

**REGULAR MEETING**  
Tuesday, December 17, 2013  
DUBLIN CIVIC CENTER, 100 Civic Plaza  
**DUBLIN CITY COUNCIL**  
**A G E N D A**

- *Agendas and Staff Reports are posted on the City's Internet Website ([www.dublin.ca.gov](http://www.dublin.ca.gov))*
- *Agendas may be picked up at the City Clerk's Office for no charge, or to request information on being placed on the annual subscription list, please call 833-6650.*
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**REGULAR MEETING 7:00 PM**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE TO THE FLAG**

**ORAL COMMUNICATIONS**

**3.**

**3.1. Recognition of City Manager Joni Pattillo**

The City Council will recognize retiring City Manager Joni Pattillo.

**STAFF RECOMMENDATION:**

Recognize retiring City Manager Pattillo.

**3.2. Recognition of Chevron Energy Solutions for Energy Action Plan Assistance**

The City Council will provide recognition to Chevron Energy Solutions, Inc. for its assistance in helping the City of Dublin develop and complete an Energy Action Plan to improve the efficiency of the City's municipal operations.

**STAFF RECOMMENDATION:**

Recognize Chevron Energy Solutions, Inc.

**3.3. Acceptance of Public Safety Grant from Target**

The City of Dublin has been awarded a 2013 Public Safety Grant from Target in the amount of \$1,000. The grant funds will be used for anti-theft messaging and document shredding services to be provided to Dublin residents at an event organized by Neighborhood Resources.

**STAFF RECOMMENDATION:**

Accept the \$1,000 grant and formally recognize the donor.

**3.4. Appointment of Public Art Selection Committee Members at Large**

In July 2013 the City Council approved the Emerald Glen Recreation and Aquatics Phase I Improvements, including the Public Art plan that included the makeup for the Public Art Selection Committee. The design team has been exploring opportunities for public art in the design, and the recruitment was launched for the Selection Committee. Four applications were received for the three positions for "Residents at Large" to serve on the Committee. The City Council will consider approval of the Mayor's appointment of Bruce Gekko, Suresh Puli and Robert Spicer to serve on the Emerald Glen Recreation and Aquatics Complex Public Art Selection Committee.

**STAFF RECOMMENDATION:**

Consider confirmation the Mayor's appointment of Bruce Gekko, Suresh Puli and Robert Spicer to serve on the Emerald Glen Recreation and Aquatics Complex Public Art Selection Committee.

**3.5. Dublin Ranch HOA Recognition for Environmental Efforts**

The City Council will present a certificate of appreciation to Dublin Ranch Golf Club Home Owners Association for its example to the community in their pursuit of renewable energy sources. Specifically, Dublin Ranch Golf Club Home Owners Association has installed a solar power system at its facility, curtailing the high cost of energy and reducing its carbon footprint within the community.

**STAFF RECOMMENDATION:**

Formally recognize the Dublin Ranch Golf Club Home Owners Association.

**3.6. Launch of City Mobile App**

The City Council will review the City’s new mobile app for its residents and businesses. The mobile app is part of the City’s efforts to increase its ongoing community engagement efforts.

**STAFF RECOMMENDATION:**

Receive the report.

**3.7. Public Comments**

At this time, the public is permitted to address the City Council on non-agendized items. Please step to the podium and clearly state your name for the record. COMMENTS SHOULD NOT EXCEED THREE (3) MINUTES. In accordance with State Law, no action or discussion may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may request Staff to report back at a future meeting concerning the matter. Any member of the public may contact the City Clerk’s Office related to the proper procedure to place an item on a future City Council agenda. The exceptions under which the City Council MAY discuss and/or take action on items not appearing on the agenda are contained in Government Code Section 54954.2(b)(1)(2)(3).

**4. CONSENT CALENDAR**

Consent Calendar items are typically non-controversial in nature and are considered for approval by the City Council with one single action. Members of the audience, Staff or the City Council who would like an item removed from the Consent Calendar for purposes of public input may request the Mayor to remove the item.

**4.1. Minutes of the December 3, 2013 Regular City Council Meeting**

The City Council will consider approval of the minutes of the Regular City Council meeting of December 3, 2013.

**STAFF RECOMMENDATION:**

Approve the minutes of the Regular City Council meeting of December 3, 2013.

**4.2. Acceptance of Tract Improvements for Tract 8081, Neighborhood “D1”, Positano/Fallon Village and Approval of Regulatory Traffic Control Devices (Braddock and Logan)**

Dublin RE Investors, LLC, by Braddock and Logan Services, Inc. (Braddock and Logan), has constructed the street improvements for Tract 8081 - Neighborhood “D1”, Positano/Fallon Village in accordance with their Tract Improvement Agreement. Also in accordance with their Tract Improvement Agreement, Braddock and Logan has completed construction of the Neighborhood “D” trail improvements. The Neighborhood “D” trail is located within Parcel 1 of Parcel Map 10049, which will ultimately be turned over to the Fallon Village Geologic Hazard Abatement District (GHAD) for ownership and maintenance. It is now appropriate for the City to accept these improvements and approve the regulatory traffic control devices.

**STAFF RECOMMENDATION:**

Adopt **Resolution** Accepting the Tract Improvements for Tract 8081, Neighborhood “D1”, and Approving the Regulatory Traffic Control Devices.

**4.3. Zoning Ordinance Amendments to Chapter 8.08 (Definitions), Chapter 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations)**

The City is initiating amendments to the Zoning Ordinance to bring greater clarity and consistency to existing regulations. Amendments are proposed to: 1) Chapter 8.08 (Definitions) to add a new definition for Accessory Storage – Multi-Family; 2) Chapter 8.36 (Development Regulations) to create a minimum requirement for accessory storage in the R-2 (Two-Family), R-M (Multi-Family) and comparable PD (Planned Development) Zoning Districts and the Downtown Dublin Zoning District; and, 3) Chapter 8.76 (Off-Street Parking and Loading Regulations) to establish a consistent guest parking standard for apartments and condominiums and limit the use of tandem parking for residential uses. On December 3, 2013 the City Council waived the reading and introduced an

Ordinance approving the amendments. The City Council will consider waiving the second reading and adopting the Ordinance.

**STAFF RECOMMENDATION:**

Waive the reading and adopt an **Ordinance** approving amendments to Dublin Zoning Ordinance Chapters 8.08 (Definitions), 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations).

**4.4. The Village at Dublin Planned Development Rezoning (PLPA-2012-00031)**

On December 3, 2013, the City Council approved The Village at Dublin General Plan and Eastern Dublin Specific Plan Amendment and associated implementation actions to enable the construction of an approximately 152,000 square foot retail commercial center on a 14.32 acre parcel at 5054 Hacienda Drive. In addition to approving the General Plan and Eastern Dublin Specific Plan amendments, the Final Supplemental Environmental Impact Report was certified and a Resolution approving Site Development Review and a Vesting Tentative Map was approved. Lastly, an ordinance amending the Zoning Map to rezone 14.32 acres at 5054 Hacienda Drive to a Planned Development Zoning District with a related Stage 1 and Stage 2 Development Plan for the project was introduced. The City Council will consider adopting the Ordinance at this meeting.

**STAFF RECOMMENDATION:**

Waive the reading and adopt an **Ordinance** amending the Zoning Map to rezone 14.32 acres of 5054 Hacienda Drive to a Planned Development Zoning District and approving the related Stage 1 and 2 Development Plan for The Village at Dublin Retail Center.

**4.5. Authorizing the City Manager to Negotiate and Enter into a Consultant Services Agreement for Telecom Marketing and Management Services with Horizon**

The City Council will consider authorizing the City Manager to finalize negotiations and enter into an agreement with Horizon Tower, LLC to provide consultant services for marketing and management of telecommunication sites on City property.

**STAFF RECOMMENDATION:**

Authorize the City Manager to finalize the contract negotiations with Horizon Tower, LLC for Telecom Marketing and Management Services, and execute the agreement as long as it is within the substantial form as outlined within this Staff Report and its attachments.

**4.6. Check Issuance Report and Electronic Funds Transfers**

The City Council will receive a listing of payments issued from November 1, 2013 – November 30, 2013 totaling \$11,155,592.55.

**STAFF RECOMMENDATION:**

Receive the report.

**4.7. Iron Horse Nature Park and Open Space**

On December 3, 2013, the City Council approved a General Plan Amendment to facilitate the future development of the Iron Horse Nature Park and Open Space on approximately 35 acres of land north and south of Amador Valley Boulevard along the former Union Pacific railroad right-of-way. An ordinance approving the rezoning of 12.13 acres to a Planned Development Zoning District and approving the related Stage 1 and 2 Development Plan for the project was also introduced. The City Council is considering adopting the ordinance at this meeting.

**STAFF RECOMMENDATION:**

Waive the reading and adopt an **Ordinance** amending the Zoning Map to Rezone 12.13 acres of former Union Pacific Railroad right-of-way adjacent to the Iron Horse Regional Trail to a Planned Development Zoning District and approving the related Stage 1 and 2 Development Plan for the Iron Horse Nature park and Open Space project.

**4.8. Parking Regulation Modification on Lockhart Street**

A 300-foot time restricted passenger loading zone on a portion of the west side of Lockhart Street adjacent to Kolb Elementary School was approved by the City Council at the July 16, 2013 meeting. This loading zone was requested by the Dublin Unified School District (DUSD) and implemented in conjunction with the establishment of a school circulation plan to improve traffic flow and safety during pick-up and drop-off times. DUSD has requested an extension of the existing 300 foot loading zone by an additional 300 feet to accommodate additional vehicles.

**STAFF RECOMMENDATION:**

Adopt **Resolution** amending the Dublin Traffic Code modifying parking restrictions on Lockhart Street

**4.9. Approve Contract Change Order No. 4 and Acceptance of Work – Contract No. 13-07, 2013 Annual Street Overlay Program**

The 2013 Annual Street Overlay Program (CIP No. 969104) resurfaced various City streets with asphalt concrete (AC) overlay on top of existing pavement.

**STAFF RECOMMENDATION:**

Approve Contract Change Order No. 4 and accept improvements under Contract No. 13-07, 2013 Annual Street Overlay Program, and release retention after 35 days if there are no subcontractor claims.

**4.10. Authorization to use ECS for Electronics Recycling**

The City generates electronic waste in the form of surplus computers, monitors, printers and other items that have reached the end of useful life. The City strives to dispose of these items in an environmentally responsible manner. It is proposed to use ECS Refining for the recycling of electronic waste identified as beyond the useful life.

**STAFF RECOMMENDATION:**

Adopt **Resolution** authorizing the use of ECS Refining for the recycling of City electronic waste and surplus computer equipment.

**4.11. Acceptance of Budget Change for Asset Seizure Funds**

Through the work on several criminal investigations, the Dublin Police Services' Special Investigations Unit has acquired revenue through federal asset seizure and forfeitures. In order for these acquired funds to be used to purchase operational items for the improvement and enhancement of the department, approval must be obtained to move the funds into a budgeted account. The amount of \$100,000.00 in federal asset seizure and forfeitures will be used for the costs associated with purchasing these items.

**STAFF RECOMMENDATION:**

Accept the \$100,000 in federal asset seizure and forfeitures and approve the Budget Change.

**4.12. Affordable Housing Agreement with Moller RE Investors, LLC**

Moller RE Investors, LLC, a California limited liability company by Braddock & Logan, Inc., a California corporation is seeking an Affordable Housing Agreement with the City of Dublin to satisfy the affordable housing obligation for Moller Ranch Property. The developer has proposed two alternative methods to the requirements described in the Inclusionary Zoning Regulations to satisfy its 46-unit obligation for this project including: early payment of in-lieu fees for all required units; or a combined payment of fees payable within 30 days of recordation of the final map and construction of units.

**STAFF RECOMMENDATION:**

Adopt **Resolution** approving an Affordable Housing Agreement for the Construction of Inclusionary Units and the Payment of Fees In-Lieu of Constructing Certain Affordable Ownership Units and Authorizing the City Manager to Execute the Agreement, Amend the Agreement, and Take Other Necessary and Appropriate Actions and authorizing the Community Development Director to Approve Developer's Chosen Method of Compliance with its Inclusionary Housing Obligations.

**5. WRITTEN COMMUNICATION – None.**

6. **PUBLIC HEARINGS** – None.

7. **UNFINISHED BUSINESS**

7.1. **Emerald Glen Recreation and Aquatic Complex Schematic Design and Theming**

The City Council will receive a presentation on the schematic design, site design, material selection and theming alternatives for the Emerald Glen Recreation and Aquatic Complex.

**STAFF RECOMMENDATION:**

Provide feedback and select the preferred theme alternative for the design.

8. **NEW BUSINESS**

8.1. **Comprehensive Annual Financial Report (CAFR) and Annual Audit For The Fiscal Year Ending June 30, 2013 And Supplemental Reports Completed By The Auditors**

The City of Dublin has compiled and published its Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2013. This report includes financial statements prepared by City Staff along with the audit prepared by Maze and Associates Accountancy Corporation (Maze), the independent auditors selected by the City Council. The CAFR is a report which encompasses information beyond minimum financial reporting requirements. The Auditors have provided a “clean opinion” based on their review. The report has also been reviewed by the City Council ad-hoc Audit Subcommittee. The Auditors have also completed supplemental reports related to: 1) Federal Grant – Single Audit; 2) A compliance audit of Alameda County Transportation Measure B Funds; 3) Compliance with Alameda County Transportation Commission Vehicle Registration Fund (ACTC-VRF) Program; and 4) A Review of the Annual Appropriations Limit Calculation.

**STAFF RECOMMENDATION:**

Receive and file the reports.

8.2. **Consideration of Alameda County Waste Management Authority Mandatory Recycling Ordinance Phase II Participation**

The City Council will determine whether or not to participate in a Countywide ordinance adopted by the Alameda County Waste Management Authority. The ordinance places a mandate on businesses and multi-family dwellings to recycle all compostable materials generated on site, and also prohibits them from placing such materials in a garbage container.

**STAFF RECOMMENDATION:**

Adopt **Resolution** opting out of the Alameda County Waste Management Authority Mandatory Recycling Ordinance Phase II and direct Staff to conduct an analysis on Phase I participation.

8.3. **Military Heritage Center Partnership**

The City Council will consider a conceptual partnership with Camp Parks to create a Military Heritage Center to house the Camp Parks historical artifacts the City has on permanent loan from the Department of the Army.

**STAFF RECOMMENDATION:**

1) Determine if the City should pursue a partnership with Camp Parks to create a Military Heritage Center; and if so, 2) Direct Staff to develop a Memorandum of Understanding with Camp Parks for City Council consideration; and 3) Authorize the City Manager to negotiate and execute an agreement with a consultant to prepare the study.

8.4. **City Councilmember Dublin Pride Week Committee Appointments**

The City Council will consider appointing two of its members to the 2014 Dublin Pride Week Committee for a limited term beginning January 2014 and ending December 2014. The Dublin Pride Week Committee plans and prepares this annual event, which seeks to engage individuals and/or groups in action based activities to help improve the community.

**STAFF RECOMMENDATION:**

Discuss two Councilmember appointments to the Dublin Pride Week Committee and confirm the appointments for the limited term of January 2014 through December 2014.

**8.5. Appointment of Delegate to Attend the National League of Cities Congressional City Conference and Designation of Voting Delegate for the 2014 National League of Cities Annual Conference**

The City Council will consider appointing one of its members as a delegate, and one as an alternate, to attend the National League of Cities (NLC) Congressional City Conference in March 2014, and appointing a voting delegate, and an alternate, to attend and vote, on the City's behalf, at the NLC Annual Conference in November of 2014.

**STAFF RECOMMENDATION:**

Review and discuss appointing one of its members as a delegate, and one as an alternate, to attend the National League of Cities (NLC) Congressional City Conference in March 2014, and appoint a voting delegate, and an alternate, to attend and vote on the City's behalf at the NLC Annual Conference in November of 2014.

**9. OTHER BUSINESS**

Brief INFORMATION ONLY reports from Council and/or Staff, including Committee Reports and Reports by Council related to Meetings at City Expense (AB1234).

**10. Adjournment** In memory of Staff Sgt. Sean Diamond and our fallen troops.

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 which ensures a safe and secure environment that fosters new opportunities.*

Vision

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

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



**STAFF REPORT  
CITY COUNCIL**

**CITY CLERK  
File # 610-50**

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Christopher L. Foss, Assistant City Manager

A handwritten signature in black ink, appearing to read "Chris Foss".

**SUBJECT:** Recognition of City Manager Joni Pattillo  
*Prepared by Caroline P. Soto, City Clerk/Records Manager*

**EXECUTIVE SUMMARY:**

The City Council will recognize retiring City Manager Joni Pattillo.

**FINANCIAL IMPACT:**

None.

**RECOMMENDATION:**

Recognize retiring City Manager Pattillo.

A handwritten signature in black ink, appearing to read "Chris Foss".

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Submitted By  
Assistant City Manager

**DESCRIPTION:**

The City Council will recognize retiring City Manager Joni Pattillo.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

None.

**ATTACHMENTS:**

None.



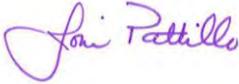
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #1020-50

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Recognition of Chevron Energy Solutions, Inc. for Energy Action Plan Assistance  
*Prepared by Roger Bradley, Assistant to the City Manager*

### EXECUTIVE SUMMARY:

The City Council will provide recognition to Chevron Energy Solutions, Inc. for its assistance in helping the City of Dublin develop and complete an Energy Action Plan to improve the efficiency of the City's municipal operations.

### FINANCIAL IMPACT:

None.

### RECOMMENDATION:

Staff recommends that the City Council recognize Chevron Energy Solutions, Inc.



Submitted By  
Assistant to the City Manager



Reviewed By  
Assistant City Manager

### DESCRIPTION:

In order to curtail the high cost of energy and to promote greater sustainability within the City, the City Council approved an agreement with Chevron Energy Solutions, Inc. (Chevron ES) in May 2011 to conduct an energy audit of all City facilities. The audit examined the consumption of energy associated with the City's municipal operations and provided recommendations for projects that incorporate energy conservation measures as well as renewable energy options, which were then codified within the City's first Energy Action Plan. The Energy Action Plan highlighted those conservation measures that not only would make the City more environmentally sustainable, but also save the City money through reduced energy costs in the long-term.

On June 19, 2012, the City Council accepted the audit findings and Energy Action Plan, which included a detailed implementation strategy and scope of work to design and build the proposed projects. The implementation strategy included options for funding and implementing the scope

of work without capital outlay from the City. Further, Chevron ES proposed continuing the mutual relationship with the City through an Energy Services Contract, wherein the savings from the energy upgrades fully pay for the cost of the Energy Action Plan; i.e., there would be no negative impact to the City budget to implement the improvements. Since that time, City Staff and Chevron ES have been working to complete the scope of work.

Final acceptance of the Energy Action Plan improvements is expected to be presented to the City Council for consideration at the January 2014 City Council meeting; however, the work is nearly completed with only minor details still to be finished. As the ribbon cutting event occurred directly before the City Council meeting on December 17, 2013, Staff is proposing to provide Chevron Energy Solutions, Inc. with recognition by the full City Council at this meeting.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

None.

**ATTACHMENTS:** None.



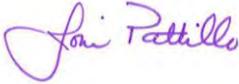
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #150-70

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Acceptance of Public Safety Grant from Target  
*Prepared by Val Guzman, Neighborhood Resources Technician II*

### EXECUTIVE SUMMARY:

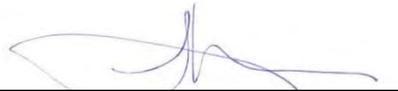
The City of Dublin has been awarded a 2013 Public Safety Grant from Target in the amount of \$1,000. The grant funds will be used for anti-theft messaging and document shredding services to be provided to Dublin residents at an event organized by Neighborhood Resources.

### FINANCIAL IMPACT:

The funds received from Target will be added to the current budget and will be expended this fiscal year.

### RECOMMENDATION:

Staff recommends that the City Council accept the \$1,000 grant and formally recognize the donor.



Submitted By  
Director of Community Development



Reviewed By  
Assistant City Manager

### DESCRIPTION:

Target awards grants to public safety agencies and programs that help prevent crime, support youth and enhance safety within communities. In September 2013, Neighborhood Resources partnered with Dublin Police Services in submitting a grant application to Target. The grant application requested funds for assistance with two primary anti-theft strategies: 1) to purchase promotional items with auto burglary prevention messaging; and 2) to offer a free personal document shredding event for Dublin residents. On November 1, 2013, Neighborhood Resources received notification from Target of its decision to award the City of Dublin \$1,000 from the Public Safety Grant (Attachment 1) for the aforementioned strategies. Together the two activities will help raise awareness among Dublin residents about auto burglary, identity theft, mail theft and provide education about theft prevention.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

None.

**ATTACHMENTS:** 1. Email dated November 1, 2013 awarding the Public Safety Grant

## Val Guzman

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**From:** application.notification@target.com  
**Sent:** Friday, November 01, 2013 10:16 AM  
**To:** Val Guzman  
**Subject:** Your Target grant request

City of Dublin  
Mrs. Val Guzman Ridad  
Neighborhood Resources Technician II  
City of Dublin  
100 Civic Plaza  
Dublin, CA 94568

Program: Hide It Lock It or Lose It (Anti-theft Campaign)  
Amount: \$1,000.00

Dear Mrs. Guzman Ridad:

Target is pleased to inform your organization that a grant has been approved specifically for the program and amount referenced above. Your grant check should arrive in the next few days. Please note that your grant check is void if it is not cashed within five months.

If you choose to produce any announcements or articles in recognition of this grant, we ask that you identify us as "Target". Resources to help you promote your partnership with Target are available at [target.com/marketingresources](http://target.com/marketingresources).

As always, Target grants are one-time gifts. By making annual commitments, we ensure we can remain flexible and respond to changing community and business needs.

Since 1946, Target has given 5 percent of its profit - which today equals more than \$4 million a week - to local communities. Our more than 1,700 Target stores carry on this tradition by making local grants and providing volunteer hours. We are proud to partner with organizations like yours to meet the needs of our communities. Whether it's inspiring young minds, offering unique cultural experiences or meeting your community's most basic needs; we thank you for your continued commitment to making a difference

You will receive a second email directing you to your account and requesting you fill out and submit a "Charitable Contribution Receipt" as required by Internal Revenue Services guidelines. After you receive your grant check, please follow the directions from that email, and submit your "Charitable Contribution Receipt" electronically. If you have any questions, please email [Community.Relations@Target.com](mailto:Community.Relations@Target.com).

Sincerely,

Target Assets Protection



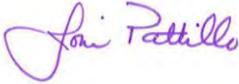
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #900-20

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Appointment of Public Art Selection Committee Members at Large  
*Prepared by Ann Mottola, Heritage and Cultural Arts Manager*

### EXECUTIVE SUMMARY:

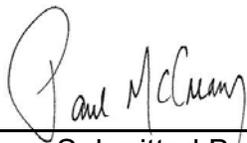
In July 2013 the City Council approved the Emerald Glen Recreation and Aquatics Phase I Improvements, including the Public Art plan that included the makeup for the Public Art Selection Committee. The design team has been exploring opportunities for public art in the design, and the recruitment was launched for the Selection Committee. Four applications were received for the three positions for "Residents at Large" to serve on the Committee. The City Council will consider approval of the Mayor's appointment of Bruce Gekko, Suresh Puli and Robert Spicer to serve on the Emerald Glen Recreation and Aquatics Complex Public Art Selection Committee.

### FINANCIAL IMPACT:

None.

### RECOMMENDATION:

Staff recommends the City Council consider confirmation the Mayor's appointment of Bruce Gekko, Suresh Puli and Robert Spicer to serve on the Emerald Glen Recreation and Aquatics Complex Public Art Selection Committee.



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Submitted By  
Director of Parks and  
Community Services



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Reviewed By  
Assistant City Manager

### DESCRIPTION:

In July 2013 the City Council approved the Emerald Glen Recreation and Aquatics Phase I Improvements, including the Public Art plan that included the makeup for the Public Art Selection Committee to include:

- (1) Heritage and Cultural Arts Commissioner
- (1) Parks and Community Services Commissioner
- (1) Public Artist
- (1) Art Educator from a Dublin School
- (1) Dublin Fine Arts Foundation Board Member
- (1) Community Member – Green Gator Swim Team Representative
- (3) Community Members at Large**
- Heritage and Cultural Arts Manager – Facilitator (Non-Voting)
- Parks and Facilities Development Manager – Technical Advisory (Non-Voting)
- Architect of Record – Designer (Non-Voting)

The Commissions have each appointed a representative to serve on the Selection Committee; Dayna Tutino will represent the Heritage and Cultural Arts Commission and Mona Lisa Ballesteros will represent the Parks and Community Services Commission. Staff has received confirmation from the Green Gators and Dublin Fine Arts Foundations that they will each provide a representative. Staff is waiting for confirmation for a Public Artist and Art Educator.

Staff completed the recruitment for the three Community Members at Large to serve on the Public Art Selection Committee. Four applications were received by the December 2, 2013 deadline. The Mayor is recommending the appointment of Bruce Gekko, Suresh Puli and Robert Spicer to serve on the Public Art Selection Committee and participate in meetings that will take place in early 2014.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A copy of the Staff Report was distributed to Bruce Gekko, Suresh Puli and Robert Spicer and the other organizations with representation on the Selection Committee.

**ATTACHMENTS:**        1. Applications received for the Selection Committee



**CITY OF DUBLIN  
PARKS and COMMUNITY SERVICES DEPARTMENT**

**Emerald Glen Recreation and Aquatics Complex  
Public Art Selection Committee Member Application**

Name Bruce Gekko  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Daytime Phone \_\_\_\_\_ Evening phone \_\_\_\_\_  
E-mail \_\_\_\_\_

**Please describe your interest in serving on this public art selection committee.**

I am a resident of Dublin and interested in becoming more involved in the community. I have a college degree in Liberal Arts but my career has been as a Certified Financial Planner. I feel that this Public Art Selection committee will be an excellent way for me to serve the city as I have a familiarity with the Arts and also an understanding of fiscal responsibility.

**Have you ever served on a City Board, Commission, or in a similar advisory capacity either in Dublin or in another city? If so, please explain.**

I am a graduate of the Inside Dublin class of 2013. I am the past Vice President of the Utah Asian Chamber of Commerce. In that position, I served on that body's Annual Scholarship selection committee as well as the UACC Annual Gala committee. I currently serve on the Membership Committee of the Personal Insurance Federation Political Action Committee and on the Exam Writing Committee for the Certified Financial Planner Board.

**What criteria would you use in selecting the preferred public art for the community?**

I believe that public art should beautify the city but also promote core municipal values. Such values should include the sense of Dublin as a community, its historic past, and its progressive future. I believe also that public art must be enduring by avoiding trendy or topical themes. Finally, I believe public art should be financially sustainable and not create maintenance or risk issues in the future. Thank you for your consideration. I would be honored to serve on this committee.

**Applications should be mailed, delivered, or e-mailed by Monday, December 2, 2013, at 5:00 PM to:**

City of Dublin  
100 Civic Plaza  
Dublin, CA 94568  
Attention: Heritage and Cultural Arts Manager  
E-mail: ann.mottola@dublin.ca.gov



CITY OF DUBLIN  
PARKS and COMMUNITY SERVICES DEPARTMENT

**Emerald Glen Recreation and Aquatics Complex  
Public Art Selection Committee Member Application**

Name SURESH PULI  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Daytime Phone \_\_\_\_\_ Evening phone \_\_\_\_\_  
E-mail \_\_\_\_\_

Please describe your interest in serving on this public art selection committee.

My interest serving this committee is to help any which way I can, artwork that enhances the visual environment and reflective of dublin city's rich history and heritage.

Have you ever served on a City Board, Commission, or in a similar advisory capacity either in Dublin or in another city? If so, please explain.

NO - This would be my first time - I am however Dublin each HOA board member serving my community needs.

What criteria would you use in selecting the preferred public art for the community?

As mentioned earlier art in the city should enhance visually the surrounding environment at the same time help highlight and reflect the rich history and heritage of the city.

Applications should be mailed, delivered, or e-mailed by Monday, December 2, 2013, at 5:00 PM to:

City of Dublin  
100 Civic Plaza  
Dublin, CA 94568  
Attention: Heritage and Cultural Arts Manager  
E-mail: ann.mottola@dublin.ca.gov

**CITY OF DUBLIN**  
**PARKS and COMMUNITY SERVICES DEPARTMENT**

**Emerald Glen Recreation and Aquatics Complex**  
**Public Art Selection Committee Member Application**

Name: Robert Spicer

Address:

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Daytime Phone \_\_\_\_\_ Evening phone \_\_\_\_\_

E-mail \_\_\_\_\_

**Please describe your interest in serving on this public art selection committee.**

I recently completed the Inside Dublin program in order to gain some understanding of what is needed and where I may be useful and able to contribute. I recently retired after a long career in a demanding field and now have time the time to contribute to the community in which I live. I just "graduated" from the Inside Dublin program and this commission is the first opportunity, since completing the Inside Dublin program, which I am aware of to begin contributing. My family and I use Emerald Glenn Park, which is within a mile of my home, and so I would like to do my part to help the new developments taking place there become a success.

**Have you ever served on a City Board, Commission, or in a similar advisory capacity either in Dublin or in another city? If so, please explain.**

I have not, but I have served in a number of capacities in HOAs (currently President of the BOD of Verona at Dublin Ranch), on testing boards for professional certifications in Information Technology, and I held "officer" positions in the Sea Ray Boat Club of Northern California, a non-profit corporation.

**What criteria would you use in selecting the preferred public art for the community?**

Public art should be a combination several things in varying degrees depending on the context in which the art is being presented. It may have a strong cultural or heritage component, or a message of progress or history, or may depict the activities of the place where it is displayed. If it is being placed in a modern architectural surrounding, it should be more modern than classical in form and execution. Also, the colors and materials should also have some contextual relevance to the environment in which it is being placed. I would strive to understand the context as well as the artists theme and strive to select the work(s) that are in keeping with the harmony of the facility where the art is being placed.

**Applications should be mailed, delivered, or e-mailed by Monday, December 2, 2013, at 5:00 PM to:**

City of Dublin  
100 Civic Plaza  
Dublin, CA 94568  
Attention: Heritage and Cultural Arts Manager  
E-mail: ann.mottola@dublin.ca.gov

**Emerald Glen Recreation and Aquatics Complex  
Public Art Selection Committee Member Application**

Name Richard D. Keller Jr.  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Daytime Pho \_\_\_\_\_ Evening phone \_\_\_\_\_  
E-mail \_\_\_\_\_

Please describe your interest in serving on this public art selection committee.

I was on the committee choosing the sculpture for  
the West Dublin Phantom BART station. I am very  
interested in helping with the Aquatics Complex art work.

Have you ever served on a City Board, Commission, or in a similar advisory capacity either in Dublin or in another city? If so, please explain.

See above.

What criteria would you use in selecting the preferred public art for the community?

The art work needs to be pleasing to the eye  
and fit with the purpose of the planned site.

Applications should be mailed, delivered, or e-mailed by Monday, December 2, 2013, at 5:00 PM to:

City of Dublin  
100 Civic Plaza  
Dublin, CA 94568  
Attention: Heritage and Cultural Arts Manager  
E-mail: [ann.mottola@dublin.ca.gov](mailto:ann.mottola@dublin.ca.gov)



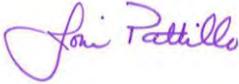
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #1040-10

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**DATE:** December 17, 2014

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Recognition of Dublin Ranch Golf Club Home Owners Association  
*Prepared by Roger Bradley, Assistant to the City Manager*

### EXECUTIVE SUMMARY:

The City Council will present a certificate of appreciation to Dublin Ranch Golf Club Home Owners Association for its example to the community in their pursuit of renewable energy sources. Specifically, Dublin Ranch Golf Club Home Owners Association has installed a solar power system at its facility, curtailing the high cost of energy and reducing its carbon footprint within the community.

### FINANCIAL IMPACT:

None.

### RECOMMENDATION:

Staff recommends that the City Council formally recognize the Dublin Ranch Golf Club Home Owners Association.



Submitted By  
Assistant to the City Manager



Reviewed By  
Assistant City Manager

### DESCRIPTION:

As part of its 10-year Strategic Plan, the City Council has indicated that environmental issues are of significant importance to the City of Dublin. Specifically, the City Council has placed great emphasis on finding ways to protect the quality of life of residents within Dublin and to ensure vital resources are available for current and future generations. This calls for the community to come up with ways to reduce excess consumption and avoid waste. One particular area of focus is reducing the amount of energy consumed within the community from the burning of fossil fuels by pursuing alternative clean-energy sources, such as solar power.

One of the largest sources of greenhouse gasses produced within the community, as found in the Greenhouse Gas Inventory from 2010, is from energy consumption by buildings and homes. Greenhouse gases are a byproduct of the energy produced from the burning of fossil fuels. Approximately eighty percent (80%) of PG&E's energy production comes from the burning of fossil fuels. Solar power, on the other hand, is a clean source of energy that reduces our reliance on fossil fuels for energy production and the greenhouse gasses emitted within the community. Solar power production also provides a mechanism for the user to reduce and stabilize the cost of energy over time.

Because of solar power's positive benefits to the local environment, the City is excited for, and proud of, its residents and businesses when they make the decision to install solar power systems at their home or place of business. The Dublin Ranch Golf Club Home Owners Association (HOA) has taken a leading role in this effort by installing a solar power system at its facility at 5840 Signal Hill Drive. It is expected that the 25-kilowatt system will provide more than 85% of the facility's electrical needs for years to come, saving the HOA more than \$2,000 on a monthly basis. In order to set the project in motion, more than 51% of the HOA residents had to vote in favor of the project, and because the HOA was able to pay for the project from existing reserves, the improvement has a very short payback period of a little more than six years. The HOA Board and its residents have set a great example for others in the community by showing that solar not only makes good environmental sense, but it also makes economic sense as well.

Staff recommends that the City Council recognize the Dublin Ranch Golf Club Home Owners Association for its significant environmental contribution to the City of Dublin.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

None.

**ATTACHMENTS:**

None.



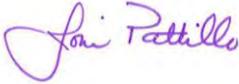
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #150-30

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Launch of City Mobile App  
*Prepared by Shari Jackman, Public Service Employee*

### EXECUTIVE SUMMARY:

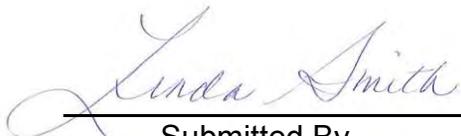
The City Council will review the City's new mobile app for its residents and businesses. The mobile app is part of the City's efforts to increase its ongoing community engagement efforts.

### FINANCIAL IMPACT:

The cost of the mobile app was included as part of the Fiscal Year 2013/2014 Operating Budget

### RECOMMENDATION:

Staff recommends that the City Council receive the report.

  
\_\_\_\_\_  
Submitted By  
Economic Development Director

  
\_\_\_\_\_  
Reviewed By  
Assistant City Manager

### DESCRIPTION:

The City of Dublin contracts with CivicPlus for the development, hosting and maintenance of the City's website. Part of the value in contracting with CivicPlus is the continual roll out of new products and services to its clients. Recently, CivicPlus offered the development and design of a mobile app for cities. Staff authorized CivicPlus to develop the City of Dublin mobile app, with the goal of providing a user-friendly interface to the City's website.

Because we live in a mobile world where smartphone users now outnumber basic phone users, and 100 million Americans rely on iPhone, Android, or Blackberry to power their day, Staff believed that the creation of this app would increase the City's community engagement efforts, reaching people the way they more frequently receive information.

The free Dublin app, called "My Dublin, CA," will feature links to news flashes, calendar items, special events, parks and facilities information, a resource directory, the Parks and Community Services Activity Guide, employment opportunities, and more.

To download the My Dublin, CA app, residents and businesses can visit iTunes or GooglePlay. Upon preparation of this report, the GooglePlay app was available for download and is still awaiting approval by Apple for the iTunes version.

Staff is prepared to work with CivicPlus to modify or redesign the mobile app upon completion of the City's marketing and branding plan.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

None

**ATTACHMENTS:**      1. Mobile App Screen Shot

# APP PREVIEW



DUBLIN  
California

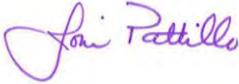




**STAFF REPORT  
CITY COUNCIL**

**CITY CLERK  
File # 610-10**

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**DATE:** December 17, 2013  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Joni Pattillo, City Manager   
**SUBJECT:** Minutes of the December 3, 2013 Regular City Council Meeting  
*Prepared by Caroline P. Soto, City Clerk/Records Manager*

**EXECUTIVE SUMMARY:**

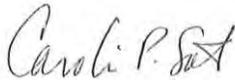
The City Council will consider approval of the minutes of the Regular City Council meeting of December 3, 2013.

**FINANCIAL IMPACT:**

None.

**RECOMMENDATION:**

Approve the minutes of the Regular City Council meeting of December 3, 2013.



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Submitted By  
City Clerk



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Reviewed By  
Assistant City Manager

**DESCRIPTION:**

The City Council will consider the approval of the minutes of the Regular City Council meeting of December 3, 2013.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:** None.

**ATTACHMENTS:** 1. Draft Minutes of the December 3, 2013 Regular City Council Meeting



# MINUTES OF THE CITY COUNCIL OF THE CITY OF DUBLIN

**REGULAR MEETING – DECEMBER 3, 2013**

## **CLOSED SESSION**

A closed session was held at 6:04 p.m., regarding:

- I. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9)  
California Clean Energy Committee v. City of Dublin, Alameda County Case No. RG 13703945
- II. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Attorney
- III. CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representatives: Councilmember Hart and Councilmember Haubert  
Unrepresented employee: City Manager



A regular meeting of the Dublin City Council was held on Tuesday, December 3, 2013, in the City Council Chambers of the Dublin Civic Center. The meeting was called to order at 7:16 p.m., by Mayor Sbranti.



## **ROLL CALL**

PRESENT: Councilmembers Biddle, Gupta, Hart, Haubert, and Mayor Sbranti  
ABSENT: None



## **PLEDGE OF ALLEGIANCE**

The pledge of allegiance to the flag was recited by the City Council, Staff and those present.



## **REPORT ON CLOSED SESSION ACTION**

Mayor Sbranti stated Closed Session would be continued at the end of the Regular meeting business.





**ORAL COMMUNICATIONS**

**Selection of Vice Mayor**

7:18 p.m. 3.1

On motion of Mayor Sbranti, seconded by Cm. Hart and by unanimous vote, the City Council selected Vm. Biddle as Vice Mayor for an additional one-year period.



**Introduction to Commander of Camp Parks, Lt. Col. Christopher Gerdes**

7:19 p.m. 3.2

The City Council received the introduction of Commander of Camp Parks, Lieutenant Colonel Christopher Gerdes.



**Appointment to Alameda County Mosquito Abatement District**

7:23 p.m. 3.3

On motion of Mayor Sbranti, seconded by Cm. Hart and by unanimous vote, the City Council adopted

**RESOLUTION NO. 195 - 13**

**MAKING AN APPOINTMENT TO THE  
ALAMEDA COUNTY MOSQUITO ABATEMENT DISTRICT  
BOARD OF TRUSTEES**



**Public Comments**

7:24 p.m. 3.4

Justin Lu, Dublin resident, provided public comment.



**CONSENT CALENDAR**

7:26 p.m. Items 4.1 through 4.2

On motion of Vm. Biddle, seconded by Cm. Hart and by unanimous vote, the City Council took the following actions:



Approved 4.1 Minutes of the November 19, 2013 Regular City Council Meeting;

Adopted 4.2

**RESOLUTION NO. 196 - 13**

**MAKING FINDINGS REGARDING UNEXPENDED  
TRAFFIC MITIGATION CONTRIBUTIONS FOR FISCAL YEAR 2012-2013**

and approved the Budget Change.



**WRITTEN COMMUNICATIONS** – None.



**PUBLIC HEARINGS**

7:27 P.M. 6.1

**The Village at Dublin Retail Center. General Plan Amendment, Eastern Dublin Specific Plan Amendment, Planned Development Rezoning, Site Development Review, Vesting Tentative Map, and Supplemental Environmental Impact Report (PLPA-2012-00031)**

Mayor Sbranti opened the public hearing.

Pete Knoedler, applicant, provided comment on the item.

Pedro Penate, Dublin resident, provided public comment on this item.

Mayor Sbranti closed the public hearing.

On motion of Cm. Haubert, seconded by Cm. Hart and by unanimous vote, the City Council adopted

**RESOLUTION NO. 197 - 13**

**CERTIFYING A FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT AND  
ADOPTING ENVIRONMENTAL AND MITIGATION FINDINGS, FINDINGS REGARDING  
ALTERNATIVES, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A  
MITIGATION MONITORING AND REPORTING PROGRAM UNDER CEQA FOR THE  
VILLAGE AT DUBLIN RETAIL CENTER  
PLPA-2012-00031**



**RESOLUTION NO. 198 - 13**

**AMENDING THE GENERAL PLAN AND THE EASTERN DUBLIN SPECIFIC PLAN FOR  
THE VILLAGE AT DUBLIN RETAIL CENTER  
PLPA-2012-00031**

and INTRODUCED an Ordinance approving Ordinance amending the Zoning Map to rezone 14.32 acres of 5054 Hacienda Drive to a Planned Development Zoning District and approving the related Stage 1 and 2 Development Plan for The Village at Dublin Retail Center

and adopted

**RESOLUTION NO. 199 - 13**

**APPROVING SITE DEVELOPMENT REVIEW AND A VESTING TENTATIVE MAP FOR  
PARCEL 3 OF PARCEL MAP 8262 FOR THE VILLAGE AT DUBLIN RETAIL CENTER  
(APN 986-0033-007-00)  
PLPA-2012-00031**

**Iron Horse Nature Park and Open Space,  
General Plan Amendment and Planned Development Rezoning  
with a related Stage 1 and 2 Development Plan for a New Public Park**

8:27 p.m. 6.2

City Manager Pattillo recused herself from the item, and left the Council Chambers as she has a real personal property interest adjacent to the project.

Mayor Sbranti opened the public hearing.

No comments were made by any member of the public on this item.

Mayor Sbranti closed the public hearing.

On motion of Cm. Hart, seconded by Cm.Gupta and by unanimous vote, the City Council adopted

**RESOLUTION NO. 200 - 13**

**APPROVING A GENERAL PLAN AMENDMENT FOR THE FUTURE  
IRON HORSE NATURE PARK AND OPEN SPACE PROJECT  
APNS 941-2768-006-02, 941-0190-001-01, 941-0190-001-05, 941-0191-095-00,  
941-0205-001-12, and 941-0205-001-63 (partial)  
PLPA-2013-00044**

and INTRODUCED an Ordinance amending the Zoning Map to Rezone 12.13 acres of former Union Pacific Railroad right-of-way adjacent to the Iron Horse Regional Trail to a Planned



Development Zoning District and approving the related Stage 1 and 2 Development Plan for the Iron Horse Nature Park and Open Space Project



**Zoning Ordinance Amendments  
To Chapter 8.08 (Definitions), Chapter 8.36 (Development  
Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations)**

8:45 p.m. 6.3

Mayor Sbranti opened the public hearing.

Vic DeMello, Vice President of Browman Development, provided public comment on this item.

Mayor Sbranti closed the public hearing.

On motion of Cm. Gupta, seconded by Cm. Haubert and by unanimous vote, the City Council INTRODUCED an Ordinance approving amendments to Dublin Zoning Ordinance Chapters 8.08 (Definitions), 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations).



**UNFINISHED BUSINESS**

**Summerhill Homes Residential (Dublin Land Company/Summerhill Homes)  
General Plan and Eastern Dublin Specific Plan Amendment Study Initiation Request**

9:22 p.m. 7.1

Elena Gribanova, Dublin resident, provided public comment on this item.

Kerri Chabot, Dublin resident, provided public comment on this item.

Linda Silva, Dublin resident, provided public comment on this item.

Greg Bonato, Dublin resident, provided public comment on this item.

Marcie Schwartz, Dublin resident, provided public comment on this item.

Robert Schwartz, Dublin resident, provided public comment on this item.

James Morehead, Dublin resident, provided public comment on this item.



Pedro Penate, Dublin resident, provided public comment on this item.

Kasie Hildenbrand, Dublin resident, provided public comment on this item.

Jeff Hobbs, Dublin resident, provided public comment on this item.

On motion of Mayor Sbranti, seconded by Cm. Hart and by a majority vote (Cms. Haubert and Gupta voting no) , the City Council adopted

**RESOLUTION NO. 201 - 13**

**APPROVING THE INITIATION OF A GENERAL PLAN AND EASTERN DUBLIN SPECIFIC PLAN AMENDMENT STUDY TO EVALUATE A PROPOSAL TO CHANGE THE LAND USE DESIGNATION OF A 23.77 ACRE AREA LOCATED NORTH OF CENTRAL PARKWAY BETWEEN TASSAJARA ROAD AND BRANNIGAN STREET TO MEDIUM DENSITY RESIDENTIAL (APNs 985-0052-024 AND 985-0052-025)**

and, as part of the preliminary check in Condition #6, add a check in as to the status of Parcel 2.



