotion, workshop recording, and second workshop promotion)
- February 7, 2022 (survey and second workshop promotion)
- February 16, 2022 (survey and second workshop promotion)
- February 17, 2022 (second workshop promotion)
- February 18, 2022 (survey and second workshop promotion)
- February 22, 2022 (survey deadline approaching)
- March 7, 2022 (study session)

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YouTube:

- January 20, 2022 (workshop recording)
- February 18, 2022 (workshop recording)

TV30 Mayor's Report:

- June 17, 2021
- October 14, 2021
- January 13, 2022
- March 3, 2022

Postcards:

- January 10, 2022 (survey and workshop promotion)
- February 8, 2022 (survey and second workshop promotion)

Universal Email Notification List:

- January 10, 2022 (workshop)
- February 8, 2022 (survey and second workshop)

Developer and Service Provider Email Notification List:

- February 8, 2022 (survey and second workshop)
- April 15, 2022 (Draft Housing Element)
- May 6, 2022 (Draft Housing Element)

Newspaper:

- April 16, 2022
- May 6, 2022

Public Posting (Library, Senior Center, Shannon Center, Civic Center Kiosk):

- January 10, 2022 (survey and second workshop)
- February 8, 2022 (survey and second workshop)
- April 15, 2022 (Draft Housing Element)
- May 6, 2022 (Draft Housing Element)

Planning Commission Meetings:

- March 8, 2022 (Study Session)
- April 26, 2022 (Draft Housing Element)

City Council Meetings:

- February 18, 2020 (Informational Report)
- October 6, 2020 (Check-In)
- June 15, 2021 (RHNA Appeal)
- November 2, 2021 (Study Session)
- March 15, 2022 (Check-In)
- May 17, 2022 (Draft Housing Element)

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City of Dublin, California
@DublinPIO

Less than a week remains to participate in an important community survey!

The City's in the process of updating its General Plan Housing Element. Your feedback helps address housing needs of current & future Dublin residents.

Complete by 2/28!

More: bit.ly/DublinHousingE...

6:00 PM · Feb 22, 2022 · Hootsuite Inc.

1 Retweet 1 Like

o

City of Dublin, California
@DublinPIO

Final reminder for tonight's second virtual workshop on the Housing Element Update. Share your feedback at 6 p.m. to help address the housing needs of current & future Dublin residents.

Background, community survey, and Zoom link: bit.ly/DublinHousingE...

4:01 PM · Feb 17, 2022 · Hootsuite Inc.

1 Retweet 1 Like

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City of Dublin, California
@DublinPIO

Join us tomorrow for a second virtual workshop to give feedback on the Housing Element Update, which helps address housing needs of current and future Dublin residents.

📅 Thursday, Feb. 17, at 6 p.m.

Zoom link, first workshop & community survey:
bit.ly/DublinHousingE...

7:01 AM · Feb 16, 2022 · Hootsuite Inc.

2 Retweets 2 Likes

City of Dublin, California
@DublinPIO

Have feedback on the the Housing Element Update but couldn't make our first of two Community Workshops last night?

Next: Feb. 17, 6 p.m. (virtual)

Catch up:
👉1st workshop: ow.ly/Q0An50Hzkju
👉Background: bit.ly/DublinHousingE...
👉Survey: bit.ly/HEUsurvey

4:01 PM · Jan 20, 2022 · Hootsuite Inc.

1 Retweet

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DUBLIN
CALIFORNIA

BACKYARD BRIEF

A MONTHLY NEWSLETTER FROM THE DUBLIN CITY MANAGER

City of Dublin Seeking Feedback on the Housing Element Update

The City of Dublin is conducting a survey to receive community feedback that will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. This is a key step in the community outreach process associated with updating Dublin's Housing Element. Take the survey. The survey is available in English and Mandarin and is open through February 28, 2022.

The City will also hold the second of two workshops to receive community feedback on the Housing Element Update on **Thursday, February 17, 2022, at 6:00 p.m.**, via Zoom.

Please click the link to join the Workshop via computer audio: https://dublinca.zoom.us/j/82382805239?pwd=c2taeG41WlhydEVGaEN4c1lKanNxZz09
Passcode: ES0vdg89 or join by phone at (669) 900-9128 (San Jose)
Webinar ID: 823 8280 5239
Passcode: 05005976

The first Housing Element Workshop was held on January 19, 2022. A recording of the workshop is available on the City's YouTube channel.

City of Dublin Housing Element Update Survey Now Available

The City of Dublin is currently in the process of updating its General Plan Housing Element for the 2023-2031 planning period, per State law. Housing Element law mandates local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community, which is determined through the Regional Housing Needs Allocation (RHNA) process. The City is seeking feedback from residents on the Housing Element Update through an online survey.

The feedback provided in the survey will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. This is a key step in the ongoing public outreach process associated with updating Dublin's Housing Element. The Housing Element Survey will be open through February 28, 2022. Take the survey.

The City of Dublin will hold a Housing Element Update Workshop on **Wednesday, January 19, at 6:00 p.m.** via Zoom. A Zoom link will be included in future noticing and provided on the Housing Element webpage.

For more information on the City's Housing Element Update, please visit the City of Dublin website.

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APPENDIX G:
GLOSSARY OF HOUSING TERMS

Glossary of Housing Terms

Above Moderate-Income Household. A household with an annual income usually greater than 120percent of the area median income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available legibility limits established by the U.S. Department of housing and Urban Development (HUD) for the Section 8 housing program.

Accessory Dwelling Unit (ADU). An ADU is a residential unit that provides independent living facilities for one or more persons and includes separate kitchen, sleeping, and bathroom facilities. An ADU may be a part of, attached to, or detached from a single-family, two-family, or multifamily residence and is subordinate to the principal residence. An ADU also includes an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

Agricultural Housing. Dwellings and/or living quarters for farm laborers, or other types of dwellings determined to be substantially similar to the above by the Director of Community Development.

Affirmatively Furthering Fair Housing (AFFH). Affirmatively Furthering Fair Housing (AFFH) is a legal requirement that federal agencies and federal grantees further the purposes of the Fair Housing Act. AFFH means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

Apartment. An apartment is a multifamily building of three or more individual residential units that is under single ownership. An apartment may have one or more rooms in an apartment house or dwelling occupied, intended, or designated for occupancy by one family for sleeping or living purposes and containing one kitchen.

Area Median Income (AMI). The midpoint of a geographic area's income distribution, to account for regional differences in cost of living.

Assisted Housing. Generally multi-family rental housing, but sometimes single-family ownership units, whose construction, financing, sales prices, or rents have been subsidized by federal, state, or local housing programs including, but not limited to Federal Section 8 (new construction, substantial rehabilitation, and loan management set-asides), Federal Sections 213, 236, and 202, Federal Sections 221 (d) (3) (below-market interest rate program), Federal Sections 101 (rent supplement assistance), CDBG, FmHA Sections 515, multi-family mortgage revenue bond programs, local redevelopment and in lieu fee programs, and units developed pursuant to local inclusionary housing and density bonus programs.

Below-Market-Rate (BMR). Any housing unit specifically priced to be sold or rented to low- or moderate-income households for an amount less than the fair-market value of the unit. Both the State of California and the U.S. Department of Housing and Urban Development set standards for determining which households qualify as "low income" or "moderate income." The financing of housing at less than prevailing interest rates.

Boarding House. A housing unit used for residential purposes, other than a hotel, where lodging and meals are provided for compensation for five or more non-transient persons, who are not living as a single housekeeping unit. All residents are be counted when determining the number of persons lodging in a boarding house, including managers, landlords, or building superintendents. A Boarding House is considered to be a Multifamily Dwelling.

Build-Out. That level of urban development characterized by full occupancy of all developable sites in accordance with the General Plan; the maximum level of development envisioned by the General Plan. Build-out does not assume that each parcel is developed to include all floor area or housing units possible under zoning regulations.

Caretaker Residence. Permanent or temporary housing that is secondary or accessory to the primary use of the property. Such dwellings are used for housing a caretaker employed full-time on the site of a non-residential use where a caretaker is needed for security purposes or to provide 24-hour care or monitoring of facilities, equipment, or other conditions on the site.

Community Care Facility. A 24-hour residential facility providing care for persons, including: the elderly, persons in an alcoholism or drug abuse recovery or treatment facility, persons in a facility for mentally disordered, handicapped persons or dependent and neglected children, persons in an intermediate care facility/developmentally disabled-habilitative, intermediate care facility/developmentally disabled-nursing, and congregate living health facilities. A Community Care Facility may be located in any type of residence.

Community Development Block Grant (CDBG). A grant program administered by the U.S. Department of Housing and Urban Development (HUD) on a formula basis for entitled communities and administered by the State Department of Housing and Community Development (HCD) for non-entitled jurisdictions. This grant allots money to cities and counties for housing rehabilitation and community development, including public facilities and economic development.

Condominium. A multi-family building where the units are individually owned, and the common space is owned collectively by condominium unit owners. A condominium structure may have two or more units.

Covenants, Conditions, and Restrictions (CC&Rs). A term used to describe restrictive limitations that may be placed on property and its use, and which usually are made a condition of holding title or lease.

Deed. A legal document which affects the transfer of ownership of real estate from the seller to the buyer.

Density Bonus. The allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity at the same site or at another location.

Density, Residential. The number of permanent residential dwelling units per acre of land. Densities specified in the General Plan may be expressed in units per gross acre or per net developable acre.

Developable Land. Land that is suitable as a location for structures and that can be developed free of hazards to, and without disruption of, or significant impact on, natural resource areas.

Discretionary Action. An action or approval which requires the exercise of judgment or deliberation when the City decides to approve or disapprove a project.

Down Payment. Money paid by a buyer from his own funds, as opposed to that portion of the purchase price which is financed.

Duplex. A building on a single lot containing two dwelling units each of which is totally separated from the other by a shared wall that extends from the foundation to the roof.

Dwelling Unit (DU). One or more habitable rooms that are designed and/or used as independent living quarters for one family, with facilities for living, eating and sleeping, with no more than one kitchen facility consisting of one or more of the following: sink, cooking facility or refrigerator (except that two kitchens are allowed where the habitable floor area of the dwelling is 8,000 square feet or larger), and at least one bathroom, and where all such habitable areas have access to each other from within the building. Any detached structure or portion of a dwelling which has a separate entry and is separate from that dwelling, containing a full bathroom including a water closet, basin, and shower or bathtub or containing a half bathroom including a water closet and basin, the area of which half bathroom exceeds 20 square feet, shall also be considered a dwelling or dwelling unit.

Elderly Housing. Typically, one- and two-bedroom apartments or condominiums designed to meet the needs of persons 62 years of age and older or, if more than 150 units, persons 55 years of age and older, and restricted to occupancy by them.

Emergency Shelter. A facility that provides temporary, short-term housing, with minimal supportive services, for individuals or families experiencing homelessness, provided that no facility is used as temporary, short-term housing by any individual or family for more than 30 consecutive days. Supplemental services may include food, counseling, and access to other social programs. No individual or household may be denied emergency shelter because of an inability to pay.

Extremely Low-Income Household. A household with an annual income that is less than 30 percent of the area median family income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

Fair Market Rent. The rent, including utility allowances, determined by the United States Department of Housing and Urban Development for purposed of administering the Section 8 Program.

Family. The term "Family" is defined by the Dublin Municipal Code as one or more persons occupying a dwelling and living as a single, non-profit housekeeping unit, including any servants. This is distinguished from a group occupying a boarding house, community care facility, supportive or transitional housing when configured as group housing, hotel or motel, club, fraternity or sorority house. The U.S. Bureau of the Census defines "Family" as two or more persons related by birth, marriage, or adoption. The California Governor's Office of Planning and Research - General Plan Guidelines defines "Family" as an Individual or a group of persons living together who constitute a bona fide single-family housekeeping unit in a dwelling unit, not including a fraternity, sorority, club, or other group of persons occupying a hotel, lodging house, or institution of any kind.

General Plan. A comprehensive, long-term plan mandated by State Planning Law for the physical development of a city or county and any land outside its boundaries which, in its judgment, bears relation to its planning. The plan shall consist of seven required elements: land use, circulation, open space, conservation, housing, safety, and noise. The plan must include a statement of development policies and a diagram or diagrams illustrating the policies.

Goal. A general, overall, and ultimate purpose, aim, or end toward which the City will direct effort.

Green Building. Green or sustainable building is the practice of creating healthier and more resource-efficient models of construction, renovation, operation, maintenance, and demolition. (U.S. Environmental Protection Agency)

Historic Preservation. The preservation of historically significant structures and neighborhoods until such time as, and in order to facilitate, restoration and rehabilitation of the building(s) to a former condition.

Historic Property. A historic property is a structure or site that has significant historic, architectural, or cultural value.

Household. All those persons—related or unrelated—who occupy a single housing unit. (See "Family.")

Housing and Community Development Department (HCD). The State agency that has principal responsibility for assessing, planning for, and assisting communities to meet the needs of low- and moderate-income households.

Housing Element. One of the seven State-mandated elements of a local general plan, it assesses the existing and projected housing needs of all economic segments of the community, identifies potential sites adequate to provide the amount and kind of housing needed, and contains adopted goals, policies, and implementation programs for the preservation, improvement, and development of housing. Under State law, Housing Elements must be updated every five years.

Housing Payment. For ownership housing, this is defined as the mortgage payment, property taxes, insurance, and utilities. For rental housing this is defined as rent and utilities.

Housing Ratio. The ratio of the monthly housing payment to total gross monthly income; also called Payment-to-Income Ratio or Front-End Ratio.

Housing Unit. The place of permanent or customary abode of a person or family. A housing unit may be a single-family dwelling, a multi-family dwelling, a condominium, a modular home, a mobile home, a cooperative, or any other residential unit considered real property under State law.

Housing and Urban Development, U.S. Department of (HUD). A cabinet-level department of the federal government that administers housing and community development programs.

Implementing Policies. The City's statements of its commitments to consistent actions.

Implementation. Actions, procedures, programs, or techniques that carry out policies.

Infill Development. The development of new housing or other buildings on scattered vacant lots in a built-up area or on new building parcels created by permitted lot splits.

Jobs-Housing Balance. A ratio used to describe the adequacy of the housing supply within a defined area to meet the needs of persons working within the same area. The General Plan uses SCAG's definition which is a job total equal to 1.2 times the number of housing units within the area under consideration.

Junior Accessory Dwelling Unit (JADU). A unit that is no more than 500 square feet in size that is contained entirely within the walls of a single-family residence, including attached garages, and that has a separate entrance. At a minimum, a Junior Accessory Dwelling Unit shall include an efficiency kitchen with a food preparation counter, cooking facility with appliances and storage cabinets, and may include separate sanitation facilities or may share sanitation facilities within the existing single-family residence.

Land Use Classification. A system for classifying and designating the appropriate use of properties.

Live-Work Units. Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

Lot Coverage. The maximum lot area which may be covered with buildings and structures. Buildings and structures include all land covered by Principal Buildings, garages and carports, Accessory Structures, covered decks and gazebos, and other enclosed and covered areas; but not standard roof overhangs, cornices, eaves, uncovered decks, swimming pools, paved areas such as walkways, driveways, patios, uncovered parking areas or roads. All areas of coverage are computed in terms of net lot area at ground level.

Low-Income Household. A household with an annual income usually between 51 and 80 percent of the area median income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

Low-Income Housing Tax Credits. Tax reductions provided by the federal and State governments for investors in housing for low-income households.

Manufactured Housing. Residential structures that are constructed entirely in the factory, and which since June 15, 1976, have been regulated by the federal Manufactured Home Construction and Safety Standards Act of 1974 under the administration of the U.S. Department of Housing and Urban Development (HUD). (See "Mobile home" and "Modular Unit.")

Ministerial Action. A non-discretionary action or approval where the City merely has to determine whether a project conforms with applicable statutes, ordinances, or regulations.