**NEW BUSINESS**

**Consider Mayor’s Request to Study the Need for an Amendment to the Zoning Code Regarding Freeway-facing Signs and Potentially Consider Adoption of an Urgency Ordinance Related to Freeway-facing Signs**

11:20 p.m. 8.1

Martin Inderbitzen provided comment on this item.

By consensus, the City Council took no action.



**OTHER BUSINESS**

11:57 p.m.

Brief information only reports were provided by City Council and Staff, including committee reports and reports by City Council related meetings attended by City expense (AB1234).



The City Council reconvened to Closed Session.



**REPORT ON CLOSED SESSION ACTION**

12:33 p.m.

Mayor Sbranti stated there was no reportable action during Closed Session.



**ADJOURNMENT**

10.1

There being no further business to come before the City Council, the meeting was adjourned at 12:33 p.m. in memory of Staff Sgt. Sean Diamond and our fallen troops.

Minutes prepared by Caroline P. Soto, City Clerk/Records Manager.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk





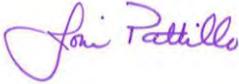
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #600-60

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Acceptance of Tract Improvements and Approval of Regulatory Traffic Control Devices for Tract 8081, Neighborhood "D1", Positano/ Fallon Village, and Release of security for Neighborhood "D" Trail Improvements within the future Fallon Village GHAD parcel (Braddock and Logan)  
*Prepared by Jayson Imai, Senior Civil Engineer*

### EXECUTIVE SUMMARY:

Dublin RE Investors, LLC, by Braddock and Logan Services, Inc. (Braddock and Logan), has constructed the street improvements for Tract 8081 - Neighborhood "D1", Positano/Fallon Village in accordance with their Tract Improvement Agreement. It is now appropriate for the City to accept these improvements and approve the regulatory traffic control devices. Also in accordance with their Tract Improvement Agreement, Braddock and Logan has completed construction of the Neighborhood "D" trail improvements. The Neighborhood "D" trail is located within Parcel 1 of Parcel Map 10049, which will ultimately be turned over to the Fallon Village Geologic Hazard Abatement District (GHAD) for ownership and maintenance. The Neighborhood "D" trail improvements are now complete and the bonds provided by Braddock and Logan to guarantee completion of the trail improvements may now be released.

### FINANCIAL IMPACT:

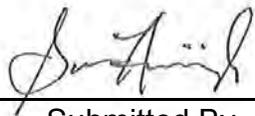
Braddock and Logan has provided a Warranty Bond (Bond No. 724220M, in the amount of \$563,073.00), issued by Developers Surety and Indemnity Company, to guarantee the street improvements associated with Tract 8081 and Neighborhood "D" trail improvements for one year.

Upon acceptance of the street improvements within Tract 8081, the City will incur annualized maintenance costs estimated to be \$20,300 for street sweeping and street lighting (monthly), slurry seal (every five years) and asphalt concrete pavement overlay (every 20 years).

The Neighborhood "D" trail is located within Parcel 1 of Tract 10049, which has been reserved as a future Fallon Village GHAD parcel. Prior to transferring the GHAD parcel to the Fallon Village GHAD, Braddock and Logan will be responsible for maintenance of the Neighborhood "D" trail improvements, including during the one-year warranty period. Once the GHAD parcel has been transferred from Braddock and Logan to Fallon Village GHAD, all improvements within the GHAD parcel will be maintained by the Fallon Village GHAD. There will be no future maintenance costs to the City associated with the Neighborhood "D" trail.

**RECOMMENDATION:**

Staff recommends that the City Council adopt the Resolution Accepting the Tract Improvements and Approving the Regulatory Traffic Control Devices for Tract 8081 – Neighborhood “D1,” and Approving the Release of Security for the Neighborhood “D” Trail Within the Future Fallon Village GHAD parcel.



Submitted By  
Director of Public Works



Reviewed By  
Assistant City Manager

**DESCRIPTION:**

Dublin RE Investors, LLC, by Braddock and Logan Services, Inc. (Braddock and Logan), entered into an Improvement Agreement with the City of Dublin on November 15, 2011, for the construction of street and other tract improvements associated with Tract 8081, also known as Neighborhood “D1” of the Positano development within the area covered by the Fallon Village Specific Plan. These improvements included construction of the streets internal to Neighborhood “D1”, as well as Valentano Drive between Positano Parkway and Forino Drive, and Avanti Avenue between Positano Parkway and Forino Drive. The improvements covered by this Tract Improvement Agreement also included Neighborhood “D” trail improvements within Parcel 1 of Parcel Map 10049, which has been reserved for future transfer to the Fallon Village Geologic Hazard Abatement District (GHAD).

Braddock and Logan provided Performance Bonds and Labor & Materials Bonds to guarantee construction of both the street and tract improvements for Tract 8081 and the Neighborhood “D” trail improvements.

When the Tract Improvement Agreement for Tract 8081 was approved, Braddock and Logan had already completed approximately 80% of required improvements. Therefore, the original bonds were in the amount equal to twenty five percent (25%) of the full bond estimate amount.

Per the Plan of Control for the Fallon Village GHAD, before Braddock and Logan may transfer a GHAD parcel and the management and maintenance requirements of that parcel to the Fallon Village GHAD, the improvements required to be constructed within the GHAD parcel must be approved by the City.

Braddock and Logan has recently completed the construction of both the required tract and street improvements associated with Tract 8081 and the Neighborhood “D” trail improvements within the future Fallon Village GHAD Parcel 1 of Parcel Map 10049 and is requesting that the bonds guaranteeing this work be released.

Braddock and Logan has provided a Warranty Bond in the amount of \$563,073.00 (Bond No. 724220M) by Developers Surety and Indemnity Company. The bond amount is equal to twenty five percent (25%) of the full cost of completion of the improvements and is equivalent to the original bond amount approved by City Council with the Tract Improvement Agreement for Tract 8081 in November, 2011.

IMPROVEMENTS	ORIGINAL AMOUNTS		STATUS
	Performance Bond (Bond No.)	Labor & Materials Bond (Bond No.)	
Neighborhood "D1" tract improvements and Neighborhood "D" trail improvements	\$563,073 (724220S)	\$563,073 (724220S)	To Be Released

Prior to transferring Parcel 1 of Parcel Map 10049 to the Fallon Village GHAD, Braddock and Logan will be responsible for the maintenance of the Neighborhood "D" trail improvements within that parcel, including during the one-year warranty period. Once the GHAD parcel has been transferred from Braddock and Logan to Fallon Village GHAD, all improvements within the GHAD parcel will be maintained by the Fallon Village GHAD. There will be no future maintenance costs to the City.

The following regulatory traffic control devices will be accepted and approved as part of this project and added to the City of Dublin Traffic Code:

A. "STOP" signs, markings and crosswalks installed at the following intersections:

- Haggerty Drive at the intersection of Avanti Avenue
- Haggerty Drive at the intersection of Valentano Drive
- Haggerty Drive at the intersection of Forino Drive
- Valentano Drive at the intersection of Forino Drive

B. Curve Warning with 15 MPH advisory speed signs on the following streets:

- West side of Haggerty Drive near Station 3+08
- North side of Haggerty Drive near Station 4+93

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A copy of this staff report has been sent to Braddock & Logan.

**ATTACHMENTS:**

1. Reduced Copy of Final Map Tract 8081
2. Resolution for the Acceptance of Tract Improvements and Approval of Regulatory Traffic Control Devices for Tract 8081, Neighborhood "D1" and Approval of the Release of Security for the Neighborhood "D" trail within the future Fallon Village GHAD parcel

**OWNER'S STATEMENT:**

THE UNDERSIGNED DOES HEREBY STATE THAT IT IS THE OWNER OF ALL THE LANDS DELINEATED AND EMBODIED WITHIN THE BOUNDARY LINES UPON THE HEREIN EMBODIED FINAL MAP ENTITLED: "TRACT 8081, CITY OF DUBLIN, ALAMEDA COUNTY, CALIFORNIA", CONSISTING OF FIVE (5) SHEETS, THIS STATEMENT BEING UPON SHEET ONE (1) THEREOF; THAT IT HAS CAUSED SAID MAP TO BE PREPARED FOR RECORD AND DOES CONSENT TO THE MAKING AND RECORDATION OF SAID MAP; AND THAT SAID MAP DOES PARTICULARLY SETS FORTH AND DESCRIBES ALL LOTS BY THEIR NUMBER, BEARINGS AND DISTANCES, AND DESCRIBE ALL PARCELS BY THEIR ALPHABETIC DESIGNATION, BEARINGS, AND DISTANCES.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES:

1. THE REAL PROPERTY DESIGNATED AS HAGGERTY DRIVE.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS EASEMENT FOR PUBLIC USE:

1. THE AREAS DESIGNATED AS "PUBLIC SERVICE EASEMENT" (PSE) AS SHOWN UPON SAID MAP, FOR THE PURPOSE OF CONSTRUCTION AND MAINTENANCE OF UNDERGROUND UTILITY STRUCTURES, STREET LIGHTS, AND ALL RELATED APPURTENANCES.

AND THE UNDERSIGNED DOES HEREBY RESERVE TO ITSELF, AND TO ITS OWNERS, RESIDENTS, AND OTHERS DESIGNATED BY THE HOMEOWNERS ASSOCIATION, THE AREAS DESIGNATED AS PARCELS A THROUGH D AS COMMON AREAS, FOR THE USE OF BUT NOT LIMITED TO, UTILITIES, DRAINAGE, INGRESS AND EGRESS, LANDSCAPING, AND ALL APPURTENANCES TO LANDSCAPING MAINTENANCE OF SAID PARCELS TO BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION; SAID PARCELS TO BE CONVEYED BY SEPARATE DOCUMENT TO THE HOMEOWNERS ASSOCIATION SUBSEQUENT TO THE FILING OF THIS MAP.

THIS MAP SHOWS OR NOTES ALL EASEMENTS OF RECORD, WITHIN THE BOUNDARY LINES OF THE HEREIN EMBODIED MAP.

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE EXECUTED THIS STATEMENT ON THE 28<sup>th</sup> DAY OF OCTOBER, 2011.

AS OWNERS: DUBLIN RE INVESTORS LLC, A CALIFORNIA LIMITED LIABILITY COMPANY BY BRADDOCK & LOGAN SERVICES, INC. A CALIFORNIA CORPORATION, ITS MANAGER

BY: Joseph E. Raphael  
 PRINTED NAME: JOSEPH E. RAPHAEL  
 TITLE: PR. SIDENT

**OWNER'S ACKNOWLEDGMENT:**

STATE OF CALIFORNIA  
 COUNTY OF CONTRA COSTA

ON 10/28/11, 2011, BEFORE ME Nancy E. Embrey, A NOTARY PUBLIC, PERSONALLY APPEARED

JOSEPH E. RAPHAEL  
 WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND BY HIS SIGNATURE ON THE INSTRUMENT THE PERSON, OR ENTITY UPON BEHALF OF WHICH THE PERSON 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:  
 SIGNATURE: Nancy E. Embrey  
NANCY E. EMBREY  
 PRINTED NAME, NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

PRINCIPAL COUNTY OF BUSINESS: CONTRA COSTA  
 COMMISSION EXPIRES: Aug 1, 2013  
 COMMISSION # OF NOTARY: 1859710

**SURVEYOR'S STATEMENT:**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES AT THE REQUEST OF BRADDOCK & LOGAN SERVICES, INC. IN APRIL OF 2011. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP, AND THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, AND THAT ALL MONUMENTS WILL BE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED PRIOR TO THE ACCEPTANCE OF THE IMPROVEMENTS, THAT SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THE GROSS AREA WITHIN THE TRACT IS 12.23 ACRES, MORE OR LESS.

Mark Weber DATED: OCTOBER 27, 2011  
 MARK WEBER  
 L.S. NO. 7960  
 REGISTRATION EXPIRES: MARCH 31, 2012

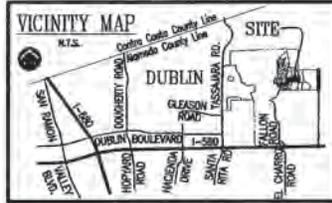


**TRACT 8081**

A SUBDIVISION OF PARCELS A AND B OF PARCEL MAP 10049 RECORDED IN BOOK 318 OF PARCEL MAPS, AT PAGES 1 THROUGH 8, ALAMEDA COUNTY RECORDS

CITY OF DUBLIN  
 ALAMEDA COUNTY, CALIFORNIA  
**MACKAY & SOMPS**

PLANNERS  
 51420 FURNACE DR., PLEASANTON, CA 94566 (925)225-0878  
 SEPTEMBER, 2011



**TRUSTEE'S STATEMENT**

THE UNDERSIGNED, AMERICAN SECURITIES COMPANY, A CALIFORNIA CORPORATION, AS TRUSTEE UNDER THE DEED OF TRUST RECORDED ON JULY 29, 2011 AS INSTRUMENT NO. 2011-219025, OFFICIAL RECORDS OF ALAMEDA COUNTY, CALIFORNIA, CONSENTS TO THE PREPARATION AND FILING OF THIS MAP OF TRACT 8081.

BY: Lisa Z. Schaeffer BY: Amy C. Rizzo  
 PRINT NAME & TITLE: Lisa Z. Schaeffer, SVP PRINT NAME & TITLE: Amy C. Rizzo, AUP  
 DATE: 10/31/11 DATE: 10/31/11

**TRUSTEE'S ACKNOWLEDGMENT:**

STATE OF CALIFORNIA  
 COUNTY OF CONTRA COSTA  
 ON October 31, 2011, BEFORE ME Liz Young, A NOTARY PUBLIC, PERSONALLY APPEARED

Lisa Z. Schaeffer, Amy C. Rizzo  
 WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) WERE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/HE/THEY EXECUTED THE SAME IN HIS/HER/HE/THEIR AUTHORIZED CAPACIT(IES), AND BY HIS/HER/HE/THEY SIGNATURE ON THE INSTRUMENT THE PERSON(S), OR 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:  
 SIGNATURE: Liz Young  
Liz Young  
 PRINTED NAME, NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

PRINCIPAL COUNTY OF BUSINESS: Placer  
 COMMISSION EXPIRES: 01/09/2015  
 COMMISSION # OF NOTARY: 1921270

**CITY ENGINEER'S STATEMENT:**

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP ENTITLED "TRACT 8081, CITY OF DUBLIN, ALAMEDA COUNTY, CALIFORNIA", AND THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED VESTING TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AND THAT ALL PROVISIONS OF THE STATE LAW AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE VESTING TENTATIVE MAP HAVE BEEN COMPLIED WITH.

Mark J. Lander DATED: November 10, 2011  
 MARK J. LANDER, CITY ENGINEER  
 R.C.E. NO. 34953, EXPIRES SEPTEMBER 30, 2013  
 CITY OF DUBLIN, ALAMEDA COUNTY, CALIFORNIA

**ACTING ASSISTANT CITY ENGINEER'S STATEMENT:**

I HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP ENTITLED "TRACT 8081, CITY OF DUBLIN, ALAMEDA COUNTY, CALIFORNIA", AND I AM SATISFIED THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

James W. Zummwalt DATED: November 9, 2011  
 JAMES W. ZUMMWALT, ASSISTANT CITY ENGINEER  
 R.C.E. NO. 32371, EXPIRES DECEMBER 31, 2012  
 CITY OF DUBLIN, ALAMEDA COUNTY, CALIFORNIA



**CITY PLANNING MANAGER'S STATEMENT:**

THIS MAP CONFORMS TO THE VESTING TENTATIVE MAP AND CORRESPONDING CONDITIONS AS APPROVED BY THE PLANNING COMMISSION. THIS MAP HAS BEEN REVIEWED BY ME AND THE CONDITIONS OF APPROVAL HAVE BEEN SATISFIED.

Jeff Baker DATED: 11/8/11, 2011  
 JEFF BAKER, PLANNING MANAGER

**CITY CLERK'S STATEMENT:**

I, CAROLINE SOTO, CITY CLERK AND CLERK OF THE COUNCIL OF THE CITY OF DUBLIN, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED FINAL MAP ENTITLED: "TRACT 8081, CITY OF DUBLIN, ALAMEDA COUNTY, CALIFORNIA", CONSISTING OF FIVE (5) SHEETS, THIS STATEMENT BEING UPON SHEET ONE (1) THEREOF WAS PRESENTED TO SAID COUNCIL AS PROVIDED BY RESOLUTION NO. 186-11, AT A MEETING HELD ON THE DAY OF November 15, 2011, AND THAT SAID COUNCIL DID THEREUPON APPROVE SAID FINAL MAP, AND DID ACCEPT, SUBJECT TO IMPROVEMENTS, ON BEHALF OF THE PUBLIC, "HAGGERTY DRIVE", AND THE PUBLIC SERVICE EASEMENT (PSE).

I FURTHER STATE THAT ALL AGREEMENTS AND SURETY AS REQUIRED BY LAW TO ACCOMPANY THE WITHIN FINAL MAP HAVE BEEN APPROVED BY THE CITY COUNCIL OF THE CITY OF DUBLIN AND ARE FILED IN MY OFFICE.

IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND THIS 1 DAY OF December, 2011.

Caroline Soto  
 for Caroline Soto  
 CITY CLERK AND CLERK OF THE  
 CITY COUNCIL OF THE CITY OF DUBLIN,  
 COUNTY OF ALAMEDA, STATE OF CALIFORNIA

**CLERK OF THE BOARD OF SUPERVISORS' STATEMENT:**

STATE OF CALIFORNIA  
 COUNTY OF ALAMEDA

I, CRYSTAL K. HISHIDA, CLERK OF THE BOARD OF SUPERVISORS FOR THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE, AS CHECKED BELOW, THAT:

- AN APPROVED BOND HAS BEEN FILED WITH THE SUPERVISORS OF SAID COUNTY AND STATE IN THE AMOUNT OF \$125,000 CONDITIONED FOR THE PAYMENT OF ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES, WHICH ARE NOW A LIEN AGAINST SAID LAND OR ANY PART THEREOF BUT NOT YET PAYABLE, AND WAS DULY APPROVED BY SAID LOCAL BOARD IN SAID AMOUNT.
- ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES HAVE BEEN PAID AS CERTIFIED BY THE TREASURER-TAX COLLECTOR OF THE COUNTY OF ALAMEDA.

IN WITNESS WHEREOF, I HAVE HEREBY SET MY HAND THIS 5<sup>th</sup> DAY OF December, 2011.



Crystal K. Hishida  
 CLERK OF THE BOARD OF SUPERVISORS  
 COUNTY OF ALAMEDA, STATE OF CALIFORNIA  
 BY: Crystal K. Hishida  
 DEPUTY COUNTY CLERK

**COUNTY RECORDER'S STATEMENT:**

FILED FOR RECORD THIS 14<sup>th</sup> DAY OF December, 2011 AT 9:44 a.m. IN BOOK 318 OF MAPS AT PAGES 14 THROUGH 18, UNDER SERIES NO. 2011025011 AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA.

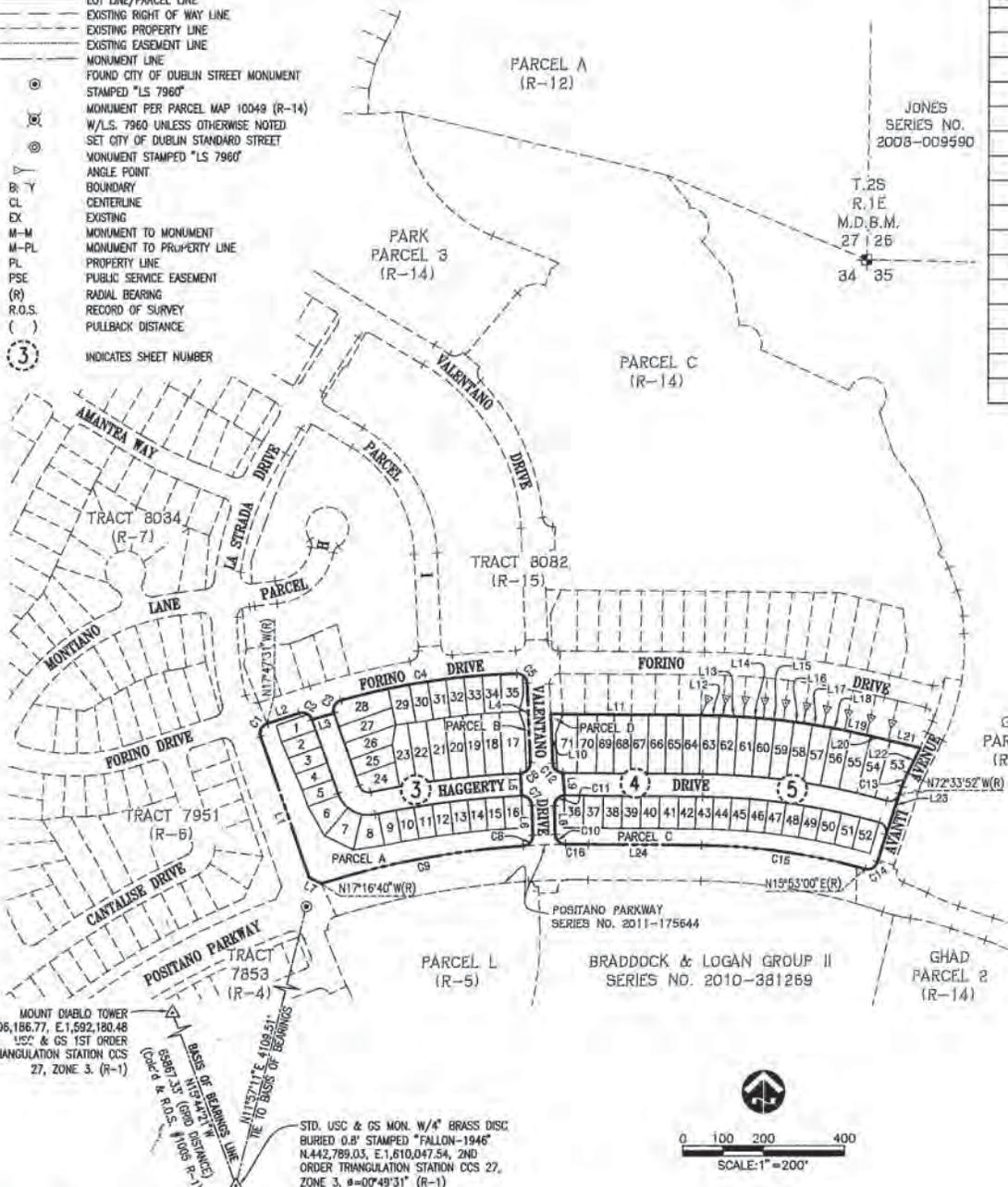
FEE: \$ 17



Patrick O'Connell  
 COUNTY RECORDER IN AND FOR THE COUNTY  
 OF ALAMEDA, STATE OF CALIFORNIA  
 BY: Patrick O'Connell

**LEGEND**

- BOUNDARY LINE
- - - LOT LINE/PARCEL LINE
- - - EXISTING RIGHT OF WAY LINE
- - - EXISTING PROPERTY LINE
- - - EXISTING EASEMENT LINE
- MONUMENT LINE
- FOUND CITY OF DUBLIN STREET MONUMENT STAMPED "LS 7960"
- MONUMENT PER PARCEL MAP 10049 (R-14) W/L.S. 7960 UNLESS OTHERWISE NOTED
- SET CITY OF DUBLIN STANDARD STREET MONUMENT STAMPED "LS 7960"
- ANGLE POINT
- BOUNDARY
- CENTERLINE
- EXISTING
- M-M MONUMENT TO MONUMENT
- M-PL MONUMENT TO PROPERTY LINE
- PL PROPERTY LINE
- PSE PUBLIC SERVICE EASEMENT
- (R) RADIAL BEARING
- (R.O.S.) RECORD OF SURVEY
- ( ) PULLBACK DISTANCE
- (3) INDICATES SHEET NUMBER



**CURVE TABLE**

CURVE NO.	RADIUS	DELTA	LENGTH
C1	25.00	91°41'37"	40.01
C2	25.00	88°18'23"	38.53
C3	25.00	93°43'31"	40.90
C4	1772.00	14°18'20"	442.43
C5	25.00	89°01'53"	38.85
C6	25.00	89°51'34"	39.21
C7	25.00	90°08'50"	39.33
C8	25.00	88°47'07"	38.74
C9	2144.00	13°38'23"	510.39
C10	25.00	88°24'52"	38.58
C11	25.00	93°05'20"	40.62
C12	25.00	86°54'40"	37.92
C13	228.00	8°58'35"	35.72
C14	25.00	88°26'52"	38.59
C15	1544.00	15°13'04"	410.08
C16	2144.00	1°30'12"	56.28

**LINE TABLE**

LINE NO.	DIRECTION	LENGTH
L1	N19°29'08"W	368.92
L2	N72°12'28"E	85.04
L3	N74°50'14"E	56.16
L4	N2°25'24"W	196.37
L5	N2°17'41"W	56.00
L6	N2°25'24"W	74.09
L7	N63°22'54"W	33.28
L8	N2°25'24"W	70.85
L9	N5°10'00"W	56.29
L10	N2°25'24"W	121.52
L11	N89°20'04"W	374.26
L12	N88°39'41"W	55.00
L13	N87°03'29"W	50.00
L14	N85°31'19"W	50.00
L15	N83°59'09"W	50.00
L16	N82°26'59"W	50.00
L17	N80°54'49"W	50.00
L18	N79°19'53"W	53.00
L19	N77°40'21"W	55.00
L20	N76°19'09"W	55.00
L21	N76°12'15"W	80.00
L22	N26°24'42"E	69.18
L23	N17°28'08"E	196.19
L24	N89°20'04"W	287.21

- REFERENCES:**
- (R-1) RECORD OF SURVEY No. 1005, BK. 16 R.O.S., PG. 37-51
  - (R-2) PM 9208 BK. 292 PG. 16-17 ALAMEDA COUNTY RECORDS
  - (R-3) PM 8327 BK. 298 PG. 14-17 ALAMEDA COUNTY RECORDS
  - (R-4) TRACT 7853 BK. 303 PG. 1-5 ALAMEDA COUNTY RECORDS
  - (R-5) TRACT 7854 BK. 303 PG. 6-15 ALAMEDA COUNTY RECORDS
  - (R-6) TRACT 7951 BK. 305 PG. 40-43 ALAMEDA COUNTY RECORDS
  - (R-7) TRACT 8034 BK. 305 PG. 54-57 ALAMEDA COUNTY RECORDS
  - (R-8) TRACT 8036 BK. 305 PG. 88-92 ALAMEDA COUNTY RECORDS
  - (R-9) TRACT 8037 BK. 305 PG. 93-96 ALAMEDA COUNTY RECORDS
  - (R-10) TRACT 7855 BK. 305 PG. 97-107 ALAMEDA COUNTY RECORDS
  - (R-11) TRACT 8050 BK. 309 PG. 54-60 ALAMEDA COUNTY RECORDS
  - (R-12) LOT LINE ADJUSTMENT No. LLA-11-01, SERIES No. 2011-161659
  - (R-13) LOT LINE ADJUSTMENT No. LLA-11-02, SERIES No. 2011-165020
  - (R-14) PM 10049 BK. 318 PG. 1-8 ALAMEDA COUNTY RECORDS
  - (R-15) TRACT 8082 BK. \_\_\_ PG. \_\_\_ ALAMEDA COUNTY RECORDS

**BASIS OF BEARINGS:**  
 THE BASIS OF BEARINGS SHOWN HEREON, IS THE LINE BETWEEN US&GS TRIANGULATION STATIONS "FALLON" AND "MOUNT DIABLO TOWER". THE GRID BEARING CALCULATED FROM PUBLISHED CCS 27 ZONE 3 GRID COORDINATES FOR THIS LINE IS TAKEN AS NORTH 19°44'21" WEST.

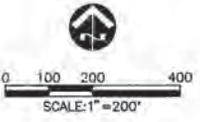
- NOTES:**
1. ALL BEARINGS SHOWN ARE BASED UPON CALIFORNIA COORDINATE SYSTEM ZONE III.
  2. ALL DISTANCES SHOWN ARE GROUND LEVEL DISTANCES, MULTIPLY DISTANCES BY 0.9999054 TO OBTAIN GRID DISTANCES.
  3. 3/4" IRON PIPE TO BE SET ALL REAR LOT CORNERS WITH CAP STAMPED "LS 7960".

**TITLE NOTES:**  
 THE LANDS INCLUDED IN THIS TRACT MAP ARE SUBJECT TO THE FOLLOWING TERMS, PROVISIONS AND EASEMENTS.

1. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "DEVELOPMENT AGREEMENT RECORDED FEBRUARY 01, 2006 AS INSTRUMENT NO. 2006-035223 OF OFFICIAL RECORDS."  
 THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "ASSIGNMENT OF DEVELOPMENT AGREEMENT" RECORDED JANUARY 11, 2008 AS INSTRUMENT NO. 2008-008023 OF OFFICIAL RECORDS.
2. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "NOTICE OF ESTABLISHMENT OF DUBLIN RANCH EAST SIDE STORM DRAIN BENEFIT DISTRICT" RECORDED APRIL 30, 2007 AS INSTRUMENT NO. 2007-168693.
3. THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "MEMORANDUM OF AMENDED AND RESTATED SUBSEQUENT AFFORDABLE HOUSING AGREEMENT FOR THE CONSTRUCTION OF INCLUSIONARY UNITS AND PAYMENT OF FEES IN LIEU OF CONSTRUCTING INCLUSIONARY HOUSING UNITS" RECORDED SEPTEMBER 10, 2010 AS INSTRUMENT NO. 2010-262203 OF OFFICIAL RECORDS.  
 THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "MEMORANDUM OF AMENDED AND RESTATED SUBSEQUENT AFFORDABLE HOUSING AGREEMENT FOR THE CONSTRUCTION OF INCLUSIONARY UNITS AND PAYMENT OF FEES IN LIEU OF CONSTRUCTING INCLUSIONARY HOUSING UNITS" RECORDED JUNE 10, 2011 AS INSTRUMENT NO. 2011167897 OF OFFICIAL RECORDS.
4. AN EASEMENT FOR MAKING CUTS AND/OR PLACING FILL, CONDUCTING CONSTRUCTION, INGRESS, EGRESS AND INCIDENTAL PURPOSES, RECORDED JULY 01, 2011 AS INSTRUMENT NO. 2011168656 OF OFFICIAL RECORDS.

**STATEMENT OF SOILS REPORT:**

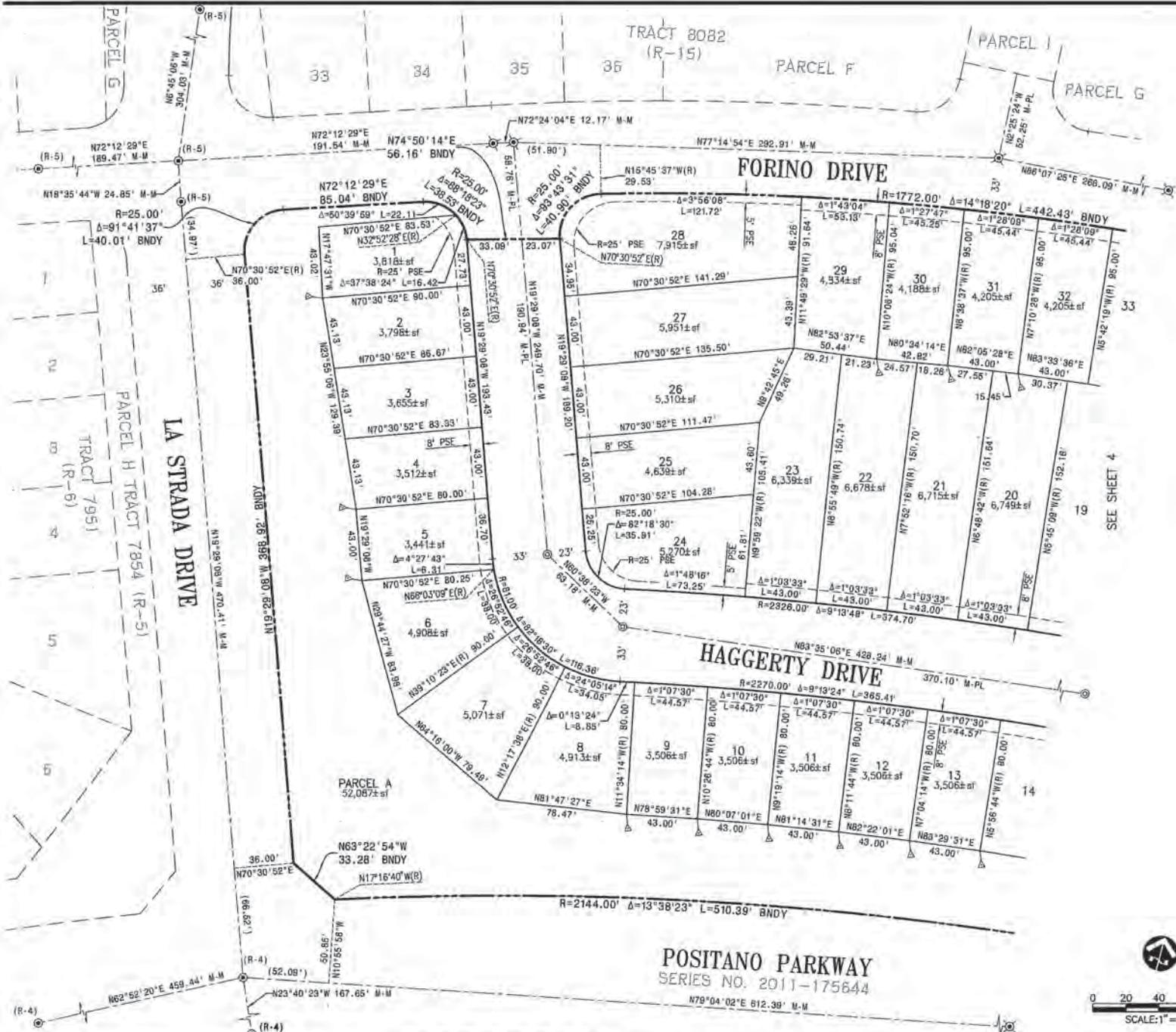
- THE FOLLOWING GEOTECHNICAL INVESTIGATION REPORTS WERE PREPARED FOR BRADDOCK & LOGAN GROUP BY ENGEO INCORPORATED AND ARE ON FILE WITH THE CITY OF DUBLIN, CALIFORNIA.
1. PROJECT NO. 4663.1.004.01 DATED FEBRUARY 24, 2003 AND REVISED DECEMBER 17, 2004 - PRELIMINARY GEOTECHNICAL EXPLORATION, EAST DUBLIN PROPERTIES, DUBLIN, CA.
  2. PROJECT NO. 4663.1.009.01 DATED MARCH 14, 2006 - CORRECTIVE GRADING PLANS, PHASE 1, BULK GRADING, FALLON VILLAGE, DUBLIN, CA.
  3. PROJECT NO. 4663.1.009.01 DATED AUGUST 11, 2006 - PHASE 1 BULK GRADING CORRECTIVE GRADING PLAN, FALLON VILLAGE, DUBLIN, CA.
  4. PROJECT 4663.1.009.01 DATED AUGUST, 2006 - CORRECTIVE GRADING PLANS, PHASE 1 GRADING, FALLON VILLAGE, DUBLIN, CA.
  5. MARCH 23, 2006 (LETTER) FOUNDATION AND PAVEMENT RECOMMENDATIONS.
  6. JANUARY 4, 2007, (LETTER) REVIEW OF GRADING AND IMPROVEMENT PLANS.



MOUNT DIABLO TOWER  
 N.506,186.77, E.1,592,180.48  
 US&GS 1ST ORDER TRIANGULATION STATION CCS 27, ZONE 3. (R-1)

STD. USC & GS MON. W/4" BRASS DISC BURIED 0.8' STAMPED "FALLON-1946" N.442,789.03, E.1,610,047.54, 2ND ORDER TRIANGULATION STATION CCS 27, ZONE 3.  $\theta=00°49'31"$  (R-1)

**TRACT 8081**  
 A SUBDIVISION OF PARCELS A AND B OF PARCEL MAP 10049 RECORDED IN BOOK 318 OF PARCEL MAPS, AT PAGES 1 THROUGH 8, ALAMEDA COUNTY RECORDS  
 CITY OF DUBLIN  
 ALAMEDA COUNTY, CALIFORNIA  
**MACKAY & SOMPS**  
 ENGINEERS PLANNERS SURVEYORS  
 31400 FERRIS BLVD., PLEASANTON, CA 94588 (925)226-0881  
 SEPTEMBER, 2011



- REFERENCES:**
- (R-1) RECORD OF SURVEY No. 1005, BK. 16 R.O.S., PG. 37-51
  - (R-2) PM 9208 BK. 292 PG. 16-17 ALAMEDA COUNTY RECORDS
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  - (R-4) TRACT 7853 BK. 303 PG. 1-5 ALAMEDA COUNTY RECORDS
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  - (R-10) TRACT 7855 BK. 305 PG. 97-107 ALAMEDA COUNTY RECORDS
  - (R-11) TRACT 8050 BK. 309 PG. 54-80 ALAMEDA COUNTY RECORDS
  - (R-12) LOT LINE ADJUSTMENT No. LLA-11-01, SERIES No. 2011-161659
  - (R-13) LOT LINE ADJUSTMENT No. LLA-11-02, SERIES No. 2011-165020
  - (R-14) PM 10049 BK. 318 PG. 1-8 ALAMEDA COUNTY RECORDS
  - (R-15) TRACT 8082 BK. \_\_\_ PG. \_\_\_ ALAMEDA COUNTY RECORDS

**BASIS OF BEARINGS:**  
 THE BASIS OF BEARINGS SHOWN HEREON, IS THE LINE BETWEEN US&GS TRIANGULATION STATIONS "FALLON" AND "MOUNT DIABLO TOWER". THE GRID BEARING CALCULATED FROM PUBLISHED CCS 27 ZONE 3 GRID COORDINATES FOR THIS LINE IS TAKEN AS NORTH 15°44'21" WEST.

- NOTES:**
1. ALL BEARINGS SHOWN ARE BASED UPON CALIFORNIA COORDINATE SYSTEM ZONE III.
  2. ALL DISTANCES SHOWN ARE GROUND LEVEL DISTANCES, MULTIPLY DISTANCES BY 0.9999054 TO OBTAIN GRID DISTANCES.
  3. 3/4" IRON PIPE TO BE SET ALL REAR LOT CORNERS WITH CAP STAMPED "LS 7960".

- LEGEND**
- BOUNDARY LINE
  - - - LOT LINE/PARCEL LINE
  - - - EXISTING RIGHT OF WAY LINE
  - - - EXISTING PROPERTY LINE
  - - - EXISTING EASEMENT LINE
  - MONUMENT LINE
  - FOUND CITY OF DUBLIN STREET MONUMENT STAMPED "LS 7960"
  - MONUMENT PER PARCEL MAP 10049 (R-14) W/L.S. 7960 UNLESS OTHERWISE NOTED
  - SET CITY OF DUBLIN STANDARD STREET MONUMENT STAMPED "LS 7960"
  - ANGLE POINT
  - BNDY
  - CL
  - EX
  - EX
  - M-M
  - M-PL
  - PL
  - PSE
  - (R)
  - (R.O.S.)
  - ( )
  - (3) INDICATES SHEET NUMBER

**TRACT 8081**  
 A SUBDIVISION OF PARCELS A AND B OF PARCEL MAP 10049 RECORDED IN BOOK 318 OF PARCEL MAPS, AT PAGES 1 THROUGH 8, ALAMEDA COUNTY RECORDS  
 CITY OF DUBLIN  
 ALAMEDA COUNTY, CALIFORNIA  
**Mackay & Somp's**  
 ENGINEERS PLANNERS SURVEYORS  
 5140 FRANKLIN BL. PLEASANTON, CA 94588 (925)225-2883  
 SEPTEMBER, 2011

TRACT 8082  
(R-15)

FORINO DRIVE

FORINO DRIVE

TRACT 8082  
(R-15)

VALENTANO DRIVE

HAGGERTY DRIVE

HAGGERTY DRIVE

POSITANO PARKWAY  
SERIES NO. 2011-175644

**REFERENCES:**

- (R-1) RECORD OF SURVEY No. 1005, BK. 16 I.O.S., PG. 37-51
- (R-2) PM 9208 BK. 292 PG. 16-17 ALAMEDA COUNTY RECORDS
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- (R-14) PM 10049 BK. 318 PG. 1-8 ALAMEDA COUNTY RECORDS
- (R-15) TRACT 8082 BK. \_\_\_ PG. \_\_\_ ALAMEDA COUNTY RECORDS

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS SHOWN HEREON, IS THE LINE BETWEEN US&GS TRIANGULATION STATIONS "FALLOM" AND "MOUNT DIAZLO TOWER". THE GRID BEARING CALCULATED FROM PUBLISHED CCS 27 ZONE 3 GRID COORDINATES FOR THIS LINE IS TAKEN AS NORTH 15°44'21" WEST.

**NOTES:**

1. ALL BEARINGS SHOWN ARE BASED UPON CALIFORNIA COORDINATE SYSTEM ZONE III.
2. ALL DISTANCES SHOWN ARE GROUND LEVEL DISTANCES. MULTIPLY DISTANCES BY 0.9999054 TO OBTAIN GRID DISTANCES.
3. 3/4" IRON PIPE TO BE SET ALL REAR LOT CORNERS WITH CAP STAMPED "LS 7960".