Mixed-Use. Properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with significant functional interrelationships and a coherent physical design. A "single site" may include contiguous properties.

Mobile Home. A vehicle designed and equipped for human habitation, and for being drawn behind a vehicle. Such mobile home must either be constructed after September 15, 1971, and issued an insignia of approval by the California Department of Housing and Community Development and permanently located on a permanent foundation system, or be constructed after July 15, 1976, and issued an insignia of approval by the U.S. Department of Housing and Urban Development and permanently located on a permanent foundation system, or other type of housing determined to be substantially similar to the above by the City of Dublin Director of Community Development or designee.

Mobile Home/Manufactured Home Park. A development or subdivision of an existing parcel, or contiguous parcels, of land for the purpose of separate sale, lease, or financing to allow the installation of mobile homes or manufactured homes.

Moderate-Income Household. A household with an annual income usually between 81 and 120 percent of the area median income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

Monthly Housing Expense. Total principal, interest, taxes, and insurance paid by the borrower on a monthly basis. Used with gross income to determine affordability.

Multi-Family Residence. A building or a portion of a building used and/or designed as residences for two or more families living independently of each other. This Includes: half-plex structures (a half-plex is a single residential unit that is half of a two-unit building where a property line separates the two units); duplexes, triplexes, and fourplexes (detached buildings under one ownership with two, three, or four residential units (respectively) in the same building); and apartments (five or more units under one ownership in a single building); attached unit projects such as condominiums and townhouses; and Boarding House. This use type may include other residential types determined to be substantially similar to the above by the City of Dublin Director of Community Development, or designee.

Ordinance. A law or regulation set forth and adopted by a governmental authority, usually a city or county.

Overcrowded Housing Unit. A housing unit in which the members of the household, or group are prevented from the enjoyment of privacy because of small room size and housing size. The U.S. Bureau of Census defines an overcrowded housing unit as one which is occupied by more than one person per room.

Parcel. A lot or tract of land.

Person with a Disability. Any individual (1) with a physical or mental impairment that substantially limits one or more major life activities; (2) with a record of such impairment; or (3) who is regarded as having such an impairment. A physical or mental impairment includes, but is not limited to, conditions such as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus (HIV), developmental disabilities, mental illness, drug addiction, and alcoholism.

Planning Area. The area directly addressed by the general plan. A city's planning area typically encompasses the city limits and potentially annexable land within its sphere of influence.

Policy. A specific statement of principle or of guiding action that implies clear commitment but is not mandatory. A general direction that a governmental agency sets to follow, in order to meet its objectives before undertaking an action program. (See "Program.")

Poverty Level. As used by the U.S. Census, families and unrelated individuals are classified as being above or below the poverty level based on a poverty index that provides a range of income cutoffs or "poverty thresholds" varying by size of family, number of children, and age of householder. The income cutoffs are updated each year to reflect the change in the Consumer Price Index.

Program. An action, activity, or strategy carried out in response to adopted policy to achieve a specific goal or objective. Policies and programs establish the "who," "how" and "when" for carrying out the "what" and "where" of goals and objectives.

Redevelop. To demolish existing buildings; or to increase the overall floor area existing on a property; or both; irrespective of whether a change occurs in land use.

Regional. Pertaining to activities or economies at a scale greater than that of a single jurisdiction and affecting a broad geographic area.

Regional Housing Needs Allocation. A quantification by the local council of governments of existing and projected housing need, by household income group, for all localities within a region.

Rehabilitation. The repair, preservation, and/or improvement of substandard housing.

Residential. Land designated in the General Plan and zoning ordinance for building consisting of dwelling units. May be improved, vacant, or unimproved. (See "Dwelling Unit.")

Residential Care Facility. A facility that provides 24-hour care and supervision to its residents.

Retrofit. To add materials and/or devices to an existing building or system to improve its operation, safety, or efficiency. Buildings have been retrofitted to use solar energy and to strengthen their ability to withstand earthquakes, for example.

Rezoning. An amendment to the map to effect a change in the nature, density, or intensity of uses allowed in a zoning district and/or on a designated parcel or land area.

Section 8 Rental Assistance Program. A federal (HUD) rent-subsidy program, which is one of the main sources of federal housing assistance for low-income households, operates by providing "housing assistance payments" to owners, developers, and public housing agencies to make up the difference between the "Fair Market Rent" of a unit (set by HUD) and the household's contribution toward the rent, which is calculated at 30 percent of the household's adjusted gross monthly income (GMI). "Section 8" includes programs for new construction, existing housing, and substantial or moderate housing rehabilitation.

Senior Citizen Apartment. A multi-family building of three or more residential units that is under single ownership where all units are restricted to occupants aged 62 and older.

Shared Living Facility. The occupancy of a dwelling unit by persons of more than one family in order to reduce housing expenses and provide social contact, mutual support, and assistance. Shared living facilities serving six or fewer persons are permitted in all residential districts by Section 1566.3 of the California Health and Safety Code.

Single-Family Dwelling, Attached. A dwelling unit occupied or intended for occupancy by only one household that is structurally connected with at least one other such dwelling unit. (See "Townhouse.")

Single-Family Dwelling, Detached. A dwelling unit occupied or intended for occupancy by only one household that is structurally independent from any other such dwelling unit or structure intended for residential or other use. (See "Family.")

Single Housekeeping Unit. A residence with two or more members, whose members are a non-transient interactive group of persons jointly occupying a single dwelling unit, including but not limited to the joint use of common areas and sharing household activities and responsibilities such as meals, chores, and expenses.

Single Room Occupancy (SRO). A building or buildings constructed or converted for residential living consisting of one-room dwelling units, where each unit is occupied by a single individual or two persons living together as a domestic unit, and where the living and sleeping space are combined. A one-room dwelling unit is not required to contain a bathroom or a kitchen except that if a bathroom or kitchen is not provided within the unit such common facilities shall be provided on-site for residents. A unit that contains both a bathroom and kitchen shall be considered a studio unit and not a Single Room Occupancy Unit. Common facilities for laundry may or may not be provided on-site.

Special Housing Needs. Special housing needs are those associated with specific demographic or occupational groups that call for specific Housing Element program responses. State law specifically requires Housing Element analysis of the special housing needs of people who are elderly or disabled

(including developmental disabilities), female-headed households, large families, farmworkers, and people experiencing homelessness. These special-needs groups often spend a disproportionate amount of their income to secure safe and decent housing and are sometimes subject to discrimination based on their specific needs or circumstances.

Subsidize. To assist by payment of a sum of money or by the granting to terms or favors that reduces the need for monetary expenditures. Housing subsidies may take the forms or mortgage interest deductions or tax credits from federal and/or state income taxes, sale, or lease at less than market value of land to be used for the construction of housing, payments to supplement a minimum affordable rent, and the like.

Substandard Housing. Residential dwellings that, because of their physical condition, do not provide safe and sanitary housing.

Supportive Housing. Housing with no limit on length of stay, that is occupied by the target population as defined in California Health and Safety Code Section 53260(d), and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

Target Areas. Specifically, designated sections of the community where loans and grants are made to bring about a specific outcome, such as the rehabilitation of housing affordable by very low- and low-income households.

Target Population. Target population refers to people with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly people, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and people experiencing homelessness.

Tax Increment. Additional tax revenues that result from increases in property values within a redevelopment area. State law permits the tax increment to be earmarked for redevelopment purposes but requires at least 20 percent to be used to increase and improve the community's supply of very low- and low-income housing.

Tenure. A housing unit is owner-occupied if the owner or co-owner lives in the unit, even if it is mortgaged or not fully paid for. A cooperative or condominium unit is owner-occupied only if the owner or co-owner lives in it. All other occupied units are classified as renter-occupied including units rented for cash rent and those occupied without payment of cash rent.

Townhouse. A single-family unit constructed in a group of three or more attached units in which each unit extends from the foundation to the roof and with its own front and rear access to the outside. A townhouse unit can be individually owned.

Transitional Housing. A dwelling unit occupied by seven or more homeless persons or families (large) or six or fewer homeless persons or families (small), which is operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time which shall be no less than six months.

Undevelopable. Specific areas where topographic, geologic, and/or superficial soil conditions indicate a significant danger to future occupants and a liability to the City.

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Acronyms Used

ABAG: Association of Bay Area Governments
ACS: American Community Survey
ADU: Accessory Dwelling Unit
AFFH: Affirmatively Furthering Fair Housing
AFH: Assessment of Fair Housing
AI: Analysis of Impediments
AMI: Area Median Income
BMR: Below Market Rate
CAR: California Association of Realtors
CDBG: Community Development Block Grant
CDDS: California Department of Developmental Services
CEC: California Energy Commission
CEQA: California Environmental Quality Act
CHAS: Comprehensive Housing Affordability Strategy
CPCU: California Public Utilities Commission
DDSP: Downtown Dublin Specific Plan
DSRSD: Dublin San Ramon Services District
DU/AC: Dwelling Units Per Acre
DU: Dwelling Unit
EBDA: East Bay Dischargers Authority
ECHO: Eden Council for Hope and Opportunity
EDD: California Employment Development Department
FAR: Floor Area Ratio
FEMA: Federal Emergency Management Agency
FMR: Fair Market Rate
HACA: Housing Authority of the County of Alameda
HAMI: HUD Area Median Income
HAMFI: HUD Area Median Family Income
HCD: California State Department of Housing and Community Development
HCVP: Section 8 Housing Choice Voucher Program
HH: Household(s)
HMDA: Home Mortgage Disclosure Act
HOA: Homeowners Association
HOME: HOME Investment Partnership Program
HCD: California Department of Housing and Community Development
HUD: Department of Housing and Urban Development
ICC: International Code Council
JADU: Junior Accessory Dwelling Unit
LAFCO: Local Agency Formation Commission
LAVWMA: Livermore Amador Valley Water Management Agency
LIHTC: Low Income Housing Tax Credit
MFI: Median Family Income
MFODS: Multi-Family Objective Design Standards
MSA/MD: Metropolitan Statistical Area/Metropolitan Division
OEHHA: California Office of Environmental Health Hazard Assessment
PG&E: Pacific Gas and Electric
R/ECAP: Racially & Ethnically Concentrated Areas of Poverty
RCAA: Racially & Ethnically Concentrated Areas of Affluence
RHNA: Regional Housing Needs Allocation
RHND: Regional Housing Needs Determination
ROI: Regional Opportunity Index
RTP: Regional Transportation Plan
SRO: Single-Room Occupancy Unit
SWP: State Water Project
TCAC/HCD: California Tax Credit Allocation Committee/HCD
TOD: Transit-Oriented Development
UBG: Urban Growth Boundaries
UC: University of California

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Draft Housing Element – Public Feedback Form

1. What is you association to the City of Dublin?
    a. I am a Dublin resident
2. Please submit comments on Chapter 1 – Introduction.
    a. We understand housing needs but please work with the school district as one team to assure that schools are sufficient enough to accommodate more school aged residents to maintain and improve quality of education. And assure that every single high school student can graduate with the proper credits, etc. by preventing even more overcrowding.
3. Please submit comments on Chapter 2 - Housing Plan.
    a. Same comments as above. We support housing needs but it needs to be done responsibly. Increase in housing equals increase capacity and resources for all schools. It's not acceptable to say that the City Council and the School District are separate entities. This is ONE DUBLIN and supporting the schools as much you support developers is imperative.
4. Please submit comments on Appendix A - Review of Past Performance.
    a. N/A
5. Please submit comments on Appendix B - Community Profile.
    a. Same as above
6. Please submit comments on Appendix C - Housing Constraints, Resources, and AFFH.
    a. Same as above
7. Please submit comments on Appendix D - Adequate Sites Analysis.
    a. Same as above
8. Please submit comments on the Appendix E - Housing Plan Programs Summary.
    a. Same as above
9. Please submit comments on the Appendix F - Community Engagement Summary.
    a. Same as above
10. Please submit comments on the Appendix G - Glossary of Terms.
    a. Same as above
11. Please submit here any additional comments you have regarding the Dublin 2023-2031 Housing Element.
    a. Same as above. Dublin has done more than its share to help with housing shortage. Please do what you can to balance mew housing with providing adequate school space and resources for current and future students. Thank you.

RESOLUTION NO. 22-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN

RECOMMENDING THAT THE CITY COUNCIL DIRECT STAFF TO SUBMIT THE DRAFT 2023 – 2031 HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR REVIEW

WHEREAS, the State of California requires cities and counties to adopt a comprehensive, long-term General Plan for the physical development of the City; and

WHEREAS, the Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the community; and

WHEREAS, State law requires Housing Elements to be updated and certified by the California Department of Housing and Community Development (HCD) every eight years; and

WHEREAS, the City of Dublin has prepared the Draft 2023 – 2031 Housing Element in accordance with State law; and

WHEREAS, the Draft 2023 – 2031 Housing Element includes goals to accomplish the following:

- Expand housing choice and multi-modal transportation opportunities for existing and future Dublin residents;
- Expand housing opportunities for all economic segments of Dublin's population;
- Use public and private resources to maintain and enhance existing residential neighborhood character;
- Provide housing opportunities for all Dublin residents, regardless of race, color, ancestry, national origin, religion, age, gender, gender identity and expression, marital status, familial status, medical condition or disability, military or veteran status, source of income, sexual orientation, or any other protected characteristic; and
- Promote energy efficiency and conservation throughout Dublin; and

WHEREAS, the Draft 2023 – 2031 Housing Element includes specific Housing Programs to implement the goals outlined above; and

WHEREAS, the Housing Programs are grouped into the following six categories:

- Housing Conservation and Preservation
- Housing Production
- Adequate Housing Sites
- Removal of Governmental Constraints
- Promoting Equal Housing Opportunity
- Green Building Program; and

WHEREAS, on February 18, 2020, the City Council received an informational report about the upcoming sixth cycle Regional Housing Needs Allocation (RHNA) and Housing Element Update; and

WHEREAS, on October 6, 2020, the City Council received a status update on the RHNA and Housing Element Update and provided feedback; and

WHEREAS, on November 2, 2021, the City Council conducted a Study Session on the RHNA and Housing Element Update, with focus on the Preliminary Sites Inventory. The City Council directed staff to disperse lower-income housing sites throughout Dublin and prioritized the Alameda County Surplus Property Authority properties at the Transit Center and the Hacienda Crossings shopping center as sites to accommodate the remaining need; and

WHEREAS, between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback that will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. The 10-question survey, available in English and Mandarin, focused on housing needs, desired housing locations, community assistance, fair housing, the vision for housing, and demographics; and

WHEREAS, on January 19, 2022, and February 17, 2022, the City held Community Workshops to solicit input from the development community, service providers, housing advocates, residents, and property owners; and

WHEREAS, on March 8, 2022, the Planning Commission conducted a Study Session on the Housing Element Update; and

WHEREAS, on March 15, 2022, the City Council received a status report on the Housing Element Update and provided feedback on the Preliminary Sites Inventory, including: 1) the distribution of units on the additional sites to meet the remaining need; 2) the selection of sites identified in Downtown Dublin; and 3) holding units identified in Downtown Dublin outside of the Downtown Dublin Specific Plan Development Pool; and

WHEREAS, the California Environmental Quality Act (CEQA), together with State Guidelines and City of Dublin CEQA Guidelines and Procedures, require certain projects be reviewed for environmental impacts and environmental documents be prepared; and

WHEREAS, pursuant to CEQA, the City will prepare the necessary environmental review for the Draft 2023 – 2031 Housing Element. However, the Planning Commission and City Council's action to direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review is exempt from CEQA pursuant to CEQA Guidelines Section 15262, as the project involves only feasibility or planning studies for possible future actions which have not been approved or adopted; and

WHEREAS, a Staff Report was submitted to the Planning Commission recommending the City Council direct Staff to submit the Draft 2023-2031 Housing Element to HCD for review; and

WHEREAS, the Planning Commission held a public meeting on April 26, 2022, to review the Draft 2023 – 2031 Housing Element.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this Resolution.