**CURVE TABLE**

CURVE NO.	RADIUS	DELTA	LENGTH
C1	25.00	89°51'34"	39.21
C2	25.00	86°54'40"	37.92
C3	25.00	93°05'20"	40.62
C4	25.00	90°08'50"	39.33

**LEGEND**

- BOUNDARY LINE
- LOT LINE/PARCEL LINE
- - - EXISTING RIGHT OF WAY LINE
- - - EXISTING PROPERTY LINE
- - - EXISTING EASEMENT LINE
- MONUMENT LINE
- ⊙ FOUND CITY OF DUBLIN STREET MONUMENT STAMPED "LS 7960"
- ⊙ MONUMENT PER PARCEL MAP 10049 (R-14) W/LS. 7960 UNLESS OTHERWISE NOTED
- ⊙ SET CITY OF DUBLIN STANDARD STREET MONUMENT STAMPED "LS 7960"
- ⊙ ANGLE POINT
- ⊙ BNDY BOUNDARY
- ⊙ CL CENTERLINE
- ⊙ EX EXISTING
- ⊙ M-M MONUMENT TO MONUMENT
- ⊙ M-PL MONUMENT TO PROPERTY LINE
- ⊙ PL PROPERTY LINE
- ⊙ PSE PUBLIC SERVICE EASEMENT
- ⊙ (R) RADIAL BEARING
- ⊙ (R.O.S.) RECORD OF SURVEY
- ⊙ ( ) PULLBACK DISTANCE
- ⊙ (3) INDICATES SHEET NUMBER

**TRACT 8081**

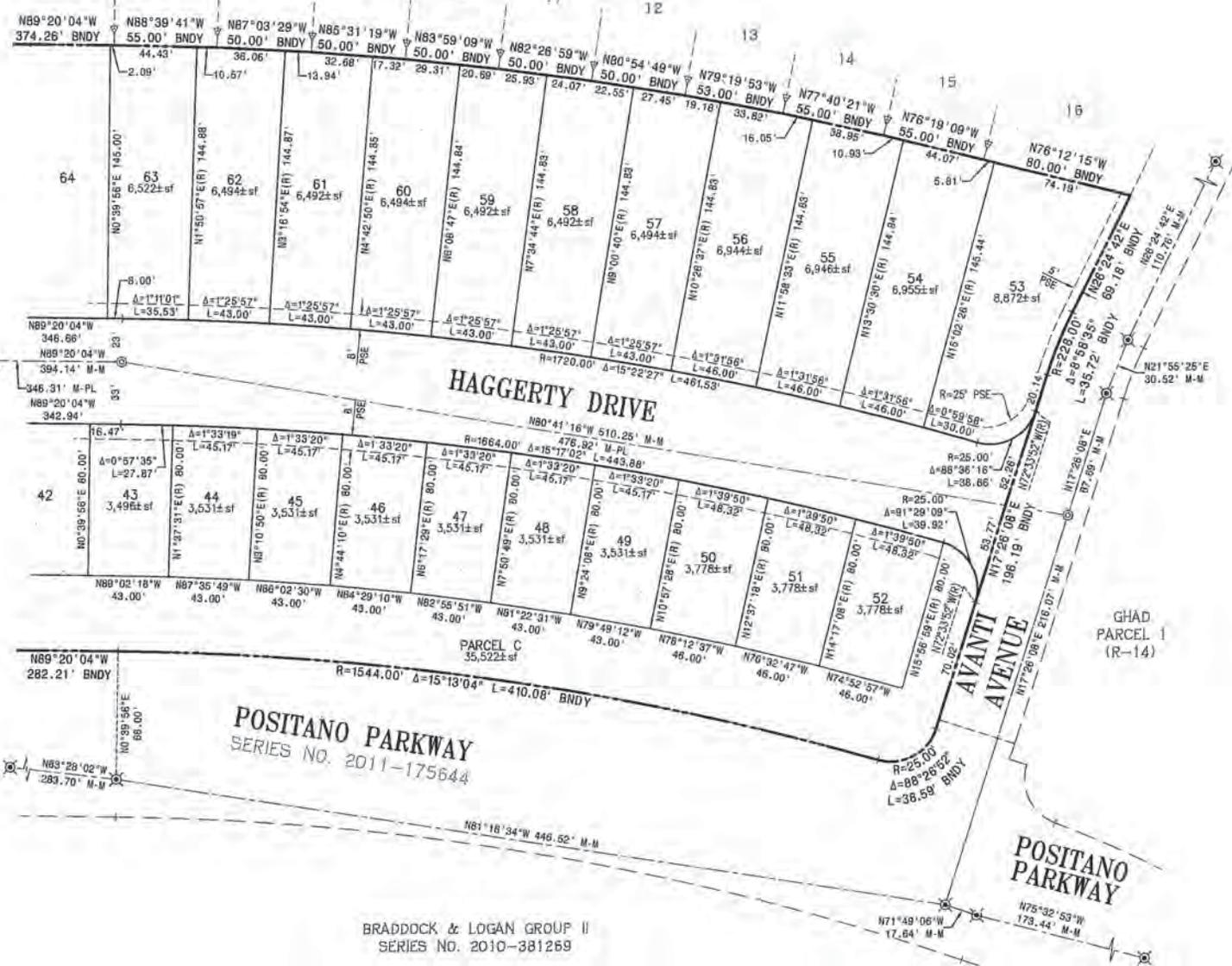
A SUBDIVISION OF PARCELS A AND B OF PARCEL MAP 10049 RECORDED IN BOOK 318 OF PARCEL MAPS, AT PAGES 1 THROUGH 8, ALAMEDA COUNTY RECORDS

CITY OF DUBLIN  
ALAMEDA COUNTY, CALIFORNIA  
**Mackay & Somp's**  
ENGINEERS PLANNERS SURVEYORS  
3102 FRANKLIN BL., ALABAMA, CA 94606 (925)725-2993

SEPTEMBER, 2011



TRACT 8082  
(R-15)



SEE SHEET 4

BRADDOCK & LOGAN GROUP II  
SERIES NO. 2010-381269

- REFERENCES:**
- (R-1) RECORD OF SURVEY No. 1005, BK. 16 R.O.S., PG. 37-51
  - (R-2) PM 9208 BK. 292 PG. 16-17 ALAMEDA COUNTY RECORDS
  - (R-3) PM 8327 BK. 298 PG. 14-17 ALAMEDA COUNTY RECORDS
  - (R-4) TRACT 7853 BK. 303 PG. 1-5 ALAMEDA COUNTY RECORDS
  - (R-5) TRACT 7854 BK. 303 PG. 6-15 ALAMEDA COUNTY RECORDS
  - (R-6) TRACT 7951 BK. 305 PG. 40-43 ALAMEDA COUNTY RECORDS
  - (R-7) TRACT 8034 BK. 305 PG. 54-57 ALAMEDA COUNTY RECORDS
  - (R-8) TRACT 8036 BK. 305 PG. 89-92 ALAMEDA COUNTY RECORDS
  - (R-9) TRACT 8037 BK. 305 PG. 93-96 ALAMEDA COUNTY RECORDS
  - (R-10) TRACT 7855 BK. 305 PG. 97-107 ALAMEDA COUNTY RECORDS
  - (R-11) TRACT 8050 BK. 309 PG. 54-60 ALAMEDA COUNTY RECORDS
  - (R-12) LOT LINE ADJUSTMENT No. LIA-11-01, SERIES No. 2011-161659
  - (R-13) LOT LINE ADJUSTMENT No. LIA-11-02, SERIES No. 2011-165020
  - (R-14) PM 10049 BK. 318 PG. 1-8 ALAMEDA COUNTY RECORDS
  - (R-15) TRACT 8082 BK. \_\_\_ PG. \_\_\_ ALAMEDA COUNTY RECORDS

**BASIS OF BEARINGS:**  
THE BASIS OF BEARINGS SHOWN HEREON, IS THE LINE BETWEEN US&GS TRIANGULATION STATIONS "FALLOON" AND "MOUNT Diablo TOWER". THE GRID BEARING CALCULATED FROM PUBLISHED COS 27 ZONE 3 GRID COORDINATES FOR THIS LINE IS TAKEN AS NORTH 15°44'21" WEST.

- NOTES:**
1. ALL BEARINGS SHOWN ARE BASED UPON CALIFORNIA COORDINATE SYSTEM ZONE III.
  2. ALL DISTANCES SHOWN ARE GROUND LEVEL DISTANCES. MULTIPLY DISTANCES BY 0.9999054 TO OBTAIN GRID DISTANCES.
  3. 3/4" IRON PIPE TO BE SET ALL REAR LOT CORNERS WITH CAP STAMPED "LS 7980".

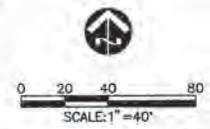
- LEGEND**
- BOUNDARY LINE
  - LOT LINE/PARCEL LINE
  - - - EXISTING RIGHT OF WAY LINE
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  - - - EXISTING EASEMENT LINE
  - MONUMENT LINE
  - ⊙ FOUND CITY OF DUBLIN STREET MONUMENT STAMPED "LS 7980"
  - ⊙ MONUMENT PER PARCEL MAP 10049 (R-14)
  - ⊙ W/L.S. 7960 UNLESS OTHERWISE NOTED
  - ⊙ SET CITY OF DUBLIN STANDARD STREET MONUMENT STAMPED "LS 7960"
  - ⊙ ANGLE POINT
  - ⊙ BOUNDARY
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  - M-M MONUMENT TO MONUMENT
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  - PSE PUBLIC SERVICE EASEMENT
  - (R) RADIAL BEARING
  - R.O.S. RECORD OF SURVEY
  - ( ) PULLBACK DISTANCE
  - ③ INDICATES SHEET NUMBER

**TRACT 8081**

A SUBDIVISION OF PARCELS A AND B OF PARCEL MAP 10049 RECORDED IN BOOK 318 OF PARCEL MAPS, AT PAGES 1 THROUGH 8, ALAMEDA COUNTY RECORDS CITY OF DUBLIN

ALAMEDA COUNTY, CALIFORNIA  
**MACKAY & SOMPS**  
ENGINEERS PLANNERS SURVEYORS  
51425 TRINIDAD DR. FALLENBOM, CA 94588 (925)275-0200

SEPTEMBER, 2011



**RESOLUTION NO. - 13**

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

\*\*\*\*\*

**ACCEPTANCE OF TRACT IMPROVEMENTS AND APPROVAL OF REGULATORY TRAFFIC  
CONTROL DEVICES FOR TRACT 8081, NEIGHBORHOOD “D1” AND APPROVAL OF THE  
RELEASE OF SECURITY FOR THE NEIGHBORHOOD “D” TRAIL WITHIN THE FUTURE  
FALLON VILLAGE GHAD PARCEL  
POSITANO/ FALLON VILLAGE (BRADDOCK AND LOGAN)**

**WHEREAS**, Dublin RE Investors, LLC, A California Limited Liability Company, by Braddock and Logan Services, Inc., A California Corporation (Braddock and Logan), the developer of Tract 8081, previously entered into an Improvement Agreement dated November 15, 2011, Resolution No. 186-11, with the City of Dublin, to complete tract improvements associated with Tract 8081 and the Neighborhood D Trail, in accordance with plans on file with the City Engineer; and

**WHEREAS**, the developer provided performance bonds and a labor and materials bonds, each in the amount of \$563,073.00 to guarantee the installation of these improvements; and

**WHEREAS**, the improvements are complete in accordance with said plans, and any approved modifications thereto, to the satisfaction of the City Engineer; and

**WHEREAS**, the performance bonds and labor and materials bonds can be released, in accordance with the authority contained in Section 66499.7 of the Government Code of the State of California, and replaced with a warranty bond to guarantee the completed work for a one-year period; and

**WHEREAS**, Braddock and Logan, has provided Warranty Bond in the amount of \$563,073.00 issued by Developers Surety and Indemnity Company (Bond No. 724220M) to guarantee the improvements for a one-year period;

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The tract improvements for Tract 8081 are hereby approved and accepted, subject to a one-year guarantee period.
2. The Neighborhood D Trail Improvements are hereby approved, subject to a one-year guarantee period.
3. The original Performance Bond issued by Developers Surety and Indemnity Company (Bond No. 724220S) in the amount of \$563,073.00 for the tract improvements be released.

4. The original Labor and Materials Bond issued by Developers Surety and Indemnity Company (Bond No. 724220S) in the amount of \$563,073.00 for the tract improvements be released.
5. The submitted Warranty Bond issued by Developers Surety and Indemnity Company (Bond No. 724220M) in the amount of \$563,073.00 for the Tract 8081 improvements, be accepted as security for the aforesaid one-year warranty period, said period to commence on this date and terminate on the 17th day of December, 2014.
6. The traffic regulatory devices installed by the developer within the development are hereby included in the City of Dublin Traffic Code, said regulatory devices to include the following:
  - A. "STOP" signs, markings and crosswalks installed at the following intersections:
    - Haggerty Drive at the intersection of Avanti Avenue
    - Haggerty Drive at the intersection of Valentano Drive
    - Haggerty Drive at the intersection of Forino Drive
    - Valentano Drive at the intersection of Forino Drive
  - B. Curve Warning with 15 MPH advisory speed signs on the following streets:
    - West side of Haggerty Drive near Station 3+08
    - North side of Haggerty Drive near Station 4+93

**PASSED, APPROVED AND ADOPTED** this 17th day of December, 2013, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #450-20

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Zoning Ordinance Amendments to Chapter 8.08 (Definitions), Chapter 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations) (PLPA-2012-00028)  
*Prepared by Marnie R. Delgado, Senior Planner*

### EXECUTIVE SUMMARY:

The City is initiating amendments to the Zoning Ordinance to bring greater clarity and consistency to existing regulations. Amendments are proposed to: 1) Chapter 8.08 (Definitions) to add a new definition for Accessory Storage – Multi-Family; 2) Chapter 8.36 (Development Regulations) to create a minimum requirement for accessory storage in the R-2 (Two-Family), R-M (Multi-Family) and comparable PD (Planned Development) Zoning Districts and the Downtown Dublin Zoning District; and, 3) Chapter 8.76 (Off-Street Parking and Loading Regulations) to establish a consistent guest parking standard for apartments and condominiums and limit the use of tandem parking for residential uses. On December 3, 2013 the City Council waived the reading and introduced an Ordinance approving the amendments. The City Council will consider waiving the second reading and adopting the Ordinance.

### FINANCIAL IMPACT:

None.

### RECOMMENDATION:

Staff recommends that the City Council waive the reading and adopt an **Ordinance** approving amendments to Dublin Zoning Ordinance Chapters 8.08 (Definitions), 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations).



Submitted By  
Assistant to the City Manager



Reviewed By  
Assistant City Manager

## **DESCRIPTION:**

At the February 7, 2012 City Council meeting, Staff presented an informational report on the status of parking in Area G of Dublin Ranch. The City Council received the report and, among other things, directed Staff to prepare Zoning Ordinance Amendments to: 1) establish consistency between the parking standards for apartments and condominiums; 2) require a minimum amount of personal storage for attached residential units; and 3) eliminate the use of tandem parking to meet minimum parking requirements in residential projects.

At the December 3, 2013 City Council meeting (Attachment 1), Staff presented the draft Zoning Ordinance Amendments and the City Council waived the reading and introduced an Ordinance amending Chapters 8.08 (Definitions), 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations). The City Council is being asked to waive the second reading and adopt the Ordinance (Attachment 2).

## **CONSISTENCY WITH THE GENERAL PLAN, SPECIFIC PLAN AND ZONING ORDINANCE:**

The proposed Zoning Ordinance Amendments are consistent with the Dublin General Plan and all applicable Specific Plans in that the General Plan and applicable Specific Plans include policies that encourage the development of a variety of housing types including multi-family housing and the proposed amendments make provisions to facilitate the on-going enjoyment of residential properties by maintaining adequate parking standards and regulations.

## **NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A Public Notice was published in the Valley Times and posted at several locations throughout the City. The Public Notice was provided to all persons who have expressed an interest in being notified of meetings. The Staff Report for this public hearing was also made available on the City's website.

## **ENVIRONMENTAL REVIEW:**

The California Environmental Quality Act (CEQA), together with State Guidelines and City Environmental Regulations require that certain projects be reviewed for environmental impacts and that environmental documents be prepared. Pursuant to the CEQA, Staff is recommending that the proposed Ordinance be found exempt from CEQA per CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments to Title 8 of the Dublin Municipal Code (Zoning Ordinance) will not have a significant effect on the environment. The adoption of the proposed Ordinance does not, in itself, allow the construction of any building or structure, but it sets forth the regulations that shall be followed if and when a building or structure is proposed to be constructed or a site is proposed to be developed. This Ordinance of itself, therefore, has no potential for resulting in significant physical change in the environment, directly or ultimately.

## **ATTACHMENTS:**

1. December 3, 2013 City Council Staff Report
2. Draft Ordinance approving amendments to Dublin Zoning Ordinance Chapters 8.08 (Definitions), 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations)



## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #450-20

---

**DATE:** December 3, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Zoning Ordinance Amendments to Chapter 8.08 (Definitions), Chapter 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations) (PLPA-2012-00028)  
*Prepared by Marnie R. Delgado, Senior Planner*

### EXECUTIVE SUMMARY:

The City is initiating amendments to the Zoning Ordinance to bring greater clarity and consistency to existing regulations. Amendments are proposed to: 1) Chapter 8.08 (Definitions) to add a new definition for Accessory Storage – Multi-Family; 2) Chapter 8.36 (Development Regulations) to create a minimum requirement for accessory storage in the R-2 (Two-Family), R-M (Multi-Family) and comparable PD (Planned Development) Zoning Districts and the Downtown Dublin Zoning District; and 3) Chapter 8.76 (Off-Street Parking and Loading Regulations) to establish a consistent guest parking standard for apartments and condominiums and limit the use of tandem parking for residential uses. The City Council will consider introducing an Ordinance to amend these Chapters of the Zoning Ordinance.

### FINANCIAL IMPACT:

None.

### RECOMMENDATION:

Staff recommends that the City Council conduct the public hearing, deliberate, waive the reading and INTRODUCE an Ordinance approving amendments to Dublin Zoning Ordinance Chapters 8.08 (Definitions), 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations).

  
\_\_\_\_\_  
Submitted By  
Director of Community Development

  
\_\_\_\_\_  
Reviewed By  
Assistant City Manager

## **DESCRIPTION:**

### ***Background***

At the February 7, 2012 City Council meeting, Staff presented an informational report on the status of parking in Area G of Dublin Ranch (Attachment 1). The City Council received the report and, among other things, directed Staff to prepare Zoning Ordinance Amendments to: 1) establish consistency between the parking standards for apartments and condominiums; 2) require a minimum amount of personal storage for attached residential units; and 3) eliminate the use of tandem parking to meet minimum parking requirements in residential projects.

On July 10, 2012, Staff presented proposed Zoning Ordinance Amendments to the Planning Commission (Attachment 2). During the public hearing, the Planning Commission received input from a local developer who expressed concerns regarding the proposed multi-family accessory storage requirement (Attachment 3). The Planning Commission weighed the developer's concerns and recommended City Council approval of the Amendments with modifications.

Following the Planning Commission meeting, two additional local developers expressed concerns over the increased guest parking requirements for condominiums and the inability to use tandem parking as required parking (Attachment 4). One of the concerns expressed was that the proposed changes to the parking ordinance would limit the developers' ability to construct for-sale residential projects on in-fill sites as well as limit their ability to achieve residential densities greater than 15-18 dwelling units per acre on in-fill sites. As a result, fewer units would be constructed, thereby lowering land values and limiting opportunities for first-time homebuyers.

Another concern expressed was that the increase in required parking is contrary to Senate Bill 375 and parking trends in surrounding jurisdictions. The City of Livermore was cited as requiring 1 guest parking space for every 4 units in contrast to Dublin's proposed 1 guest parking space per unit. The developers also expressed concerns over eliminating tandem parking especially for smaller, 1- bedroom units. They believe that maintaining flexibility with the use of tandem parking on in-fill sites could produce affordable by-design for-sale housing for first-time homebuyers. Ultimately, the developers foresee the changes to the parking regulations as inhibiting the development of for-sale housing on in-fill sites and facilitating the development of higher density rental housing. As a result, these developers felt that the proposed changes to the parking regulations would result in unintended consequences that should be further evaluated.

On November 20, 2012, the City entered into a Consulting Services Agreement with Economic & Planning Systems to assist Staff in preparing an economic impact analysis of the proposed Zoning Ordinance Amendments. The findings of the economic impact analysis were presented to the City Council on September 3, 2013 (Attachments 5 and 6). The City Council directed Staff to prepare Zoning Ordinance Amendments to: 1) establish consistency between the guest parking standards for apartments and condominiums by requiring 1 guest parking space per unit for condominium projects; 2) require a minimum of 200 cubic feet of personal storage for attached residential units with private, enclosed garages; and 3) restrict the use of tandem parking to meet minimum parking requirements except in the Downtown Dublin Specific Plan area.

On November 12, 2013, the proposed Zoning Ordinance Amendments were presented to the Planning Commission. The Planning Commission held a public hearing and after deliberating

adopted Resolution 13-41 recommending City Council approval of the proposed Amendments (Attachments 7 and 8). Each of the proposed amendments are described in further detail below and can be found in Attachment 9.

**ANALYSIS:**

***Apartment and Condominium Parking Standards***

Chapter 8.76 (Off-Street Parking and Loading Regulations) sets forth the minimum parking requirements by Use Type. Apartments and Condominiums currently have the following parking requirements:

**Table 1. Section 8.76.080.B (Residential Use Types)**

<b>RESIDENTIAL USE TYPES</b>	<b>NUMBER OF PARKING SPACES REQUIRED</b>
Residences	
Apartments	
Studio	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
1 Bedroom	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
2+ Bedrooms	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
Condominiums	
Studio	1 covered or garaged per dwelling plus guest parking (see below)
1 Bedroom	1 covered or garaged per dwelling plus guest parking (see below)
2+ Bedrooms	2 covered or garaged per dwelling plus guest parking (see below)
Guest Parking	Projects with 10 or more dwellings shall provide one additional guest parking space for every 2 dwelling units which shall be marked as a guest parking space.

The guest parking requirement for apartments is one parking space per unit; for condominiums, the guest parking requirement is one parking space for every two units resulting in less guest parking for condominiums than for apartments.

The proposed Zoning Ordinance Amendment combines the parking requirement for studio and 1 bedroom units into one category since the number of parking spaces required is the same for both. The proposed Amendment also creates a consistent guest parking requirement among both apartments and condominiums as follows (with the deleted text shown in ~~strikethrough~~ and the new text shown in underline):

**Table 2. Proposed Amendment to Section 8.76.080.B (Residential Use Types)**

RESIDENTIAL USE TYPES	NUMBER OF PARKING SPACES REQUIRED
Condominiums	
<u>Studio and 1 Bedroom</u>	<u>1 covered or garaged per dwelling plus 1 guest parking space per dwelling which shall be marked as a guest parking space</u>
<u>2 or more Bedrooms</u>	<u>2 covered or garaged per dwelling plus 1 guest parking space per dwelling which shall be marked as a guest parking space</u>
Studio	1 covered or garaged per dwelling plus guest parking (see below)
1 Bedroom	1 covered or garaged per dwelling plus guest parking (see below)
2+ Bedrooms	2 covered or garaged per dwelling plus guest parking (see below)
Guest Parking	Projects with 10 or more dwellings shall provide one additional guest parking space for every 2 dwelling units which shall be marked as a guest parking space

***Personal Storage for Attached Residential Units***

While some existing multi-family residential developments include personal storage areas for residents (commonly provided in closets on patios and balconies), the Dublin Zoning Ordinance does not require that personal storage areas be provided thus leaving it to the discretion of the developer whether to include this amenity in a multi-family project.

A survey of the surrounding Tri-Valley cities (Livermore, Pleasanton or San Ramon) revealed that none currently have an accessory storage requirement for multi-family residential; however, a number of cities throughout California do have such a requirement. Table 1 below summarizes a survey of cities that was conducted through the League of California Cities Housing, Community and Economic Development (HCED) Listserv:

**Table 3. Multi-Family Accessory Storage Requirements Survey**

CITY	STANDARD	
	SQUARE FEET (Surface Area)	CUBIC FEET (Volume)
Sierra Madre	150 square feet/unit 30-inch min. dimension	
Lemoore	32 square feet/unit	
Livingston	30 square feet/unit	
Paso Robles		250 cubic feet/unit
Dana Point		250 cubic feet/unit
Lawndale		200 cubic feet/unit
San Dimas		150 cubic feet/unit
Fontana		125 cubic feet/unit
San Gabriel		90 cubic feet/unit
Glendale		90 cubic feet/unit (new construction) 60 cubic feet/unit (condo conversion) 3-foot min. dimension 24 square feet min. surface area

At the July 10, 2012 Planning Commission meeting, Staff proposed that 90 cubic feet of personal storage be required per unit for all new multi-family developments in the R-2 (Two Family Residential) and R-M (Multi-Family Residential) Zoning Districts and comparable PD (Planned Development) Zoning Districts. 90 cubic feet consists of a space that is 3'x5'x6' (in any configuration of length, width and height).

Staff recommends the use of a cubic foot measurement instead of a square foot measurement to ensure that a reasonable amount of accessory storage space can be provided without creating the potential for the space to be legally converted to a habitable room such as an office or bedroom. The minimum size for a habitable room is 70 square feet with a minimum width of 7-feet and a minimum height of 7-feet, 6-inches (which amounts to 525 cubic feet).

The Planning Commission recommended that a minimum of 200 cubic feet of storage be required and that the requirement be limited to those projects that provide private, enclosed garages for individual units. 200 cubic feet consists of a space that is 5'x5'x8' (in any configuration of length, width and height). Staff has incorporated the Planning Commission's recommendation into the draft Ordinance (Attachment 9). Chapter 8.36 (Development Regulations) is proposed to be amended as follows (with the deleted text shown in ~~strikethrough~~ and the new text shown in underline):

**Table 4. Proposed Amendments to Section 8.36.020 (Agricultural and Residential Development Regulations)**

STANDARD	A	R-1	R-2	R-M
DISTANCE BETWEEN RESIDENCES	100 feet	10 feet	20 feet	20 feet
MAXIMUM LOT COVERAGE	NA	40% 1 story, 35% 2 stories	40% 1 story, 35% 2 stories	40% 1 story, 35% 2 stories
COMMON USEABLE OUTDOOR SPACE	NA	NA	NA	30 % of net site area
ACCESSORY STORAGE- MULTI-FAMILY (1)	NA	NA	200 cubic feet minimum per unit	200 cubic feet minimum per unit
HEIGHT LIMITS	(2)	(2)	(2)	(3)

(1) Multi-family accessory storage shall be provided for each unit in a multi-family project that has a private, enclosed garage attached or assigned to the unit. In addition to the R-2 and R-M Zoning Districts, multi-family accessory storage shall also be provided in comparable PD (Planned Development) Zoning Districts and the Downtown Dublin Zoning District. See also Chapter 8.08 (Definitions).

(2) West of Dougherty Road 25 feet and 2 stories; may be increased to 35 feet and 2 stories pursuant to a Site Development Review approval by the Zoning Administrator. East of Dougherty Road; 35 feet and 2 stories.

(3) 35 feet if 4 or fewer du.; 45 feet if 5 or more du.; 75 feet if 5 or more du. and lot coverage does not exceed 35%.

In addition to adding a minimum requirement for accessory storage in the R-2, R-M and comparable PD Zoning Districts and the Downtown Dublin Zoning District, a new definition for Accessory Storage – Multi-Family is proposed to be added to Chapter 8.08 (Definitions) as follows:

**Accessory Storage – Multi-Family Residential.** The term Accessory Storage – Multi-Family Residential shall mean a dedicated, enclosed and securable space located within an individual dwelling unit, an attached or detached individual garage, or another dedicated space approved by the Community Development Director, in which occupant(s) of the dwelling unit can store their personal effects. Accessory Storage – Multi-Family Residential spaces shall not include bedroom closets, linen closets, pantries or any other areas customarily provided to meet the day to day functions of the dwelling unit. Accessory Storage-Multi-Family Residential spaces may be used to satisfy required bicycle storage space.

***Tandem Parking***

The Zoning Ordinance currently allows for the use of tandem parking within single-family dwelling unit attached garages. The Tandem Parking regulation (Section 8.76.060.L) reads as follows:

**L. Tandem Parking.** The Zoning Administrator may approve an off-street parking program by means of a Conditional Use Permit utilizing limited tandem (front to back) parking for commercial and industrial uses under unusual design constraints provided that the development requires 20 or more parking spaces. Tandem parking is permitted within single-family dwelling unit attached garages. This may be accomplished by the use of tandem, wedge or other techniques approved by the Zoning Administrator. The Zoning Administrator may require that an attendant be on duty during normal business hours.

The proposed Zoning Ordinance Amendments would more clearly distinguish between the use of tandem parking for commercial/industrial uses and the use of tandem parking for residential uses. The Amendment would further prohibit the use of tandem parking to satisfy required parking in residential projects except within the Downtown Dublin Zoning District where up to 25% of the required parking (excluding guest parking) in a multi-family project could be tandem parking with approval of a Conditional Use Permit by the Planning Commission. In order to approve a Conditional Use Permit, the standard Conditional Use Permit findings and three additional findings would need to be made. The proposed Amendments would read as follows (with the deleted text shown in ~~strikethrough~~ and the new text shown in underline):

#### **L. Tandem Parking.**

- 1. Commercial and Industrial Uses.** The Zoning Administrator may approve an off-street parking program by means of a Conditional Use Permit utilizing limited tandem (front to back) parking for commercial and industrial uses under unusual design constraints provided that the development requires 20 or more parking spaces. ~~Tandem parking is permitted within single-family dwelling unit attached garages. This may be accomplished by the use of tandem, wedge or other techniques approved by the Zoning Administrator.~~ The Zoning Administrator may require that an attendant be on duty during normal business hours.
- 2. Residential Uses in the Downtown Dublin Zoning District.** The Planning Commission may approve an off-street parking program by means of a Conditional Use Permit utilizing up to 25% of the required parking (excluding guest parking) as tandem (front to back) parking for multi-family residential uses in the Downtown Dublin Zoning District if all of the Conditional Use Permit findings can be made and the following additional findings:
  - a. The allowance of tandem parking will not be detrimental to the project or surrounding properties.
  - b. There are adequate provisions for dedicated personal storage that exceed minimum requirements for accessory storage in multi-family residential projects.
  - c. Alternative modes of transportation are available in close proximity to the project effectively reducing dependency on the automobile as the primary mode of travel.
- 3. Residential Uses outside of the Downtown Dublin Zoning District.** Tandem (front to back) parking is not permitted to satisfy required parking within a single-family dwelling unit attached garage or a multi-family dwelling unit attached garage.

#### **CONSISTENCY WITH THE GENERAL PLAN, SPECIFIC PLAN AND ZONING ORDINANCE:**

The proposed Zoning Ordinance Amendments are consistent with the Dublin General Plan and all applicable Specific Plans in that the General Plan and applicable Specific Plans include policies that encourage the development of a variety of housing types including multi-family housing and the proposed amendments make provisions to facilitate the on-going enjoyment of residential properties by maintaining adequate parking standards and regulations.

## **NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A Public Notice was published in the Valley Times and posted at several locations throughout the City. The Public Notice was provided to all persons who have expressed an interest in being notified of meetings. The Staff Report for this public hearing was also made available on the City's website.

## **ENVIRONMENTAL REVIEW:**

The California Environmental Quality Act (CEQA), together with State Guidelines and City Environmental Regulations require that certain projects be reviewed for environmental impacts and that environmental documents be prepared. Pursuant to the CEQA, Staff is recommending that the proposed Ordinance be found exempt from CEQA per CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments to Title 8 of the Dublin Municipal Code (Zoning Ordinance) will not have a significant effect on the environment. The adoption of the proposed Ordinance does not, in itself, allow the construction of any building or structure, but it sets forth the regulations that shall be followed if and when a building or structure is proposed to be constructed or a site is proposed to be developed. This Ordinance of itself, therefore, has no potential for resulting in significant physical change in the environment, directly or ultimately.

- ATTACHMENTS:**
1. City Council Staff Report dated February 7, 2012
  2. Planning Commission Staff Report dated July 10, 2012, without attachments
  3. Planning Commission Meeting Minutes of July 10, 2012
  4. Letters from Kevin Fryer and Pat Costanzo regarding the proposed Zoning Ordinance Amendments
  5. City Council Staff Report dated September 3, 2013, without attachments
  6. Economic Impact Analysis prepared by Economic & Planning Systems, Inc and Joe DeCredico Studio dated June 4, 2013
  7. Planning Commission Resolution 13-41 recommending City Council approval of amendments to Dublin Zoning Ordinance Chapters 8.08 (Definitions), 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations)
  8. Draft Planning Commission Meeting Minutes of November 12, 2013
  9. Draft City Council Ordinance approving amendments to Dublin Zoning Ordinance Chapters 8.08 (Definitions), 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations)



## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #570-20

**DATE:** February 7, 2012  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Joni Pattillo, City Manager   
**SUBJECT:** Area G Parking Report  
*Prepared by Mike Porto, Consulting Planner*

### EXECUTIVE SUMMARY:

The City Council will receive information on the status of parking in Area G of Dublin Ranch.

### FINANCIAL IMPACT:

There is no financial impact for this review.

### RECOMMENDATION:

Staff recommends that the City Council receive the report and/or provide Staff with direction on whether or not to research steps that could be taken to minimize parking challenges in Area G and in future unentitled higher density residential neighborhoods.



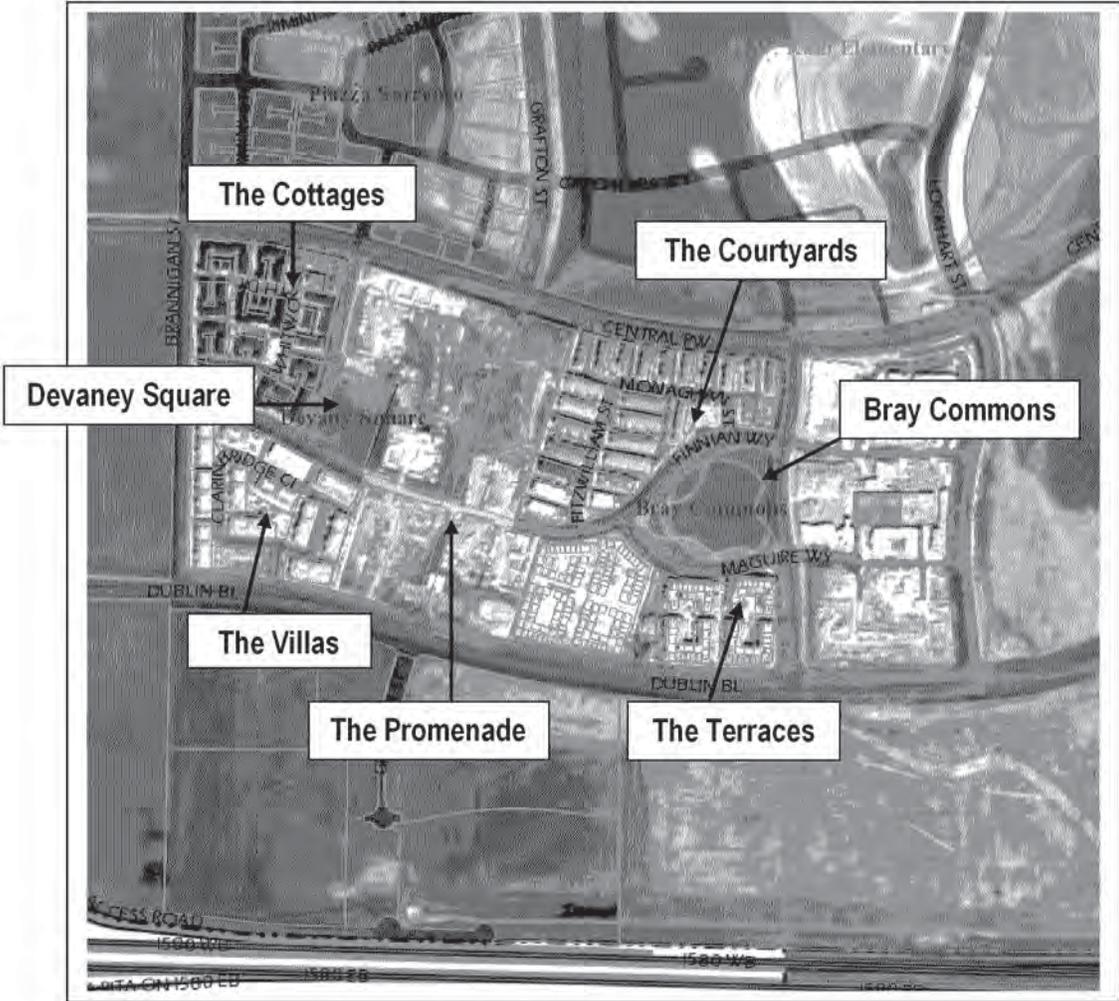
Submitted By  
Planning Manager



Reviewed By  
Assistant City Manager

### DESCRIPTION:

At the City Council meeting on October 18, 2011, Councilmember Biddle requested that an item be placed on a future City Council Agenda to discuss the status of the parking in Area G of Dublin Ranch (see Attachment 1). Area G, commonly referred to as "Dublin Ranch Villages," is bounded by Central Parkway to the North, Dublin Boulevard to the South, Keegan Street to the East and Brannigan Street to the West. The overall area is comprised of 1,396 approved and constructed medium-high and high density for sale condominiums (the Villas, the Cottages, the Courtyards and the Terraces), a 5 acre Neighborhood Park (Bray Commons), a 2 acre Neighborhood Square (Devaney Square), and a 23 acre neighborhood retail commercial property (commonly referred to as "The Promenade") bisects the area and is as yet undeveloped. Three of the projects are constructed and completely occupied and the fourth neighborhood (the Terraces) is still selling.



The four residential projects located within Area G comply and exceed the parking requirements that are established in the City of Dublin Zoning Code (Section 8.76.080). The required parking for condominiums is shown below.

**Condominiums:**

- 1 Bedroom Units: One (1) covered or garage space per dwelling plus 0.5 guest space per unit
- 2+ Bedrooms: Two (2) covered or garage spaces per dwelling plus 0.5 guest space per unit

***The Cottages and The Villas***

Two neighborhoods comprise the westerly half of Area G: “The Cottages” is designated as a Medium-High Density development and is comprised of 200 side-by-side and stacked flat condominium units. “The Villas” is designated as a High Density development and is comprised of 289 stacked flat and side-by-side condominium units. The following table illustrates the required and actual number of parking spaces for these two projects.

**Table 1: “The Cottages” and “The Villas”**

<b>The Cottages (200 Units)</b>			
<b>Garage</b>	<b>Required</b>	<b>Provided</b>	<b>Excess Parking</b>
One bedroom units (23 units @ 1 space/unit)	23	23	0
Two bedroom+ units (177 units @ 2 spaces/unit)	354	354*	0
<b>Guest Parking</b>			
0.5 space/unit	100	108**	+8
<b>The Villas (289 Units)</b>			
<b>Garage</b>	<b>Required</b>	<b>Provided</b>	<b>Excess Parking</b>
One bedroom units (112 units @ 1 space/unit)	112	112	0
Two bedroom+ units (177 units @ 2 spaces/unit)	354	354	0
<b>Guest Parking</b>			
0.5 space/unit	145	161**	+16

\*103 tandem garages = 206 parking spaces (described below)

\*\*There are an additional 22 on-street parking spaces along the Chancery and Finnian frontages of Devaney Square.

“The Cottages” and “The Villas” comply with the City of Dublin Zoning Ordinance with respect to parking and, due to restriping of Brannigan Street before occupancies, excess guest parking was achieved adjacent to DeVaney Square.

Tandem Parking: There are no tandem garage parking spaces in “The Villas.” However, “The Cottages” have 103 garages in a tandem configuration (total of 206 parking spaces allowing for 85 two bedroom units and 18 one bedroom units).

### ***The Courtyards and The Terraces***

Two neighborhoods comprise the easterly half of Area G: “The Courtyards” is designated as a Medium-High Density development and is comprised of 281 side-by-side and stacked townhome condominium units. “The Terraces” is designated as a High Density development and is comprised of 626 stacked flat podium condominium units.

**Table 2: “The Courtyards” and “The Terraces”**

<b>The Courtyards (281 Units)</b>			
<b>Garage</b>	<b>Required</b>	<b>Provided</b>	<b>Excess Parking</b>
One bedroom units	0	0	0
Two bedroom+ units (281 units @ 2 spaces/unit)	562	562*	0
<b>Guest Parking</b>			
0.5 space/unit	141	146	+5
<b>The Terraces (626 Units)</b>			
<b>Garage</b>	<b>Required</b>	<b>Provided</b>	<b>Excess Parking</b>

One bedroom units (92 units @ 1 space/unit)	92	92	0
Two bedroom+ units (534 units @ 2 spaces/unit)	1068	1068**	0
<b>Guest Parking</b>			
0.5 space/unit	313	330***	+17

*\*The Courtyards: 258 tandem garages = 516 parking spaces*

*\*\*The Terraces: 137 tandem parking spaces in parking structure*

*\*\*\*There are an additional 71 on-street parking spaces along the Maguire and Finnian frontages of Bray Common.*

There is an excess of 22 guest parking stalls for "The Courtyards" and "The Terraces"

The provision of guest parking on the east half of Area G did not take into account any parking adjacent to the Neighborhood Park (Bray Commons). The frontage on Maguire, Finnian and Keegan yields approximately 71 additional on-street parking stalls. Currently these uncounted stalls are being utilized by residents for overnight and guest parking. It should be noted that there would be a total of 93 additional parking spaces (71 on-street spaces, an additional 5 spaces on "the Courtyards, and 17 spaces on "The Terraces.") beyond those that are required by the Ordinance for the east half of Area G.

**Tandem Parking:** "The Courtyards" have a total of 258 tandem garages accommodating 516 garage parking spaces. "The Terraces" has a total of 137 tandem parking spaces within the parking garage.

The Homeowners Association, managed by Massingham Associates, continues to encourage the residents to park both their cars in the designated garage and keep the garages free from storage (see Attachment 2). The Covenants, Conditions and Restrictions (CC & R's) state "that you must keep your garage clear enough to park the number of vehicles in it that it was designed to hold."

### **Contributing Issues to Parking Concerns**

While there is a myriad of factors that could contribute to the parking issues in Area G, Staff feels that there are three primary contributing issues that appear to affect the parking conditions in Area G.

Tandem Parking: The City of Dublin Parking Ordinance allows tandem parking in multi-family projects. Additionally, the Planning Commission, in review of the projects acknowledged the tandem parking design solutions in the graphics provided for review. In many instances the residents of Area G are using their tandem garages to park two cars however, due to the inconvenience of having to move one car to get to the other, some residents choose to find parking on-street or within private parking courts. Over time, the unused second car space becomes an area for storage.

Multiple Cars: Most residents have only one or two cars which can be adequately parked in their garages; however, some residents have a third car, a business truck or recreational vehicle which can displace parking. When this happens, guest parking is used to accommodate the additional vehicles.

**One-Bedroom Units:** In accordance with the City of Dublin Zoning Ordinance (Section 8.76.080) Parking Requirements, one-bedroom condominium units (of which we have 227, including 23 in the Cottages, and 112 in the Villas, and 92 in the Terraces) are only required to have one parking stall and 0.5 guest stalls per unit. It is entirely possible that there are two people, with 2 cars living in these one bedroom units. The second car is then relegated to the guest parking stalls located on the private streets, public streets or one of the guest stalls provided on site in designated parking courts. By contrast, the Zoning Ordinance requirements for apartment parking is one covered or garage stall for each unit regardless of bedroom count and one unreserved guest parking stall for each unit resulting in more required spaces per one bedroom unit and less required spaces per two bedroom unit than required for condominiums. It is actually conceivable that an apartment project can provide more parking than a condominium project.

### Comparative Projects

**California Highlands:** For comparison, Staff reviewed California Highlands, a 246 unit condominium project which was developed over 10 years ago and is located near the Dublin Boulevard extension to Schaefer Ranch. The Planned Development Zoning requirement is to provide 15% of the overall parking for guest parking, resulting in one guest parking stall for approximately each 8 units. However, the guest parking was provided at a ratio of one guest parking stall for each 3 condominium units, thus exceeding the minimum parking requirement as noted in Table 3 below. No known guest parking issues have been raised at California Highlands. As noted above, the ratio in Area G slightly exceeds 1 guest parking stall for every 2 condominium units.

**Table 3: California Highlands**

<b>California Highlands (246 Units)</b>			
	<i>Required</i>	<i>Provided</i>	<i>Excess Parking</i>
One and two bedroom units (246 units @ 2 spaces/unit)	492	492	0
<b>Guest Parking</b>			
246 x 15%	37	84	+47

**Sorrento West:** Sorrento west is comprised of 5 neighborhoods. Neighborhood 1 is a traditional single-family detached product with a standard 2 car garage. Guest parking is on public and private streets and is provided at the required ratio of 1 guest space for each residential unit. This product does not compare with a product in Area G. The following table illustrates the required and actual number of parking spaces for the remaining 4 neighborhoods in Sorrento West.

**Table 4: Sorrento West**

<b>Trevi (117 Units)</b>			
<i>Garage</i>	<i>Required</i>	<i>Provided</i>	<i>Excess Parking</i>
Two bedroom+ units (117 units @ 2 spaces/unit)	234	234*	0
<b>Guest Parking</b>			
0.5 space/unit	59	79	+20
*18 tandem garages = 36 parking spaces			
<b>Firenze (66 Units)</b>			

<b>Garage</b>	<b>Required</b>	<b>Provided</b>	<b>Excess Parking</b>
Two bedroom+ units (66 units @ 2 spaces/unit)	132	165	+33*
<b>Guest Parking</b>			
0.5 space/unit	33	42	+9
<i>*An extra 3<sup>rd</sup> car tandem space provided on 33 units</i>			
<b>Siena (64 Units)</b>			
<b>Garage</b>	<b>Required</b>	<b>Provided</b>	<b>Excess Parking</b>
Two bedroom+ units (64 units @ 2 spaces/unit)	128	192	+64*
<b>Guest Parking</b>			
0.5 space/unit	32	79	+47
<i>*An extra 2-car garage space (tandem 4-car) provided on 32 units</i>			
<b>Amalfi (96 Units)</b>			
<b>Garage</b>	<b>Required</b>	<b>Provided</b>	<b>Excess Parking</b>
Two bedroom+ units (96 units @ 2 spaces/unit)	192	192	0
<b>Guest Parking</b>			
0.5 space/unit	48	48	0

Excess guest parking in Sorrento West is 78 stalls; however, Sorrento West is developed at a Medium Density land use where the neighborhoods in Area G were developed at a more urban Medium-High and High Density Land use. Sorrento West requires a parking permit to parking in the guest parking spaces overnight. Additionally the additional 3 and 4 car garage spaces in the attached Firenze and Siena product provide uncounted excess resident parking which provides additional parking for homeowners with extra personal vehicles.

Currently, the City has not received concerns regarding parking in Sorrento West. The Milano and Amalfi projects are complete but not completely sold and the Firenze and Siena neighborhoods are almost complete with unsold units. Trevi still has two buildings to construct. The CC&R's for Sorrento West have identical language as Area G regarding parking the number of vehicles in the garage and not allowing storage to obstruct vehicle parking. Massingham Associates (the same property manager as Area G) has been issuing Community Bulletins, in a similar manner to Area G, stating these requirements.

### **Potential Options for Area G:**

The following is a discussion of potential options for the homeowner's association and/or the City to pursue in order to address the parking concerns within Area G.

#### *Potential Action by the Homeowner's Association*

1. Increase the amount of guest parking. This option would require the HOA to identify locations where it is practical to add additional on-site parking, prepare improvement plans and process an amendment to the existing Site Development Review permit. However, there are limited opportunities to create additional parking spaces because the

development is at a relatively high density and the improvements have already been constructed.

2. Require a parking permit for all vehicles that are parked overnight in the on-site guest parking spaces. This would force the residents to park their vehicles in their garages, leaving the guest spaces open to visitors. This would require an amendment to the CC&Rs by vote of the property owners. It would also require enforcement by the HOA, which could include citation or towing of vehicles. However, this could result in additional vehicles parked off-site on public streets.
3. Establish a protocol that residents cannot park company owned vehicles anywhere in Area G. Many companies find it cheaper to have employees drive their company vehicle to and from work rather than provide space to leave company vehicles. This would require a vote of the owners to amend the CC&Rs.

The City is limited in its ability to require action by the property owners and their HOA. However, Staff could work with the HOA to try and implement measures as directed by the City Council.

#### *Potential Action by the City*

1. Enforce the rule prohibiting vehicles to be parked in the public right-of-way for more than 72 hours. This would force the residents to use their garage spaces for their vehicles. As a result, this option would help make street parking available for guests and help to ensure that street parking is not used for long vehicle storage. This would require increased Staff time for the Police Department to patrol and enforce this requirement. However, this option would effectively reduce the amount of parking available to the residents and could increase the parking concerns for residents of Area G.
2. Prohibit overnight parking on surrounding streets. This would force the residents to use their garage spaces for their vehicles. This would also help make street parking unattractive to residents thus freeing up spaces for guest parking. This option would require increased Staff time for the Police Department to patrol and enforce this requirement. This would effectively reduce the amount of parking available to the residents and could increase the parking concerns for residents of Area G.
3. Staff could meet with Massingham Associates, the management company for the various homeowner's associations, to discuss the parking issue and methods to address the concerns using existing rules.

Staff could evaluate the viability of enforcing these measures as directed by the City Council. In which case, Staff would return to the City Council with a report on the potential effectiveness of these measures and the fiscal impacts.

#### **Potential Options for City-Wide consideration:**

1. Establish consistency in the Zoning Ordinance parking requirements for condominiums and apartments related to amount of parking provided for one bedroom units and required guest parking.
2. Evaluate a requirement to provide a minimum square foot area for personal storage for all attached products.
3. Evaluate the effectiveness of tandem parking stalls and consider policy alternatives to restrict the amount of tandem parking to meet minimum parking requirements, or prohibit the use of tandem parking for compliance with required garage parking (additional stalls could be allowed as tandem as long as the required stalls are not).

Staff could further evaluate these options as directed by the City Council. In which case, Staff would return to the City Council with a report on the potential effectiveness of these measures and the fiscal impacts.

## **Conclusions**

Some of the residents of Area G have raised concerns regarding the perceived lack of guest parking within their neighborhoods. The parking provided at the Villages (Area G) is consistent with the City's Zoning Ordinance. Area G has more guest parking than a similar project, the California Highlands. There may be reasons beyond the City's regulations for these problems, such as the displacement of the automobile by storage, the inconvenience of tandem parking and households with multiple cars which were detailed above. Without the ability to conduct studies which include going on to private property, it would be difficult to ascertain these reasons. However, the City Council could direct Staff to analyze alternatives to address these issues with future development projects, as outlined in this Staff Report.

## **NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

This is a public meeting item. Although we are not required to notice public meetings, the City Council has previously provided staff with direction to notify the affected neighbors on any issues relative to Area G. In an attempt to implement the City Council's direction, Staff provided a notice of this Public Meeting to Massingham and Associates who are the property managers for all of the Homeowner's Associations in Area G and Sorrento West. Massingham Associates posted the Public Meeting Notice at each of the mail kiosks in each of the projects they manage the week of January 23, 2012, which is the legal posting place for messages in each of the neighborhoods. Additionally the notice was placed in the Board Members' meeting packets and announced at the Homeowner's meetings over the last three weeks. The notice was also published on the HOA web site for each neighborhood.

Staff surveyed all of the posting locations on January 31, 2012 and the notices were all clearly visible with the exception of The Terraces. The Notice had not been posted at The Terraces. As a result, the HOA immediately posted the notice at The Terraces.

Additionally, a Public Notice was also published in the Valley Times and posted at several locations throughout the City.

- ATTACHMENTS:**
1. Minutes from October 18, 2011 City Council meeting
  2. Massingham notices distributed to the Cottage and Villas Residents



## **Parks and Community Services Strategic Plan Annual Report**

7:25:51 PM

8.2 (920-10)

Director of Parks and Community Service Diane Lowart presented the Staff Report and advised that In November 2008, the City Council adopted the Parks and Community Services Strategic Plan. Staff would present an annual report on the strategic objectives accomplished during Fiscal Year 2010-2011. This item was first agendized for the October 4, 2011 City Council meeting. By consensus, the City Council moved this item to the October 18, 2011 City Council meeting

Mayor Sbranti asked when the connection would be open from the East Bay Regional Park District's (EBRPD) Dublin Hills Regional Park and the City's Martin Canyon Creek Trail.

Ms. Lowart stated she would follow up on whether any event was planned by EBRPD for the opening of the connection between its Dublin Hills Regional Park and the City's Martin Canyon Creek Trail.

The City Council commented on the growth of the Parks and Community Services' activities. It was vibrant and an asset to the community.

The City Council received the report.



**OTHER BUSINESS Brief *INFORMATION ONLY* reports from Council and/or Staff, including Committee Reports and Reports by Council related to meetings attended at City expense (AB 1234)**

7:38:38 PM

Cm. Hildenbrand stated she had nothing to report.

Cm. Biddle stated he attended the Dublin High School Homecoming, an Alameda County Transportation Commission meeting, an Alameda County Housing Authority meeting and the School of Imagination ribbon cutting.

Vm. Hart stated he attended the Johnny Garlic's Restaurant ribbon cutting and the School of Imagination ribbon cutting.



Cm. Swalwell stated he attended the Dublin High School Homecoming, and the Johnny Garlic's Restaurant ribbon cutting.

Mayor Sbranti stated he attended the Johnny Garlic's Restaurant ribbon cutting and the School of Imagination ribbon cutting. He stated he attended the City of Dublin – Dublin San Ramon Services District Liaison Committee meeting, the Alameda County Mayor's Conference, and the Residential Realtors Roundtable. He asked Dublin residents to participate in the Dublin Reads event.

Cm. Biddle asked Staff to update the parking study done a few years ago regarding the Promenade development. Included should be what did the parking code mean. Also looking into how the parking was managed. What was permitted to park there? Was storage permitted? Were there assigned spaces? In terms of similar complexes, how did they manage their parking and what problems did they have. Also look at solutions how the management of complexes could manage their parking or what the City could do to help resolve the situation there; how much could the City do regarding parking issues versus the how much the management of the complexes could do.

Ms. Pattillo asked if Cm. Biddle wanted it as an informational piece to the City Council. She knew something had been done several years ago and it was more of a cursory look at the parking situation as it related to the Promenade. Did he want Staff to look at each Homeowner's Association (HOA) as well?

Cm. Biddle stated just those HOAs within Dublin with a similar type of housing as the Promenade. Did they have the same type of parking situational problems?

City Manager Pattillo stated Staff could begin with a cursory look at what was done with the Promenade. She confirmed that what Cm. Biddle was asking for was to update the study that had been done a few years back as an informational piece, and also understand if there were any comparisons within the City of Dublin as it related to density and types of housing and see if there were any parking issues. Was he also looking for how each HOA managed their parking?

Cm. Biddle stated, yes, he wanted to know what was their system. What were their parking rules? What was and was not permitted?

City Manager Pattillo asked Cm. Biddle if he wanted to see what role the City had.

Mr. Biddle stated, yes, he wanted to know what could the City's role be in solving the parking issue, if any.

Cm. Hildenbrand asked if he was asking if there was permitted parking.

Cm. Biddle stated he wanted to know what the management of the complexes could do, as well as the City, in solving parking problems.



City Manager Pattillo stated Staff could build off what was done before, and how it was planned, including the previous parking study, HOA discussion, looking at the designation, and what role the City had as it related to parking. She might ask for clarification at a later date if needed.



**ADJOURNMENT**

10.1

There being no further business to come before the City Council, the meeting was adjourned at 7:57:39 PM in memory of Staff Sgt. Sean Diamond and our fallen troops.

Minutes prepared by Caroline P. Soto, City Clerk.

ATTEST: Caroline P. Soto  
City Clerk

Tim Branti  
Mayor



# THE COTTAGES AT DUBLIN RANCH OWNERS ASSOCIATION

c/o Massingham and Associates Management, Inc, 1855 Gateway-300, Concord, CA 94520

## COMMUNITY NEWSLETTER

JULY 2011

### Board of Directors

Steve Westerfield  
Eric Lars Hanson  
Mary Warren  
Paul Cardoso  
HT Astrov

### Association Insurance

Farmers Insurance Co/ Greg Norris Agency  
415-389-8200  
(Coverage for main buildings and common area)  
Unit owners are encouraged to obtain 'HO6 coverage to protect inside of unit and owner liability

### Financial Information 5/31/2011

Operating Cash: \$189,369.61

### Proudly Managed by

Massingham & Associates Management, Inc.  
1855 Gateway Blvd, Suite 300  
Concord, CA 94520

### Your Management Team

Greg Thibodeaux- Manager  
Veronica Johnson- Community Assistant  
Phone: 925-405-4728  
Email: [VeronicaL@Massingham.com](mailto:VeronicaL@Massingham.com)

### Dublin Police Dispatch:

Report suspicious activity: 925-462-1212  
(They WANT You to Call! You May Remain Anonymous.)

The next board meeting will be held:  
**August 4<sup>th</sup> 2010**

6:30 pm in Community Room

**\*\*\* Community information and new notices can always be seen at the bulletin board by the Pool\*\*\***

**\*Shop in Dublin!** Dublin is a great city to live in. Check out the many services and programs available to citizens at: [www.ci.dublin.ca.us](http://www.ci.dublin.ca.us) And keep in mind that when you shop in Dublin that the sales tax you pay does help keep the city keep running all the better to serve us all!

**\*Walk to Farmers Market!** Every Thursday from 4PM to 8PM there is a great Farmers Market at Emerald Glenn Park which is located at Corner of Tassajara & Central Parkway and an easy walk from the community.

**\* Real Estate Values!** The National Association of Realtors states that 'On average home prices double every 10 years'....despite recessions, depressions, wars...has been the case for the last 100 years.

**\* Must Park in Your Garage!** The Rules and Regs and CC&Rs of the Community state that you must keep your garage clear enough to park the number of vehicles in it that it was designed to hold. You may not convert your garage to any other use like Play Room or Storage Room.. You MUST park inside your garage. Street parking was meant for visitors and guests and does have a 72 hour maximum limit before towing will occur.

**\*Pool Use Reminder!** Everyone is reminded that: \*Pool and Spa hours are 7am to 10pm \* No glass bottles are allowed \*You may bring 2 guests per owner (no organized pool parties are allowed) \*Please be mindful of noise levels, as it does travel to adjoining homes. If you see trespassers, please call the police. \*All Pool Rules Are Posted at Pool-please read.

**\*Watch for Solicitors!** Recently there have been reports of 'rude and questionable' solicitors trying to sell in the community. The Dublin Police Department request that we call them on their non-emergency line of 925- 462-1212 to report any solicitors in the community. The Police would like to check out these people to make sure they are legitimate. Dublin requires that each solicitor carry a permit and ID card. There are some unsavory characters out there, so best to have the police check them out!

**\*Dog Poop!** Yes, unfortunately we have a problem with this! Residents are reminded that dogs must always be on a leash, and always picked-up after. Thank You

# THE COTTAGES AT DUBLIN RANCH OWNERS ASSOCIATION

c/o Massingham and Associates Management, Inc, 4085 Nelson Avenue, Suite A, Concord, CA 94520

## COMMUNITY NEWSLETTER

MARCH 2011

### Board of Directors

Steve Westerfield  
Eric Lars Hanson  
Mary Warren  
Paul Cardoso  
HT Astrov

### Association Insurance

Gregg Norris Insurance Co.  
415-389-8200

### Financial Information 12/31/2010

Operating Cash: \$112,153.02

### Proudly Managed by

Massingham & Associates Management, Inc.  
1855 Gateway Blvd, Suite 300  
Concord, CA 94520

### Your Management Team

Greg Thibodeaux- Manager  
Veronica Lewis- Community Assistant  
Phone: 925-405-4728  
Email: [VeronicaL@Massingham.com](mailto:VeronicaL@Massingham.com)

### Dublin Police Dispatch:

Report suspicious activity: 925-462-1212  
(They WANT You to Call! You May Stay Anonymous.)

The next board meeting will be held:

**April 2011**

(exact date and time to follow)

**\*\*\* Community information and new notices can always be seen at the bulletin board by the Pool\*\*\***



### Residents Must Park Inside Own Garage!

All residents, owners and tenants alike, are reminded that the CC&Rs for the community mandate that you park inside your garage the number of vehicles it was designed for. Garages may not be converted to any other use like game rooms and storage rooms. If you do not park in your garage, you may not park inside the community where slots are meant for guests and visitors; you must instead park out on Finnian, Chanery, Brannigan and Central Parkway. Those violating parking rules inside the community will be subject to towing.



### Your New Board of Directors

Up for election this year were 3 board positions, with 2 of the incumbents wishing to re-run. An additional 2 homeowners came forward and volunteered to run for the board, making 4 candidates vying for the 3 positions. Election ballots were being prepared to be mailed to all owners ahead of the April meeting, when in February director Allen Deering announced a surprise sale of his home and news that he would resign from the board. Thus we ended up with 3 applicants for the 3 open positions. An election with the related mailing costs was then not needed. At the April meeting it will be established your board of Directors for 2011 are Mary Warren, Eric Lars Hanson, Steve Westerfield, Paul Cardoso, and HT Astrov.



### Massingham Offices Have Moved

After 5 years at our office located at 4085 Nelson Ave, Suite A in Concord, Massingham's Concord Branch relocated on February 18, 2011! Our new office is located less than 5 miles from our old location. Our phone and fax numbers will remain unchanged for your convenience. ( Please see left column)

For more than 25 years Massingham & Associates has provided homeowners and Boards with the guidance and support needed to conduct HOA business. The new office space will provide a variety of efficiencies and offer added space for expansion of staff to service our clients.

# *The Cottages*

at Dublin Ranch Villages Owner's Association

c/o Massingham & Associates Management Co  
4085 Nelson Avenue Suite 'A'  
Concord California 94520  
Phone: 925-405-4900 Fax: 925-405-4747

*Important*

## Garage Use and Parking Notice

TO: All Cottages Residents  
FROM: Cottages Board of Directors/ Massingham Management  
RE: Parking Policy of the Community

Due to violations and many complaints, it is necessary to strongly reiterate the CC&R rules regarding use of visitor parking in the Cottages community and the requirements to park in your garage.

While a compliance campaign was undertaken 2 years ago, due to increasing abuses it is again time to refresh remind everyone of the requirements and penalties:

- You must park inside your garage. Your garage must be kept clear enough to park the intended number of vehicles it was designed to hold.
- You cannot just use your garage as a storage unit, or other use that prohibits your cars from being parked inside. (CC&R sec 4.9)
- If you do not park inside your garage, you may not park inside the Community. You must park on Finnian, Brannigan, Central Parkway or Chancery Way.
- Handicap Parking is for Handicap use only. Others will be ticked and fined by the Police \$271
- You may Never park across your garage door or in red-zones. These are subject to immediate towing/ fine
- Inside the Community is reserved for Visitors and Guest and Handicap Parking. Street Parking is Limited to 72 hours  
Towing will result for non-compliance.

- Those residents who do not use their garage will be subject to monetary fines per the Fine Policy of the Community up to \$150 per event.

We kindly ask all owners and residents to assure compliance with the community's CC&Rs and rules to make the community a more livable place, and to void violation status/ fines.                   THANK YOU>

# Dublin Ranch Villages

## Parking Violation Warning Notice

In accordance with the Association's parking policy, this vehicle is in violation of the parking policy is being ticketed by a member of the Parking Committee, Board Member or Management for the following reason(s):

Residents SHALL not use their garage for any purpose that will prevent them from parking their vehicles within their garage. Vehicles shall only park along curbs designated for parking if they have used the full parking capacity of their garage. Using the garage area for any other purpose does not grant non-garaged parking.

A vehicle is subject to being towed automatically without notice for any of the following 6 reasons:

- Is parked along a red curb,
- Is parked in front of any garage,
- Is parked in a non-designated parking space,
- Is parked in a way that extends past a parking area or space,
- Is parked in any way that interferes with the flow of traffic
- Is parked in a way that prevents the egress or ingress of any other vehicle.

Street parking is limited to no longer than 72 hours. Vehicles parked longer are subject to being towed.

*These are slips  
we place on cars parked  
in common Area. - put on windshield.  
- Guy*

# Cottages at Dublin Ranch

## Garage Parking Requirement

To: All Cottages Residents

From: Your board of Directors and Massingham & Associates Management

Re: Requirement to Park in your Garage

As we all know, parking in Cottages Community is tight! It seems everyone is upset about it...residents and visitors alike. You could say there are 3 main contributors to the problem:

- 1) The original plan assumed that each home would only have 2 cars, and the street parking could handle the occasional 3<sup>rd</sup> car.
- 2) It has become apparent that some households have 4 cars!
- 3) And while the CC&Rs require that every garage be used for parking vehicles and not for storage, it has come to light that many residents still have their garage filled with junk, and park their cars out on the street.

Of the 3 items listed, only item # 3 regarding use of garages for parking and not storage can really be controlled . It is after all a community CC&R requirement. It is estimated that 20 to 40 parking places can be freed up of those people would clean out their garages and use them to park their vehicles, freeing up these spaces for visitors and guests, and those that really need them!

**Notice:** Starting January 12<sup>th</sup> 2009, inspections will be made to assure that each Cottages garage is not full of storage or junk, or converted to any other use that would preclude parking vehicles inside. So make a New Year resolution to 'organize that garage!' to be in compliance with the CC&Rs, help your community out, and to avoid a violation. Thank You!

\*\*\*Keep in mind that parking in a fire lane or across any garage door subjects you to immediate towing with a minimum charge of \$300!\*\*\*



# Welcome New Residents!

We welcome you to your new home in the Dublin Ranch Community!  
We love this community and we work hard to keep it a good-looking,  
desirable place to live!

Often during the hectic move in period, individuals don't have time to read all the paperwork that came with the property, including all the rules and regulations. So below is a reminder of some of the most critical:

## ○ Trash/ Garbage

- \*All Cans must be put back in your garage right after the Friday collection date.....they cannot be left out for days at a time
- \*The Garbage Company will not pick up junk just left next to you can: all items must be placed inside your can to be picked up
- \*AVI allows every owner several free 'junk hauls' a year, but you must call them at 925-479-9545 to arrange it

## ○ Garages/Parking

- \* ~~Your garage MUST be kept clear enough to park your vehicles inside~~
- \* Never Park across your garage door! You will be towed
- \* Street Parking is meant for visitors and guests with a 72 hour limit

## ○ Dogs

- \* Dogs must be on a leash at all times inside the community
- \* Please pick-up after your dog

## ○ Quiet Time/ Respect of Neighbors

- \* Remember that 10PM on is quiet-time in the community
- \* Remember that loud voices on balconies and porches travels far
- \* Remember that even inside your home that loud base music, blasting TVs and surround-sound should be kept at minimal levels.

## ○ Pool & Spa

- \*Pool and Spa area are open year-round, though pool is only heated May- October. POOL AREA CLOSSES AT 10:00 PM . NO GLASS or Alcohol is allowed in the pool area. Those breaking the rules will lose their pool privileges for 30 days!

**If you are a renter, remember, that these are townhomes, NOT Apartments and You are subject to the rules!**

Thank You!

# The Villas at Dublin Ranch Villages

## Garage Parking Requirement

To: All Villas Residents

From: Your board of Directors and Massingham & Associates Management

Re: Requirement to Park in your Garage

As we all know, parking in Villas Community is tight! It seems everyone is upset about it...residents and visitors alike. You could say there are 3 main contributors to the problem:

- 1) The original plan assumed that each home would only have 2 cars, and the street parking could handle the occasional 3<sup>rd</sup> car.
- 2) It has become apparent that some households have 4 cars!
- 3) And while the CC&Rs require that every garage be used for parking vehicles and not for storage, it has come to light that many residents still have their garage filled with junk, and park their cars out on the street.

Of the 3 items listed, only item # 3 regarding use of garages for parking and not storage can really be controlled . It is after all a community CC&R requirement. It is estimated that 20 to 40 parking places can be freed up of those people would clean out their garages and use them to park their vehicles, freeing up these spaces for visitors and guests, and those that really need them!

**Notice:** Starting January 12<sup>th</sup> 2009, inspections will be made to assure that each Villas garage is not full of storage or junk, or converted to any other use that would preclude parking vehicles inside. So make a New Year resolution to 'organize that garage!' to be in compliance with the CC&Rs, help your community out, and to avoid a violation. Thank You!

\*\*\*Keep in mind that parking in a fire lane or across any garage door subjects you to immediate towing with a minimum charge of \$300!\*\*\*



## STAFF REPORT PLANNING COMMISSION

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**DATE:** July 10, 2012

**TO:** Planning Commission

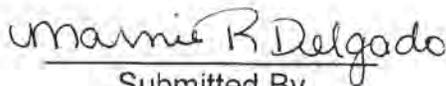
**SUBJECT:** **PUBLIC HEARING: PLPA-2012-00028 Zoning Ordinance Amendments** to Chapter 8.08 (Definitions), Chapter 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations)  
*Prepared By: Marnie R. Delgado, Senior Planner*

### EXECUTIVE SUMMARY:

The City is initiating amendments to the Zoning Ordinance to bring greater clarity and consistency to existing regulations. Amendments are proposed to: 1) Chapter 8.08 (Definitions) to add a new definition for Accessory Storage – Multi-Family; 2) Chapter 8.36 (Development Regulations) to create a minimum requirement for accessory storage in the R-2 (Two-Family), R-M (Multi-Family) and comparable PD (Planned Development) Zoning Districts; and, 3) Chapter 8.76 (Off-Street Parking and Loading Regulations) to establish a consistent guest parking standard for apartments and condominiums and limit the use of tandem parking for residential uses. The Planning Commission will review the proposed Zoning Ordinance Amendments and make a recommendation to the City Council.

### RECOMMENDATION:

Staff recommends that the Planning Commission: 1) Receive Staff presentation; 2) Open the public hearing; 3) Take testimony from the public; 4) Close the public hearing and deliberate; and 5) Adopt a Resolution recommending that the City Council amend Chapter 8.08 (Definitions), Chapter 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations) of the Dublin Municipal Code.

  
Submitted By

Senior Planner

  
Reviewed By

Planning Manager

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COPIES TO: File

ITEM NO.: 8.3

## DESCRIPTION:

At the February 7, 2012 City Council meeting, Staff presented an informational report on the status of parking in Area G of Dublin Ranch (Attachment 1). The City Council received the report and, among other things, directed Staff to prepare Zoning Ordinance Amendments to: 1) establish consistency between the parking standards for apartments and condominiums; 2) require a minimum amount of personal storage for attached residential units; and, 3) eliminate the use of tandem parking to meet minimum parking requirements. The Planning Commission is being asked to review the proposed amendments and adopt a Resolution (Attachment 2) recommending City Council adoption of the proposed amendments (Attachment 2, Exhibit A).

### Apartment and Condominium Parking Standards

Chapter 8.76 (Off-Street Parking and Loading Regulations) sets forth the minimum parking requirements by Use Type. Apartments and Condominiums currently have the following parking requirements:

**Table 1. Section 8.76.080.B (Residential Use Types)**

<b>RESIDENTIAL USE</b>	<b>NUMBER OF PARKING SPACES REQUIRED</b>
Residences	
Apartments	
Studio	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
1 Bedroom	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
2+ Bedrooms	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
Condominiums	
Studio	1 covered or garaged per dwelling plus guest parking (see below)
1 Bedroom	1 covered or garaged per dwelling plus guest parking (see below)
2+ Bedrooms	2 covered or garaged per dwelling plus guest parking (see below)
Guest Parking	Projects with 10 or more dwellings shall provide one additional guest parking space for every 2 dwelling units which shall be marked as a guest parking space.

The guest parking requirement for apartments is one parking space per unit; for condominiums, the guest parking requirement is one parking space for every two units resulting in less guest parking for condominium projects than for apartment projects.

The proposed Zoning Ordinance Amendment would create a consistent guest parking requirement among both apartments and condominiums as follows (with proposed new text shown with an underline and strikethrough text proposed to be deleted):

**Table 2. Proposed Amendment to Section 8.76.080.B (Residential Use Types)**

RESIDENTIAL USE	NUMBER OF PARKING SPACES REQUIRED
Residences	
Apartments	
Studio	1 covered or garaged per dwelling plus 1 <u>unreserved guest parking space per dwelling</u> for <del>unreserved and guest parking.</del>
1 Bedroom	1 covered or garaged per dwelling plus 1 <u>unreserved guest parking space per dwelling</u> for <del>unreserved and guest parking.</del>
2+ Bedrooms	1 covered or garaged per dwelling plus 1 <u>unreserved guest parking space per dwelling</u> for <del>unreserved and guest parking.</del>
Condominiums	
Studio	1 covered or garaged per dwelling plus 1 <u>unreserved guest parking space per dwelling</u> (see below)
1 Bedroom	1 covered or garaged per dwelling plus 1 <u>unreserved guest parking space per dwelling</u> (see below)
2+ Bedrooms	2 covered or garaged per dwelling plus 1 <u>unreserved guest parking space per dwelling</u> (see below)
Guest Parking	<del>Projects with 10 or more dwellings shall provide one additional guest parking space for every 2 dwelling units which shall be marked as a guest parking space.</del>

Personal Storage for Attached Residential Units

While some existing multi-family residential developments include personal storage areas for residents (commonly provided in closets on patios and balconies), the Zoning Ordinance does not require that personal storage areas be provided thus leaving it to the discretion of the developer whether to include this amenity in a multi-family project. The proposed Zoning Ordinance Amendment would require that a minimum of 90 cubic feet of personal storage be provided per unit for all new multi-family developments in the R-2 (Two Family Residential) and R-M (Multi-Family Residential) Zoning Districts and comparable PD (Planned Development) Zoning Districts. Chapter 8.36 (Development Regulations) is proposed to be amended as follows (with proposed new text shown with an underline and strikethrough text proposed to be deleted):

**Table 3. Proposed Amendments to Section 8.36.020 (Agricultural and Residential Development Regulations)**

STANDARD	A	R-1	R-2	R-M
LOT AREA				
Interior lot	100 acres	4,000 sq. ft.	8,000 sq. ft.	5,000 sq. ft.
Corner lot	100 acres	5,000 sq. ft.	9,000 sq. ft.	6,000 sq. ft.

LOT SQUARE FOOTAGE PER DU	NA	4,000 sq. ft. and larger as consistent with General Plan	4,000 sq. ft. and larger as consistent with General Plan.	750 sq. ft. and larger as consistent with General Plan
LOT WIDTH & FRONTAGE				
Interior lot	300 feet	50 feet	80 feet	50 feet
Corner lot	300 feet	60 feet	90 feet	60 feet
LOT DEPTH	NA	100 feet	100 feet	100 feet
RESIDENTIAL USE (maximum per lot)	1 du. 1 Second Unit	1 du 1 Second Unit	2 du's	1 du per full 750 sq. ft. (and larger as consistent with General Plan)
SETBACKS				
Front	50 feet	20 ft. avg. 18 ft minimum to garage (1)	20 ft. avg. 18 ft. minimum	20 ft.
Side	30 feet	(2)	10 feet	10 feet (3)
Street Side	50 feet	10 feet	10 feet	10 feet
Rear	50 feet	20 feet	20 feet	30 feet

- (1) Living spaces may encroach to 15 ft. from Front Lot Line with Site Development Review on lots up to 6,000 square feet in size.
- (2) Side Yard setbacks in the R-1 zoning district shall be a minimum of 5 feet plus one foot for each full 10 feet by which lot width exceeds minimum lot width up to a maximum of 10 feet.
- (3) Buildings with 4 or more residences in the R-M zoning district shall have a 15 foot Side Yard on one side.

STANDARD	A	R-1	R-2	R-M
DISTANCE BETWEEN RESIDENCES	100 feet	10 feet	20 feet	20 feet
MAXIMUM LOT COVERAGE	NA	40% 1 story, 35% 2 stories	40% 1 story, 35% 2 stories	40% 1 story, 35% 2 stories
COMMON USEABLE OUTDOOR SPACE	NA	NA	NA	30 % of net site area
ACCESSORY STORAGE- MULTI-FAMILY (1)	NA	NA	90 cubic feet minimum per unit	90 cubic feet minimum per unit
HEIGHT LIMITS	(2)	(2)	(2)	(3)

- (1) Multi-family accessory storage shall also be provided in comparable PD (Planned Development) Zoning Districts. See also Chapter 8.08 (Definitions).
- (2) West of Dougherty Road 25 feet and 2 stories; may be increased to 35 feet and 2 stories pursuant to a Site Development Review approval by the Zoning Administrator. East of Dougherty Road; 35 feet and 2 stories.
- (3) 35 feet if 4 or fewer du.; 45 feet if 5 or more du.; 75 feet if 5 or more du. and lot coverage does not exceed 35%.

Staff is proposing a minimum of 90 cubic feet of storage per unit be provided for the storage of personal effects. 90 cubic feet consists of a space that is 3'x5'x6' (in any configuration of length, width and height). While none of the surrounding Tri-Valley cities (Livermore, Pleasanton or San Ramon) currently have a similar requirement, a number of cities throughout California do have such a requirement. Table 4 below summarizes a survey of cities that was conducted through the League of California Cities Housing, Community and Economic Development (HCED) Listserv:

**Table 4. Multi-Family Accessory Storage Requirements Survey**

CITY	STANDARD	
	<i>Square Feet (Surface Area)</i>	<i>Cubic Feet (Volume)</i>
Sierra Madre	150 square feet/unit 30-inch min. dimension	
Lemoore	32 square feet/unit	
Livingston	30 square feet/unit	
Paso Robles		250 cubic feet/unit
Dana Point		250 cubic feet/unit
Lawndale		200 cubic feet/unit
San Dimas		150 cubic feet/unit
Fontana		125 cubic feet/unit
San Gabriel		90 cubic feet/unit
Glendale		90 cubic feet/unit (new construction) 60 cubic feet/unit (condo conversion) 3-foot min. dimension 24 square feet min. surface area

In evaluating what might be an appropriate size requirement for accessory storage, Staff selected a size that was small enough that the accessory storage area could not be legally converted to a habitable room such as an office or bedroom. The minimum size for a habitable room is 70 square feet with a minimum width of 7-feet.

In addition to adding a minimum requirement for accessory storage in the R-2, R-M and comparable PD Zoning Districts, a new definition for Accessory Storage – Multi-Family is proposed to be added to Chapter 8.08 (Definitions) as follows:

**Accessory Storage – Multi-Family Residential.** The term Accessory Storage – Multi-Family Residential shall mean a dedicated, enclosed and securable space located within an individual dwelling unit, an attached or detached individual garage, or another dedicated space approved by the Community Development Director, in which occupant(s) of the dwelling unit can store their personal effects. Accessory Storage – Multi-Family Residential spaces shall not include bedroom closets, linen closets, pantries or any other areas customarily provided to meet the day to day functions of the dwelling unit. Accessory Storage-Multi-Family Residential spaces may be used to satisfy required bicycle storage space.

Tandem Parking

The Zoning Ordinance currently allows for the use of tandem parking within single-family dwelling unit attached garages. The Tandem Parking regulation (Section 8.76.060.L) reads as follows:

**L. Tandem Parking.** The Zoning Administrator may approve an off-street parking program by means of a Conditional Use Permit utilizing limited tandem (front to back) parking for commercial and industrial uses under unusual design constraints provided that the development requires 20 or more parking spaces. Tandem parking is permitted within single-family dwelling unit attached garages.

This may be accomplished by the use of tandem, wedge or other techniques approved by the Zoning Administrator. The Zoning Administrator may require that an attendant be on duty during normal business hours.

The proposed Zoning Ordinance Amendment would separate the regulations pertaining to the use of tandem parking for commercial/industrial uses from residential uses and would limit the use of tandem parking in residential projects so that it could not be used for required parking. The proposed amendment would read as follows (with proposed new text shown with an underline and strikethrough text proposed to be deleted):

**L. Tandem Parking.** The Zoning Administrator may approve an off-street parking program by means of a Conditional Use Permit utilizing limited tandem (front to back) parking for commercial and industrial uses under unusual design constraints provided that the development requires 20 or more parking spaces. The Zoning Administrator may require that an attendant be on duty during normal business hours.

Tandem parking is not permitted to satisfy required parking within single-family dwelling unit attached garages or multi-family dwelling unit attached garages. ~~This may be accomplished by the use of tandem, wedge or other techniques approved by the Zoning Administrator. The Zoning Administrator may require that an attendant be on duty during normal business hours.~~

#### **CONSISTENCY WITH THE GENERAL PLAN, SPECIFIC PLAN AND ZONING ORDINANCE:**

The proposed Zoning Ordinance Amendments are consistent with the Dublin General Plan and all applicable Specific Plans in that the General Plan and applicable Specific Plans include policies that encourage the development of a variety of housing types including multi-family housing and the proposed amendments make provisions to facilitate the on-going enjoyment of residential properties by maintaining adequate parking standards and regulations.

#### **NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A Public Notice was published in the Valley Times and posted at several locations throughout the City. The Public Notice was provided to all persons who have expressed an interest in being notified of meetings. The Staff Report for this public hearing was also made available on the City's website.

#### **ENVIRONMENTAL REVIEW:**

The California Environmental Quality Act (CEQA), together with State Guidelines and City Environmental Regulations require that certain projects be reviewed for environmental impacts and that environmental documents be prepared. Pursuant to the CEQA, Staff is recommending that the proposed Ordinance be found exempt from CEQA per CEQA Guidelines Section 15061(b)(3). Section 15061(b)(3) states that CEQA applies only to those projects that have the potential to cause a significant effect on the environment. The adoption of the proposed Ordinance is exempt from CEQA because the Ordinance does not, in itself, allow the construction of any building or structure, but it sets forth the regulations that shall be followed if and when a building or structure is proposed to be constructed or a site is proposed to be developed. This Ordinance of itself, therefore, has no potential for resulting in significant physical change in the environment, directly or ultimately.

**ATTACHMENTS:**

- 1) City Council Staff Report dated February 7, 2012, without attachments.
- 2) Resolution recommending that the City Council amend Chapter 8.08 (Definitions), Chapter 8.36 (Development Regulations) and Chapter 8.76 (Off-Street Parking and Loading Regulations) of the Zoning Ordinance, with the draft Ordinance attached as Exhibit A.



# **Planning Commission Minutes**

## **Tuesday, July 10, 2012**

### **CALL TO ORDER/ROLL CALL**

A regular meeting of the City of Dublin Planning Commission was held on **Tuesday, July 10, 2012**, in the City Council Chambers located at 100 Civic Plaza. Chair Wehrenberg called the meeting to order at 6:58:57 PM

Present: Chair Wehrenberg; Vice Chair O'Keefe; Commissioners Schaub and Brown; Jeff Baker, Planning Manager; Kristi Bascom, Principal Planner; Marnie Delgado, Senior Planner; and Debra LeClair, Recording Secretary.

Absent: Cm. Bhuthimethee

### **ADDITIONS OR REVISIONS TO THE AGENDA – NONE**

**MINUTES OF PREVIOUS MEETINGS** – On a motion by Cm. Schaub and seconded by Vice Chair Brown, on a vote of 3-0-1 (Cm. O'Keefe was absent from that meeting), the Planning Commission approved the minutes of the June 12, 2012 meeting.

### **ORAL COMMUNICATIONS – NONE**

### **CONSENT CALENDAR – NONE**

### **WRITTEN COMMUNICATIONS – NONE**

### **PUBLIC HEARINGS –**

#### **8.1 PLPA-2012-00002 Dublin Toyota Site Development Review**

Kristi Bascom, Principal Planner, presented the project as outlined in the Staff Report.

Cm. Schaub asked if the fabric canopies on the south elevation will remain.

Ms. Bascom answered that it will be removed.

Cm. Schaub asked if any canopies will remain.

Ms. Bascom answered there are shade canopies throughout the site and one on the north side of the building will remain.

Chair Wehrenberg asked if the new part of the building will extend as far out as the canopies.

Ms. Bascom answered that it will extend approximately as far as the canopies, but the new entry portal is set off the building and then ties back in with the columns and the roof structure.

Ms. Bascom pointed out on the site plan where the new entry portal will be located. She stated there is an existing driveway that will be removed as part of the construction.

Cm. Brown asked to clarify that the existing service check-in area is not changing.

Ms. Bascom answered that is correct

Chair Wehrenberg felt the landscaping plans were too small to see the details of the elevation on the south side.

Ms. Bascom shared a full sized set of plans with the Planning Commission and explained the changes included in the application.

Chair Wehrenberg opened the public hearing.

Roxanne Duchaney, Applicant, spoke in favor of the project and explained the area Chair Wehrenberg was asking about.

Cm. O'Keefe asked if installing turf instead of grass was more cost effective.

Ms. Bascom stated it is not artificial grass but sod.

Ms. Duchaney stated they looked at installing artificial grass but decided on sod and mentioned they received approval to install the landscaping so the lot would look better during construction.

Cm. Brown asked if any of the signage would change.

Ms. Duchaney stated the directional signs will remain the same.

Ms. Bascom added that the wall signs will be re-utilized in other areas on the building.

Chair Wehrenberg closed the public hearing.

Chair Wehrenberg stated she could make the findings and had no issues with the project.

Cm. Schaub stated he could make the findings and felt it is a great update to the building.

Cm. Brown stated he can make the findings and felt the project would enhance their business opportunities.

Cm. O'Keefe stated he can make the findings and was in support of the project. He suggested removing the other canopy as well.

On a motion by Cm. Schaub and seconded by Cm. O'Keefe, on a vote of 4-0-1, with Cm. Bhuthimethee being absent, the Planning Commission adopted:

### **RESOLUTION NO. 12 - 28**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN**

**APPROVING SITE DEVELOPMENT REVIEW FOR A 3,724 SQUARE FOOT ADDITION,  
FAÇADE MODIFICATIONS, AND RELATED SITE IMPROVEMENTS TO THE DUBLIN  
TOYOTA SALES AND SERVICE BUILDINGS AT 4321 TOYOTA DRIVE**



**8.2 PLPA-2012-00001 7-11 Site Development Review**

Kristi Bascom, Principal Planner, presented the project as outlined in the Staff Report.

Cm. O'Keefe asked about an area marked "pedestrian doors" on the plans.

Ms. Bascom answered that those are doors to the trash enclosure. She stated the City requires this type of door on trash enclosures.

Cm. Schaub asked if other trees will be planted to replace the trees being removed.

Ms. Bascom answered new trees will be planted in a different location to replace the trees that were be removed.

Cm. Schaub asked if the windows will be clear glass and if they will be subject to the sign ordinance.

Ms. Bascom answered yes, they will be clear glass and must comply with the sign ordinance regarding coverage and will not be blacked out.

Chair Wehrenberg asked if the windows will be facing Village Parkway.

Ms. Bascom answered no windows will face Village Parkway but there is a trash enclosure between the building and the street so there is not very much street presence on Village Parkway.

Chair Wehrenberg asked if this project is within the Downtown Dublin Specific Plan area.

Ms. Bascom answered no; it is just outside.

Cm. Brown asked if there will be additional AC equipment installed on the roof.

Ms. Bascom stated that the Applicant will identify roof mounted equipment on their building permit plans. She stated the roof structure has a good well for roof mounted equipment. She stated the City always has a Condition of Approval that any roof mounted equipment needs to be screened from public view.

Cm. Brown asked where the new signs will be located.

Ms. Bascom stated the signs will be in the same location as the Carl's Jr. signs. She pointed out the location of the signs on the north, west and south elevations. She commented that the elevation provided in the packet has an error; there will be no signage on the interior (east) elevation facing the shopping center.

Cm. O'Keefe asked if the planters that will be installed will hold the new trees.

Ms. Bascom pointed out the proposed location of the new trees facing the west frontage.

Cm. O'Keefe asked if the new trees will be in addition to the existing trees.

Ms. Bascom pointed out the existing tree that will not be removed and stated there will be an additional tree planted in the planter areas.

Chair Wehrenberg asked if there will be irrigation for the planters and the screens that are proposed to be installed.

Ms. Bascom answered yes; there is a Condition of Approval that ensures sufficient irrigation. She stated that the landscape plan provided is conceptual and Staff will ensure that the final landscape plan has irrigation plans and make sure the landscaping is properly irrigated for the long term.

Chair Wehrenberg opened the public hearing.

Richard LaRowe, Stantec Architecture, spoke in favor of the project. He thanked Staff for their help. He stated that Staff made it clear that it was important to change the entrance to face Dublin Blvd. versus the original design. He stated it was not easy but he was pleased with the way it has turned out. He stated they completely redesigned the interior and moved the entrance to the Dublin Blvd side and felt it was a better project.

Chair Wehrenberg asked if his firm was the same as mentioned on the drawings.

Mr. LaRowe answered no; he stated 7-11 uses Harrison French and Associates for all their tenant improvement projects across the country, but they don't present at meetings or coordinate the approvals.

Cm. Schaub asked if 7-11 is still Southland Corp.

Mr. LaRowe answered 7-11 is owned by a Japanese firm that is trying to change the image of the typical 7-11 with more fresh fruit, sandwiches, salads and healthier, more upscale merchandise.

Cm. Schaub was concerned with the image of 7-11 selling unhealthy foods.

Mr. LaRowe distributed pictures of the new items being offered at 7-11.

Cm. Brown felt that, since Village Parkway is part of the downtown area, having the newer, more up-to-date 7-11 would be a draw.

Cm. O'Keefe asked if the 7-11 organization prefers their monument signs to be a monument sign or a pedestal sign.

Mr. LaRowe stated the 7-11 advancement program is about going into vacant buildings, fixing them up and staying on a long term basis. They have a sign company that does all the signs for 7-11. He stated they work with the community to determine what will be the best sign for that location which is usually a monument sign.

Cm. O'Keefe was concerned about the height of the monument sign and the location on top of the berm and would prefer the sign to be closer to 4 feet tall. He felt that the 6 foot tall sign was not appropriate because, if mounted on the berm, the sign would be 8-9 feet in height.

Cm. Schaub asked if there was an illustration of the monument sign.

Jeff Baker, Planning Manager, pointed out the monument sign illustration in the packet.

Cm. Schaub agreed with Cm. O'Keefe and felt the sign should be no more than 4-5 feet in height.

Cm. Brown mentioned the flat area to the left of the pedestrian walkway and felt the sign could be located there.

Cm. O'Keefe felt that the intersection of Dublin Blvd. and Village Parkway is a key location.

Mr. LaRowe confirmed that the location of the sign is on the berm area.

Cm. Schaub felt the size of the address numbers were too large and suggested eliminating the numbers or putting them on a separate sign.

Mr. LaRowe felt that, if the Commission was asking to condition the sign to reduce the height by 1 foot, he would agree.

Cm. Schaub suggested reducing the height by 2 feet and removing the address as part of the monument sign.

Ms. Bascom stated the City does not have a minimum height for address numbers, but the police department prefers a larger size.

Mr. LaRowe stated the height of the address is 10 inches and thought the height was required by the fire department.

Mr. Baker suggested the Commission condition the project to reduce the sign by 2 feet and then Staff can work with the Applicant, police and fire to ensure that the sign meets their requirements.

Cm. Brown responded that would be assuming the sign is located on the berm, but felt the proposed height would be acceptable if the sign were located on the flat area.

Mr. LaRowe stated the site plan shows the sign on the berm and asked that they condition it with the sign on the berm, but if the sign is on the flat area he would like it to remain at 6 feet in height.

Ms. Bascom stated that Condition of Approval #9 speaks to the location of the monument sign and the requirement of a field test to ensure that the sign does not block vehicular visibility. She stated the Commission could direct Staff to add language which states: *"the overall sign height, including grade, be no higher than 6 feet."*

Mr. LaRowe reminded the Commission that some of the shrubbery they wanted to remain might block the sign.

Chair Wehrenberg asked the Commission if they would allow Staff to work with the Applicant to make sure the sign is appropriate.

Cm. Schaub agreed.

Cm. Brown felt that being able to see the address is not only a convenience to fire and police, but also to the public. He felt it could be a safety issue as well.

Mr. LaRowe stated there are accidents caused by drivers looking for an address, and typically the address is on the building, not the sign.

Ms. Bascom stated the City requires the address to be over the front door and that is checked during the building permit, plan check process.

Cm. O'Keefe suggested having the façade broken up and more trees added.