BE IT FURTHER RESOLVED that the Planning Commission does hereby recommend that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review.

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2022 by the following vote:

AYES: **Benson, Grier, Thalblum, Tyler, Wright**

NOES:

ABSENT:

ABSTAIN:

DocuSigned by:
Cathryn Grier
3EAC72E0ACF74BD...
Planning Commission Chair

ATTEST:

DocuSigned by:
Kristie Wheeler
9FDB9DB87254493...
Assistant Community Development Director

Item 7.1

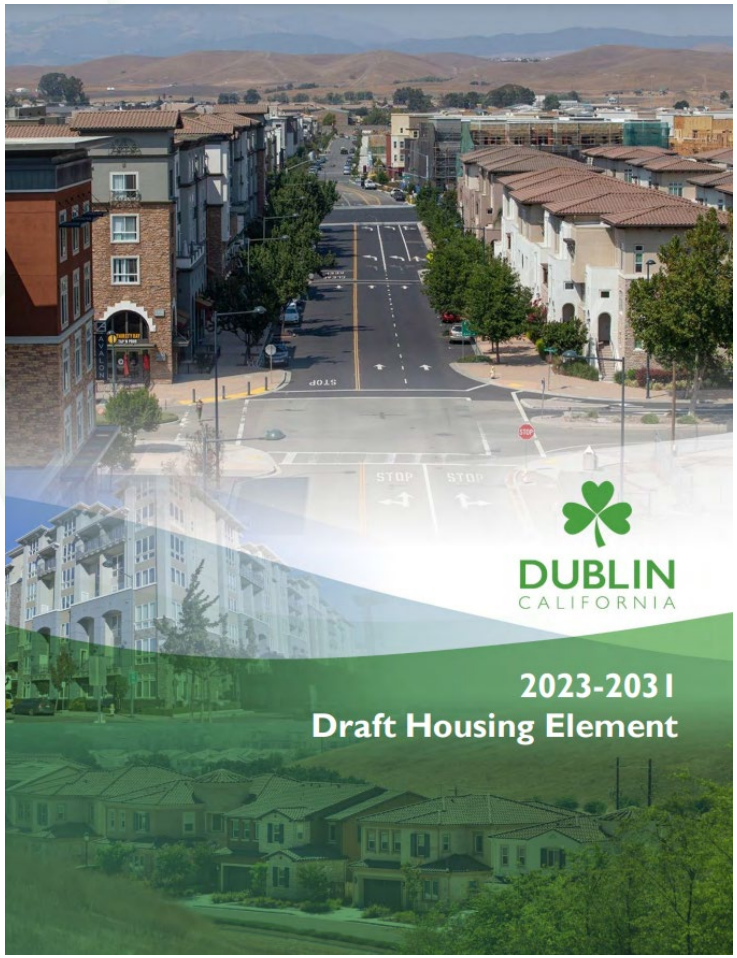
DUBLIN
CALIFORNIA

Draft 2023 – 2031 Housing Element

City Council
May 17, 2022

Overview

- Background
- Housing Element Components
  - Housing Plan
  - Adequate Sites Analysis
- Next Steps



Background

- One of the seven mandated elements of the General Plan
- Addresses the housing needs of residents
- Identifies existing and projected housing needs by income category
- Establishes Citywide goals, policies, programs, and objectives to guide future housing
- Requires certification by the California Department of Housing and Community Development (HCD)

Dublin General Plan

- Land Use
- Parks and Open Space
- Schools, Public Lands, and Utilities
- Circulation and Scenic Highways
- **Housing**
- Conservation
- Seismic and Safety
- Noise
- Community Design and Sustainability
- Economic Development
- Water Resources and Energy Conservation

Final Allocation

- Approved by ABAG on December 16, 2021
- Assigns 3,719 units to Dublin

Income Category	Very Low	Low	Moderate	Above Moderate	Total
Units	1,085	625	560	1,449	3,719

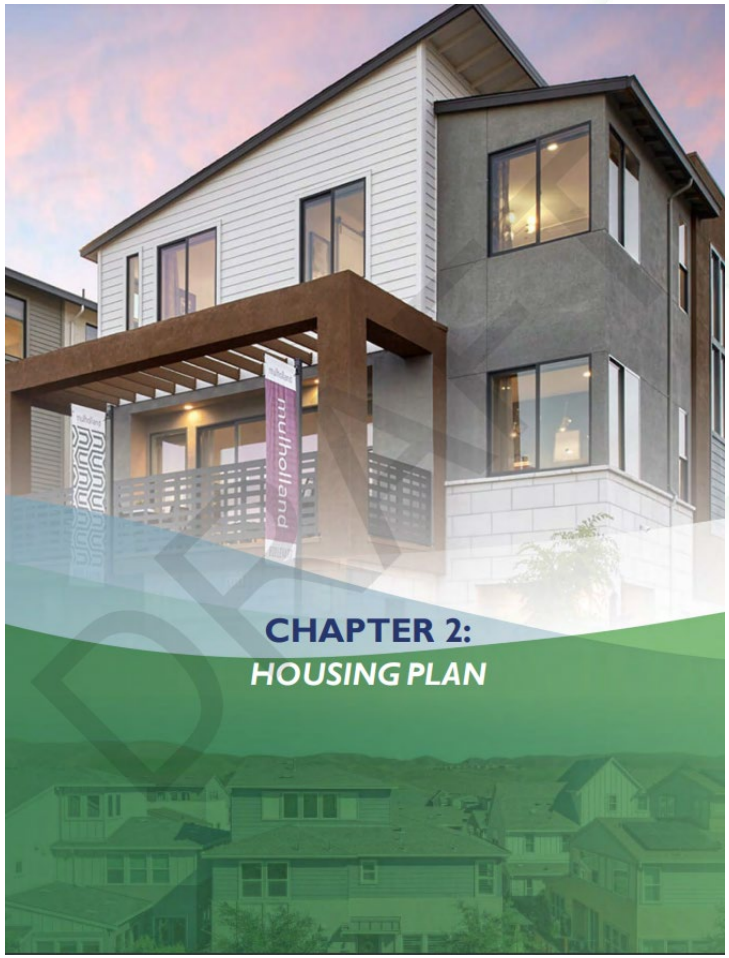
Housing Element Components

- **Chapter 1:** Introduction
- **Chapter 2:** Housing Plan
- **Appendix A:** Review of Past Performance
- **Appendix B:** Community Profile
- **Appendix C:** Housing Constraints, Resources, and Affirmatively Furthering Fair Housing

Housing Element Components

- **Appendix D:** Adequate Sites Analysis
- **Appendix E:** Housing Plan Programs Summary
- **Appendix F:** Community Engagement Summary
- **Appendix G:** Glossary of Terms

Housing Plan



- Identify specific programs to implement policies, goals and objectives
- Timeframe
- Responsible party
- Specific, measurable outcomes

Housing Plan

- Continuations of successful programs from the 2014-2022 Housing Element
- Programs reflect the results and analyses of:
  - City's local housing needs
  - Available land and financial resources
  - Mitigation of identified governmental and non-governmental constraints
- New legislative requirements

Notable New Housing Programs

- **Program A.5:** Preserve and Monitor Affordable Units At-Risk of Converting to Market-Rate Units
- **Program B.8:** Accessory Dwelling Unit Monitoring Program
- **Program B.9:** Non-Vacant Adequate Sites to Satisfy By-Right Requirements of AB 1397