Mr. LaRowe stated the elevations are not depicting all the existing trees. He stated the elevations were intended to show the landscaping requested by Staff and the landscaping that will replace the drive-thru area is shown on the landscaping plan rather than the elevations.

Cm. O'Keefe felt there should be more visual relief and more trees added.

Ms. Bascom responded there is a large tree in the planter island on the north elevation which will remain. She pointed out two planter islands.

Cm. Schaub felt the drive-thru area could include plants that grow higher to cover up the facade.

Ms. Bascom stated Staff would review the final landscape plans to ensure the plantings achieve sufficient height as opposed to lower ground plants.

Chair Wehrenberg felt the landscape plans are sufficient. She stated this project may not be within the Downtown Dublin Specific Plan area but it is on Dublin Blvd and the City is trying to improve the look of Dublin Blvd. She stated she would like a nice looking building in that location.

Mr. LaRowe had no problem adding landscaping and felt the existing Japanese Maple is a nice tree. He agreed to work with Staff on the landscaping plan.

Cm. O'Keefe wanted some assurances that the landscaping plans would reflect the Commission's desires.

Mr. LaRowe agreed to work with Staff on the landscaping plans.

Chair Wehrenberg appreciated their efforts to improve the interior and their merchandise. She agreed with Cm. O'Keefe regarding the landscaping and breaking up the walls and the elevations. She would like a softer building on Dublin Blvd.

Mr. LaRowe felt the Commission wanted to keep the mature landscaping but add to it with accent trees to make the landscaping pop.

Chair Wehrenberg agreed and felt the green screen will help soften the building.

Mr. LaRowe stated the green screen will be clear on the landscape plans when it is submitted for building permits with the irrigation plan in place. He apologized for not doing a better job on the landscape plans with this submittal.

Cm. Schaub stated he supports the Applicant working with Staff to create a landscape plan that the Commission will support.

Chair Wehrenberg felt the Commission had been working to improve the look of Dublin Blvd over the years and wanted to ensure this building will enhance Dublin Blvd.

Mr. LaRowe stated they were convinced by Staff to change the entrance to the building because of the importance of Dublin Blvd.

Ms. Bascom asked to clarify that the landscape enhancements the Commission would like to see are: accent trees in the existing planter areas, and identify the plants that will be in the planters and the green screens against the building.

Chair Wehrenberg agreed and felt the Commission would like the building softened.

Mr. LaRowe stated that trellises are included but did not show on the landscaping plan that was submitted with the packet. He felt that made it hard for the Commission to visualize the plan.

Chair Wehrenberg closed the public hearing.

Cm. Brown agreed with Cm. O'Keefe regarding the landscaping plan and the signage.

Cm. Schaub stated there are no specific plans or design guidelines for the area on Dublin Blvd between Village Parkway and Scarlett Court. He stated the Commission has tried to ensure that the projects approved on Dublin Blvd are consistent with the various specific plans. He felt the Scarlett Court Specific Plan is consistent with the Downtown Dublin Specific Plan. He didn't feel there was a need for a specific plan for this area at this time. He felt that there was a lot of effort put into making the signage on Dublin Blvd look nice and that this project would be a good addition.

Chair Wehrenberg was in support of the project and stated she could make the findings. She felt the parking was adequate with the added spaces and felt it was better than an old empty building.

Cm. O'Keefe was happy to hear the new direction 7-11 was going in with healthier foods and a nicer interior. He was concerned with the landscaping documents that were submitted and hesitated to make the findings for landscaping but trusts Staff to work with the Applicant to create a nice looking building. He felt this is a very important area with a lot of traffic and it's important for it to look good.

Chair Wehrenberg stated that Staff has the power to withhold occupancy until the Applicant has satisfied all the requirements.

Cm. O'Keefe stated he could make the findings.

Cm. Brown stated he could make the findings.

Ms. Bascom asked for clarification regarding the Commission's direction regarding Condition of Approval #9 which is related to the free standing monument sign. She asked if they prefer a sign that is no more than 4 feet tall.

Cm. O'Keefe responded only if the sign is located on the berm.

Ms. Bascom felt the overall direction of the Commission would be the sign, plus any grade that it is located on, should be no higher than 6 feet.

Cm. Schaub stated it should be no higher than 6 feet from the sidewalk.

The Commission agreed the monument sign should be no more than 6 feet from grade to the public sidewalk.

Ms. Bascom confirmed the Commission's desire for Condition of Approval #17 which is related to the concept landscape plan and felt that condition captures the Commission's concerns by saying *"the landscape plan shall identify the proposed plant palette for the new planters to be installed at the base of the building as well as planting proposed for new landscape islands that are required to be expanded in the parking field."* She will add *"accent trees added to the planter areas."*

Cm. Schaub felt the language should direct the Applicant to break up the walls where the glass was removed.

Ms. Bascom confirmed the Commission's desire for Condition of Approval #17 to state the plants in the planter areas with the screens need to be able to achieve some height in order to soften and break up the wall area.

The Commission agreed.

On a motion by Cm. Brown and seconded by Cm. Schaub, on a vote of 4-0-1 with Cm. Bhuthimethee being absent, the Planning Commission adopted, with the noted modifications to Conditions of Approval #9 and #17:

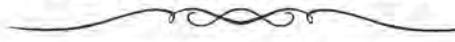
## **RESOLUTION NO. 12- 27**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN**

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**APPROVING SITE DEVELOPMENT REVIEW AND A MASTER SIGN PROGRAM FOR 7-11,  
WHICH INCLUDES THE REMODEL OF AN EXISTING 2,760 SQUARE FOOT COMMERCIAL**

**BUILDING, MASTER SIGN PROGRAM, AND ASSOCIATED SITE IMPROVEMENTS AT  
7120 DUBLIN BOULEVARD**



**8.3 PLPA-2012-00028 Zoning Ordinance Amendments** to Chapter 8.08 (Definitions), Chapter 8.36 (Development Regulations), and Chapter 8.76 (Off-Street Parking and Loading Regulations)

Marnie Delgado, Senior Planner, presented the project as outlined in the Staff Report.

Cm. Schaub wanted to make sure the proposed size of the storage area is 3 ft X 5ft X 6ft.

Ms. Delgado responded yes; the proposal is 90 cubic feet which is approximately the size of a bathtub with a height of 6 feet for personal storage.

Cm. Schaub felt that most garages have wasted space above the cars. He stated there are a lot of people that have added racks in the garage that fit directly above the cars. He asked if the developer installed those types of racks, would that suffice.

Ms. Delgado answered yes; the size was only meant to be an example but can be in any configuration that equals 90 cubic feet.

Cm. Schaub asked if installing the rack would meet the 90 cubic foot requirement.

Ms. Delgado answered yes.

Cm. Schaub felt that would only address those units that had private parking. He felt in podium parking the developer would need to have the ability to install them and thought that was possible.

Chair Wehrenberg stated the Commission has discussed this issue with a developer in the past.

Cm. Schaub agreed and felt the rack could be an option.

Cm. Brown felt the racks are a good idea and recently installed two similar racks in his own home. He recommended adding ceiling storage as an example to include in the definition.

Ms. Delgado responded the definition currently allows for the storage to be within an attached or detached individual garage. She stated that whether the storage is provided on the ground or overhead, both would be acceptable options as long as they meet the 90 cubic foot requirement.

Cm. Schaub asked if the Commission could eliminate tandem parking. He felt that the Commission is trying to get people to park in their garage properly and allow for guest parking on the street.

Mr. Baker stated that this amendment would eliminate tandem parking as part of the required parking. He stated that, in some of the developments with side-by-side garages, the developer provides a third tandem space as extra parking. This amendment would allow developers to continue providing bonus parking. If tandem parking was eliminated completely, the bonus parking would not be allowed.

Cm. Schaub felt the bonus parking did not have to be called tandem parking.

Mr. Baker responded that the way the amendment is written, whatever the bonus parking is called, it still allows the bonus parking but it would not allow tandem parking as part of the required parking.

Cm. Brown stated he is in support of eliminating tandem parking to meet minimum parking requirements. He asked if a study had been done that showed whether a developer would not continue with a project if they were not allowed to include tandem parking as part of the required parking. He asked if eliminating tandem parking would increase their development costs.

Cm. Schaub felt it would only take 2 or 3 units out of a project.

Cm. Brown asked if there has ever been an objection by a developer.

Mr. Baker answered he was not aware of any developer that had backed out of a project over tandem parking. He stated that the format of parking impacts the footprint of buildings. He stated the Jordan project was an example where there was a mix of side-by-side and tandem parking. Eliminating the tandem parking would require some changes to the design which could impact the units and the site plan.

Cm. Schaub felt, if the Commission had eliminated the tandem parking from the Jordan project, the developer could have moved two of the buildings and only lost two units.

Chair Wehrenberg felt they have eliminated tandem parking because after the City Council review of the Jordan project they did not want to see tandem parking again.

Cm. Schaub felt that there were some projects with tandem parking that were approved some time ago but have not yet been built. He asked if there are any projects left in that category.

Mr. Baker answered there are a few.

Cm. Brown asked Ms. Delgado to explain the elimination of the paragraph regarding guest parking in the chart in the Staff Report.

Ms. Delgado responded that the row in the parking table Cm. Brown is referring to is the guest parking requirement for condominiums that requires 1 guest parking space for every two units. Staff is proposing to replace that with 1 guest parking space per unit and the language has been added to each row based on bedroom size.

Cm. Schaub asked if the result of the change is more parking.

Ms. Delgado answered yes. It would increase the condominium parking requirement to match the requirement for apartments. She stated the apartment standards will remain the same.

Cm. Schaub asked how condominiums are treated when a condo map is approved but the building is operated as apartments.

Mr. Baker answered if there is a condo map on the project then they are technically condominiums. The proposed parking requirements for condominiums and apartments are the same except for the 2-bedroom condo which has 1 additional space.

Cm. Schaub felt 90 cubic feet of storage space is too small. He proposed that it be at least 200 cubic feet especially if the units will be in garages.

Chair Wehrenberg felt a 200 cubic foot requirement would make it mandatory for the developers to include the rack in the garage in order to meet the requirement.

Cm. Brown felt it would help eliminate using balconies for storage which makes the street look terrible. He agreed with Cm. Schaub that the minimum requirement should be larger.

Chair Wehrenberg and Cm. O'Keefe also agreed the minimum storage space should be larger.

Chair Wehrenberg opened the public hearing.

Jeff White, Avalon Bay, spoke regarding the amendment. He stated his company developed Elan and Dublin Station which were completed in 2008. Last year, the Planning Commission approved the 2<sup>nd</sup> phase which is now under construction between Dublin Station and the BART Station. He was speaking on behalf of the other people who want to develop apartments in Dublin. He felt there is an unintended consequence of this amendment. He understands the issue of parking and storage and agrees there is a problem, but apartment projects don't have that problem. He understood the problem to be residents using parking spaces for storage instead of parking. He stated that, in Dublin Station, there is no problem because of the common garage which has no individual, enclosed parking spaces. He stated they handle storage by providing locked storage in dead spaces in the building or in the garage. He mentioned the reference to using balconies for storage and stated they don't have many of balconies and are very rigorous about not allowing people to store anything on them. He asked what problem the amendment is trying to solve for apartment projects. He stated that storage is not a problem and proposed to exclude from the amendment the projects that do not provide dedicated garages.

Cm. Schaub asked if the project that is under construction at the East BART station has a condo map.

Mr. White responded that most apartment projects have condo maps.

Cm. Schaub stated that, under that condition, they would still have to provide storage.

Mr. White felt that it didn't matter whether it was an apartment complex or a condo but what type of building that it is. He felt that in open parking there wasn't the problem of misusing the parking spaces for storage.

Cm. Schaub asked if it would be difficult to provide lockers above the cars.

Mr. White stated that 10% of the residents at Dublin Station utilize the storage provided and felt requiring 200 cubic feet of storage for every unit is not needed.

Cm. Schaub felt that just because they don't have it doesn't mean they don't need it. He stated the Commission is trying to create projects where young people can live and asked how much of a problem it would be to add storage.

Mr. White felt it will make the project bigger than it would otherwise be and they would have to provide more space in the garage to access the storage. He felt it wasn't possible to add the storage because everything has to be ADA accessible, even the bike parking must be accessible. He stated that if the City requires storage it will have to be ADA accessible storage. He felt there was no problem with storage whether an apartment or condo.

Cm. Schaub asked Mr. White what he would like the Commission to do.

Mr. White suggested differentiating storage requirements by type of parking; common parking or individual garages.

Mr. Baker felt Mr. White was suggesting that storage be required only where there are individual private parking garages.

Mr. White agreed.

Cm. Brown referred to Mr. White's question about "what problem are they trying to solve." He stated that his vision was to solve the problem by making storage available for units with a dedicated private garage.

Cm. Schaub asked, if the storage units are required above the parking spaces, are they required to be accessible.

Mr. White answered that 5% of the parking stalls must be accessible and some percentage of the bike storage must be accessible.

Cm. Schaub felt that the Commission was trying to find a solution and found an ADA problem.

Mr. White felt that the accessibility issue is only part of it and asked again what problem we are trying to solve.

Cm. Schaub asked Mr. White if he was suggesting that projects with open/podium parking should be exempted from the amendment.

Mr. White stated if it doesn't have dedicated, assigned, enclosed garages then it should be exempt.

Mr. Baker stated the intent was to address the issue of residents using their enclosed private garage for storage and this proposed change would require storage for units with enclosed private garages and help to alleviate the parking issue.

Chair Wehrenberg closed the public hearing.

Chair Wehrenberg agreed with exempting the parking garage.

Cm. Schaub agreed and asked Ms. Delgado her opinion of the proposed change.

Ms. Delgado felt it would be acceptable.

Cm. Schaub asked the Commission if they agreed with increasing the amount of storage from 90 to 200 cubic feet minimum.

Cm. Schaub felt that if there is a condo map on the project and it has enclosed garage type parking; they should be required to provide 200 cubic feet of storage.

Ms. Delgado wanted to clarify that Staff is not distinguishing on this standard between apartments and condos but indicating on multi-family projects, within certain zoning districts, where the higher density units occur.

Mr. Baker confirmed that the Commission would like to have a minimum of 200 cubic feet of storage per unit that has private enclosed garage type parking spaces. He stated Staff could modify the footnote on page 4 of 7 in the second table to address that issue.

Cm. O'Keefe appreciated Mr. White coming to the meeting and sharing his concerns.

Cm. Schaub also appreciated Mr. White's input.

On a motion by Cm. Schaub and seconded by Cm. O'Keefe, on a vote of 4-0-1 with Cm. Bhuthimethee being absent, with the modifications to the chart requiring 200 cubic feet of storage for units with private, enclosed parking spaces, the Planning Commission adopted:

#### **RESOLUTION NO. 12-29**

#### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN**

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**RECOMMENDING THAT THE CITY COUNCIL AMEND CHAPTER 8.08 (DEFINITIONS),  
CHAPTER 8.36 (DEVELOPMENT REGULATIONS) AND 8.76 (OFF-STREET PARKING AND  
LOADING REGULATIONS) OF THE ZONING ORDINANCE**



#### **NEW OR UNFINISHED BUSINESS – NONE**

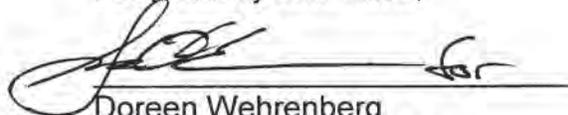
#### **OTHER BUSINESS - NONE**

- 10.1 **Brief INFORMATION ONLY** reports from the Planning Commission and/or Staff, including Committee Reports and Reports by the Planning Commission related to meetings attended at City Expense (AB 1234).
- 10.2 Cm. Schaub stated he walked around the Sorrento development to see how it looked. He mentioned the "alley-loaded" projects; he was concerned to see how little space there was between the units. He was also surprised to see the front of one unit facing the back of another unit. He felt the Commission missed those small details. He suggested that the other Commissioners walk around to see what was built after the Planning Commission approves it.

- 10.3 Mr. Baker updated the Commission regarding: 1) REI – The City has made considerable effort and has now engaged the CEO to move the project forward. The CEO has addressed the issues including the tower and the project should be complete within the next 6 weeks; 2) Montessori Plus – building permits were issued Friday.
- 10.4 Mr. Baker advised the Commission that the City Council will hold a work session regarding the Economic Development Strategy on July 19<sup>th</sup> at 6:00 pm in the Council Chambers.
- 10.5 Mr. Baker mentioned that Jeri Ram, CDD Director, has announced her retirement as of September 4, 2012.
- 10.6 Mr. Baker advised the Commission that there will be a new group under the Planning Division called Neighborhood Resources. The new group will include existing staff from the Police Department. The new group will focus on outreach to the community and include programs such as Neighborhood Watch.
- 10.7 Chair Wehrenberg stated she may not be able to attend the July 24, 2012 meeting.

**ADJOURNMENT** – The meeting was adjourned at 8:45:13 PM

Respectfully submitted,



Doreen Wehrenberg  
Planning Commission Chair

ATTEST:



Jeff Baker  
Asst. Community Development Director

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# **Planning Commission Minutes**

## **Tuesday, November 12, 2013**

### **CALL TO ORDER/ROLL CALL**

A regular meeting of the City of Dublin Planning Commission was held on **Tuesday, November 12, 2013**, in the City Council Chambers located at 100 Civic Plaza. Chair O'Keefe called the meeting to order at 7:02:59 PM

Present: Chair O'Keefe; Vice Chair Bhuthimethee; Commissioners Goel and Kohli; Jeff Baker, Assistant Community Development Director; Kit Faubion, City Attorney; Kristi Bascom, Principal Planner; Marnie Delgado, Senior Planner; Martha Aja, Environmental Coordinator; Obaid Khan, Senior Civil Engineer (Traffic); and Debra LeClair, Recording Secretary.

Absent: Cm. Do

### **ADDITIONS OR REVISIONS TO THE AGENDA – NONE**

**MINUTES OF PREVIOUS MEETINGS** – On a motion by Chair O'Keefe and seconded by Cm. Bhuthimethee, on a vote of 4-0, with Cm. Do being absent, the Planning Commission approved the minutes of the October 22, 2013 meeting with modifications.

### **ORAL COMMUNICATIONS – NONE**

### **CONSENT CALENDAR – NONE**

### **WRITTEN COMMUNICATIONS – NONE**

### **PUBLIC HEARINGS –**

8.1 **PLPA-2013-00049 & 50 – Buick/GMC Dealership** – Conditional Use Permit to allow a carwash and limited outdoor repair work and a Site Development Review Permit to construct a carwash building and related site improvements to an existing car dealership located at 4400 John Monego Court.

Martha Aja, Environmental Coordinator, presented the project as outlined in the Staff Report.

Cm. Goel asked Ms. Aja to explain a code enforcement issue regarding a storage container on the site.

Ms. Aja responded that there are four storage containers on the site and the Zoning Ordinance allows for storage containers with a temporary use permit for up to one year. She stated that the Applicant has indicated that the contents of the storage container will be moved to the new building once constructed.

Cm. Goel asked if there was a request for storage containers prior to their installation on the site.

Ms. Aja answered no; the storage containers were noticed by Staff during an inspection and at that time the Applicant was notified that they needed to apply for a Temporary Use Permit, which the Applicant did.

Cm. Goel asked Ms. Aja to explain the code enforcement issue related to car washing on site.

Ms. Aja answered that currently, the washing of vehicles is occurring within the detailing area of the service building. She stated that those car washing activities will not occur after the proposed car wash building is completed.

Cm. Goel asked if the car washing activities were a violation of the existing use permit, and, if so, what did the City do about the violation.

Ms. Aja answered that the car washing activities were a violation and a "stop work" order was issued by the City.

Jeff Baker, Assistant Community Development Director, stated that Staff worked with the Applicant to apply for a Temporary Use Permit (TUP) so that they can meet City standards as well as clean water requirements.

Cm. Goel asked if there was any contaminated run off into the adjacent flood facilities.

Ms. Aja answered no; the car washing activities did not cause any run off into the storm drains. She stated that the new car wash will use recycled water and will be connected to the sanitary sewer, as required.

Cm. Goel asked for an explanation regarding the Fiat dealership not being constructed, and if there are elevations showing what the car wash will look like from Dublin Blvd.

Ms. Aja referred the Planning Commission to the elevations which showed the car wash and its proximity to Dublin Blvd. She also stated that the property owner decided not to go forward with constructing the Fiat dealership because of limited size of the parcel.

Cm. Kohli asked how many car dealerships currently have on-site car washes.

Ms. Aja answered that only the Honda and Nissan dealerships currently have on-site car washing facilities.

Cm. Kohli asked how those dealerships that do not have car washing facility wash their vehicles.

Ms. Aja answered that they can use deionized water to rinse off vehicles but they cannot use soap or potable water that would go into the storm drain. She stated that Staff educates the dealerships about clean water requirements when doing inspections.

Cm. Kohli asked what would the dealership do if they wanted to use soap to wash their vehicles.

Ms. Aja responded that they would have to take their vehicles to a car wash.

Mr. Baker stated that the dealerships under the same ownership often share a car wash facilities.

Cm. Kohli asked how many gallons of water are used annually by a dealership, based car wash activities.

Ms. Aja was not aware of the water usage, but added that one of the advantages of a facility such as the one being requested is that they will use recycled water, which is a better alternative.

Cm. Kohli asked if the public would be allowed to use the facility or would it be used only for the dealership.

Ms. Aja answered that the facility would only be used by the three dealerships in the auto-mall and would not be opened to the public.

Chair O'Keefe opened the public hearing.

Jim Templeton, McKay and Soms, spoke in favor of the project.

Cm. Goel asked about the line of sight to the car wash from Dublin Blvd.

Mr. Templeton responded that they had been more concerned with the view from John Monego Court, but felt that the landscaping would conceal the car wash from Dublin Blvd.

Cm. Goel asked Ms. Aja to show the site plan that indicates the line of sight.

Ms. Aja showed the site plan and pointed out where the car wash building will be located and the line of sight to Dublin Blvd.

Mr. Baker pointed out the area on Dublin Blvd. where the car wash building could be seen and felt that visibility would be extremely limited when traveling east bound on Dublin Blvd.

Cm. Goel asked the height of the structure.

Ms. Aja answered that the main structure ranges from 20-24 feet tall and the car wash is 15 feet, 8 inches tall.

Chair O'Keefe closed the public hearing.

Chair O'Keefe stated that he had visited the site and was not concerned with the sight path from Dublin Blvd. He stated that he can make all the findings.

Cm. Goel stated that he can make all the findings, but was concerned regarding the code violation. He stated that he was glad the City took action but wanted to verify the changes will be implemented, unlike the landscaping that did not occur.

Ms. Aja stated that the landscaping will be installed as required by the Conditions of Approval for the façade modification that was approved last year. She also stated that the City will not final the building permit until the landscaping improvements take place.

Cm. Bhuthimethee stated that she was not concerned with the line of sight from Dublin Blvd. and stated that she can make all the findings.

Cm. Kohli stated that he can make all the findings.

On a motion by Cm. Goel and seconded by Cm. Kohli, on a vote of 4-0, with Cm. Do being absent, the Planning Commission unanimously adopted:

### **RESOLUTION NO. 13-36**

#### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN**

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#### **APPROVING A CONDITIONAL USE PERMIT TO ALLOW A CARWASH AND LIMITED OUTDOOR REPAIR WORK AND A SITE DEVELOPMENT REVIEW TO CONSTRUCT A CARWASH BUILDING AND RELATED SITE IMPROVEMENTS TO THE BUICK/GMC DEALERSHIP LOCATED AT 4400 JOHN MONEGO COURT**

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8.2 **PLPA-2012-00031 - The Village at Dublin** - General Plan Amendment, Eastern Dublin Specific Plan Amendment, Planned Development Rezone, Site Development Review, Tentative Subdivision Map, and Environmental Impact Report.

Kristi Bascom, Principal Planner, presented the project as outlined in the Staff Report.

Chair O'Keefe asked if there is a Condition of Approval to require the Applicant to maintain the landscaping.

Ms. Bascom answered that there is a general condition regarding landscape maintenance which mandates the continued maintenance of landscaping in addition to the City's landscape ordinance.

Cm. Bhuthimethee asked if there is any stone veneer on the buildings.

Ms. Bascom referenced the CMU split-face block veneer and referred to the materials board for a sample of the material.

Cm. Bhuthimethee asked about the fence pilasters and if there is some type of relief or articulation to the split-face block.

Ms. Bascom referred Cm. Bhuthimethee to the project architect for the answer to her question.

Cm. Goel asked how the developer will handle the issue of BART parking at the center.

Ms. Bascom stated that a commercial center is considered private property and the Applicant will install the appropriate signage to discourage BART parking.

Cm. Goel asked if the Applicant's target opening is 2015. Ms. Bascom answered yes.

Cm. Goel referred to the SEIR that mentioned the level of service at the intersection at Sybase and connections to onramp at I-580. He asked if there are any substantial impacts to traffic on Dublin Blvd. during peak commute hours as a result of this project.

Obaid Khan, Traffic Engineer, responded that one of the specific analyses done was regarding queues and how they will build at the new intersection. He stated that they reviewed the distribution of traffic at the new intersections and did not feel there would be issues on Martinelli Way and Dublin Blvd. He stated that the project will create connectivity to Dublin Blvd., and pedestrian, bike and vehicular access from Martinelli to Dublin Blvd. He discussed the traffic analysis of the project.

Cm. Goel asked about bike access into the facility and the bike lane on Dublin Blvd. and asked if it will be extended to Martinelli Way and Arnold Drive.

Mr. Khan answered that the City's Bikeways Master Plan calls for bike lanes on Arnold Drive. He stated that there are existing bike lanes, south bound on Arnold Drive, between Dublin and Martinelli but there are no bike lanes north bound, therefore the developer will add those lanes to the frontage of the property. He stated that the Bikeways Master Plan does not require a bike lane on Martinelli Way but the developer is required to add a Class 1 path on the north side of Martinelli Way. He stated there will also be bike facilities within the project. He stated that wherever they found that they could not mitigate an impact, the City has required the project to prepare a Traffic Demand Management (TDM) Plan. He felt that, because of the project's close proximity to BART, it has the potential to attract good TDM measures.

Cm. Kohli referred to comment letter #2 from the Alameda County Transportation Commission, specifically comment 2.2.2 which stated that the DSEIR proposes to remove a crosswalk on Dublin Blvd. if a bridge cannot be built. He asked for an explanation of that comment.

Ms. Bascom responded that if the Iron Horse Pedestrian Bridge (discussed with the Dublin Crossing project) is not built, then the secondary mitigation, to ensure traffic flow on Dublin Blvd., is to remove a portion of the crosswalk at the Iron Horse Trail intersection, which is not desirable.

Cm. Kohli clarified that, if no bridge is built then the crosswalk goes away.

Ms. Bascom responded yes; but that would not happen until 2035 per the Dublin Crossing project.

Cm. Kohli asked, since the developer of the Dublin Crossing project is contributing towards the analysis of the bridge, is this developer also contributing. Ms. Bascom answered no.

Cm. Bhuthimethee was concerned with the backs of the stores facing Dublin Blvd. She felt that in the Downtown Dublin Specific Plan (DDSP) this type of orientation is prohibited.

Ms. Bascom answered that, due to the orientation of the site as a retail center, there had to be a "back door" somewhere. She stated that Staff reviewed many different iterations of the site plan. She stated that the approved Green at Park Place mixed-use project will be on the parcel to the south and the developer endeavored to make the sites work together; also, Hacienda

Crossings shares the same orientation. She stated that the developer wanted to create a strong connection to the future development to the south with an attractive pedestrian link.

Cm. Bhuthimethee asked if the median along Martinelli Way has been built yet.

Ms. Bascom answered that Martinelli Way is fully built out and the median is existing.

Cm. Bhuthimethee asked what type of entry statement will there be at this project.

Ms. Bascom answered that Pad 1 will be the anchor building on the corner of Hacienda Drive and Dublin Blvd. She stated that the concept plans for The Green at Park Place have a similar feature with anchor buildings on the corner. She stated that Martinelli Way is fully installed and will be the main connection between the two projects with a north/south element. She stated that this project does not have the same landscape entry feature that Hacienda Crossings does because it serves as a driveway to the larger center, whereas this is a public street that runs further west.

Cm. Bhuthimethee felt it would be good to have an east/west connection between this project and Hacienda Crossings.

Chair O'Keefe opened the public hearing.

Pete Knoedler, Regency Centers, Applicant, spoke regarding the project. He stated that he is excited to be in Dublin and felt the project will bring a unique look to Dublin. He stated that Whole Foods has signed a lease and will have a large outdoor patio area west of the store for a gathering place. He mentioned that Nordstrom Rack and Home Goods have signed leases for the project. He stated that there will be a mix of unique restaurants. At the east elevation, close to the plaza and Hacienda Drive, there will be a unique organic fresh food restaurant and there will also be a lot of outdoor seating at Pad 2. He stated that they are planning to break ground in February or March 2014 with the first tenants in the center opening in spring 2015. He responded to the question about BART parking at the center and stated that his organization owns other centers within close proximity to other BART stations. He stated that they have not had any problems because they installed signage and let people know that the center is not a parking field for BART. He stated that they will employ an In-house property management team that will monitor the parking at all times.

Cm. Kohli had no questions for the Applicant but commented that he is very happy that the project will bring in more unique, diverse retail, as well as restaurants.

Chair O'Keefe felt that it made sense to have the center oriented with the back of house to Dublin Blvd. so that the layout is open to the freeway similar to Hacienda Crossings. He stated that the Planning Commission has made a point to improve the look on major thoroughfares and Dublin Blvd is one of those. He felt that there is an opportunity to improve the look on Dublin Blvd. with this project. He felt that there is a lot being done with the landscaping, but that there is an opportunity to create an enhanced look with building materials on the back side of the buildings facing Dublin Blvd. He suggested installing the composite siding where there is plaster and felt that it would add a lot of value. He asked the Applicant if he would agree to enhance the building materials.

Mr. Knoedler asked Chair O'Keefe to point out the area he is referring to on the slide.

Chair O'Keefe asked for the slide which shows Major 1, north elevation and Major 2, north elevation also. He pointed out where he would like to see the composite siding instead of plaster which was at the top of the building where the sign will be located.

Dave Johnson, Johnson Architects, stated that the enhancements to the back side of the building was originally minimal, but after working with Ms. Bascom it was considerably enhanced. He agreed to work with Staff to enhance the composite siding on the back side of the buildings.

Chair O'Keefe felt that the north elevation of Major 2 is similar and asked that the Applicant enhance that look as well.

Mr. Johnson felt that they could work with Staff to create a solution that helps to break up the wall in a better way. He stated that Ms. Bascom's concern, from the beginning, was to create a good looking back side of the building.

Chair O'Keefe felt that if the back of the buildings had to face Dublin Blvd., a major thoroughfare in Dublin, then it should be enhanced a bit more.

Mr. Johnson added that the split-face block has variations to it but what was depicted in the slide was a rendering.

Cm. Bhuthimethee agreed with Chair O'Keefe regarding having more articulation to the back side of buildings that face major thoroughfares. She thought that the rendering of the pilaster appears to be brick which she felt was a nice material that shows depth of color, but the actual pilaster does not look like the rendering.

Mr. Johnson stated that he has been working with the manufacturer to create a better block with more terra cotta tone.

Cm. Bhuthimethee stated that she was envisioning something different than what is seen in the rendering. She asked if the same materials are used on the buildings.

Mr. Johnson answered yes and stated that the base materials are used sporadically in the back of the buildings and is not a dominate element.

Cm. Bhuthimethee likes how the fence screens the parking and gives a background to the monument sign on the corner to enhance the entry at Dublin Blvd. She asked if the tower element at the main entry could be further enhanced to make it more of a signature element.

Mr. Knoedler felt that the structure at the corner is large and does make a statement.

Cm. Bhuthimethee stated that she wanted something really special at the entrance for the pedestrians.

Mr. Johnson stated that there is landscaping on both sides of the entrance and there is also the lighting that carries onto either side of the entrance.

Cm. Bhuthimethee stated that she was hoping for something more distinctive at the main entrance.

Mr. Knoedler mentioned that the building tower element lights up at night and felt that the greenwall is great for pedestrians. He stated that they had worked with Staff extensively on this entrance.

Cm. Bhuthimethee mentioned that she had visited a new Whole Foods store in Fremont that she thought was very nice. She described the brick on the building, in the parking lot and the real brick in the walkways. She stated that the richness of materials in that building was what she was hoping for. She asked if they could enhance the caps on the pilasters.

Mr. Johnson answered yes and stated that they could use smooth block to contrast the split-face and stated he would work with Staff. He stated that the pilasters and the materials won't be that visible and is not the predominant material being used.

Ms. Bascom asked if Cm. Bhuthimethee was specifically referring to the cap on the pilasters on the fence. Cm. Bhuthimethee answered yes.

Ms. Bascom asked if there was a particular design direction she was looking for.

Cm. Bhuthimethee answered that she would like to see something with more of a shadow line. She stated that she would like to see more definition to the pilasters.

Ms. Bascom mentioned Condition of Approval #18 that requires approval by the Community Development Director of certain design details, including the pilasters, for the project. She stated that Staff will work with the Applicant to refine the pilaster detail.

Cm. Goel commended the Applicant for bringing Whole Foods to Dublin after 10 years. He stated that he would like to see their marketing study. He felt that the residents of Dublin are excited about the anchor stores coming to the center. He felt that the overall design of the project brings out an aesthetic appeal as a magnet. He suggested, as a cyclist, using secure bike parking facility, similar to BART, which would add a security element that creates another opportunity for attraction to the center. He felt that Dublin has a significant bike infrastructure and if the center has restaurants that encourage biking that would create another opportunity that the other centers don't have.

Chair O'Keefe closed the public hearing.

Cm. Kohli felt that the Applicant has done a great job and thanked Staff. He agreed with Cm. Goel about bringing Whole Foods here and felt the center will be a great addition to the City, with more diversity in shopping, retail and restaurants.

Cm. Bhuthimethee stated that she is also very excited that Whole Foods is coming to Dublin. She mentioned the Whole Foods in Fremont and felt it was a very nice store and was looking forward to a very good building with great materials. She stated that in Fremont they made a nice statement with the size of trees, at 84 inch box, which made it appear that the trees had been there a long time. They also brought in very large, mature palm trees. She stated that this center looks very nice and is excited about all the retail that will be there. She felt that the

pedestrian spine will make a good north/south connection and the outdoor seating at the other restaurants will enliven the space.

Chair O'Keefe felt that this is a very good project, and will draw people from all over the City. He thanked the Applicant for understanding the Planning Commission's concern about the look of Dublin Blvd. and agreeing to work with Staff to further enhance the composite siding on Dublin Blvd. and Hacienda Drive. He stated that he can make the findings.

Cm. Goel felt that this will be a great magnate to Dublin, and liked the illuminating elements similar to the Premium Outlet mall in Livermore. He felt that the project will stand out as people drive by on the freeway with curb appeal and definition. He felt that those are the pieces that the Planning Commission has been working hard to establish. He spoke regarding Whole Foods' ability to enhance an area just by their presence. He encouraged the Applicant to take the opportunity to further enhance the project, if possible. He stated he can make the findings.

Chair O'Keefe stated that the Planning Commission would like to recommend to City Council that they move forward with the project but add a Condition of Approval to the SDR that the Applicant will work with Staff to further enhance the composite siding on Dublin Blvd. and Hacienda Drive and address the caps on the pilasters.

Mr. Baker responded that the best way to do that would be to follow the recommendation as outlined in the Staff Report and then make the statement regarding those two items.

Ms. Bascom stated that Condition of Approval #18 will allow Staff to finesse the details of the fence and the pilasters.

On a motion by Chair O'Keefe and seconded by Cm. Bhuthimethee, on a vote of 4-0, with Cm. Do being absent, *with the addition of a condition to the SDR that states that the Applicant will work with Staff to further enhance the composite siding on Majors 1 & 2 pertaining to Dublin Blvd. and Hacienda Drive*, the Planning Commission adopted:

**RESOLUTION NO. 13- 37**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF DUBLIN**

**RECOMMENDING CITY COUNCIL CERTIFICATION OF A FINAL SUPPLEMENTAL  
ENVIRONMENTAL IMPACT REPORT AND ADOPTION OF ENVIRONMENTAL FINDINGS  
UNDER CEQA FOR THE VILLAGE AT DUBLIN RETAIL CENTER**

**RESOLUTION NO. 13 – 38**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF DUBLIN**

**RECOMMENDING THAT THE CITY COUNCIL ADOPT A RESOLUTION AMENDING THE  
GENERAL PLAN AND THE EASTERN DUBLIN SPECIFIC PLAN FOR  
THE VILLAGE AT DUBLIN RETAIL CENTER**

**RESOLUTION NO. 13-39**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF DUBLIN**

**RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING THE  
ZONING MAP TO REZONE 14.32 ACRES AT 5054 HACIENDA DRIVE TO A PLANNED  
DEVELOPMENT ZONING DISTRICT AND APPROVING THE RELATED STAGE 1 AND 2  
DEVELOPMENT PLAN FOR THE VILLAGE AT DUBLIN RETAIL CENTER PROJECT**

**RESOLUTION NO. 13-40**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF DUBLIN**

**RECOMMENDING THAT THE CITY COUNCIL APPROVE SITE DEVELOPMENT REVIEW  
AND VESTING TENTATIVE MAP FOR PARCEL 3 OF PARCEL MAP 8262 FOR THE  
VILLAGE AT DUBLIN RETAIL CENTER**

- 8.3 **PLPA-2012-00028 Zoning Ordinance Amendments** to Chapter 8.08 (Definitions), Chapter 8.36 (Development Regulations), and Chapter 8.76 (Off-Street Parking and Loading Regulations).

Marnie Delgado, Senior Planner, presented the project as outlined in the Staff Report.

Cm. Kohli asked if the restriction on tandem parking only pertains to residential developments.

Ms. Delgado responded that the change will only pertain to residential developments; tandem parking would continue to be allowed on commercial properties with no changes proposed to that provision.

Mr. Baker stated that the amendment is to address a perceived issue in some areas where there is two car tandem parking but residents do not use both parking spaces because it is inconvenient. He stated that the City Council directed Staff to move forward with this amendment to limit tandem parking. He stated that the two required parking spaces must be side by side, but the 3<sup>rd</sup> parking space could be tandem.

Cm. Goel asked for an explanation of the requirement for 200 cubic feet of storage.

Ms. Delgado responded that this subject came out of an informational report to the City Council regarding the Dublin Ranch Villages and whether there was enough personal storage for the residents so that they could have an alternative to storing things in the garage. She stated that the idea was that if residents have dedicated storage space then the attached garage would be used for parking and not for storage.

Cm. Bhuthimethee asked if the Planning Commission had required the personal storage provision on another project in eastern Dublin and had increased the amount of storage.

Mr. Baker answered that Staff has worked with applicants of recent projects to provide personal storage. He stated that the increase was as a result of a recommendation by the Planning Commission to increase the storage space when the Commission previously reviewed these proposed Zoning Ordinance Amendments.

Cm. Bhuthimethee thought that the recommendation was as a result of information regarding another city.

Ms. Delgado responded that Staff had reached out to other cities, found no regulations within the Tri-Valley, but did find it in other cities within California. She stated that the size of the storage varied. She stated that Staff recommended 90 cubic feet and the Planning Commission suggested that it be increased to 200 cubic feet.

Cm. Goel asked for an example of how the storage space is included in an overall project.

Ms. Delgado answered that the proposed requirement is only for multi-family projects with a dedicated, enclosed garage for each unit; (i.e. it would not apply to an apartment complex with either a carport or open parking, nor would it apply to a condo project with a parking structure). She stated that there are some project types similar to the Villages that have structured parking with individual enclosed garages that are dedicated to a unit; that unit would be required to have accessory storage.

Cm. Goel asked where the accessory storage would be in the unit.

Ms. Delgado answered that it would be up to the developer to decide the location, but it would have to be dedicated to the unit; it could be within the unit or a space carved out of the garage footprint.

Cm. Goel stated that it would be on a case by case basis as to how it is implemented, but the storage requirement would become a part of that development.

Cm. Kohli asked to clarify that this amendment will make it more difficult for residents to use their garages for uses other than parking their car.

Ms. Delgado responded that the amendment is to encourage the residents to use their garages for parking by meeting their storage needs elsewhere. She continued that the intent is to keep the garage open for parking so that the parking isn't spilling to the guest spaces or onto the street and causing parking congestion in the area.

Cm. Goel was concerned about the tandem parking exclusion for the Downtown Dublin Specific Plan (DDSP) area and asked for an explanation. He was concerned that a transit oriented development could apply for a CUP to "skirt" the requirement.

Ms. Delgado responded that a developer could apply for a CUP to allow up to 25% of their units to be tandem parked.

Cm. Goel asked if the 25% would be for 1 space or 2 spaces.

Ms. Delgado responded that, under the CUP, they would be allowed to have 2 spaces front to back (tandem) for up to 25% of their units if they could demonstrate and the Planning Commission could find, that it won't be a detriment to the project or surrounding properties and that there are alternative methods of travel within close proximity.

Cm. Goel asked why this would be an exclusion when the Applicant can request the CUP.

Cm. Goel felt that the way the Ordinance is written the developer could apply for a CUP and the Zoning Ordinance would be guidance for a finding.

Ms. Delgado responded that the proposed ordinance includes findings A. B. & C. which would be the basis of a decision, in addition to the findings the Planning Commission would make for a CUP. She stated that the amendment would give developers, in the downtown area, more flexibility with their project. She stated that the City will be seeing more in-fill projects, some with challenges in developing them. She stated that because downtown is close to the west Dublin BART station and may not have the same parking needs as other more suburban projects, it may be appropriate, if they meet the conditions, to give them the opportunity, on a case-by-case basis, to use tandem parking to make it a more viable project.

Cm. Goel was concerned that the specifics of the exclusion in the document would be tying the hands of the Planning Commission. He felt that it could be an automatic approval if the developer applies for a CUP and they can comply with the restrictions then it would be allowed. He stated he was trying to understand the reasoning behind having this finding specifically identified in the Amendment. He stated that when there is a development that includes alternative modes of transportation there usually is some type of specific requirement to provide transit passes or provide a shuttle service to connect to transportation. He was concerned that this exclusion gives the developer a 25% threshold automatically.

Mr. Baker responded that there is a perception in neighborhoods where there is a lot of tandem parking that residents are not using their garages for parking and are creating overflow issues. He continued; the first thought was to eliminate the ability to allow tandem parking; however, development in the downtown is a priority for the City Council and to facilitate those improvements. He stated that the report pointed out that there could be some limitations if tandem parking is prohibited outright in that area where the City is trying to encourage development. The ability to provide tandem parking could help to make projects happen that may not otherwise be viable. However, they did not want to automatically allow tandem parking in the downtown. He stated that Staff set up the CUP process so that approval would not be automatic. He stated that the developer would have to apply for a CUP and receive Planning Commission approval to allow them to have the 25%. To create the framework for a decision, in addition to the regular CUP findings, there are the additional findings that were added specific to the DDSP area.

Cm. Goel stated that it would not be automatic and there is a review process that would require the Planning Commission's approval, but asked if a denial is possible.

Mr. Baker answered yes; that is a possibility.

Cm. Goel felt that this would be the time to change the amendment if the Planning Commission wanted to.

Cm. Kohli asked if tandem parking was seen as the cause of the overflow parking issue in the Dublin Ranch area.

Mr. Baker answered yes; that may be part of the issue.

Cm. Kohli asked Chair O'Keefe for his thoughts, since he was on the Planning Commission during the original discussion regarding tandem parking.

Chair O'Keefe responded that a lot of residents expressed concerns regarding the parking issue in that area which is why the study was done. He stated that the Planning Commission discussed the issue and made the recommendation. He did not feel that the amendment was tying the hands of the Planning Commission. He stated that the City did not want tandem parking in east Dublin, but there may be projects in the downtown in which 25% tandem parking would be appropriate, if they can make the findings.

Cm. Goel stated that he wanted to understand the reason for having it specifically called out in the amendment and based on Chair O'Keefe's explanation of what transpired, he felt that it is an attempt to provide clarity in the decision for findings.

Cm. Kohli stated he understood the requirement to use garages for parking rather than storage and felt that it made sense after reading the comment letters from residents.

Chair O'Keefe opened the public hearing.

Stuart Cook, Alameda County Surplus Authority, spoke regarding the project. He asked why the same provision was not being offered for development close to the East Dublin BART station. He stated that the Alameda County Surplus Authority has two parcels in that area that have not been entitled as yet and are both "odd," small sites. He felt that flexibility in this area is as important as the Downtown Dublin area and for the same reasons. He stated that the Staff Report indicated that the amendment is consistent with all applicable specific plans and stated that the Dublin Transit Center Specific Plan states the parking ratio of 1.5 parking spaces per unit and asked how that is consistent.

Ms. Delgado answered that the parking ratio for the Transit Center would not change as a result of these amendments.

Mr. Cook responded that the parking ratio would not change but the tandem parking would change unless there was some provision made.

Ms. Delgado responded that is correct; the exception for 25% of the units is exclusive to the Downtown Dublin Specific Plan area.

Mr. Cook responded that he felt that he could make the same statement for the Dublin Transit Center Specific Plan area. He was not sure if it is necessary, but would not want to give up the flexibility for the same reasons as the DDSP area.

Chair O'Keefe closed the public hearing.

Chair O'Keefe asked Staff if the Dublin Transit Center Specific Plan should be included to give the developers the same opportunity to apply for a CUP for 25% tandem parking.

Mr. Baker answered that the residential parcels in the Dublin Transit Center are high density. The Transit Center projects typically have a shared garage rather than individual attached enclosed garages. The proposed ordinance applies to multi-family projects with individual attached garages.

Chair O'Keefe asked if a parcel that is not developed yet should have the same opportunity for tandem parking as the DDSP area.

Mr. Baker stated that at the current land use designations and densities, it would be unlikely to build at that density and have enclosed garages.

Chair O'Keefe asked if it would be possible to allow the Dublin Transit Center Specific Plan area the same flexibility.

Mr. Baker responded that it doesn't get away from the issue that the City Council was trying to address which was high density housing with tandem parking.

Cm. Goel asked if this 25% exception would apply to the Dublin Crossing project.

Mr. Baker answered that the 25% exception is only for projects in the DDSP area and would not apply to the Dublin Crossing project.

Ms. Delgado clarified Footnote #1 regarding the accessory storage. Footnote #1 should be revised to clarify that the accessory storage requirement is only for *multi-family projects that have private, enclosed garages assigned to individual units*, the intent was not to apply it to all multi-family projects.

On a motion by Cm. Kohli and seconded by Cm. Goel, on a vote of 4-0, with Cm. Do absent, and with the clarification to Footnote #1, the Planning Commission unanimously adopted:

### **RESOLUTION NO. 13-41**

#### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN**

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**RECOMMENDING CITY COUNCIL APPROVAL OF AMENDMENTS TO DUBLIN ZONING  
ORDINANCE CHAPTERS 8.08 (DEFINITIONS), 8.36 (DEVELOPMENT REGULATIONS) AND  
8.76 (OFF-STREET PARKING AND LOADING REGULATIONS)  
EFFECTIVE CITY-WIDE**

**NEW OR UNFINISHED BUSINESS – NONE****OTHER BUSINESS - NONE**

- 10.1 **Brief INFORMATION ONLY** reports from the Planning Commission and/or Staff, including Committee Reports and Reports by the Planning Commission related to meetings attended at City Expense (AB 1234).
- 10.2 Mr. Baker informed the Commission that the November 26, 2013 meeting is cancelled and the next meeting will be December 10<sup>th</sup>. Cm. Kohli stated that he will not be able to attend that meeting.

**ADJOURNMENT** – The meeting was adjourned at 9:12:48 PM

Respectfully submitted,

\_\_\_\_\_  
Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Jeff Baker  
Assistant Community Development Director

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## Marnie Delgado

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**From:** Kevin Fryer <Kevin@missionvalleyhomes.com>  
**Sent:** Monday, July 30, 2012 5:59 PM  
**To:** Marnie Delgado  
**Cc:** Mikep; Chris Foss  
**Subject:** Response to Parking Ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Marnie,

Thank you for the opportunity to respond to the recently proposed Parking Standards. As a developer of properties in East Dublin I am well aware of the history of concerns and problems at certain sites in Dublin. In fact, I believe that our Jordan Ranch project and its few remaining tandem garage units accelerated the urgency behind parts of this proposed ordinance. While I applaud the effort to provide more certainty and clarity on actual parking standards in Dublin I feel that the proposed standard is a dramatic overreaction to recent tumult. The proposed requirement of 2 covered plus one guest per dwelling for every condo or townhome with 2 or more bedrooms is an unreasonable standard with consequences that I fear have not been considered. Here are a few thoughts for consideration:

- 1) **Not just an East Dublin Ordinance:** Projects like Jordan Ranch have been able to provide significant guest parking (even meeting this proposed standard or exceeding it) because they are large parcel, master plan communities. Much of the land that will allow for attached residential for-sale development in East Dublin is gone. A few sites remain, but this ordinance will impact all of Dublin including the downtown. Dublin will soon transition from a town that presses east for all new housing to one, like most core Bay Area cities, that looks to convert old, underutilized sites into residential and mixed-use opportunities. A parking ordinance like this will ensure that all housing provided in smaller parcels is rental housing as one fewer stall is required for similar sized units. The reason for this is simple math, the percentage of a site that will be dedicated to parking alone will limit the ability to deliver densities in the 15-17 du/ac range. A loss of units = a loss of land value
- 2) **Density is not always bad.** As the City looks to satisfy its required share of housing allocations over the years and looks to add bodies to parts of town where their presence will help retail and office growth and stimulate tax dollar generation for the City this parking ordinance will prove a significant deterrent to having property owner residents. Making it more difficult to deliver for-sale density means that homes that are built will be larger, and more expensive increasing the difficulty of first time home buyers finding an entry level home in Dublin.
- 3) **Parking is an issue not the only issue.** This ordinance will create a sea of guest parking on sites small and large and the result is more pavement, more impervious surface, more heat reflective surface- less pedestrian oriented, less landscape, less open space, more impact on the environment. A balance of these issues (including concerns about providing adequate guest parking) needs to be reached-this is an imbalance. It is an overreaction.
- 4) **Consider what others are doing in the area.** According to their website, the City of **Livermore Municipal Code Chapter 3-55 regarding Residential Townhouse Development:** refers you to section **3-20-050 (Minimum off-street parking requirements)** to provide their required guest parking (which they call "street parking") The relevant Section reads:

"Townhouse/Condominium. Two stalls for each dwelling unit in the townhouse/condominium development, one of each shall be covered. One additional guest parking stall shall be provided for each four dwelling units. These stalls shall be located to provide reasonable utilization for all of the dwelling units within the project. Tandem parking shall not be utilized to

meet these requirements. Stalls shall not be located within any required project street frontage yard.”

That’s 1 guest parking stall per 4 units. That is 1/4 the parking you are proposing. Not sure their number is the right one, but it offers an interesting perspective about what other nearby towns, who have managed to revitalize their downtowns, are doing. This is only one example and other jurisdictions no doubt have more stringent requirements than Livermore but this is still informative and demonstrative that the proposed requirement is extremely stringent.

- 5) The elimination of tandem parking is likely a foregone conclusion here in Dublin... and that too is an unnecessary overreaction. A smaller, one bedroom condo or studio that has a tandem garage is a nice alternative to offer first time homebuyers- more affordable, with a large flexible 1 car garage. If you allow the 2 car tandem to count for 1 stall you are ensuring it cannot serve as a garage for anything larger than a 1 bedroom unit. You are eliminating your flexibility as a City and your opportunity to provide varied housing products in unique configurations in locations that will support them. Why do that? It is not necessary to outlaw tandem parking to achieve your goals. Modify how it can be used and what it can serve and create flexibility for in-fill locations and interesting, affordable by design for-sale housing products.
- 6) Be careful what you ask for: All of the above reasons/concerns explain why townhome/condo for-sale product ranging from 15-17 du/ac (typically) will be more difficult to deliver. As the economics of attached for-sale products fail on sites developers will look to rental product as an alternative. With apartment parking standards less stringent than towns/condos, when the market supports it and where appropriate you will likely see apartment densities (28 du/ac MINIMUM as high as 60 du/ac here in Dublin) instead. If reducing density is a goal, or a reason for support by some folks, consider the likelihood that what will actually result from this ordinance is increased density on certain sites.

I appreciate that there have been legitimate parking issues in certain projects in town and agree that clarity and modification of the parking standard is appropriate. I have found that Council has often been careful to consider “unintended consequences” and I believe that this ordinance has many that should be well considered and studied. I am happy to participate and assist in any way possible in that process. Thank you for taking the time to consider these thoughts.

Sincerely,

Kevin Fryer  
MVP Development  
925-899-5065

# PCJ Real Estate Advisors, LLC

Cell: 408-888-4224 \* Email: patcjr@comcast.net

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DATE: August 3, 2012 Delivered via Email

TO: Marnie Delgado  
City of Dublin

FROM: Patrick Costanzo, Jr. 

CC: Jeri Ram  
Chris Foss

RE: Draft Zoning Ordinance Amendment  
Residential Tandem Parking

Thank you for your letter dated July 25<sup>th</sup> asking for input on your proposed Zoning Ordinance Amendments. I offer the following comments on the Residential Tandem Parking proposed changes:

By eliminating the opportunity to utilize tandem parking to satisfy required parking within multi-family dwelling unit attached garages you are severely limiting creative design opportunities for the developer/architect. If I am reading the proposed changes correctly, you could never have a unit less than 21 feet wide because you always need a garage that is 2 cars wide and 20 foot clear. The struggle is that this affects our density solutions. Without the availability of tandem parking, we struggle to achieve densities above 16-18 du/ac.

Why would tandem not be allowed for the requirement for a Studio or 1 Bedroom Unit? If only one space is required and 2 are provided in a tandem configuration why is this not acceptable? I suppose the way the language is written you can enclose only the rear space and have the front space be covered but not enclosed, however, I do not believe that is the intent of the language.

I would suggest that instead of eliminating the ability to use tandem parking you modify the language to read that "if Tandem Parking configurations are used, only one of the two spaces will be permitted to satisfy required parking."

Additionally, for 2 bedroom units I would suggest allowing 1 covered space and one reserved uncovered space rather than requiring 2 covered or garaged spaces. The 2 covered or garaged spaces can then be required for 3+ bedrooms.

Below are comments from one of the architects that do business in town:

"Under SB375, the State is looking towards higher density near transit and other service hubs. This effectively flies in the face of that as it will severely limit the developer's ability to meet what are at times required densities in the urban area. As noted, we will top out for row town style of housing at 16-18du/ac.

The other issue is with condos...if you require 1 guest per unit, even studios and 1 bedrooms, at higher densities or with very tight sites in an urban area, they still take a lot of space. 100 unit condo project would require 100 guest spaces...at 270sf per stall, that could translate to an additional 27,000sf or .62 acres. Depending on the site, that's a lot. Where in an urban area do you have the luxury of an extra half acre? This change is doubling the required parking...again, directly in conflict with SB375."

Thank you for the opportunity to provide input. If you have any questions I can be reached at the number above.



## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #450-20

**DATE:** September 3, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Economic Impact Analysis of Proposed Zoning Ordinance Amendments Related to Multi-Family Parking Regulations  
*Prepared by Marnie R. Delgado, Senior Planner*

### EXECUTIVE SUMMARY:

On February 7, 2012, the City Council received an informational report on the status of parking in Area G of Dublin Ranch and directed Staff to prepare Zoning Ordinance Amendments related to multi-family parking regulations. Staff presented the proposed Zoning Ordinance Amendments to the Planning Commission on July 10, 2012; the Planning Commission recommended City Council approval of the amendments, with modifications. Based on feedback received from the development community, the City Council directed Staff to enter into a Consulting Services Agreement with Economic & Planning Systems (EPS), to prepare an economic impact analysis of the proposed Zoning Ordinance Amendments on future residential projects. The economic impact analysis is complete and Staff is reporting back to the City Council on the findings and seeking direction related to the proposed Zoning Ordinance Amendments.

### FINANCIAL IMPACT:

During FY 2012-2013 a budget transfer from the General Fund Contingent Reserve line item was approved to cover the cost to engage Economic & Planning Systems to conduct the economic impact analysis. The not-to-exceed contract amount is \$48,500 and to date \$29,688.75 has been expended.

### RECOMMENDATION:

Staff recommends that the City Council receive the report and provide direction on the proposed Zoning Ordinance Amendments related to multi-family parking regulations.

  
\_\_\_\_\_  
Submitted By  
Director of Community Development

  
\_\_\_\_\_  
Reviewed By  
Assistant City Manager

## **DESCRIPTION:**

### ***Background***

At the February 7, 2012 City Council meeting, Staff presented an informational report on the status of parking in Area G of Dublin Ranch (Attachment 1). The City Council received the report and, among other things, directed Staff to prepare Zoning Ordinance Amendments to: 1) establish consistency between the parking standards for apartments and condominiums; 2) require a minimum amount of personal storage for attached residential units; and 3) eliminate the use of tandem parking to meet minimum parking requirements.

On July 10, 2012, Staff presented proposed Zoning Ordinance Amendments to the Planning Commission (Attachment 2). During the public hearing, the Planning Commission received input from a local developer who expressed concerns regarding the proposed multi-family accessory storage requirement (Attachment 3). The Planning Commission weighed the developer's concerns and recommended City Council approval of the Amendments with modifications.

Following the Planning Commission meeting, two additional local developers expressed concerns over the increased parking requirements for condominiums and the inability to use tandem parking as required parking (Attachment 4). One of the concerns expressed was that the proposed changes to the parking ordinance would limit the developer's ability to construct for-sale residential projects on in-fill sites as well as limit their ability to achieve residential densities greater than 15-18 dwelling units per acre on in-fill sites. As a result, fewer units would be constructed, thereby lowering land values and limiting opportunities for first-time homebuyers.

Another concern expressed was that the increase in required parking is contrary to Senate Bill 375 and parking trends in surrounding jurisdictions. The City of Livermore was cited as requiring 1 guest parking space for every 4 units in contrast to Dublin's proposed 1 guest parking space per unit. The developers also expressed concerns over eliminating tandem parking especially for smaller, 1- bedroom units. They believe that maintaining flexibility with the use of tandem parking on in-fill sites could produce affordable by-design for-sale housing for first-time homebuyers. Ultimately, the developers foresee the changes to the parking regulations as inhibiting the development of for-sale housing on in-fill sites and facilitating the development of higher density rental housing. As a result, representatives of the development community felt that the proposed changes to the parking regulations would result in unintended consequences that should be further evaluated.

On November 20, 2012 the City entered into a Consulting Services Agreement with Economic & Planning Systems to assist Staff in preparing an economic impact analysis of the proposed Zoning Ordinance Amendments. The purpose of this Staff Report is to present the findings of the economic impact analysis and seek direction from the City Council on the proposed Zoning Ordinance Amendments.

## **ANALYSIS:**

The economic impact analysis (Attachment 5) evaluates the proposed Zoning Ordinance Amendments that would:

1. Require a minimum of 200 cubic feet of accessory storage per unit for multi-family projects that have private, enclosed garages assigned to individual units;

2. Increase the guest parking requirement for condominium projects from .5 space per unit to one space per unit; and,
3. Eliminate the use of tandem parking to meet minimum parking requirements in residential projects.

As part of the economic impact analysis, EPS researched residential parking policies in neighboring jurisdictions in the greater Tri-Valley area; evaluated the use of tandem parking in residential projects throughout Dublin; interviewed stakeholders and planning professionals; and prepared a case study to illustrate the difference in residential densities with and without the use of tandem parking.

### ***Accessory Storage***

The proposed Zoning Ordinance Amendment would require that a minimum of 200 cubic feet of accessory storage be provided per unit in multi-family projects that have private, enclosed garages assigned to individual units. This requirement is intended to provide residents with an alternative to storing their personal effects in their private garages thereby freeing up the garage for the parking of personal vehicles. Interviews conducted with developers confirmed that the provision of some additional interior storage space would not create a financial burden for residential projects. A modest amount of additional storage can be integrated into residential products without a significant impact on the product format.

### ***Guest Parking***

The proposed Zoning Ordinance Amendment would increase the guest parking requirement for condominiums from .5 space per unit to one space per unit consistent with the current guest parking requirement for apartments. Based on the economic impact analysis, most project sites offer sufficient surplus land to provide the additional guest parking without impacting project densities or creating a financial burden to developers; however, landscaping, open space and other common areas are likely to be reduced in size in order to accommodate the additional guest parking. In-fill development and other projects with limited site flexibility will suffer a greater burden associated with the increased parking requirement, as these sites are less likely to accommodate additional surface parking without an impact on density.

### ***Tandem Parking***

The proposed Zoning Ordinance Amendment would eliminate the use of tandem parking to meet minimum parking requirements in residential projects. According to the economic impact analysis, the elimination of tandem parking is unlikely to create a significant financial burden for residential project developers; however, the resulting product type is more likely to be lower density, larger units with a lower price per square foot. The demand for this larger product type may or may not be absorbed by the market thereby constraining developers in the type of residential product that would be delivered to the community. Additionally, development sites that are constrained due to their size or other natural or topographic features would produce fewer units thereby increasing the potential for financial impacts to the project. Furthermore, this constraint on product type would limit the diversity of housing types and sizes to meet the various needs of the community. As a result, the economic impact analysis suggests that some allowance of tandem parking may be appropriate under certain circumstances and recommends allowing tandem parking for up to 25% of the units in a project.

According to the economic impact analysis, the primary benefit of tandem parking is planning and design flexibility that improves site efficiency. Tandem parking provides a means by which developers are able to meet suburban parking standards without using traditional wide, suburban-sized house lots. In certain situations, the narrow-lot tandem-parked residential unit can “fill out” a site where side-by-side parking formats will not fit. Based on interviews with representatives in the development community, an allowance of tandem parking for up to 25% of the units in a project would allow for significantly better efficiency in site development. The economic impact analysis further suggests that in those portions of the City where higher density development is desired (i.e. Downtown Dublin Specific Plan area) that tandem parking be permitted in order to maximize densities and facilitate the redevelopment of smaller in-fill sites.

### ***Options for Consideration Related to Tandem Parking***

Based on the conclusions of the economic impact analysis, Staff is presenting the following options for the City Council’s consideration:

#### Option 1

- Amend the Off-Street Parking and Loading Regulations (Chapter 8.76) to prohibit tandem parking to meet minimum parking requirements in residential projects with the exception of the Downtown Dublin Specific Plan Area;
- Allow 25% of the units in a residential project to have tandem parking in the Downtown Dublin Specific Plan area, by-right; and
- Allow more than 25% of the units in a residential project to have tandem parking in the Downtown Dublin Specific Plan area, with approval of a Conditional Use Permit.

Under Option 1, the Off-Street Parking and Loading Regulations of the Dublin Zoning Ordinance would be amended to prohibit tandem parking to meet minimum parking requirements in residential projects with the exception of the Downtown Dublin Specific Plan area where tandem parking would be permitted by-right for up to 25% of the units in a residential project with the option to increase the amount of tandem parking with approval of a Conditional Use Permit. This option would provide maximum flexibility for residential projects in the Downtown Dublin Specific Plan area to facilitate development including development on small or constrained sites, achieve higher densities in an area where higher density is currently encouraged, and foster greater economic development opportunities within the Specific Plan area.

#### Option 2

- Amend the Off-Street Parking and Loading Regulations (Chapter 8.76) to prohibit tandem parking to meet minimum parking requirements in residential projects with the exception of the Downtown Dublin Specific Plan Area; and,
- Allow 25% of the units in a residential project to have tandem parking in the Downtown Dublin Specific Plan area, with approval of a Conditional Use Permit.

Under Option 2, the Off-Street Parking and Loading Regulations of the Dublin Zoning Ordinance would be amended to prohibit tandem parking to meet minimum parking requirements in residential projects with the exception of the Downtown Dublin Specific Plan area where tandem parking would be conditionally permitted for up to 25% of the units in a residential project with approval of a Conditional Use Permit. This option would provide some flexibility for residential

projects in the Downtown Dublin Specific Plan area to achieve higher densities but would be subject to a discretionary review process to determine appropriateness of the tandem parking and certain findings would need to be made in order to approve the tandem parking.

### Option 3

- Amend the Off-Street Parking and Loading Regulations (Chapter 8.76) to prohibit tandem parking to meet minimum parking requirements City-wide, including the Downtown Dublin Specific Plan area.

Under Option 3, the Off-Street Parking and Loading Regulations of the Dublin Zoning Ordinance would be amended to prohibit tandem parking to meet minimum parking requirements in residential projects City-wide including the Downtown Dublin Specific Plan area. This option has the potential to slightly reduce residential densities and increase the potential for financial impacts in projects that are proposed on constrained sites due to the parcel size, configuration or other natural or topographic feature.

### **NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A public notice is not required to seek direction from the City Council. However, City Staff did send a letter to the development community and interested persons who were previously notified that the City was undertaking Zoning Ordinance Amendments related to multi-family parking regulations. Additionally, the Staff report was made available to the public on the City's website.

### **ATTACHMENTS:**

1. City Council Staff Report dated February 7, 2012
2. Planning Commission Staff Report dated July 10, 2012
3. Planning Commission Meeting Minutes of July 10, 2012
4. Letters from the development community regarding the proposed Zoning Ordinance Amendments
5. Economic Impact Analysis prepared by Economic & Planning Systems dated June 4, 2013

## MEMORANDUM

To: Marnie R. Delgado, Senior Planner, City of Dublin

From: Economic & Planning Systems, Inc., and Joe DeCredico Studio

Subject: Economic Impacts of Proposed Parking Zoning Ordinance Amendment, EPS #122118

Date: June 4, 2013

*The Economics of Land Use*



The City of Dublin (City) engaged Economic & Planning Systems, Inc. (EPS) and Joe DeCredico Studio (JDeS) to provide assistance in evaluating a proposed Zoning Ordinance Amendment (ZOA) that would:

1. Eliminate tandem parking as a means of meeting parking requirements in residential development projects.
2. Increase the guest parking requirement for condominium projects from ½-space per unit to one space per unit.
3. Require a minimum of 200 cubic feet of accessory storage for multifamily projects that have private, enclosed garages assigned to individual units.

EPS understands that the City is concerned the tandem parking spaces are being used as in-home storage areas rather than as parking for automobiles. In addition, the City is concerned that tandem parking spaces are inconvenient for residents and are, thus, not utilized. As a result, City streets, as well as private streets and guest parking spaces, are congested with parked cars in areas where tandem parking is prevalent. The policy goal of the ZOA is to require parking in a format that will be used by residents for their cars, thereby minimizing the residential parking overflow to City streets.

To provide the City guidance concerning the proposed ZOA, EPS and JDeS (1) reviewed relevant policy literature and the parking ordinances of nearby municipalities, (2) conducted interviews with stakeholders and local real estate/planning experts, and (3) developed a simple test case to analyze a typical real estate development project that might use tandem parking or traditional side-by-side parking to satisfy the local parking standard.

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## Summary of Findings

- **The elimination of tandem parking is unlikely to create a significant financial burden for residential project developers.** Most developers will be able to reposition projects to lower density (DU/Acre) larger units, maintaining or increasing total project square footage. While product price per square foot is likely to fall with the increase in unit size, EPS finds that developers in most cases will be able to maintain total project revenue potential. For projects that suffer from parcel constraints, particularly small sites, financial impacts may occur because of the inability to reconfigure the site for the larger product.
- **Increased guest parking requirements likely will be taken out of landscaping with no financial impact on project developers.** Most sites offer sufficient surplus land to provide additional guest parking without a loss of density. However, surface parking for guests will reduce open space and project common areas. Infill development and other projects with limited site flexibility will suffer a greater burden associated with the increased parking requirement, as these sites are less likely to accommodate additional surface parking without an impact on density.
- **The proposed storage requirement is not an issue.** Developer interviews confirm that the provision of some additional interior storage space will not create a financial burden for residential projects. A modest amount of additional storage can be integrated into residential products without a significant impact on product format.
- **The primary benefit of tandem parking is planning and design flexibility that improves site efficiency.** Tandem parking provides a means by which developers are able to meet suburban parking standards without using traditional wide, suburban-sized house lots. In certain situations, the narrow-lot tandem-parked residential products can “fill out” a site, where side-by-side parking formats will not fit. A parking policy that allows a fraction of the units in a residential project to use tandem parking may be appropriate. Interviews and analysis suggest that allowing up to 25 percent of units to be parked in tandem could retain sufficient flexibility in site development.

## Parking Policy Standards

A review of current literature concerning parking policy offers a broad range of recommendations to jurisdictions. In general, current best practices for residential parking policy focus on providing flexibility, managing demand, and connecting alternative modes of transportation, while minimizing impacts on residents. However, these best practices are geared toward parking in urban areas and transit-oriented zones. The ZOA proposed for the City addresses the concern that new suburban residential projects in Dublin are providing impractical (and therefore insufficient) parking. The ZOA would require that parking be developed in a traditional side-by-side format. EPS did not identify literature that addresses this particular policy issue.

To evaluate the appropriateness of the ZOA in a regional context, EPS conducted research regarding off-street residential parking policies in neighboring jurisdictions in the greater Tri-Valley area. Specifically, EPS contacted the Cities of Livermore, Pleasanton, San Ramon, and Walnut Creek to determine whether these cities allowed tandem parking in residential projects. EPS also identified off-street parking standards for prevalent residential land uses in each city. Of the jurisdictions surveyed, the City of Pleasanton is the only jurisdiction whose municipal code

does not allow for tandem parking. The other jurisdictions surveyed—Livermore, San Ramon, and Walnut Creek—have municipal codes that allow for tandem parking based on bedroom counts.

### **Pleasanton**

The City of Pleasanton does not explicitly allow tandem parking. However, two multifamily Planned Unit Development (PUD) residential projects—one approved and one under review—contain units with a tandem parking design. If the residential development is contained in a PUD, the city will consider and potentially approve a tandem parking design if the project is in alignment with the city's planning and policy objectives. Because there are a limited number of residential projects in the city with tandem parking, city planning staff did not identify any issues related to this type of parking design (e.g., constrained on-street parking because the garage is not used to capacity).

### **Livermore**

In the City of Livermore, tandem parking is permitted in all residential and mixed-use zones when two parking spaces are required for a single residential unit. For secondary residential units (i.e., in-law unit) with two or more bedrooms (which requires two parking spaces), the required spaces may be in tandem with each other, but cannot be in tandem with the required parking spaces required for the primary residential unit on the lot.<sup>1</sup>

### **San Ramon**

In San Ramon, tandem parking is permitted through the issuance of a Minor Use Permit and must be designed to meet minimum dimension and size standards.<sup>2 3</sup> With the exception of one single-family residential project (approved and constructed when it was located in the unincorporated county), tandem parking in single-family residential projects in San Ramon is not permitted. Tandem parking is permitted for multifamily residential projects, although San Ramon planning staff generally discourages tandem parking design in residential projects. While staff acknowledged the shortcomings of tandem parking, they did not identify specific cases where projects with tandem parking created issues for residents.

### **Walnut Creek**

The City of Walnut Creek's municipal code allows for tandem parking for multifamily and single-family residential projects in the case where housing units require two parking spaces.<sup>4</sup> Tandem parking configurations can be utilized but one stall is not counted towards meeting the parking requirement, unless an exception is granted by the city's planning commission. Tandem parking for Second Family Units is permitted if the maximum of two spaces are provided and the City finds that the design and lot configuration precludes placement of the parking spaces elsewhere on the property.

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<sup>1</sup> City of Livermore Development Code § 4.04.010.

<sup>2</sup> In San Ramon, tandem parking must be 10 feet wide by 40 feet deep (with a 9-foot door opening) and have a minimum of 200 cubic feet of storage area in or adjacent to the garage.

<sup>3</sup> City of San Ramon Zoning Ordinance § D3-35 A.2.

<sup>4</sup> City of Walnut Creek Planning and Zoning Municipal Code § 10-2.3.206 Table A.

**Figure 1 Comparison of Multifamily Parking Standards**

City	Source	Multifamily Parking Standards		
		Type	Spaces / Unit	Tandem Parking
Livermore	City of Livermore, Development Code, § 4.04.010	Studio and One Bdrm	1 space + 1 guest space / 4 units	NA
		Two or More Bdrms	2 spaces + 1 guest space / 4 units	Permitted
Downtown [1]	City of Livermore Downtown Specific Plan Chapter 8	Studio (includes apartments/flats/lofts)	1 covered space + 1 (guest) / 10 units [2]	NA
		One Bdrm (includes apartments/flats/lofts)	1.5 spaces (1 covered) + 1 guest space / 10 units [2] [3]	Permitted if 2 spaces are dedicated to a single unit
		Two or More Bdrms (includes apartments/flats/lofts)	1.75 spaces (1 covered) + 1 guest space / 10 units [2] [3]	Permitted if 2 spaces are dedicated to a single unit
Pleasanton [4]	City of Pleasanton, Municipal Code, § 18.88.030	Two Bdrms or Less	Minimum of 2 spaces for projects with four or fewer units plus 1.5 spaces for each add'l unit (at least 1 space must be covered) + 1 guest space / 7 units (may be open or covered)	Not permitted [5]
		Three Bdrms or More	Minimum of 2 spaces (at least 1 space must be covered) + 1 guest space / 7 units (may be open or covered)	Not permitted [5]
San Ramon [6]	City of San Ramon, Zoning Ordinance, § D3-35 A.2	Studios and One Bdrm	1 covered space + 1 guest space / 4 units	NA
		Two-Three Bdrms	2 spaces (at least 1 space must be covered) + 1 guest space / 4 units	Permitted (w/ Minor Use Permit)
		Four Bdrms or More	3 spaces (at least 1 space must be covered) + 1 guest space / 4 units	Permitted (w/ Minor Use Permit)
Walnut Creek [7]	City of Walnut Creek, Planning and Zoning Municipal Code, § 10-2.3.206 Table A	Studio	1.25 spaces (1 covered) [3] [8]	Permitted [9] [10]
		One Bdrm	1.50 spaces (1 covered) [3] [8]	Permitted [9] [10]
		Two Bdrms	2.00 spaces (1 covered) [3] [8]	Permitted [9] [10]
		Three or More Bdrms	2.25 spaces (1 covered) [3] [8]	Permitted [9] [10]

\*pkg\_summary\*

Source: Cities of Livermore, Pleasanton, San Ramon, and Walnut Creek municipal code; EPS

NOTE: This table is not intended to be an exhaustive listing of parking standards for all residential types identified in each city's municipal code, only the most prevalent. Also, this table excludes additional standards such as size dimensions and special circumstances that alter the standards shown here (e.g., development within TOD). Please see each city's municipal code for additional details.

**Figure 1 Comparison of Multifamily Parking Standards (continued)**

City	Source	Type	Multifamily Parking Standards	
			Spaces / Unit	Tandem Parking
<p>[1] Within a specific geographic area, residential units above retail/commercial and live/work spaces shall provide required parking spaces on-site, off-site through the payment of an in-lieu fee, or through construction of parking facilities in the specific geographic area.</p> <p>[2] Guest parking is only required for projects containing ten or more dwelling units. Guest parking shall be provided on-site, off-site in a dedicated parking lot in the Downtown Specific Plan area that is within 600 feet of the project, or through the payment of in-lieu fees if an identified public parking structure in the Downtown Specific Plan area is located within 600 feet of the project site.</p> <p>[3] A fraction greater than or equal to 0.50 shall be rounded up to the nearest whole number; no additional space shall be required for a fractional unit of less than 0.50.</p> <p>[4] This table does not include reduced parking standards associated with Association of Bay Area Governments (ABAG) Regional Housing Needs Allocation (RHNA) sites.</p> <p>[5] Tandem parking may be proposed for units within a Planned Unit Development (PUD) and would be subject to case-by-case review and approval.</p> <p>[6] This table does not include reduced parking standards for mixed-use development in certain districts within the City of San Ramon.</p> <p>[7] This table does not include parking standards for residential structures that qualify for a density bonus or for structures with five or more residential units and either within 1/2 mile of BART or with lower income units.</p> <p>[8] Guest parking is included within the multifamily parking standards for the City of Walnut Creek.</p> <p>[9] Tandem parking configurations are permitted but one stall is not counted towards meeting the parking requirement, unless an exception is granted by the City of Walnut Creek's planning commission.</p> <p>[10] For projects that qualify for density bonuses, the City of Walnut Creek allows for reduced parking standards, and parking may be provided through tandem parking, uncovered parking, or other parking solution with the exception of on-street parking.</p>				

## Tandem-Parked Projects in Dublin

The City of Dublin has identified a number of projects where the tandem parking format has been used by developers. As shown in **Figure 2**, the use of tandem parking in these projects ranges from 14 percent to 92 percent. However, only one project predominantly comprises tandem-parked units. With the exception of this project (The Courtyards at Dublin Ranch Villages), no project has more than 43 percent of units using the tandem format. The street parking congestion that has been attributed to tandem-parked units is most prevalent in Dublin Ranch Villages, where the greatest use of tandem parking (as a share of project units) is observed.

**Figure 2 Tandem-Parked Projects in Dublin**

Project	No. of Units	Units with Tandem Garages	Percent of Units with Tandem Parking	Parking Requirement	Guest Parking Requirement
<b><u>San Ramon Village</u></b>					
The Willows	56 units	8 units	14%	2/unit	.5/unit
<b><u>Tralee</u></b>					
Townhomes	103 units	18 units	17%	2/unit	.5/unit
<b><u>Dublin Ranch Villages</u></b>					
Cottages	200 units	85 units	43%	2/2+BR unit 1/1BR unit	.5/unit
Courtyards	281 units	258 units	92%	2/2+BR unit 1/1BR unit	.5/unit
Terraces	626 units	137 units	22%	2/2+BR unit 1/1BR unit	.5/unit
<b><u>Jordan Ranch</u></b>					
Subareas 2 and 3	109 units	40 units	37%	2/unit	.5/unit

Source: City of Dublin

## Interview Findings

EPS and JDeS conducted interviews with stakeholders and local real estate/planning experts to solicit input regarding the proposed ZOA.<sup>5</sup>

### Stakeholders

The primary stakeholder group that would be affected by the ZOA is the real estate development community. EPS spoke with two developers active in the Tri-Valley, as well as two planning professionals active in designing residential products in the region. Overall, EPS finds that developers rely on small-footprint tandem parking as a tool to increase dwelling units per acre, particularly when site constraints (e.g., parcel size and configuration) do not allow for a traditional side-by-side garage format. In some specific cases, primarily large projects with planning and design flexibility, developers acknowledge the ZOA would have little to no impact on project density. However, developers expressed concerns that small projects planned for constrained sites could suffer density losses attributable to the proposed ZOA. Based on interviews conducted, it seems unlikely that developers would substitute a significantly higher density product (e.g., podium-parked multifamily residential) in cases where the ZOA introduces a development constraint. There are a limited number of high-value sites where a podium product is likely to be financially feasible (e.g., transit-oriented development areas), and these sites are likely to be slated for this format from early-stage predevelopment work onward.

Conversations with a developer currently building a 3-story townhome project in Dublin, who is converting previously approved single-car garages to 2-car, side-by-side garages, indicate there is the opportunity to reconfigure projects and replace tandem garages with traditional ones. However, the developer emphasized the importance of the site geometry in making this change, particularly on constricted infill sites, and notes that it also requires redesign of the project.

### Planning Professionals

Local planning professionals confirm that tandem parking is an important tool for efficient use of land. Of note, planners contacted suggested that a reduction rather than elimination of tandem parking would be desirable. Small-footprint tandem-parked units help to "fill out" a development program. It was suggested that allowing 25 percent of units to use tandem parking would allow developers to use this format sparingly, fitting it in as needed to take advantage of lots that cannot accommodate the wider, more traditional garage formats.

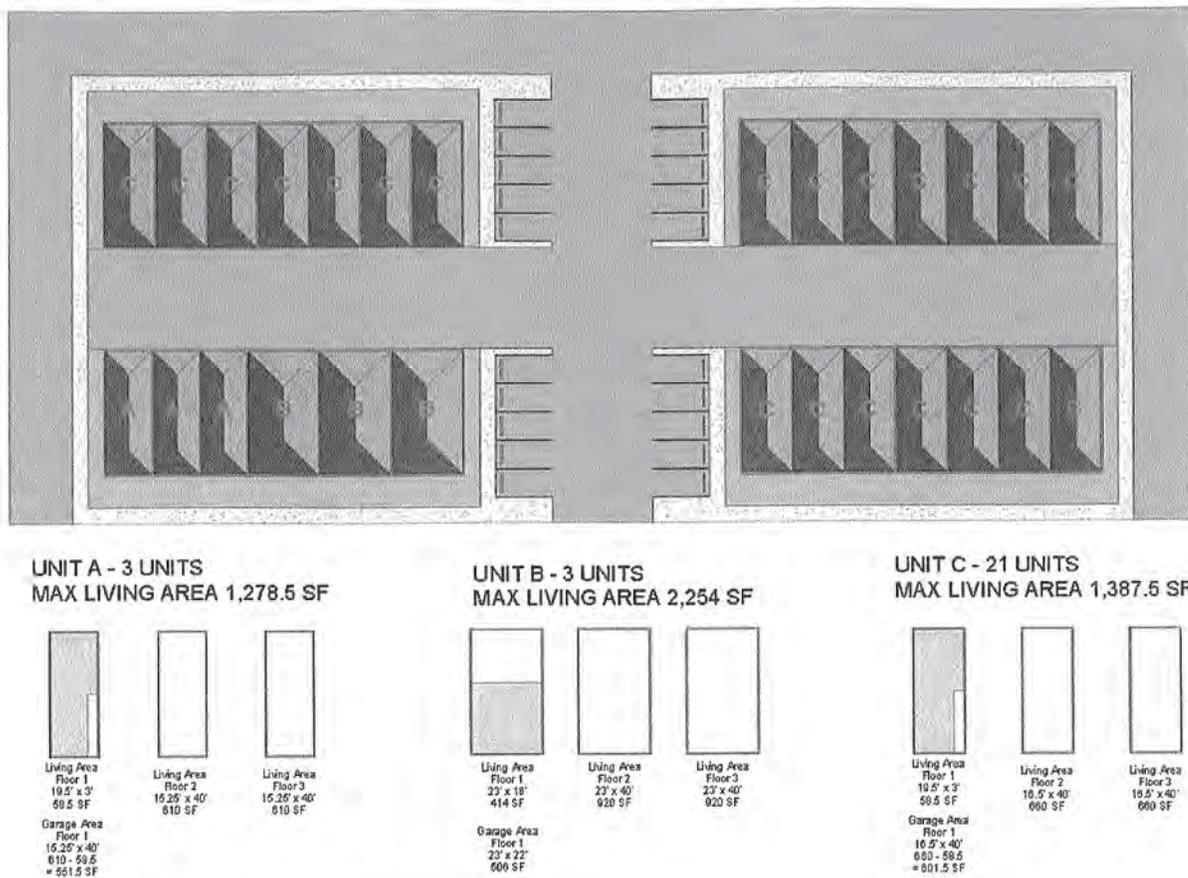
## Economic Implications

To illustrate the potential effect of the ZOA on a typical residential project in Dublin, EPS and JDeS agreed on a case study that evaluates a generic townhome project on a rectangular 1.41-net-acre site. The case study includes illustrative planning graphics and a high-level assessment of economic effects. **Figure 3** and **Figure 4** present the case-study planning schemes.

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<sup>5</sup> Personal communication with Kevin Fryer, Mission Valley Homes, 12/21/12; Patrick Castonzo, PCJ Real Estate Advisors, 1/8/13; Don Ruthroff, The Dahlin Group, 1/8/13; Steve Otto, City of Pleasanton, 2/15/13; Lauren Barr, City of San Ramon, 2/15/13; and Carlson Yin Chan, Ronsdale Management LLC, 2/21/13.

**Figure 3 Townhome Product with Tandem Garages (Scenario 1)**

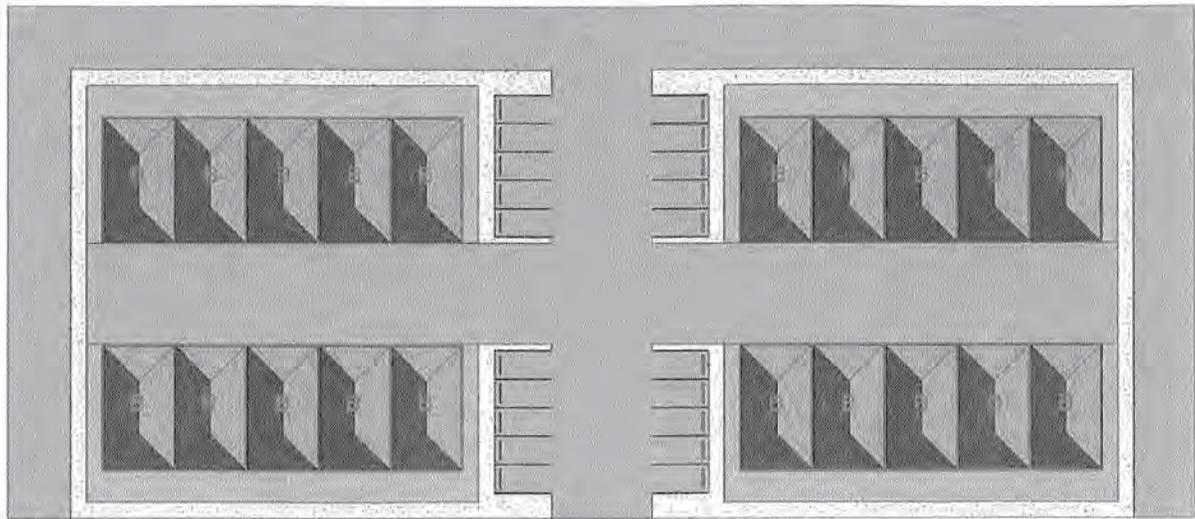


**MAXIMUM TANDEM GARAGE TOWNHOMES W/10% ADA ACCESSIBLE UNITS**  
**2 CAR GARAGE**  
 UNIT TYPE A: 15.25' X 40' UNIT FOOTPRINT W/TANDEM GARAGE  
 UNIT TYPE B: 23' X 40' UNIT FOOTPRINT W/SIDE BY SIDE GARAGE  
 UNIT TYPE C: 16' X 40' UNIT FOOTPRINT W/TANDEM GARAGE  
 FRONT SETBACK: 10'  
 SIDE SETBACK: 5'  
 ALLEY WIDTH: 32'  
 YIELD: 27 UNITS OR 19.15 du/ACRE

**Scenario 1: Tandem Parking**

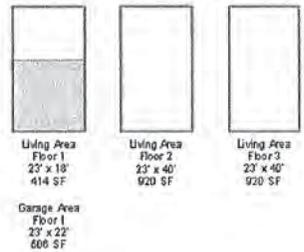
The townhome product that relies on tandem parking is a three-level unit with approximately 1,280 to 1,390 square feet of living space. The garage uses most of the ground-level space in the unit, though there is sufficient space on the ground level for some storage. Living room, dining room, kitchen, bathrooms, and bedrooms are on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. In this test, a density of roughly 19 units per acre is achieved, for a total of 27 units on the 1.41-acre case-study site, including three traditionally-parked units that satisfy the Americans with Disabilities Act (ADA) target for ground-level living space. Based on the size and configuration of the tandem-parked units, EPS assumes current market pricing of about \$390,000 to \$416,000 (\$300 to \$305 per square foot).

**Figure 4 Townhome Product with Traditional Garages (Scenario 2)**



**TRADITIONAL SIDE BY SIDE GARAGE TOWNHOMES**  
 2 CAR GARAGE  
 23' X 40' UNIT FOOTPRINT  
 FRONT SETBACK: 10'  
 SIDE SETBACK: 5'  
 ALLEY WIDTH: 32'  
 YIELD: 20 UNITS OR 14.18 du/ACRE

**UNIT B - 20 UNITS**  
 MAX LIVING AREA 2,254 SF



### Scenario 2: Traditional Parking

The townhome product with a traditional side-by-side garage includes about 2,250 square feet of living space. In this configuration, there is sufficient living area on the ground level to accommodate a bedroom and bathroom. Additional bathrooms and bedrooms, as well as the living room, dining room, and kitchen, are upstairs. The product achieves a density of roughly 14 units per acre, for a total of 20 units on the 1.41-acre case-study site. Based on the size and configuration of this unit, EPS assumes current market pricing of about \$586,000 (\$260 per square foot).

### Scenario Comparison Evaluation

Scenario 1 and Scenario 2 are illustrative of how a developer might plan a site for residential development with tandem parking versus traditional parking (with the ZOA), respectively. As demonstrated in the case study, a project composed of about 90-percent tandem-parked units on a land-constrained site would likely lose units as a result of the ZOA. In this case, 7 units are lost (26 percent) when the developer switches from tandem parking to traditional parking. However, with the wider traditional garage, the developer is likely to transition to larger units. In this case study, a townhome with a traditional garage is 62 to 76 percent larger than a townhome with a tandem garage. The traditional garage necessitates a wider unit footprint; the

building height remains unchanged. Overall, despite having fewer units, Scenario 2 includes roughly 5,300 more square feet of living space.