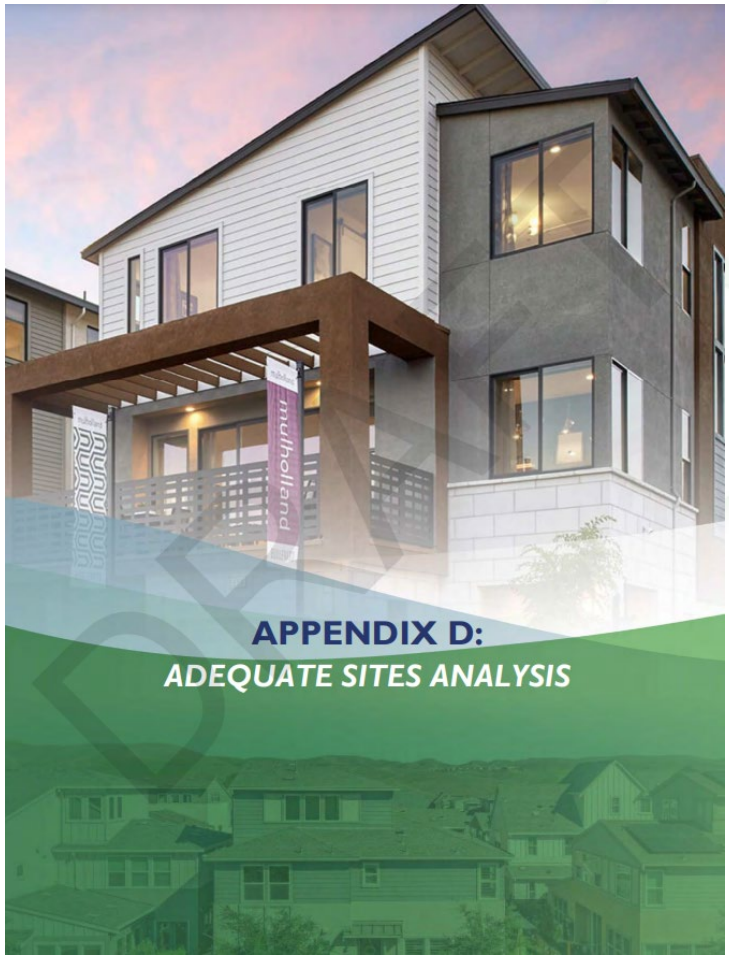
Notable New Housing Programs

- **Program B.10:** Objective Design Standards and Streamlined Ministerial Review
- **Program B.14:** Residential Incentives
- **Program C.2:** Safety Element and Environmental Justice Policies
- **Program E.1:** Affirmatively Furthering Fair Housing

Notable New Housing Programs

- **Program E.4:** Low-Barrier Navigation Centers
- **Program E.5:** Housing for Persons with Developmental Disabilities
- **Program E.6:** Farmworker and Employee Housing

Adequate Sites Analysis



- Inventory of specific parcels suitable and available for residential development
- Identify sites by income category

Sites Inventory

	Very Low- and Low-	Moderate-	Above Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	(394)	(184)	(1,572)	(2,100)
Accessory Dwelling Units	(149)	(74)	(25)	(248)
5th Cycle Sites	0	(252)	(573)	(825)
Public/Semi-Public Sites	(134)	0	0	(134)
Downtown Dublin	(363)	(50)	0	(413)
Remaining Need	720	0	(721)	

Distribution of Remaining Need

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Alameda County Surplus Property at the Transit Center	323	0	322	645
Hacienda Crossings	297	0	297	594
SCS Property	100	0	0	100
Total	720	0	619	1,339

Tentative Schedule

Planning Commission Study Session
March 8, 2022

City Council Check-In
March 15, 2022

Planning Commission Review Draft Housing Element
April 26, 2022

City Council Review Draft Housing Element
May 17, 2022

HCD Review Draft Housing Element
May-August 2022

Environmental Review and Prepare General Plan Safety Element and Environmental Justice Policy Amendments
June-November 2022

Revise Housing Element in Response to HCD's Comments
August-November 2022

Adopt Housing Element
November 2022-January 2023

Planning Commission Review

- Adopted **<u>Resolution</u>** recommending that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review

Recommendation

- Adopt **<u>Resolution</u>** directing Staff to submit Draft 2023 – 2031 Housing Element to HCD for review

DUBLIN
CALIFORNIA

May 17, 2022

SB 343

Senate Bill 343 mandates supplemental materials that have been received by the City Clerk's office that relate to an agenda item after the agenda packets have been distributed to the City Council be available to the public.

The attached documents were received in the City Clerk's office after distribution of the May 17, 2022, Regular City Council meeting agenda packet.

Item 7.1

UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA
Carpenters Local 713, Alameda County

Mailing Address
1050 Mattox Road
Hayward, California 94541-1298

Union Meetings:
Second and Fourth
Thursdays

Phone: 510-581-7817

Fax: 510-581-1267 • E-Mail: carp713@carpenters713.org • Dispatch Fax: 510-733-2509 • www.carpenters713.org

May 13, 2022

Michael P. Cass
Principal Planner
City of Dublin
Community Development
100 Civic Plaza
Dublin, CA 94568
Via Email: michael.cass@dublin.ca.gov

Re: Dublin Housing Element Update

Dear Mr. Cass:

Please accept these comments on the above referenced Housing Element Update on behalf of the members of Carpenters Local 713, which represents working men and women in Dublin. We appreciate the opportunity and look forward to working together on this important endeavor.

To meet the urgent need for housing units outlined in the State's Regional Housing Needs Allocation (RHNA), as well as the policy goals outlined in the Dublin Housing Element and larger General Plan, it is vital that Dublin support efforts to build the local construction workforce. We commend the Housing Element's identifying of sites with the capacity to meet the City's RHNA, as the members of Local 713 who reside in Dublin are intimately familiar with the region's housing crisis. Local 713 has long been at the forefront of training the next generation of construction workers, opening pathways to the industry for diverse and traditionally underserved populations, and embracing new technologies and delivery methods to expedite the construction of much needed housing.

To support the policy goals of the Housing Element and overcome identified constraints, Local 713 is requesting that the City add local hire and apprenticeship requirements to the General Plan and Housing Element for all residential construction projects larger than 10 units. The standards Local 713 is proposing in this comment letter would help to ensure greater benefits for the broader community, help ensure that construction labor needs are met, and guarantee that new residential development projects within the City are making needed investments in the region's skilled construction industry workforce,

The City Should Bar Issuance of Building Permits Unless Each Future Residential Development of 10 units or Above has a Viable Apprenticeship Program and Local Hiring Requirements

The Carpenters propose the following additions to the Municipal Code of Dublin for any residential project larger than 10 units

Permitting requirements in the Municipal Code of Dublin

> A person, firm, corporation, or other entity applying for a building permit under the relevant section of the Municipal Code of Dublin, California shall be required to comply with the apprenticeship, healthcare, and local hire requirements of the Housing Element and General Plan. Failure to comply with the requirements set forth in this section shall be deemed a violation of this article.

Apprenticeship:

> For every apprenticeable craft, each general contractor and each subcontractor (at every tier for the project) will sign a certified statement under penalty of perjury that it participates in a Joint Apprenticeship Program Approved by the State of California, Division of Apprenticeship Standards **OR** in an apprenticeship program approved by the State of California Division of Apprenticeship Standards that has a graduation rate of 50% or higher and has graduated at least thirty (30) apprentices each consecutive year for the five (5) years immediately preceding submission of the pre-qualification documents. The contractor or subcontractor will also maintain at least the ratio of apprentices required by California Labor Code section 1777.5.

Local Hire Policy:

> Contractor will be required to provide documentation that the contractor will hire a minimum of twenty-five percent (25%) of staff for any job classification with more than four (4) employees employed whose primary residence, which is not a post office box, is, and has been, within the Counties of Alameda or Contra Costa within 180 days of the expected date of issuance of the Notice to Proceed for the project.

While there has been a remarkable economic expansion in Dublin since 2010, rising inequality and displacement adds to the City's affordability crisis and threatens to undermine the region's strong economy. The Dublin Housing Element calls for greenhouse gas reduction and sustainable development, and notes that the City's jobs/housing imbalance continues to grow. Policies that require the utilization of apprentices and a local construction workforce, in tandem with programs currently operational by Local 713 outlined below, will help right that imbalance and ensure that this project helps the City meet the goals of the Dublin General Plan.

Local 713 has implemented many programs that will enable the City to meet the General Plan and Housing Element goals. These programs include a robust Joint Apprenticeship Training Committee, vigorous utilization of apprentices in Dublin, healthcare coverage for all members and their families, and innovation within the construction industry.