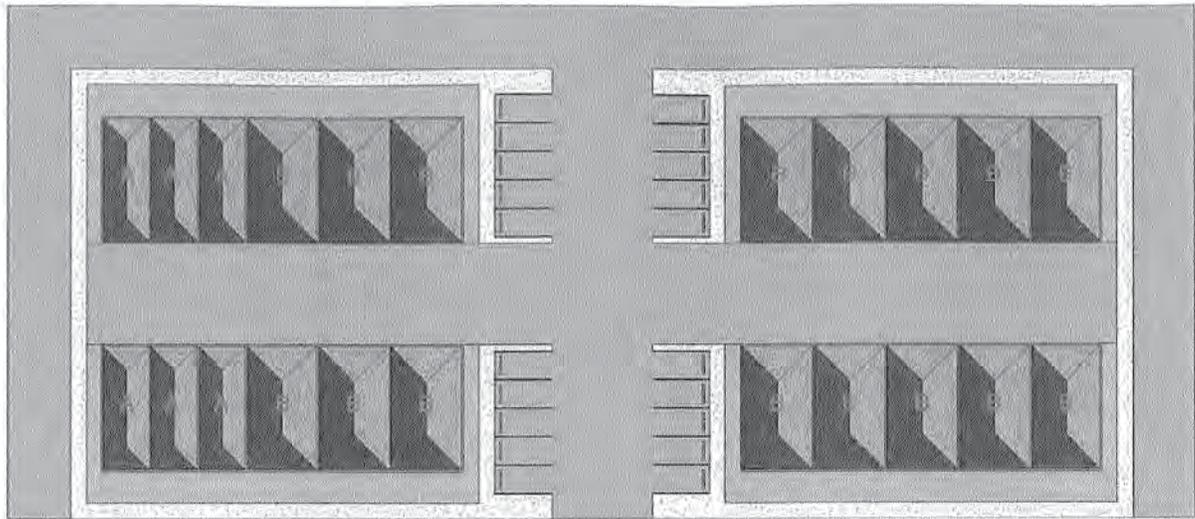
Residential market data reveal that unit values increase with unit size at a decreasing rate. While the smaller tandem-parked unit is likely to sell for less than the larger, traditionally parked unit, the per-square-foot value of the smaller unit will be higher. EPS evaluated several residential projects in Dublin to assess pricing for various unit sizes. Interestingly, current residential real estate market values indicate that the total finished value of Scenarios 1 and 2 may not be very different. **Figure 5** presents the economic assessment of Scenario 1 versus Scenario 2.

**Figure 5 Case Study Economic Assumptions**

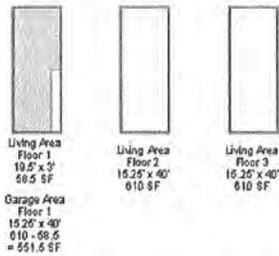
	Units	Unit Size (Square Feet)	Price Per Square Foot	Unit Price
<b>Scenario 1</b>				
<b>Tandem Garage Townhome Product</b>				
Unit A	3	1,279	\$305	\$389,943
Unit B	3	2,254	\$260	\$586,040
Unit C	21	1,388	\$300	\$416,250
Project Square Feet				39,735
Project Revenue				\$11,669,198
Profit Margin				15%
Developer Profit				\$1,750,380
<b>Scenario 2</b>				
<b>Traditional Garage Townhome Product</b>				
Unit A	0	1,279	\$305	\$389,943
Unit B	20	2,254	\$260	\$586,040
Unit C	0	1,388	\$300	\$416,250
Project Square Feet				45,080
Project Revenue				\$11,720,800
Profit Margin				15%
Developer Profit				\$1,758,120



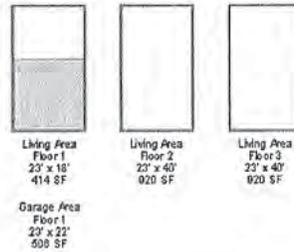
**Figure 6 Case Study of Policy Recommendation (25% Allowance)**



**UNIT A - 6 UNITS**  
MAX LIVING AREA 1,278.5 SF



**UNIT B - 16 UNITS**  
MAX LIVING AREA 2,254 SF



25% TANDEM GARAGE / 75% SIDE BY SIDE GARAGE TOWNHOMES  
2 CAR GARAGE  
UNIT TYPE A: 15.25' X 40' UNIT FOOTPRINT W/TANDEM GARAGE  
UNIT TYPE B: 23' X 40' UNIT FOOTPRINT W/SIDE BY SIDE GARAGE  
FRONT SETBACK: 10'  
SIDE SETBACK: 5'  
ALLEY WIDTH: 32'  
YIELD: 22 UNITS OR 15.60 du/ACRE

Given the relatively high value of land proximate to BART, some developers in the Downtown will opt to develop structured parking, which likely moderates the potential negative effects from allowing tandem-parked units. However, in general, increasing development densities Downtown and other areas of Dublin inevitably will necessitate increased attention to parking management policies within the City. If the City chooses to continue to allow tandem-parked projects in strategic locations where density is desired, EPS recommends that the City consider additional alternative parking policies, potentially including a parking in-lieu fee program, street parking permitting, and flexible parking ratios.

**RESOLUTION NO. 13-41**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF DUBLIN**

---

**RECOMMENDING CITY COUNCIL APPROVAL OF AMENDMENTS TO DUBLIN ZONING  
ORDINANCE CHAPTERS 8.08 (DEFINITIONS), 8.36 (DEVELOPMENT REGULATIONS) AND  
8.76 (OFF-STREET PARKING AND LOADING REGULATIONS)  
EFFECTIVE CITY-WIDE  
PLPA-2012-00028**

**WHEREAS**, the City is initiating amendments to the Zoning Ordinance to bring greater clarity and consistency to existing regulations; and

**WHEREAS**, amendments are proposed to Chapter 8.08 (Definitions) to create a new definition for Accessory Storage – Multi-Family; and

**WHEREAS**, amendments are proposed to Chapter 8.36 (Development Regulations) to create a minimum requirement for accessory storage in the R-2 (Two-Family), R-M (Multi-Family) and comparable PD (Planned Development) Zoning Districts; and

**WHEREAS**, amendments are proposed to Chapter 8.76 (Off- Street Parking and Loading Regulations) to establish a consistent guest parking standard for apartments and condominiums and limit the use of tandem parking for residential uses; and

**WHEREAS**, the California Environmental Quality Act (CEQA), together with State Guidelines and City Environmental Regulations require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

**WHEREAS**, pursuant to the CEQA, Staff is recommending that the proposed Ordinance be found exempt from CEQA per CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments to Title 8 of the Dublin Municipal Code (Zoning Ordinance) will not have a significant effect on the environment. The adoption of the proposed Ordinance does not, in itself, allow the construction of any building or structure, but it sets forth the regulations that shall be followed if and when a building or structure is proposed to be constructed or a site is proposed to be developed. This Ordinance of itself, therefore, has no potential for resulting in significant physical change in the environment, directly or ultimately; and

**WHEREAS**, a Staff Report was submitted to the City of Dublin Planning Commission recommending City Council approval of the proposed Zoning Ordinance Amendments; and

**WHEREAS**, the Planning Commission held a public hearing on said amendments on November 12, 2013 at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, proper notice of said hearing was given in all respects as required by law; and

**WHEREAS**, the Planning Commission did hear and consider all said reports, recommendations and testimony herein above set forth and used its independent judgment to evaluate the project.

**NOW THEREFORE, BE IT RESOLVED THAT THE** Dublin Planning Commission does hereby recommend that the City Council adopt the Ordinance attached hereto as Exhibit A.

**PASSED, APPROVED AND ADOPTED** this 12th day of November 2013 by the following vote:

**AYES:** O'Keefe, Bhuthimethee, Goel, Kohli

**NOES:**

**ABSENT:** Do

**ABSTAIN:**

---

Planning Commission Chair

**ATTEST:**

---

Assistant Community Development Director

**ORDINANCE NO. xx – 13**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF DUBLIN**

\*\*\*\*\*

**APPROVING AMENDMENTS TO DUBLIN ZONING ORDINANCE CHAPTERS 8.08  
(DEFINITIONS), 8.36 (DEVELOPMENT REGULATIONS) AND 8.76 (OFF-STREET PARKING  
AND LOADING REGULATIONS)  
EFFECTIVE CITY-WIDE  
PLPA-2012-00028**

**WHEREAS**, the City is initiating amendments to the Zoning Ordinance to bring greater clarity and consistency to existing regulations; and

**WHEREAS**, this Ordinance will amend Dublin Municipal Code Chapter 8.08 (Definitions) to create a new definition for Accessory Storage – Multi-Family; and

**WHEREAS**, this Ordinance will amend Dublin Municipal Code Chapter 8.36 (Development Regulations) to create a minimum requirement for accessory storage in the R-2 (Two-Family), R-M (Multi-Family), comparable PD (Planned Development) Zoning Districts and the Downtown Dublin Zoning District; and

**WHEREAS**, this Ordinance will amend Dublin Municipal Code Chapter 8.76 (Off- Street Parking and Loading Regulations) to establish a consistent guest parking standard for apartments and condominiums and limit the use of tandem parking for residential uses; and

**WHEREAS**, the Planning Commission did hold a properly noticed public hearing on November 12, 2013 and adopted Resolution 13-41 recommending City Council approval of amendments to Dublin Zoning Ordinance Chapters 8.08 (Definitions), 8.36 (Development Regulations) and 8.76 (Off-Street Parking and Loading Regulations); and

**WHEREAS**, a Staff Report was submitted to the City Council recommending approval of the proposed Zoning Ordinance Amendments; and

**WHEREAS**, a properly noticed public hearing was held by the City Council on XXX, 2013 at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, the City Council did hear and use its independent judgment and consider all said reports, recommendations and testimony hereinabove set forth.

**NOW, THEREFORE**, the City Council of the City of Dublin does hereby ordain as follows:

**SECTION 1:**

The City Council finds that this Ordinance is consistent with the Dublin General Plan and all applicable Specific Plans in that the General Plan and applicable Specific Plans include policies that encourage the development of a variety of housing types including multi-family housing and the proposed amendments make provisions to facilitate the on-going enjoyment of residential properties by maintaining adequate parking standards and regulations.

**SECTION 2:**

**Compliance with California Environmental Quality Act (“CEQA”):** The California Environmental Quality Act (CEQA) together with State Guidelines and City Environmental Regulations require that certain projects be reviewed for environmental impacts that environmental documents be prepared. Pursuant to CEQA, the City Council hereby finds this Ordinance to be exempt from CEQA per CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments to Title 8 of the Dublin Municipal Code (Zoning Ordinance) will not have a significant effect on the environment. The adoption of this Ordinance does not, in itself, allow the construction of any building or structure, but it sets forth the regulations that shall be followed if and when a building or structure is proposed to be constructed or a site is proposed to be developed. This Ordinance of itself, therefore, has no potential for resulting in significant physical change in the environment, directly or ultimately.

**SECTION 3:**

The following definition is hereby added to Section 8.08.020 (Definitions) of Title 8 of the Dublin Municipal Code to read as follows, with the other definitions contained in Section 8.84.020 (Definitions) to be re-alphabetized accordingly:

**Accessory Storage – Multi-Family Residential.** The term Accessory Storage – Multi-Family Residential shall mean a dedicated, enclosed and securable space located within an individual dwelling unit, an attached or detached individual garage, or another dedicated space approved by the Community Development Director, in which occupant(s) of the dwelling unit can store their personal effects. Accessory Storage – Multi-Family Residential spaces shall not include bedroom closets, linen closets, pantries or any other areas customarily provided to meet the day to day functions of the dwelling unit. Accessory Storage-Multi-Family Residential spaces may be used to satisfy required bicycle storage space.

**SECTION 4:**

In order to add a new row for Accessory Storage – Multi-Family and a new footnote relating to multi-family accessory storage, Section 8.36.020.A of Title 8 of the Dublin Municipal Code is hereby amended to read as follows in its entirety:

- A.** Development regulations are minimums unless stated as maximums. All areas are given in net square feet.

STANDARD	A	R-1	R-2	R-M
LOT AREA				
Interior lot	100 acres	4,000 sq. ft.	8,000 sq. ft.	5,000 sq. ft.
Corner lot	100 acres	5,000 sq. ft.	9,000 sq. ft.	6,000 sq. ft.
LOT SQUARE FOOTAGE PER DU	NA	4,000 sq. ft. and larger as consistent with General Plan	4,000 sq. ft. and larger as consistent with General Plan	750 sq. ft. and larger as consistent with General Plan
LOT WIDTH & FRONTAGE				
Interior lot	300 feet	50 feet	80 feet	50 feet

Corner lot	300 feet	60 feet	90 feet	60 feet
LOT DEPTH	NA	100 feet	100 feet	100 feet
RESIDENTIAL USE (maximum per lot)	1 du. 1 Second Unit	1 du 1 Second Unit	2 du's	1 du per full 750 sq. ft. (and larger as consistent with General Plan)
SETBACKS				
Front	50 feet	20 ft. avg. 18 ft minimum to garage (1)	20 ft. avg. 18 ft. minimum	20 ft.
Side	30 feet	(2)	10 feet	10 feet (3)
Street Side	50 feet	10 feet	10 feet	10 feet
Rear	50 feet	20 feet	20 feet	30 feet

- (1) Living spaces may encroach to 15 ft. from Front Lot Line with Site Development Review on lots up to 6,000 square feet in size.  
(2) Side Yard setbacks in the R-1 zoning district shall be a minimum of 5 feet plus one foot for each full 10 feet by which lot width exceeds minimum lot width up to a maximum of 10 feet.  
(3) Buildings with 4 or more residences in the R-M zoning district shall have a 15 foot Side Yard on one side.

STANDARD	A	R-1	R-2	R-M
DISTANCE BETWEEN RESIDENCES	100 feet	10 feet	20 feet	20 feet
MAXIMUM LOT COVERAGE	NA	40% 1 story, 35% 2 stories	40% 1 story, 35% 2 stories	40% 1 story, 35% 2 stories
COMMON USEABLE OUTDOOR SPACE	NA	NA	NA	30 % of net site area
ACCESSORY STORAGE-MULTI-FAMILY (1)	NA	NA	200 cubic feet minimum per unit	200 cubic feet minimum per unit
HEIGHT LIMITS	(2)	(2)	(2)	(3)

- (1) Multi-family accessory storage shall be provided for each unit in a multi-family project that has a private, enclosed garage attached or assigned to the unit. In addition to the R-2 and R-M Zoning Districts, multi-family accessory storage shall also be provided in comparable PD (Planned Development) Zoning Districts and the Downtown Dublin Zoning District. See also Chapter 8.08 (Definitions).  
(2) West of Dougherty Road 25 feet and 2 stories; may be increased to 35 feet and 2 stories pursuant to a Site Development Review approval by the Zoning Administrator. East of Dougherty Road; 35 feet and 2 stories.  
(3) 35 feet if 4 or fewer du.; 45 feet if 5 or more du.; 75 feet if 5 or more du. and lot coverage does not exceed 35%.

## **SECTION 5:**

In order to limit the use of tandem parking associated with residential uses, Section 8.76.060.L (Tandem Parking) of Title 8 of the Dublin Municipal Code is hereby amended to read as follows:

### **L. Tandem Parking.**

- 1. Commercial and Industrial Uses.** The Zoning Administrator may approve an off-street parking program by means of a Conditional Use Permit utilizing limited tandem (front to back) parking for commercial and industrial uses under unusual design constraints provided that the development requires 20 or more parking spaces. The Zoning Administrator may require that an attendant be on duty during normal business hours.
- 2. Residential Uses in the Downtown Dublin Zoning District.** The Planning Commission may approve an off-street parking program by means of a Conditional

Use Permit utilizing up to 25% of the required parking (excluding guest parking) as tandem (front to back) parking for multi-family residential uses in the Downtown Dublin Zoning District if all of the Conditional Use Permit findings can be made and the following additional findings:

- a. The allowance of tandem parking will not be detrimental to the project or surrounding properties.
  - b. There are adequate provisions for dedicated personal storage that exceed minimum requirements for accessory storage in multi-family residential projects.
  - c. Alternative modes of transportation are available in close proximity to the project effectively reducing dependency on the automobile as the primary mode of travel.
3. **Residential Uses outside of the Downtown Dublin Zoning District.** Tandem (front to back) parking is not permitted to satisfy required parking within a single-family dwelling unit attached garage or a multi-family dwelling unit attached garage.

**SECTION 6:**

In order to create consistency between the guest parking standards for apartments and condominiums, Section 8.76.080.B (Residential Use Types) of Title 8 of the Dublin Municipal Code is hereby amended to read as follows in its entirety:

**B. Residential Use Types.** Residential Use Types shall provide off-street parking spaces as follows:

<b>RESIDENTIAL USE TYPES</b>	<b>NUMBER OF PARKING SPACES REQUIRED</b>
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
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)	2 in enclosed garage per dwelling, plus 1 space for every employee not residing in the home, plus one loading space for every 6 children in the facility; one loading space may occur on street if within 150 feet of the dwelling
Family Day Care/Small (up to 8)	Not regulated
Mobile Home	2 per dwelling
Mobile Home Park	2 per dwelling, plus 1 guest space for every 2 dwellings

Residences	
Apartments	
Studio	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
1 Bedroom	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
2+ Bedrooms	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
Condominiums	
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 or more Bedrooms	2 covered or garaged per dwelling plus 1 guest parking space per dwelling which shall be marked as a guest parking space
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
Second Unit	1 parking space, see Section 8.80.040.F relating to Second Units parking
Single Family/Duplex	
Lots of 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*.
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

\*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.

**SECTION 7:           Effective Date and Posting of Ordinance**

This Ordinance shall take effect and be in force thirty (30) days from and after the date of its final adoption. The City Clerk of the City of Dublin shall cause this Ordinance to be posted in at least three (3) public places in the City of Dublin in accordance with Section 39633 of the Government Code of California.

**PASSED, APPROVED, AND ADOPTED BY** the City Council of the City of Dublin on this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the following votes:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

**ORDINANCE NO. xx – 13**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF DUBLIN**

\*\*\*\*\*

**APPROVING AMENDMENTS TO DUBLIN ZONING ORDINANCE CHAPTERS 8.08  
(DEFINITIONS), 8.36 (DEVELOPMENT REGULATIONS) AND 8.76 (OFF-STREET PARKING  
AND LOADING REGULATIONS)  
EFFECTIVE CITY-WIDE  
PLPA-2012-00028**

**WHEREAS**, the City is initiating amendments to the Zoning Ordinance to bring greater clarity and consistency to existing regulations; and

**WHEREAS**, this Ordinance will amend Dublin Municipal Code Chapter 8.08 (Definitions) to create a new definition for Accessory Storage – Multi-Family; and

**WHEREAS**, this Ordinance will amend Dublin Municipal Code Chapter 8.36 (Development Regulations) to create a minimum requirement for accessory storage in the R-2 (Two-Family), R-M (Multi-Family), comparable PD (Planned Development) Zoning Districts and the Downtown Dublin Zoning District; and

**WHEREAS**, this Ordinance will amend Dublin Municipal Code Chapter 8.76 (Off- Street Parking and Loading Regulations) to establish a consistent guest parking standard for apartments and condominiums and limit the use of tandem parking for residential uses; and

**WHEREAS**, the Planning Commission did hold a properly noticed public hearing on November 12, 2013 and adopted Resolution 13-41 recommending City Council approval of amendments to Dublin Zoning Ordinance Chapters 8.08 (Definitions), 8.36 (Development Regulations) and 8.76 (Off-Street Parking and Loading Regulations); and

**WHEREAS**, a Staff Report was submitted to the City Council recommending approval of the proposed Zoning Ordinance Amendments; and

**WHEREAS**, a properly noticed public hearing was held by the City Council on XXX, 2013 at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, the City Council did hear and use its independent judgment and consider all said reports, recommendations and testimony hereinabove set forth.

**NOW, THEREFORE**, the City Council of the City of Dublin does hereby ordain as follows:

**SECTION 1:**

The City Council finds that this Ordinance is consistent with the Dublin General Plan and all applicable Specific Plans in that the General Plan and applicable Specific Plans include policies that encourage the development of a variety of housing types including multi-family housing and the proposed amendments make provisions to facilitate the on-going enjoyment of residential properties by maintaining adequate parking standards and regulations.

**SECTION 2:**

**Compliance with California Environmental Quality Act (“CEQA”):** The California Environmental Quality Act (CEQA) together with State Guidelines and City Environmental Regulations require that certain projects be reviewed for environmental impacts that environmental documents be prepared. Pursuant to CEQA, the City Council hereby finds this Ordinance to be exempt from CEQA per CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that the amendments to Title 8 of the Dublin Municipal Code (Zoning Ordinance) will not have a significant effect on the environment. The adoption of this Ordinance does not, in itself, allow the construction of any building or structure, but it sets forth the regulations that shall be followed if and when a building or structure is proposed to be constructed or a site is proposed to be developed. This Ordinance of itself, therefore, has no potential for resulting in significant physical change in the environment, directly or ultimately.

**SECTION 3:**

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**A.** Development regulations are minimums unless stated as maximums. All areas are given in net square feet.

<b>STANDARD</b>	<b>A</b>	<b>R-1</b>	<b>R-2</b>	<b>R-M</b>
<b>LOT AREA</b>				
Interior lot	100 acres	4,000 sq. ft.	8,000 sq. ft.	5,000 sq. ft.
Corner lot	100 acres	5,000 sq. ft.	9,000 sq. ft.	6,000 sq. ft.
<b>LOT SQUARE FOOTAGE PER DU</b>	NA	4,000 sq. ft. and larger as consistent with General Plan	4,000 sq. ft. and larger as consistent with General Plan	750 sq. ft. and larger as consistent with General Plan
<b>LOT WIDTH &amp; FRONTAGE</b>				
Interior lot	300 feet	50 feet	80 feet	50 feet

Corner lot	300 feet	60 feet	90 feet	60 feet
LOT DEPTH	NA	100 feet	100 feet	100 feet
RESIDENTIAL USE (maximum per lot)	1 du. 1 Second Unit	1 du 1 Second Unit	2 du's	1 du per full 750 sq. ft. (and larger as consistent with General Plan)
SETBACKS				
Front	50 feet	20 ft. avg. 18 ft minimum to garage (1)	20 ft. avg. 18 ft. minimum	20 ft.
Side	30 feet	(2)	10 feet	10 feet (3)
Street Side	50 feet	10 feet	10 feet	10 feet
Rear	50 feet	20 feet	20 feet	30 feet

- (1) Living spaces may encroach to 15 ft. from Front Lot Line with Site Development Review on lots up to 6,000 square feet in size.  
(2) Side Yard setbacks in the R-1 zoning district shall be a minimum of 5 feet plus one foot for each full 10 feet by which lot width exceeds minimum lot width up to a maximum of 10 feet.  
(3) Buildings with 4 or more residences in the R-M zoning district shall have a 15 foot Side Yard on one side.

STANDARD	A	R-1	R-2	R-M
DISTANCE BETWEEN RESIDENCES	100 feet	10 feet	20 feet	20 feet
MAXIMUM LOT COVERAGE	NA	40% 1 story, 35% 2 stories	40% 1 story, 35% 2 stories	40% 1 story, 35% 2 stories
COMMON USEABLE OUTDOOR SPACE	NA	NA	NA	30 % of net site area
ACCESSORY STORAGE-MULTI-FAMILY (1)	NA	NA	200 cubic feet minimum per unit	200 cubic feet minimum per unit
HEIGHT LIMITS	(2)	(2)	(2)	(3)

- (1) Multi-family accessory storage shall be provided for each unit in a multi-family project that has a private, enclosed garage attached or assigned to the unit. In addition to the R-2 and R-M Zoning Districts, multi-family accessory storage shall also be provided in comparable PD (Planned Development) Zoning Districts and the Downtown Dublin Zoning District. See also Chapter 8.08 (Definitions).  
(2) West of Dougherty Road 25 feet and 2 stories; may be increased to 35 feet and 2 stories pursuant to a Site Development Review approval by the Zoning Administrator. East of Dougherty Road; 35 feet and 2 stories.  
(3) 35 feet if 4 or fewer du.; 45 feet if 5 or more du.; 75 feet if 5 or more du. and lot coverage does not exceed 35%.

## **SECTION 5:**

In order to limit the use of tandem parking associated with residential uses, Section 8.76.060.L (Tandem Parking) of Title 8 of the Dublin Municipal Code is hereby amended to read as follows:

### **L. Tandem Parking.**

- 1. Commercial and Industrial Uses.** The Zoning Administrator may approve an off-street parking program by means of a Conditional Use Permit utilizing limited tandem (front to back) parking for commercial and industrial uses under unusual design constraints provided that the development requires 20 or more parking spaces. The Zoning Administrator may require that an attendant be on duty during normal business hours.
- 2. Residential Uses in the Downtown Dublin Zoning District.** The Planning Commission may approve an off-street parking program by means of a Conditional

Use Permit utilizing up to 25% of the required parking (excluding guest parking) as tandem (front to back) parking for multi-family residential uses in the Downtown Dublin Zoning District if all of the Conditional Use Permit findings can be made and the following additional findings:

- a. The allowance of tandem parking will not be detrimental to the project or surrounding properties.
  - b. There are adequate provisions for dedicated personal storage that exceed minimum requirements for accessory storage in multi-family residential projects.
  - c. Alternative modes of transportation are available in close proximity to the project effectively reducing dependency on the automobile as the primary mode of travel.
3. **Residential Uses outside of the Downtown Dublin Zoning District.** Tandem (front to back) parking is not permitted to satisfy required parking within a single-family dwelling unit attached garage or a multi-family dwelling unit attached garage.

**SECTION 6:**

In order to create consistency between the guest parking standards for apartments and condominiums, Section 8.76.080.B (Residential Use Types) of Title 8 of the Dublin Municipal Code is hereby amended to read as follows in its entirety:

**B. Residential Use Types.** Residential Use Types shall provide off-street parking spaces as follows:

<b>RESIDENTIAL USE TYPES</b>	<b>NUMBER OF PARKING SPACES REQUIRED</b>
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
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)	2 in enclosed garage per dwelling, plus 1 space for every employee not residing in the home, plus one loading space for every 6 children in the facility; one loading space may occur on street if within 150 feet of the dwelling
Family Day Care/Small (up to 8)	Not regulated
Mobile Home	2 per dwelling
Mobile Home Park	2 per dwelling, plus 1 guest space for every 2 dwellings

Residences	
Apartments	
Studio	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
1 Bedroom	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
2+ Bedrooms	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
Condominiums	
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 or more Bedrooms	2 covered or garaged per dwelling plus 1 guest parking space per dwelling which shall be marked as a guest parking space
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
Second Unit	1 parking space, see Section 8.80.040.F relating to Second Units parking
Single Family/Duplex	
Lots of 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*.
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

\*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](#).

**SECTION 7:           Effective Date and Posting of Ordinance**

This Ordinance shall take effect and be in force thirty (30) days from and after the date of its final adoption. The City Clerk of the City of Dublin shall cause this Ordinance to be posted in at least three (3) public places in the City of Dublin in accordance with Section 39633 of the Government Code of California.

**PASSED, APPROVED, AND ADOPTED BY** the City Council of the City of Dublin on this \_\_\_\_ day of \_\_\_\_\_, 2013, by the following votes:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk



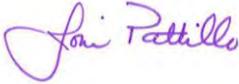
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #450-30

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** The Village at Dublin Planned Development Rezone (PLPA-2012-00031)  
*Prepared by Kristi Bascom, Principal Planner*

### EXECUTIVE SUMMARY:

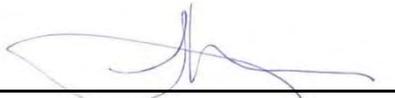
On December 3, 2013, the City Council approved The Village at Dublin General Plan and Eastern Dublin Specific Plan Amendment and associated implementation actions to enable the construction of an approximately 152,000 square foot retail commercial center on a 14.32 acre parcel at 5054 Hacienda Drive. In addition to approving the General Plan and Eastern Dublin Specific Plan amendments, the Final Supplemental Environmental Impact Report was certified and a Resolution approving Site Development Review and a Vesting Tentative Map was approved. Lastly, an ordinance amending the Zoning Map to rezone 14.32 acres at 5054 Hacienda Drive to a Planned Development Zoning District with a related Stage 1 and Stage 2 Development Plan for the project was introduced. The City Council will consider adopting the Ordinance at this meeting.

### FINANCIAL IMPACT:

None at this time. The costs associated with processing The Village at Dublin project are borne by the Applicant.

### RECOMMENDATION:

Staff recommends that the City Council waive the reading and adopt an **Ordinance** amending the Zoning Map to rezone 14.32 acres of 5054 Hacienda Drive to a Planned Development Zoning District and approving the related Stage 1 and 2 Development Plan for The Village at Dublin Retail Center.

  
\_\_\_\_\_  
Submitted By  
Director of Community Development

  
\_\_\_\_\_  
Reviewed By  
Assistant City Manager

## DESCRIPTION

The project site is vacant and is approximately 14.32 acres. It is located at the southwest corner of Dublin Boulevard and Hacienda Drive. The project site is shown below.

Figure 1: Vicinity Map



At the request of the Applicant (Regency Centers), on November 20, 2012, the City Council approved the initiation of a General Plan and Eastern Dublin Specific Plan Amendment Study to consider changing the land use designations for the parcel from “Campus Office” to “General Commercial/Campus Office” in order to accommodate future retail commercial uses on the site.

On December 3, 2013, the City Council approved the comprehensive project, which will result in the construction of a 152,500 square foot retail commercial center with associated site improvements. The approvals consisted of amendments to the General Plan and Eastern Dublin Specific Plan (Resolution 198-13), introduction of an Ordinance for a Planned Development Rezone with a Stage 1 and Stage 2 Development Plan, approval of Site Development Review and a Vesting Tentative Map (Resolution 199-13), and certification of a Final Supplemental Environmental Impact Report (Resolution 197-13). The December 3, 2013 Staff Report, with additional detail on the Planned Development Rezone and related Stage 1 and Stage Development Plan and the other entitlements, is included as Attachment 1.

The City Council is being asked to waive the second reading and adopt the Ordinance approving the Planning Development Rezone (Attachment 2).

## **ENVIRONMENTAL REVIEW**

A Draft and Final Supplemental Environmental Impact Report (SEIR) was prepared to address potential environmental impacts of The Village at Dublin Retail Center. The Village at Dublin SEIR (SCH# 2013012027) was prepared in accordance with the California Environmental Quality Act (CEQA). The Final Supplemental EIR was certified by the City Council on December 3, 2013 via Resolution 197-13.

## **NOTICING REQUIREMENTS/PUBLIC OUTREACH**

A Public Notice was published in the Valley Times and posted at several locations throughout the City. The Public Notice was provided to all persons who have expressed an interest in being notified of meetings. The Staff Report for this public hearing was also made available on the City's website.

- ATTACHMENTS:**
1. December 3, 2013 City Council Staff Report (without attachments)
  2. Ordinance amending the Zoning Map to rezone 14.32 acres of 5054 Hacienda Drive to a Planned Development Zoning District and approving the related Stage 1 and 2 Development Plan for The Village at Dublin Retail Center



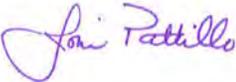
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #400-20/410-30/  
450-30/420-30

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**DATE:** December 3, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** The Village at Dublin Retail Center. General Plan Amendment, Eastern Dublin Specific Plan Amendment, Planned Development Rezoning, Site Development Review, Vesting Tentative Map, and Supplemental Environmental Impact Report (PLPA-2012-00031).  
*Prepared by Kristi Bascom, Principal Planner*

### EXECUTIVE SUMMARY:

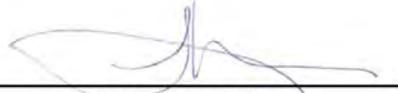
The City Council will consider The Village at Dublin General Plan and Eastern Dublin Specific Plan Amendment and associated implementation actions. The Proposed Project would involve the development of a 152,500 square foot retail commercial center on a 14.32 acre parcel at 5054 Hacienda Drive. Other improvements would include surface parking lots, installation of utilities and services, site landscaping, pedestrian plazas and placement of identification signs. Requested land use approvals include a General Plan Amendment, an amendment to the Eastern Dublin Specific Plan, Planned Development Rezoning, Site Development Review, and a Vesting Tentative Map. Certification of a Final Supplemental Environmental Impact Report (Final SEIR) is also being considered.

### FINANCIAL IMPACT:

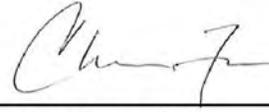
None at this time. The costs associated with processing The Village at Dublin project are borne by the Applicant.

### RECOMMENDATION:

Staff recommends that the City Council conduct the public hearing, deliberate; adopt **Resolution** Certifying the Final Environmental Impact Report, adopting environmental findings, a Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program under CEQA for The Village at Dublin Retail Center; adopt **Resolution** Amending the General Plan and the Eastern Dublin Specific Plan for The Village at Dublin Retail Center; waive the first reading and **INTRODUCE** an Ordinance approving Ordinance amending the Zoning Map to rezone 14.32 acres of 5054 Hacienda Drive to a Planned Development Zoning District and approving the related Stage 1 and 2 Development Plan for The Village at Dublin Retail Center; and adopt **Resolution** Approving Site Development Review and Vesting Tentative Map for Parcel 3 of Parcel Map 8262 for The Village at Dublin Retail Center.



Submitted By  
Director of Community Development



Reviewed By  
Assistant City Manager

## DESCRIPTION:

### Background

The project site is vacant and is approximately 14.32 acres. It is located at the southwest corner of Dublin Boulevard and Hacienda Drive. The project site is shown below.

Figure 1: Vicinity Map



The project site currently has General Plan and Eastern Dublin Specific Plan land use designations of “Campus Office” and is in a Planned Development Zoning District (PA 85-018). City Council Resolution 105-85 approved the Planned Development Zoning District on the site, which outlined that the future site uses would be campus-type office uses. However, a detailed Development Plan (either Stage 1 or Stage 2) was never adopted.

At the request of the Applicant (Regency Centers), on November 20, 2012, the City Council approved the initiation of a General Plan and Eastern Dublin Specific Plan Amendment Study to consider changing the land use designations for the parcel from “Campus Office” to “General Commercial/Campus Office” in order to accommodate future retail commercial uses on the site (Attachment 1).

### Project Proposal

The proposed project for the site is a 152,500 square foot retail commercial center complete with associated site improvements. In addition to the General Plan and Eastern Dublin Specific Plan amendment, the Applicant is also requesting approval of a Planned Development Rezone with a Stage 1 and Stage 2 Development Plan, Site Development Review, and Vesting Tentative Map to subdivide the site into five separate parcels.

## **ANALYSIS**

The analysis below describes the various components of the project.

### General Plan Amendments

The following amendments to the General Plan are required in order to ensure the project, as proposed, is consistent with the document. The main amendment to the General Plan is to change the land use designation for the subject parcel from “Campus Office” to “General Commercial/Campus Office” to enable retail uses. Figure 1-1 (General Plan Land Use Map) shall be amended accordingly.

Table 2.2 (Land Use Development Potential: Eastern Extended Planning Area) shall be updated to subtract 14.32 acres from the Campus Office land use category and add 14.32 acres to the General Commercial/Campus Office land use category.

The Resolution adopting amendments to the General Plan is included as Attachment 2 to this Staff Report.

### Eastern Dublin Specific Plan Amendments

Similar to the General Plan Amendment, Figure 4.1 (Land Use Map) shall be amended to change the land use designation for the subject parcel from “Campus Office” to “General Commercial/Campus Office”.

Table 4.1 (Eastern Dublin Specific Plan Land Use Summary) shall be updated to subtract 14.32 acres from the Campus Office land use category and add 14.32 acres to the General Commercial/Campus Office land use category. Table 4.2 (Eastern Dublin Specific Plan Population and Employment Summary) shall be updated to subtract the development potential square footage from the Campus Office land use category and add the development potential square footage to the General Commercial/Campus Office land use category. Table 4.3 (Projected Jobs/Housing Balance) shall be updated to include the amended jobs number based on the land use change from Campus Office to General Commercial/Campus Office. Lastly, Table 4.11 (Hacienda Gateway Subarea Development Potential) shall be updated to subtract 14.32 acres from the Campus Office land use category and add 14.32 acres to a new General Commercial/Campus Office land use category.

The Resolution adopting amendments to the Eastern Dublin Specific Plan Amendment is included as Attachment 2 to this Staff Report.

### Planned Development Rezoning and Stage 1/Stage 2 Development Plan:

Typically, a Stage 1 Development Plan is adopted first to establish a concept site plan and lock in the development potential for a given site. At a later date, once the proposed project has been refined to a greater level of detail, a Stage 2 Development Plan is adopted that establishes the more complete development standards and design guidelines. Since the proposed project

has been completely designed, the Stage 1 and Stage 2 Development Plan in this case will be a combined document.

The Stage 1 and Stage 2 Development Plan is proposed in accordance with Section 8.32.040 of the Dublin Zoning Ordinance. The Stage 1 and Stage 2 Development Plan would allow for up to 167,200 square feet of retail commercial development on the project site. This is 10% larger than the proposed project and is the amount of square footage studied in the Environmental Impact Report. This was done in order to allow the ultimate size of the project to increase slightly as the exact building sizes and locations were determined.

The Stage 1 and 2 Development Plan details the permitted and conditional uses; site development standards, architectural and landscape standards and guidelines; data on site area, proposed densities and maximum amount of development on the project site. Attachment 3 describes the Stage 1 and Stage 2 Development Plan in greater detail.

The Ordinance approving the Planned Development Rezoning and Stage 1 and Stage 2 Development Plan is included as Attachment 3 to this Staff Report.

Site Development Review:

The following is a summary of the key components of the project associated with the Site Development Review. Staff's discussion is broken down into several categories.

**Site Plan, Access, and Circulation:**

The project site is bounded by Dublin Boulevard to the north, Martinelli Way to the south, Arnold Road to the west and Hacienda Drive to the east. Because of the long, narrow nature of the site, the project is oriented east-west. The two main buildings face Martinelli Way and the rears of the buildings are oriented toward Dublin Boulevard. The main parking field for the retail center is on the south side of the two buildings. These buildings contain a majority of the commercial square footage (134,000 SF), while three pad buildings (18,500 SF in total) are proposed along the site perimeter.

A main drive aisle bisects the site in a north-south direction, connecting to Sybase Drive at the north and the future entry to The Green project site at the south. This drive aisle serves as the main vehicular and pedestrian link to the future project to the south and to the campus office buildings to the north. The other main project entries are off Arnold Road and Hacienda Drive. There are also entries to the delivery areas and smaller employee parking areas off Dublin Boulevard, but these are expected to have limited vehicular ingress and egress in comparison to the main entry points.

New bicycle facilities will be provided along Martinelli Way in the form of a Class I, ten foot wide multi use path and along Arnold Road in the form of a Class II six foot wide, in street bike lane. Bicycle facilities already exist on Dublin Boulevard and on Hacienda Drive. Bike lockers as well as conventional bike racks will be provided on site.

Sheet A1 of the Project Plan Set (Exhibit A to Attachment 4) illustrates the overall site plan.

**Architecture:**

The architectural concept for the retail center is very clean and contemporary. The building vocabulary and materials selection blend well with the surrounding uses while creating a unique design statement for this shopping center. The building forms are broken down both horizontally and vertically with variation in color and materials, which include a mixture of

plaster, stone, rustic metal trellis elements and awnings, bronze-framed windows, doors, and storefront systems, vertical composite wood slats, horizontal composite wood siding, and green screen grid forms that will allow for nearly full walls of landscape treatment.

Each of the three major tenants has a glass entry element at the roofline, a feature that is repeated at the rear of Major 1 at the Dublin Boulevard project entry. The project is oriented to face towards Martinelli Way so that it can blend and relate well to the future development project on the south side of Martinelli (the future Green on Park Place project). Along the Dublin Boulevard frontage, attention has been paid to carrying the same design and materials along the back of the buildings, to ensuring that the screen walls that hide the loading docks use the same colors and materials, and to ensuring that building articulation and a variety of materials are employed on all four elevations.

Sheets A2 through A9 of the Project Plan Set (Exhibit A to Attachment 4) illustrate the building elevations for each of the buildings on the project site. Sheet A10 identifies the building materials and color palette to be utilized throughout the retail center.

**Parking:**

The proposed project includes the provision of 828 parking spaces, which is well in excess of the City standards as outlined in Chapter 8.76 (Off Street Parking and Loading) of the Zoning Ordinance. Although all of the tenant users have not been identified, it is known that the center will be a mixture of retail, restaurant, and personal services uses. Even if it is assumed that only the three major tenants will be retail and all of the other tenants are restaurant uses (a “worst case” scenario from a traffic perspective), the amount of parking needed to serve the proposed 152,500 SF project would be 730 spaces. Even if an additional 14,700 SF of retail uses were built out (as permitted in the Stage 1 and Stage 2 Development Plan), a total of 779 spaces would be needed and there would still be a 49 space surplus on the project site to serve the proposed outdoor dining areas and other uses that may come along in the future and be more parking-intensive.

**Landscaping:**

The project site landscape concept emphasizes the creation of a comfortable pedestrian environment. With the design of generous eight-foot sidewalks along the main north-south drive aisle adorned with street trees and pedestrian-scaled lighting, the project provides a strong pedestrian connection with its neighbors to the north and to the south.

Street trees will be installed along the project perimeter adjacent to the sidewalks within the public right of way. The project perimeter along Dublin Boulevard will have a four-foot tall gridded screen fence with pilasters that will help screen the employee parking area from public view. A thin landscape strip will be planted with species that will grow up and through the fence to eventually provide a solid landscape screen without the bulk and starkness of a wall.

In addition to the trees provided in the parking lot and along the front of the retail/restaurant buildings, two pedestrian pathways have been designed to provide a travel route between Martinelli Way and the front of the two main buildings. Trees in wells with decorative grates will be planted along these pedestrian pathways.

The site has several outdoor seating areas that are adjacent to future restaurant tenant spaces: on either side of the main north-south drive aisle, to the east of the Stores 1, and to the east of Pad 1. These spaces will be activated with tables and chairs, planters, and other outdoor site furniture.

Sheet L2 provides enlargements of the key areas on the project site, including the main entry drive at the north and the Dublin Boulevard/Hacienda Drive corner. The Dublin/Hacienda corner is particularly important in that the other three corners at this intersection are anchored by larger buildings. The Applicant is proposing a corner element that is designed with the same materials and colors as the retail/restaurant buildings. Sheet A9A provides a perspective of the corner element, which is highlighted by an internally-illuminated opaque lantern, adjacent decorative trellis, and a four-foot gridded screen wall to soften the view of the employee parking lot. Between the physical structures and the proposed landscape design, the corner element should be an attractive feature of the project that provides a solid anchor to the corner and a contextual connection to the rest of the retail center.

Sheets L1 through L3 of the Project Plan Set (Exhibit A to Attachment 4) illustrate the landscape plans and details for the project site.

#### *Vesting Tentative Map – Parcel 3 of Parcel Map 8262*

The Applicant is requesting to subdivide the single 14.32 acre parcel into five parcels for the purposes of separate building ownership. There will be a reciprocal parking agreement and reciprocal access agreements across all of the parcels to ensure that despite the potential for multiple parcel ownership, the retail center will function as a single entity. The proposed Vesting Tentative Map conforms to the City of Dublin General Plan, Eastern Dublin Specific Plan, and proposed Stage 1 and Stage 2 Development Plan, subject to the findings and Conditions of Approval.

Sheet C-1 of the Project Plan Set (Exhibit A to Attachment 4) illustrates the proposed subdivision of the parcel. The Resolution approving Site Development Review and the Vesting Tentative Map for Parcel 3 of PM 8262 is included as Attachment 4 to this Staff Report.

### **PLANNING COMMISSION REVIEW**

On November 12, 2013, the Planning Commission held a public hearing on The Village at Dublin project. The Planning Commission is typically the review and approval body for Site Development Review and Tentative Map applications. However, in the case of this project, the Planning Commission served as an advisory body to the City Council on these two actions. This was due to the fact that an Environmental Impact Report (EIR) needs to be certified before any other approval actions take place on the project.

At the November 12, 2013 public hearing, the Planning Commission had a robust discussion on several of the architectural elements of the project. The Planning Commission agreed that they would like to see additional composite siding on the elevations facing Dublin Boulevard and Hacienda Drive, and further enhancement to the fence pilasters along these frontages. At the conclusion of the discussion, the Planning Commission voted to add one additional Condition of Approval to the Site Development Review resolution, which became COA No. 125. The Planning Commission adopted four Resolutions recommending approval of the project to the City Council. The November 12, 2013 draft meeting minutes are included as Attachment 5 to the Staff Report and Planning Commission Resolutions 13-37, 13-38, 13-39, and 13-40 (without attachments) are included as Attachment 6.