Joint Apprenticeship Training Committees (JATC's), such as the Carpenters Training Committee for Northern California (CTCNC), are a proven method of career training built around a strong partnership between employers, training programs and the government. This tripartite system is financially beneficial not only for the apprentice, but is a major benefit for the employer and the overall economy of Dublin. The CTCNC monitors current market conditions and adjusts the workflow of apprentices to meet the needs of the community, heading off any shortage of skilled workers. History has demonstrated that strong utilization of apprentices throughout the private sector helped California builders produce millions of units of housing.

CTCNC recruitment strategies include robust diversity and inclusionary outreach programs, such as pre-apprenticeship, with proven results in representative workplaces and strong local economies. It is imperative that our underserved populations have supportive and effective pathways to viable construction careers, while ensuring that employers are able to find and develop the best and brightest talent needed to thrive in a competitive economy.

Employer-paid health insurance plans for our members and their families provides preventative services to stay healthy and prevent serious illness. Timely care reduces the fiscal burden for our members and their families, and significantly reduces the utilization of safety-net programs administered by Dublin and Alameda County.

Embracing new technologies and delivery systems will have a significant impact on the construction industry, particularly the residential sector. Increasing housing delivery methods reduces project durations and provides Dublin residents housing sooner. Local 713 is at the forefront of ensuring that new construction technologies deliver those benefits while also creating work opportunities for those already in the trades as well as those looking to begin a construction career. These technologies could help the City meet its jobs/housing linkage goals within the Dublin General Plan and Housing Element.

Local 713 is in a unique position to address many of the key ideas outlined in the Dublin Housing Element Update. By investing in the training and utilization of apprentices, performing outreach to ensure that the workforce closely mirrors the demographics of our local community, providing employer-paid healthcare for our members and their families, and promoting innovation in the residential construction sector, Local 713 is prepared to assist in closing the affordability gap in Dublin and the Bay Area. We look forward to engaging City staff and elected leaders as the Housing Element moves forward and working cooperatively to bridge the needs of the City with the skills and tools of Local 713.

Thank you for your time and consideration of these comments.

Sincerely,

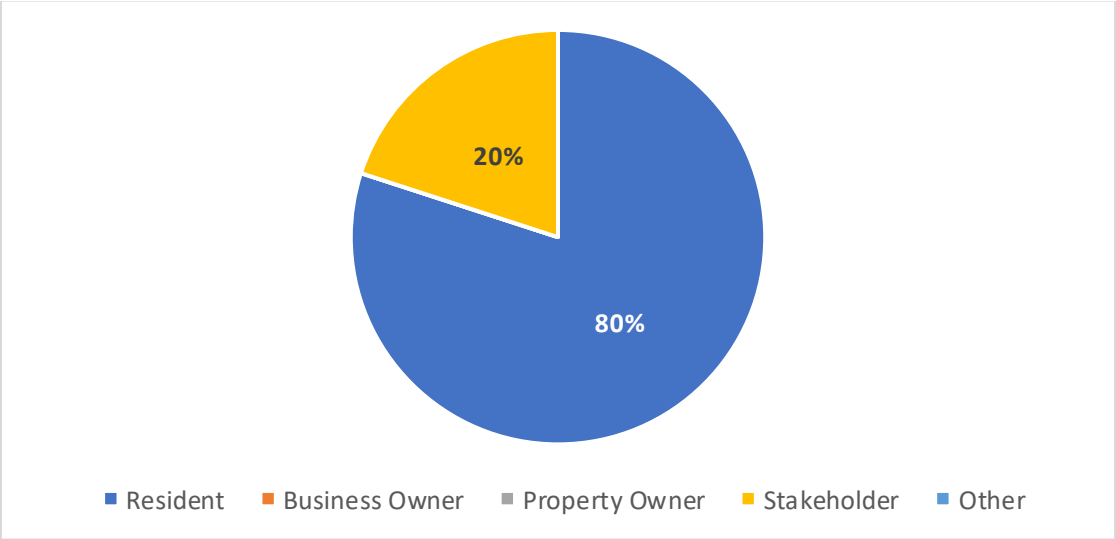
Daniel Gregg
Senior Field Representative
Carpenters Local 713

DG:jg
Opeu#29
Afl-cio

Public Review Draft Housing Element Feedback Form

On April 15, 2022, the City released the Public Review Draft of the 2023-2031 Housing Element for a 30-day public review. A feedback form was made available with the document to collect responses from the public. Listed below are the comments received; four feedback forms were submitted from the public.

1. **What is you association to the City of Dublin?**



2. **Please submit comments on Chapter 1 – Introduction.**
   a. We understand housing needs but please work with the school district as one team to assure that schools are sufficient enough to accommodate more school aged residents to maintain and improve quality of education. And assure that every single high school student can graduate with the proper credits, etc. by preventing even more overcrowding.
   b. Table 1-2 change heading from RHNA to Minimum Housing Units Required by RHNA. Page 1-10, first line add after "opportunities", "and the look and feel of the city,"
   c. Need to acknowledge "Individuals and families are directly affected by each jurisdiction's ability to plan for the housing needs of those who will live, work, and play in every community." as per https://www.hcd.ca.gov/community-development/housing-element/index.shtml. Table 1-2 heading should read Minimum Housing Units Required by RHNA rather than just RHNA. Page 1-10, First Line, after "opportunities", add "the look and character of the city,"
   d. Very minute, but it could be informative to mention the AMI ranges in dollars for each income category for the RHNA targets in Table 1-2. Overall, I found this chapter to be wonderfully written, easy to understand, and very informative for a broader audience. I especially appreciated Table 1-1, the clear-cut identification of Dublin's planned RHNA compliance is a recipe for smooth approval with CA HCD.

3. **<u>Please submit comments on Chapter 2 - Housing Plan.</u>**
    a. Same comments as above. We support housing needs but it needs to be done responsibly. Increase in housing equals increase capacity and resources for all schools. It's not acceptable to say that the City Council and the School District are separate entities. This is ONE DUBLIN and supporting the schools as much you support developers is imperative.
    b. See below:
        - Add Policy B.6 - Enforce the number of inclusionary affordable for-sale units in the City's Municipal Code.
        - Policy C.2 should be eliminated. It establishes the concept of replacement without any guidelines, therefore allowing multiple units to replace a single home. In addition, it is not necessary to accomplish City goals. Same vagueness regarding the word "enhancement."
        - Add Policy D.4 - Increase the RATE of affordable for-sale units in all future residential developments.
        - Page 2-10, second bullet point on the page, add the word "for-sale" after the word "affordable."
        - Page 2-10, third bullet point under the heading Objectives, add "for-sale" after the word "affordable."
        - Page 2-12, third bullet point, the concept of "deed-restricted" is undefined as well as impractical. Would the homeowner be REQUIRED to rent the ADU out? if so, how much? What if the property changes hands?
        - Program B.8 eliminate. The City is required to allow ADU's. That's fine. The City is not obligated to have a minimum quantity of ADU's built. Rezoning to accommodate ADU's is unnecessary and irresponsible.
        - Program B.9 eliminate. The statements in this section are false. The State law does NOT require non-vacant properties to be rezoned to accommodate 30 units per acre. That is just one choice that is given to a jurisdiction. It is my understanding that the current zoning in Dublin already allows for all of the RHNA housing assignments for the next RHNA cycle. Therefore no rezoning is necessary.
        - Page 2-16, third bullet point. The rezoning of the 2.5 acres is fine. However, the SCS Property developer has said that they will accommodate on-site inclusionary for-sale units. If the 100 unit parcel is IN ADDITION to the on-site units then fine; but if it is a land dedication to get out of building the inclusionary units that they indicated they would build, then that is not okay.
        - Page 2-16 delete the paragraph that begins with "The City will continue to use Specific Plans and appropriate zoning to ensure...". The City of Dublin does not need to rezone anything to accommodate the upcoming RHNA requirements
    c. Same as above
    d. Another comment on minutiae – I would appreciate it if there were more differentiation in the reference number for the policies and programs. This could ideally be done by

starting the reference letters/numbers for Goals and Policies with 2.1.x and starting the reference letters/numbers for Programs with 2.2.x, thus using the following format: chapter #.section #. Subsection letter/#.

4. **Please submit comments on Appendix A - Review of Past Performance.**
   a. No comment
   b. No comment
   c. Absolutely DISMAL previous cycles! I am ashamed of our City's complete disdain for the residents of Dublin and the workers who cannot even come close to being able to live here. Your List of Accomplishments is a collection of meetings attended, workshops facilitated, brochures printed and self-congragulatory rhetoric that drones on and on about how great you are, but in the final analysis it all means YOU DID ALMOST NOTHING to benefit your residents. Shame on you!! And shame on us for believing our elected officials when we read your voter pamphlet statements that you supported affordable housing.

      Housing Element Goals Progress Report
      RHNA Accomplishments*

Housing Units to be Constructed	Goal	RINA	Building Permits Issued
Very Low Income (0-50% AMI)	400	1,092	189
Low Income (51-80% AMI)	661	85	0
Moderate Income (81-120% AMI)	410	653	44
Upper Income (>120% AMI)	800	924	2,326
Total	1,610	3,330	2,644
Housing Rehabilitation			
Very Low Income (0-50% AMI)	20		17
Low Income (51-80% AMI)	25		12
Total	45		36

      Source: City of Dublin, 2014.
      Note: * New construction units based on building permits issued.
      Table A-1: 5th Planning Cycle Quantified Accomplishments

      You don't even list a goal this past cycle. Building such a huge amount of Market Rate housing and such a pathetic showing of the other categories is NOT an accomplishment, it is shameful!

Housing Assistance Type	RHNA	Accomplishments
Very Low-Income	796	26
Low-Income	446	39
Moderate-Income	425	79
Above Moderate-Income	618	4,878
TOTAL	2,285	5,022

   d. No critiques for Appendix A. Presenting a summary table of quantifiable past performance was a very transparent and informative method of disseminating such info.

5. **Please submit comments on Appendix B - Community Profile.**
    a. No comment
    b. No comment
    c. No comment
    d. I would appreciate it if there were a citation for the city's definition of "overcrowding" prior to their analysis of the phenomenon in Dublin. This could provide some clarity as well as ethos to what's being measured, namely cause I have seen some minor variation / discussion on how to properly measure overcrowding (see: https://www.huduser.gov/publications/pdf/measuring_overcrowding_in_hsg.pdf). I Particularly appreciated the attention to student housing needs, among other segments of the community profile section.
6. **Please submit comments on Appendix C - Housing Constraints, Resources, and AFFH.**
    a. No comment
    b. Table C-1 Re-calculate these numbers. These numbers are not credible. At $256 per square foot for vacant land in Dublin, this Draft table is claiming that on average, vacant land is (43560) ($256) $11M per acre. I did a search about 6-10 months ago on Zillow or Trulio and found that average to be about $0.5M per acres. The numbers in Table C-1 are ridiculous and misleading. Please correct this or eliminate it.
    c. Same as above
    d. On the "Access to Transit" section of Appendix C, I feel like it's worth prefacing the availability of transit options and the transit frequency. Without such context, the AllTransit Statistics on Dublin seem potentially misleading to those not familiar with our transportation. Other than that, this Appendix seems very thorough and objective.
7. **Please submit comments on Appendix D - Adequate Sites Analysis.**
    a. No comment
    b. No comment
    c. No comment
    d. If possible, I would like to see some explanation of the city's financial capacity to fulfill the proposed RHNA targets for very-low-income and low-income sites, particularly for the SCS Property since it'll be the first of the 3 primary sites for meeting the targets. Other than that, I think that the adequate sites identified to meet the low-income RHNA targets are very feasible to build. I will add though, that I do find a bit of concern with the specific parcel for the Hacienda Crossings Rezoning being placed at the North-East corner of the property. While I can understand the potential revenue that parcel could bring to the shops at Hacienda Crossings, I think that it's not the most hospitable site for maximizing transit accessibility for potential future residents, which is particularly imperative for very low-income households that may not otherwise have an option to buy a car. From the Bed, Bath and Beyond entrance, for example, it's a 20-minute walk to the Dublin/Pleasanton BART Station. I would reckon that the South West Corner of Hacienda Crossings would vastly improve transit access, especially considering the future Iron Horse Trail Connector being completed at IKEA Place.

8. **Please submit comments on the Appendix E - Housing Plan Programs Summary.**
    a. No comment
    b. No comment
    c. No comment
    d. No comment
9. **Please submit comments on the Appendix F - Community Engagement Summary.**
    a. No comment
    b. I already wrote to the city about the graphs for Community Assistance and Fair Housing. Please remove line segments between the data points. They don't belong on these graphs and they make the City look inept. Vision for the Future - comments from the community. There were some comments that seemed pro-housing and some were against more housing. There were at least 70% more comments against more housing than for more housing. I REALIZE THAT WE HAVE TO BUILD MORE HOUSING, but the community is tired of it. The City needs build what is required and then give it a rest. The city of Dublin is not shirking its housing responsibility; it has done far more than it's fair share of building.
    c. Vision for the Future - comments from the community. It appears that many respondents expressed concerns about housing. There were some comments that seemed pro-housing and some were against more housing. The community does not see a cohesive vision of the future coming from the City. It is almost as if the goal of the City is to avoid taking the time and interest in protecting the residents and looking to their future well being, such as the failure of the City to require relevant E!Rs for all projects and the recent (2015) appearance of Mello-Roos for infrastructure. All projects and modifications should be geared toward the long-term best outcome for the people of Dublin and the ecosystem which we all call home. Instead, there appears to be a push to find a way AROUND the challenges we face as a community and just check a box, almost as if the future well-being of our community is not a primary concern.
    d. No comment
10. **Please submit comments on the Appendix G - Glossary of Terms.**
    a. No comment
    b. Please add the following acronyms to the glossary that are used in this Housing Element.
       DMC - Dublin Municipal Code
       RHNA - Regional Housing Needs Allocation
       I know that you already list "Regional Housing Needs Allocation" but RHNA is used throughout.
    c. Same as above
    d. No comment

11. **<u>Please submit here any additional comments you have regarding the Dublin 2023-2031 Housing Element.</u>**
    a. Dublin has done more than its share to help with housing shortage. Please do what you can to balance mew housing with providing adequate school space and resources for current and future students. Thank you.
    b. I believe that some of the requirements stated in the Draft Housing Element which are claimed to be mandated from the State are not accurate. Some of the so-called "requirements" are solutions that the City wants to implement in order to build as much as they can - in spite of what residents want. The entire Draft Housing Element is geared toward more development than is necessary. In addition, the RHNA numbers from HCD are being legally challenged as well as challenged internally by another State agency. There is no reason to rezone anything in Dublin due to RHNA requirements. The zoning to accommodate RHNA is already in place. REVISE AND RESUBMIT.
    c. I found this draft document to be a study of "the language of the politics". Words that sound good, but are not really what will happen. It is not a vision, it is an excuse for why, as a City, we check the boxes and give away the farm to developers who find Dublin the soft target of the valley. I find it tragic that we have to say we should be building affordable housing to buy and get told that the reason it wasn't included was that the low income buyers would be uncomfortable living in a residential development. You can have a 1000 pages of tables talking about diversity, but you have no heart for those who are less well off.
    d. While this to a certain extent goes outside of the scope of the Housing Element itself, I would appreciate it if there were strategies in place to minimize parking as much as possible and expand bike, car, and scooter share services around high-density units planned for this Housing Element Cycle. Particularly pertinent for both CAP 2.0 goals as well as minimizing traffic impacts with these proposed developments, reducing parking and expanding other micro-mobility modes could be a key to making these communities as feasibly car-free as possible. In doing so, it'd benefit the community at large as well as incentivize future proximate commercial development that reinforces the car-free lifestyle of residents within these proposed developments.