## **ENVIRONMENTAL REVIEW**

A Supplemental Environmental Impact Report (SEIR) was prepared to address potential environmental impacts of The Village at Dublin Retail Center. The Village at Dublin SEIR (SCH# 2013012027) was prepared in accordance with the California Environmental Quality Act (CEQA). The Draft SEIR was released for public review for a 45-day period, from July 30, 2013 to September 13, 2013. Comments were received from three public agencies and interested parties. The comment letters, along with the City's response to those comments, are contained in the Final SEIR. The Final SEIR, environmental findings, Statement of Overriding Consideration, and Mitigation Monitoring and Reporting program are included as Exhibit A to Attachment 7 of this Staff Report.

As required by CEQA, the Final SEIR (that includes the Response to Comments) was sent directly to those agencies that provided comments on the Draft EIR. The SEIR (comprised of the Draft SEIR and Final SEIR) is available for review at City Hall during normal business hours. The documents are also posted on the City's website.

The Resolution certifying the Final SEIR is included as Attachment 7 to this Staff Report.

## **NOTICING REQUIREMENTS/PUBLIC OUTREACH**

A notice of this public hearing was published in the Valley Times, mailed to all property owners and tenants within 300 feet of the project area boundaries, and all persons who have expressed an interest in being notified of actions related to this project were notified via email.

The Staff Report for this public hearing was also available on the City's website.

- ATTACHMENTS:**
1. City Council Resolution 195-12
  2. Resolution amending the General Plan and the Eastern Dublin Specific Plan for The Village at Dublin Retail Center
  3. Ordinance amending the Zoning Map to rezone 14.32 acres of 5054 Hacienda Drive to a Planned Development Zoning District and approving the related Stage 1 and 2 Development Plan for The Village at Dublin Retail Center
  4. Resolution approving Site Development Review and Vesting Tentative Map for Parcel 3 of Parcel Map 8262 for The Village at Dublin Retail Center, with the Project Plans included as Exhibit A
  5. Draft November 12, 2013 Planning Commission Meeting Minutes
  6. Planning Commission Resolutions 13-37, 13-38, 13-39, and 13-40 (without attachments)
  7. Resolution certifying the Final Environmental Impact Report, adopting environmental findings, a Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program under CEQA for The Village at Dublin Retail Center, with the Draft SEIR and Final SEIR included as Exhibit A

**ORDINANCE NO. xx – 13**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF DUBLIN**

\*\*\*\*\*

**AMENDING THE ZONING MAP TO REZONE 14.32 ACRES AT 5054 HACIENDA DRIVE TO  
A PLANNED DEVELOPMENT ZONING DISTRICT AND APPROVING THE RELATED STAGE  
1 AND 2 DEVELOPMENT PLAN FOR  
THE VILLAGE AT DUBLIN RETAIL CENTER PROJECT  
PLPA-2012-00031 (APN 986-0033-007-00)**

**WHEREAS**, the Applicant, Regency Centers, has submitted a Planning Application to construct a retail commercial center of up to 167,200 square feet on a vacant 14.32 acre site at 5054 Hacienda Drive. The proposal includes the approval of General Plan Amendments, Eastern Dublin Specific Plan Amendments, Zoning Ordinance Amendments, Rezoning properties to a new Planned Development Zoning District and approval of a related Stage 1 and Stage 2 Development Plan, Site Development Review, Vesting Tentative Map, and certification of a Final Supplemental Environmental Impact Report, among other related actions. These planning and implementing actions are collectively known as “The Village at Dublin Retail Center Project” or the “Project”; and

**WHEREAS**, approval of the project as proposed requires rezoning the Project properties to a new Planned Development Zoning District and approval of a related Stage 1 and Stage 2 Development Plan; and

**WHEREAS**, the California Environmental Quality Act (CEQA), together with the State guidelines and City environmental regulations, require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

**WHEREAS**, the City prepared a Draft Supplement Environmental Impact Report (EIR) dated July 2013 for the proposed Project which reflected the City’s independent judgment and analysis of the potential environmental impacts of the Project; and

**WHEREAS**, on November 12, 2013, the Planning Commission adopted Resolution 13-37 recommending that the City Council certify the Final SEIR for the project, which Resolution is incorporated herein by reference and available for review at City Hall during normal business hours; and

**WHEREAS**, on November 12, 2013, the Planning Commission adopted Resolution 13-39 recommending that the City Council approve rezoning the Project properties to a new Planned Development Zoning District and approval of a related Stage 1 and Stage 2 Development Plan, which resolution is incorporated herein by reference and available for review at City Hall during normal business hours; and

**WHEREAS**, a Staff Report, dated December 3, 2013 and incorporated herein by reference, described and analyzed the Project, including the General Plan Amendments, Eastern Dublin Specific Plan Amendments, Zoning Ordinance Amendments, Rezoning properties to a new Planned Development Zoning District and approval of a related Stage 1 and Stage 2 Development Plan, Site Development Review, Vesting Tentative Map, and certification of a Final Supplemental Environmental Impact Report, for the City Council; and

**WHEREAS**, the City Council held a properly noticed public hearing on the Project, including the proposed rezoning of the Project properties to a new Planned Development Zoning District and approval of a related Stage 1 and Stage 2 Development Plan, on December 3, 2013, at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, on December 3, 2013, the City Council adopted Resolution 197-13 certifying The Village at Dublin Final SEIR and adopting CEQA findings, a Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Project; and

**WHEREAS**, the City Council considered the Final SEIR and all above-referenced reports, recommendations, and testimony to evaluate the Project.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF DUBLIN DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1:** Findings

A. Pursuant to Section 8.32.070 of the Dublin Municipal Code, the City Council finds as follows.

1. The Village at Dublin Retail Center Project (“the Project”) PD-Planned Development zoning meets the purpose and intent of Chapter 8.32 in that it 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.

2. Development of The Village at Dublin Retail Center Project under the PD-Planned Development zoning and the related Stage 1 and Stage 2 Development Plan will be harmonious and compatible with existing and future development in the surrounding area in that the site will provide new retail, restaurant, and personal services to residents in an area that has similar uses nearby and is also adjacent to existing and future workplaces and residential neighborhoods.

B. Pursuant to Sections 8.120.050.A and B of the Dublin Municipal Code, the City Council finds as follows.

1. The PD-Planned Development zoning for The Village at Dublin Retail Center Project and the related Stage 1 and Stage 2 Development Plan will be harmonious and compatible with existing and potential development in the surrounding area in that the proposed Site Plan has taken into account sensitive adjacencies and will provide a wide range of amenities to the surrounding neighborhoods.

2. The project site is physically suitable for the type and intensity of the zoning district being proposed in that the Project maintains the general character and density of adjacent development. The project site conditions are documented in the Supplemental Environmental Impact Report (SEIR) that has been prepared, the environmental impacts that have been identified will be mitigated to the greatest degree possible, and the project will implement all adopted mitigation measures. There are no site conditions that were identified in the SEIR that will present an impediment to utilization of the site for the intended purposes. There are no major physical or topographic constraints and thus the

site is physically suitable for the type and intensity of the retail commercial center approved through the PD zoning.

3. The PD-Planned Development zoning will not adversely affect the health or safety of persons residing or working in the vicinity, or be detrimental to the public health, safety and welfare in that the project will comply with all applicable development regulations and standards and will implement all adopted mitigation measures. The Project uses are compatible with surrounding uses.

4. The PD-Planned Development zoning is consistent with and in conformance with the Dublin General Plan, as amended, and the Eastern Dublin Specific Plan, as amended, in that the proposed use as a future retail commercial shopping center is consistent with the General Commercial/Campus Office land use designation for the site.

## **SECTION 2: 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:

14.32 acres at 5054 Hacienda Drive. APN 986-0033-007-00.

("the Property"). A map of the rezoning area is shown below:



### **SECTION 3. 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 1/2 Development Plan for the Project area, which is hereby approved. Any amendments to the Stage 1/2 Development Plan shall be in accordance with section 8.32.080 of the Dublin Municipal Code or its successors.

#### **Stage 1/2 Development Plan for The Village at Dublin Retail Center Project**

This is a Stage 1 and 2 Development Plan pursuant to Chapter 8.32 of the Dublin Zoning Ordinance. This Development Plan meets all the requirements for both a Stage 1 and Stage 2 Development Plan set forth in Chapter 8.32 of the Zoning Ordinance and is adopted as part of the PD-Planned Development rezoning for Village at Dublin Retail Center Project, PLPA-2012-00031.

The PD-Planned Development District and this Stage 1/2 Development Plan provides flexibility to encourage innovative development while ensuring that the goals, policies, and action programs of the General Plan and provisions of Chapter 8.32 of the Zoning Ordinance are satisfied.

1. **Zoning.** The Zoning for the subject property is PD-Planned Development (PLPA-2012-00031).

2. **Statement of Permitted Uses.**

Permitted Uses (as defined by the Zoning Ordinance):

- General outdoor seating areas (plaza seating areas, benches, chairs, café tables) not dedicated to a specific user are permitted throughout the project area in any location.
- Retail-General and Retail-Neighborhood use types
- Offices - Professional/Administrative
- Personal Services
- Eating, drinking and entertainment establishments including the following:
  - Eating and Drinking Establishments, including the following:
    - Eating and Drinking Establishment – General
    - Eating and Drinking Establishment – Specialty
    - Eating and Drinking Establishment – Take Out
  - Outdoor Dining Areas (supplemental to an existing indoor restaurant) are permitted as identified on the Site Plan (Sheet A1 of the Project Plans). Outdoor Dining Area is defined as a controlled outdoor dining space (not enclosed in a building, but enclosed with a fence or barrier), which is supplemental to an indoor restaurant and dedicated to the use of a single tenant or tenants. Additional Outdoor Dining Areas may be permitted through a Site Development Review Waiver

Permitted with a Conditional Use Permit and/or Zoning Clearance/Minor Use Permit (as defined by the Zoning Ordinance):

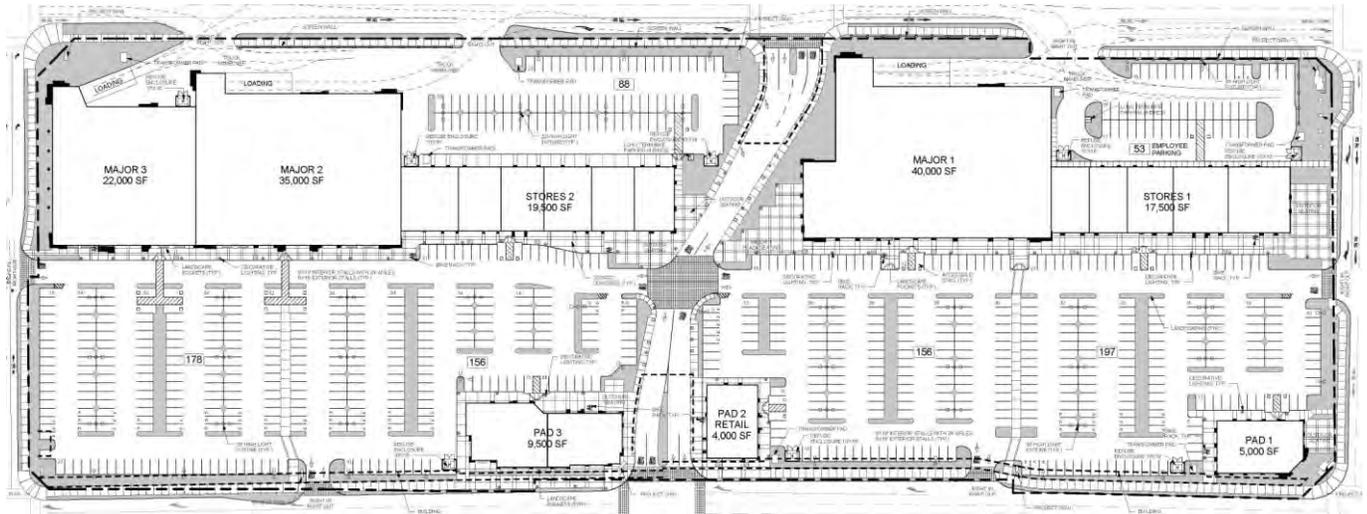
- Community Facility
- Recreational Facility – Indoor
- Daycare Center
- Community Care Facility (Large)
- Nightclub

Prohibited Uses:

- o Drive through facilities

**3. Stage 1 and 2 Site Plan.**

The Stage 2 Development Plan is shown below and is also included as Sheet A1 in the Project Plan Set, dated received October 29, 2013, on file at the Community Development Department.



**4. Site area, proposed densities, and development regulations.**

<i>Maximum Building Heights:</i>	40 feet
<i>Signage</i>	Pursuant to an approved Master Sign Program
<i>Minimum Lot Size</i>	None
<i>Maximum lot coverage</i>	27%
<i>Maximum Building Area</i>	167,200 square feet
<i>Maximum Floor Area Ratio</i>	.27
<i>Parking Stall Dimensions Standards</i>	Per Chapter 8.76 Off-Street Parking And Loading Regulations of the Dublin Zoning Ordinance
<i>Minimum Setbacks</i>	Per the Civil Site Plan (Sheet C-2 of the Project Plans)
<i>Parking Spaces Required:</i>	828 spaces to be provided according to Site Plan, which based on the expected tenant mix of retail and restaurant uses, is expected to be well in excess of City requirements.

5. **Phasing Plan.** The project site will be graded, improved, and constructed as a whole, but will likely be broken up into different building permit submittals.

6. **Preliminary Landscape Plan.** Sheets L1 through L3, inclusive, of the Project Plans illustrate the conceptual design.

7. **Architectural Standards.** The conceptual architectural design of the project shall reflect the following standards as illustrated in the Project Plans. The architectural design shall:
  - Employ a variety of materials, textures and colors to provide visual interest in the project and to complement its surroundings.
  - Use diversity of colors and textures in the building finishes to provide a varied and interesting base form for the buildings.
  - Incorporate features such as different wall planes, heights, wall textures, roof elements, storefront designs, awnings, canopies, trellises, base treatments, signs, light fixtures and landscaping to contribute layers of detail at the pedestrian level.
  - Provide functional outdoor plazas where people will gather and socialize, with landscaping, outdoor seating, enhanced paving treatment, and other features to provide an appropriate urban scale for the center.
8. **Consistency with General Plan and any applicable Specific Plan.** The proposed project is consistent with the General Plan (as amended) and Eastern Dublin Specific Plan (as amended).
9. **Inclusionary Zoning Regulations.** The Inclusionary Zoning Regulations do not regulate non-residential projects, so therefore this is not applicable.
10. **Aerial Photo.** An aerial photo is on file with the Community Development Department.
11. **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 C-2 (General Commercial Zoning District) provisions of the Dublin Zoning Ordinance pursuant to Section 8.32.060.C. No development shall occur on this property until a Site Development Review permit has been approved for the property.
12. **Compliance with adopted Mitigation Measures.** The Applicant/Developer shall comply with all applicable action programs and mitigation measures of the Eastern Dublin Specific Plan and General Plan Amendment EIR and The Village at Dublin Project Supplemental EIR.

#### **SECTION 4. POSTING OF ORDINANCE**

The City Clerk of the City of Dublin shall cause this Ordinance to be posted in at least three (3) public places 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 and be enforced thirty (30) days from and after its passage.

**PASSED AND ADOPTED BY** the City Council of the City of Dublin, on this \_\_\_\_\_ day of \_\_\_\_\_ 2013, by the following votes:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



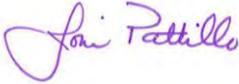
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #1010-10

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Authorizing the City Manager to Negotiate and Enter into a Consultant Services Agreement for Telecom Marketing and Management Services with Horizon  
*Prepared by Roger Bradley, Assistant to the City Manager*

### EXECUTIVE SUMMARY:

The City Council will consider authorizing the City Manager to finalize negotiations and enter into an agreement with Horizon Tower, LLC to provide consultant services for marketing and management of telecommunication sites on City property.

### FINANCIAL IMPACT:

Each potential telecommunications lease has the potential to generate an estimated \$175,000 to \$200,000 in new revenue for the City over a ten year period.

### RECOMMENDATION:

Staff recommends that the City Council authorize the City Manager to finalize the contract negotiations with Horizon Tower, LLC for Telecom Marketing and Management Services, and execute the agreement as long as it is within the substantial form as outlined within this Staff Report and its attachments.



Submitted By  
Assistant to the City Manager



Reviewed By  
Assistant City Manager

### DESCRIPTION:

At the November 5, 2013 City Council meeting, the City Council received a report and approved the concept of acquiring a consultant to market the leasing of City sites as possible telecommunication infrastructure locations as well as manage any resultant leases (Attachment 1).

As a number of leasing opportunities have presented themselves recently, in particular the Fallon Sports Park location as mentioned at the November 5, 2013 meeting, Staff is recommending that the City Council authorize the City Manager to finalize the contract

negations with Horizon Tower, LLC and execute the agreement as long as the terms are in line with those highlighted within the attached Staff Report and accompanying consultant proposal. Contract negotiations have been proceeding in an appropriate manner and timeframe; however, given the uniqueness of the services being provided, which has required an augmentation of the City's standard Consultant Services Agreement template, and the impact of the holiday breaks, Staff is recommending that the City Manager be authorized to finalize the agreement language, as long as they are within the parameters outlined within the Staff Report and Consultant proposal, to help expedite the process and avoid waiting an additional month to approve the agreement as there is only a single meeting within the month of January.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A copy of the Staff Report was sent to Horizon Tower, LLC.

**ATTACHMENTS:** 1. Staff Report – November 5, 2013



## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #

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**DATE:** November 5, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Proposal for Telecom Marketing and Management Services  
*Prepared by Paul McCreary, Parks and Community Services Director*

### EXECUTIVE SUMMARY:

The City Council will consider a proposal received by Horizon Tower, LLC to provide consulting services for marketing and management of telecommunications sites on City property.

### FINANCIAL IMPACT:

Each telecommunications lease has the potential to generate for the City an estimated \$175,000 to \$200,000 over a ten year period.

### RECOMMENDATION:

Staff recommends the City Council approve the concept of securing a consultant to market and manage telecommunications services on City property, and direct Staff to negotiate an Agreement with Horizon Tower, LLC.



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Submitted By  
Director of Parks and  
Community Services



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Reviewed By  
Assistant City Manager

### DESCRIPTION:

The City frequently receives inquiries from cellular service providers about locating telecommunications equipment on City property. Currently the City has one lease for a cellular antenna behind the Shannon Community Center that serves Sprint PCS. Citywide there are currently approximately 16 telecommunications towers and, as the City grows, the demand is increasing to locate additional antennas in the eastern part of Dublin. Additionally, due to the dramatic increase in the use of data-driven smartphones, there is an industry-wide trend toward densification of service in existing areas.

With the demand growing for telecommunications sites in Dublin, Staff believes that this is an opportunity to create additional revenue streams for the City. However, the telecommunications industry is complex and continues to rapidly change. Therefore, Staff published a Request for Proposals (RFP) to find an expert to: 1) market the City's properties as potential telecom sites; 2) negotiate lease agreements for City Council consideration; and 3) manage the improvements and the relations with lessees during the term of the agreements. It is anticipated that retaining the services of a telecommunications consultant will help the City maximize the revenue potential of telecom sites and be a more efficient use of staff time.

As part of the RFP process, Horizon Tower, LLC of Danville was the only firm to submit a proposal to the City to provide the marketing and management services outlined in the RFP (Attachment 1). Horizon is a wireless infrastructure company that has been in business since 2004. Horizon's staff has over fifty years of combined wireless site development experience in the planning, design, construction and project management of telecom sites. They have experience negotiating telecom lease agreements including lease amendments and adjustments; site equipment specifications; stealth applications for suitable design parameters for zoning approval and building permit compliance; legal compliance and all environmental compliance. Horizon has experience working in partnership with a variety of public agencies such as City of Oakley, City of Fontana, the State of California and various school districts.

Under the proposal received from Horizon, Horizon would work with Staff to identify potential sites for telecommunications leases. Fallon Sports Park is one site that Horizon would highly recommend for telecommunications equipment due to service gaps in Positano and Jordan Ranch. A preliminary review shows that Fallon Sports Park has the potential for up to four carriers. Staff also believes that there could be renewed interest in the Public Safety Complex, as there were several wireless carriers using that site when it was the former home to the National Food Lab. There has also been interest by the current lessee at Shannon Park to expand capacity. That agreement expires in 2014. If retained, Horizon would also negotiate with the lessee at Shannon Park for any modifications to the site and future amendments to the agreement, which is almost 15 years old.

Agreements would be negotiated so that all capital costs for the improvements be paid for by the lessees, as well as all operating, maintenance and repair costs. Agreements would have a defined term with options for renewal and escalating lease payments. Horizon would only have the ability to negotiate agreements for the City using a standard agreement agreed to by the City as a template. All draft agreements would be presented to the City Council for consideration and approval.

The proposed financial arrangement between the City and Horizon would be a tiered revenue share structure for all telecom lease revenue generated by the partnership. It is set up to incentivize Horizon to negotiate the best possible lease terms on behalf of the City. Following shows the percent share of the monthly lease payments that Horizon would receive for their services:

<b>Gross Monthly Lease Payment per Telecom Antenna</b>	<b>Horizon Fee Years 1 to 5</b>	<b>Horizon Fee Years 6 &amp; Beyond</b>	<b>Net to City over 10 years</b>
Less than \$2,000/month	20%	15%	Up to \$186,000
\$2,000 to \$2,399/month	25%	20%	Up to \$208,000
\$2,400/month and greater	30%	25%	Over \$210,000

Horizon would not be paid any retainer fee and, as noted, there would be no capital outlay for the City. Therefore the City would not be out any funds to enter into an Agreement with Horizon and have them market potential sites.

Staff has followed up with references provided by Horizon Tower and found the firm to have a reputation for professionalism, demonstrated technical knowledge of the industry, creativity and follow-through. All references would work with Horizon Tower again on future projects.

If the City Council concurs with the concept of securing the services of Horizon, Staff will negotiate a Consulting Services Agreement with Horizon for approval by the City Council at a future meeting.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A copy of the Staff Report was sent to Horizon Tower, LLC.

**ATTACHMENTS:**      1. Proposal from Horizon Tower, LLC



## HORIZON TOWER, LLC Request for Proposal



### Response to Request for Proposal (RFP) for Telecom Marketing and Management Services with the City of Dublin

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John Kapulica, Horizon Tower, LLC  
117 Town & Country Drive, Suite A, Danville, Ca 94526  
☎ 925-314-1113 ☐ 925-314-1114 ✉ john@horizontower.com  
www.horizontower.com

RFP Closing Date: **September 25, 2013 at 4:45pm**



**Table of Contents:**

A. Narrative	Pg 3-5
B. Horizon Background	Pg 5-6
C. Horizon Personnel/Resumes	Pg 6-8
D. Other Consultants	Pg 8
E. Statement of Qualifications	Pg 8-10
F. Statement of Proposed Financial Arrangement	Pg 10
G. <i>Appendix 1</i> (Letter of Recommendation)	Pg 11
H. <i>Appendix 2</i> (Proposed Contract)	Pg 12-23
I. <i>Appendix 3</i> (Existing Telecom Site Map – City of Dublin)	Pg 24



**RFP Response by Horizon Tower, LLC – City of Dublin Telecom Management Proposal**

Paul McCreary, Parks community Services Director  
City of Dublin  
Parks and Community Services Department  
100 Civic Plaza  
Dublin, Ca 94568

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**A. Narrative:**

Because of the explosive growth of data and voice usage on smart phones and other devices, the wireless industry is struggling to meet the demand imposed by new 4/5G technology platforms. Carriers are racing to upgrade and grow their networks to manage heavy data demand brought on by unprecedented mobile device sales over the last few years (i.e., Apple iPhones, Samsung Galaxy, Motorola Droid and other tablets and devices, such as the iPad). As a result, the demand for new infrastructure continues to grow at a rapid pace.

Local jurisdictions, like the City of Dublin (“the City”), are strategically positioned to help alleviate the constraints to wireless networks (brought on by the increased data usage), by offering city owned properties as suitable solutions for new telecom sites to carriers such as, Verizon, AT&T, Sprint, T-Mobile and others.

As a locally based wireless infrastructure company since 2004, Horizon Tower, LLC (“Horizon”) will provide assistance and direction to the City of Dublin for telecom marketing, leasing and management services by providing consulting expertise in the following areas:

**Site Selection:**

Horizon will advise the City on the most suitable city owned properties and locations that would qualify as potential candidates for wireless carriers. Horizon works extensively with wireless carriers in our local markets and will act as an intermediary between the City and the wireless carriers in analyzing/identifying and promoting the use of city owned properties as suitable candidates for wireless carriers and the installation of their Telecom Equipment. In addition, Horizon utilizes licensed and technologically advanced mapping tools that identify existing telecom sites and propagation analysis for both existing and new sites. These tools will be valuable in helping to identify and market suitable city owned properties.

#### Site Marketing and Leasing Services:

Upon successful identification of suitable city owned properties, Horizon will engage the wireless carriers on behalf of the City in anticipation of cross referencing current and future needs of the carriers with a map of the predetermined city properties and advise the City on suitable matches with carrier needs.

Horizon's staff, with over fifty years of combined wireless site development experience in the planning, design, construction, and project management of cell sites will consult and advise the City on all aspects of Telecom Lease Agreements and negotiations, including lease amendments and adjustments; site equipment specifications; stealth applications for suitable design parameters for zoning approval and building permit compliance; legal compliance and all environmental compliance matters.

#### Telecom Management Services:

Horizon will provide services to the City for Telecom Management Services in a diligent, careful and at the highest professional grade consistent with our reputation in the industry for the scope of work depicted below:

- (i) ***Inventory and Assessment:*** Horizon shall maintain a database with reporting features that will provide inventory of all telecom leases and telecom equipment on City property. Horizon will also provide mapping features to assist in propagation and coverage details of each telecom site.
- (ii) ***Telecom Equipment Installation Review:*** Horizon shall monitor the installation of all telecom equipment with City staff and mandate site walks with all carriers throughout the construction and installation process for compliance with installation plans and specifications and conformity with telecom leases.
- (iii) ***Compliance Enforcement:*** Horizon shall, with support from the City, enforce all FCC, FAA, NEPA, SHPO and local and regional ordinances related to use of the telecom equipment and conformity with telecom leases.
- (iv) ***Interference:*** Horizon shall, with support from the City, enforce all interference problems that may arise from multiple carriers at co-location facilities on City owned property and ensure conformity of the telecom lease provisions addressing interference issues.

- (v) **Books and Records:** Horizon shall maintain a database of all telecom leases and equipment, as well as documentation provided by telecom carriers related to: *Preliminary site data/information; Ground Lease/Easement/Grant Deed/W-9; Memorandum of Leases (MOL's); Option renewal / commencement letters; Title procurement, SNDA / Lien releases; 1-A/2-C Boundary survey; Phase I/Phase II reports; NEPA/SHPO reports; Geotechnical report; LUP/Zoning approval (photosims); FAA / FCC analysis and registration, AM certification; Site Plans (Construction Drawings); Tower/ Foundation / Building Drawings; Power & Telco Account / Light Monitoring (where applicable); Permit(s) / Approval / Cert. Of Occupancy; As-Built Survey/Drawings and all related telecom lease correspondence.*
- (vi) **Telecom Lease Relations:** Horizon shall act as an intermediary between the City and the telecom carriers for all matters related to the telecom lease and telecom siting.
- (vii) **Lease Revenues:** Horizon shall work with City staff and accounting personnel providing detailed reports on telecom lease revenues, escalations, delinquencies, late charges, etc., on behalf of the City. Full reporting using QuickBooks of all relevant accounting will be available for City review.
- (viii) **Insurance:** Horizon shall work with City staff on verifying all insurance requirements per telecom lease provisions, including having the City and Horizon Tower being named as additional insured with certificates for all installation work on City property.
- (ix) **Notices:** Horizon and the City will be listed as appropriate contacts on telecom leases. All notices shall be followed up on by Horizon Tower with the City, including all notices on new or pending sites that Horizon markets to the telecom carriers.
- (x) **Performance of Services:** See opening paragraph above.

## **B. Horizon Background**

Horizon Tower as a local consultant, developer, owner and operator of wireless infrastructure in Northern California since its inception in January, 2004, specializes in a 'grass roots' approach to conducting business services to the wireless community. Horizon specializes in all phases of consulting and project management in the wireless industry, including, but not limited to:

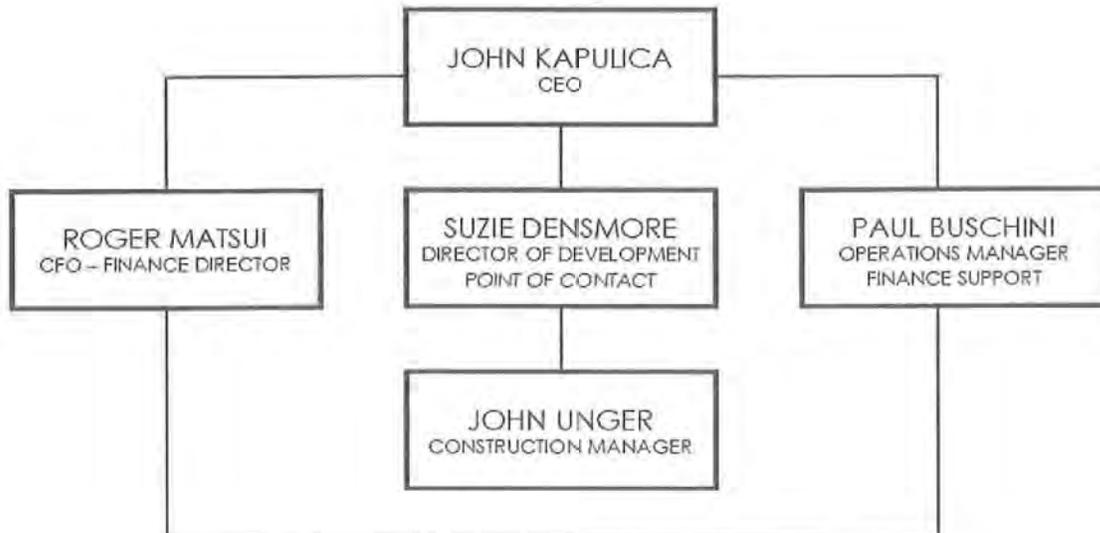
- Site Selection/Site Acquisition
- Land Use Planning/Design and Zoning Administration
- Site Surveying/Architectural & Engineering
- Utility and Telco/Fiber connectivity & Coordination
- Telco Backhaul Services
- Construction Management Services
- Site Management/Maintenance & Logistics

Reliable Infrastructure Partners

Horizon prides itself on providing the highest caliber service to its clients and with over 50 years of combined staff experience in the industry, we are confident in meeting the highest expectations of our clients. Over the years, Horizon has found a niche in working with local governments and jurisdictions in providing site development services for wireless carriers and offering carriers a predictable, efficient path to infrastructure expansion on city owned properties. Horizon provides a full turn-key operation that incorporates leasing, zoning, compliance, development funding, construction and site maintenance – all executed in a timely and professional manner allowing for clarity and efficiency for potential infrastructure development. Some of these telecom projects include partnerships with local municipalities, such as: City of Oakley, City of Fontana, the State of California (DGS) and local school districts, such as Lodi Unified School District. These projects have allowed Horizon the unique ability to partner with local municipality and government bodies to enhance the use of city/government owned properties and as a result we feel our experience and existing carrier relationships will help leverage opportunities with the city of Dublin. *(Please refer to section E. Statement of Qualifications for references and details regarding these projects).*

**C. Horizon Personnel/Resumes**

The key personnel that will interact with the City of Dublin staff on a regular basis are identified below along with brief resumes. Susan Densmore, as Director of Development will be the initial point of contact for all matters related to this project.



**John Kapulica | *Chief Executive Officer***

Mr. Kapulica has been engaged in real estate acquisition and development for over twenty years, seventeen of which have been dedicated to the wireless communications industry. In 1995, Mr. Kapulica joined JM Consulting Group to assist in the launch of Pacific Bell Mobile Services' (now AT&T) GSM network in the San Francisco Bay Area and has since been engaged in every aspect of the wireless development business with direct responsibility for the deployment of hundreds of sites for all the national carriers through various entities and startups, including: Communication Systems Development, CSD, Inc., TowerCom West Coast, LLC., Standard Tower, LLC., and most recently Horizon Tower, LLC, which he formed along with private equity partner Duff Ackerman & Goodrich (DAG, LLC ) in 2004 and continues to serve as its CEO. Mr. Kapulica received a Bachelor of Science degree in Business Administration from San Francisco State University and holds a Master of Science degree in Finance from Golden Gate University.

**Roger Matsui | *Chief Financial Officer***

Mr. Matsui is an experienced financial executive with a deep background in the cellular tower, private equity, and broker/dealer sectors. From 2002 through 2012 Mr. Matsui served as Chief Financial Officer for private equity firm Duff Ackerman & Goodrich (DAG, LLC) with responsibility for fund administration and accounting. In 2004 DAG LLC invested in Horizon Tower and Mr. Matsui took on the added responsibility of serving as Horizon Tower's Chief Financial Officer. Prior to joining DAG LLC, Mr. Matsui was the Chief Financial Officer for Sutro & Co. from 1996 to 2002. Sutro was a full service regional broker/dealer with 16 branch offices in the western United States prior to being acquired by RBC, Dain Rauscher. Mr. Matsui is a member of the California Society of Certified Public Accounting and received his MBA from California State University, Hayward.

**Suzie Densmore | *Director, Site Development / Acquisition***

Ms. Densmore joined Horizon in 2006. She has worked in the wireless telecommunications industry for more than 13 years. Her experience spans two national, publicly traded tower asset companies as well as two west coast based regional tower companies. During her tenure in the industry, Ms. Densmore has participated in the development, management, acquisition or securitization of over 2,000 tower sites. At Horizon, Ms. Densmore oversees all facets of tower development and acquisitions including project management, portfolio management and due diligence. Ms. Densmore is also responsible for development and maintenance of the Company's database systems used to track site development, accounting, maintenance and other aspects of the Company's operations.

**Paul Buschini | *Operations Manager***

Mr. Buschini joined Horizon in 2004. He brings over 15 years of project management and operations experience to Horizon. Prior to joining Horizon, Mr. Buschini spent five years with TowerCom alongside Mr. Kapulica, where he played an instrumental role in its project

management group. At Horizon, Mr. Buschini is responsible for all operational aspects of towers including oversight of receivables and payables, and in-house accounting/finance support to the CFO. Additionally, Mr. Buschini assists the Company's tower development and acquisition efforts including vendor management, site evaluation, inspection and maintenance FAA/FCC compliance and environmental compliance.

**John Unger | Construction Manager**

Mr. Unger brings over 15 years of wireless construction experience to Horizon Tower and was originally part of the initial launch for Pacific Bell Mobile Services in Pleasanton, California, serving the East Bay community. Mr Unger has a deep understanding of every aspect of the design and construction of wireless telecom facilities for AT&T, Verizon, T Mobile and Sprint/Nextel. Previously Mr. Unger served as Construction Manager for AT&T Wireless and with tower developer SpectraSite.

**D. Other Consultants (Not applicable)**

**E. Statement of Qualifications**

Below please find a list of relevant projects that Horizon has completed which are similar in scope and nature to the Dublin RFP. All projects were co-location facilities (4-carrier minimum) and strategically located on government property. The City of Fontana project was an extensive arrangement to remove 4 existing wireless carriers (4 individually carrier owned mono-poles) on private property and re-located and consolidated on 1 new structure on City owned property. (See appendix for recommendation letter).

**City of Oakley**

Project Name: Oakley CA2009

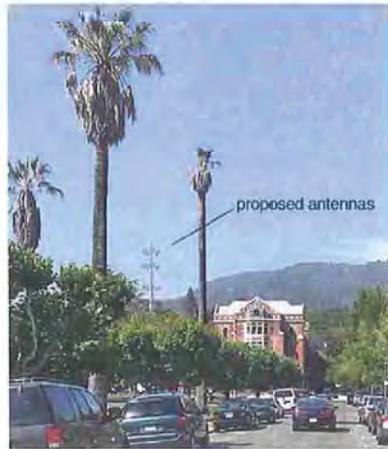
Barbara Mason, Redevelopment/Economic Development Director

925-625-7016



**State of California**

Project Name: Glen Ellen SDC CA4001 (currently under development)  
Tony Psihopaidas, Manager, State Owned Leasing and Development  
916-375-4040



**City of Fontana**

Project Name: Fontana CA2000  
Debbie M. Brazill, Deputy City Manager  
(909) 350-6727

[See attached letter of recommendation (Appendix 1)]



**Lodi Unified School District**

Project Name: Lodi High CA4002

Art Hand, Jr. Asst. Superintendant, Facility & Planning

C/o Barry DaCruz, Mika Telecom Group

209-992-1134



**F. Statement of Proposed Financial Arrangement**

Horizon proposes a tiered revenue share structure for all telecom lease revenue generated by the partnership and under the proposed terms of contract\* and per the scope of services depicted in this RFP as follows:

<b>Gross Lease Payment</b>	<b>Years 1-5</b>	<b>Years 6 &amp; Beyond</b>
Less than \$2,000/mo	20%	15%
\$2,000-\$2,399/mo	25%	20%
\$2,400/mo & greater	30%	25%

\*See Appendix 2 for proposed form of contract

## Appendix 1 – City of Fontana Letter of Recommendation



City of Fontana  
CALIFORNIA

November 29, 2006

To Whom It May Concern:

Please accept this letter as a reference and recommendation for the services Horizon Tower provided the City of Fontana and the Fontana Redevelopment Agency in the relocation/redevelopment of cell sites at our Jessie Turner Community facility.

In the Spring of 2005, the City of Fontana was confronted with the task of relocating three national wireless carriers residing on three separate mono-palms to another location due to the redevelopment of the existing parcel where the sites were located. With Horizon Tower's expertise and knowledge of the industry, they were able to step in and present a viable collocation solution for all parties involved, including the design of a new stealth structure that met environmental, zoning and jurisdictional concerns.

Horizon Tower's professionalism and ability to coordinate and manage an unforeseen move to a temporary facility, in addition to the permanent facility, depicted their willingness to work with all parties. The carriers' issues were accommodated as well as the City's timelines and Horizon Tower completed the entire project in an expedient, fiscally responsible and professional manner.

We would recommend working with Horizon Tower on any difficult or sensitive project involving wireless telecommunication infrastructure. Their expertise and desire to work within everyone's parameters made what could have been a problematic situation into a positive collocation solution for all involved.

Please do not hesitate to contact me at 909-350-6727 should you have any questions.

Sincerely,

Debbie M. Brazill  
Deputy City Manager

cc: John Kapulica, Horizon Tower, LLC

## Appendix 2 – Proposed form of Partnership contract

### TELECOMMUNICATIONS SITE MANAGEMENT AGREEMENT

This Telecommunications Site Management Agreement (this “Agreement”) is entered into as of the \_ day of \_\_\_\_\_, 2013 by Horizon Tower, LLC, a Delaware limited liability company, with its principal place of business at 117 Town and Country Drive, Suite A, Danville, CA 94526 (the “Manager”) and the City of Dublin, California (the “Owner”).

**Section 1. Appointment.** Owner hereby engages Manager as an independent contractor for the purpose of performing the Services (as defined in Section 4 of this Agreement) with respect to the sites identified on Exhibit A attached hereto (each a “Location” and collectively the “Property”).

**Section 2. Term of Agreement, Termination.**

A. Term. This Agreement shall continue for an initial term of five (5) years (the “Initial Term”) commencing on the date hereof, unless sooner terminated in accordance with the provisions of this Agreement. Thereafter this Agreement will automatically renew for consecutive five (5) year terms (each a “Renewal Term” and, together with the Initial Term, the “Term”) unless terminated by either party providing written notice to the other party at least ninety (90) days prior to the expiration of the then current term. .

B. Termination. This Agreement shall terminate, prior to the expiration of the Term, upon the occurrence of any of the following, subject to the provisions of this Agreement:

(i) Mutual Agreement. The mutual written agreement of Owner and Manager.

(ii) Material Default. The Owner or Manager breaches its representations or warranties, or defaults in the performance of its covenants or agreements contained in this Agreement, and such breach or default is material in the context of this Agreement, and fails to cure such breach or default within thirty (30) days, or such longer period as is reasonable under the circumstances provided the defaulting party is diligently pursuing a cure of such breach or default, of receiving written notice of such breach or default from the other party, provided, however, that the cure period for monetary defaults shall be ten (10) days from the due date of the applicable payment.

C. Duties Upon End of Term. Following the expiration of the Term, Manager shall deliver to Owner all original Telecom Lease Agreements and technical studies and diagrams, and all funds in Manager’s possession which belong to Owner (if any) or received by Manager with

regard to the Property *less* Manager's compensation and reimbursements as provided in Exhibit B. Manager shall also, for a period of thirty (30) days after such expiration or termination, be available during business hours to respond to any questions of Owner regarding the operation and maintenance of the Property.

**Section 3. Compensation.** Manager shall be paid a management fee ("Management Fee") for performing the Services as provided in Exhibit B attached hereto.

**Section 4. Manager's Services.** Manager shall perform the following services (collectively, "Services") for Owner with respect to the Property:

A. Site Marketing and Leasing Services:

(i) Marketing. Managers shall market the Property to prospective wireless telecom tenants (each a "Telecom Lessee") for use as a telecommunications transmitting and receiving location and the installation, operation, and maintenance of telecommunications equipment and systems, including, but not limited to, towers, poles, transmitters, receivers, antenna support masts, cabling, wiring, and accessories (collectively, "Telecom Equipment"). Manager shall have the exclusive right to market the Property to prospective Telecom Lessees for installation, operation and maintenance of such Telecom Equipment. Manager shall not be required to provide any Services with respect to existing tenants on the Property as of the date hereof. Manager may, at its own expense, engage consultants, independent contractors, brokers or others to assist in marketing the Property.

(ii) Telecom Lease Agreements. Managers shall prepare and negotiate, on Owner's behalf, a lease agreement, including amendments and extensions thereof (each a "Telecom Lease Agreement"), with respect to the installation and operation of Telecom Equipment at the Property. Manager shall negotiate each Telecom Lease Agreement based on the form attached hereto as Exhibit C. Manager shall have no authority and Manager shall not represent to third parties that Manager has authority to execute any document on behalf of Owner, to bind Owner to any Telecom Lease Agreement, or other agreement. Owner agrees that it will conduct itself in all respects in connection with the performance of this Agreement in good faith and in a commercially reasonable manner, and, without limiting the foregoing, will not unreasonably delay, withhold, or condition its consent to enter into any Telecom Lease Agreement.

(iii) Lease Specifications. Managers shall periodically consult with Owner regarding future installation plans and specifications to address issues related to space requirements, Telecom Equipment location, roof top configuration, building aesthetics, and other structural or engineering requirements and make recommendations to Owner as to approval or disapproval thereof, as well as the appropriate rates and terms for Telecom Lease Agreements.

(iv) Legal Compliance. To the extent necessary, Manager shall require each Telecom Lessee to provide Manager with evidence it has received all necessary approvals for compliance with zoning ordinances, building codes and all other applicable laws regarding Telecom Equipment installation, operation, maintenance, repair and/or replacement.

B. Telecom Management Services.

(i) Inventory and Assessment. Maintain a current inventory of Telecom Leases and Telecom Equipment located at the Property. Update such inventory schedule and provide to Owner upon request.

(ii) Telecom Equipment Installation Review. Monitor installation of Telecom Equipment with Owner's engineer for compliance with the installation plans and specifications of the Telecom Lease Agreement.

(iii) Compliance Enforcement. In cooperation with Owner, to enforce compliance by each Telecom Lessee at the Property with its Telecom Lease Agreement. Upon receipt of approval from Owner, use contractors and external resources to confirm that each Telecom Lessee is operating and maintaining its Telecom Equipment in compliance with the terms of its Telecom Lease Agreement and the technical recommendations and requirements specified by the Federal Communications Commission ("FCC"), Federal Aviation Administration ("FAA") and other relevant regulatory agencies. Fees charged by the external contractors and resources will be the responsibility of the Owner.

(iv) Interference. Monitor and resolve any interference problems among Telecom Lessees and among Telecom Lessees and third parties.

(v) Books and Records. Maintain books and records with respect to the Telecom Equipment, the Telecom Lease Agreements, and Telecom Lessees as necessary to satisfy governmental reporting requirements.

(vi) Telecom Lessee Relations. Serve as the interface between Owner and the Telecom Lessees.

(vii) Collection and Remittance. Collect monthly Telecom Lessee rental payments (the "Telecom Lessee Rents") under the Telecom Lease Agreements and remit all Telecom Lessee Rents to Owner after deduction of the Management Fee then due to Manager hereunder in accordance with Exhibit B attached hereto; support such remittances with schedules detailing the Telecom Lessees, the calculation of the Telecom Lessee Rents due and collected and the extent of any delinquencies thereof; and of Management Fees earned and paid; send such remittances and schedules to Owner on the fifteenth (15th) day of the month following the month in which Telecom Lessee Rents are received by Manager. Owner shall hold any security deposits and other deposits from Telecom Lessees in accounts designated by Owner. Manager shall, with the prior written approval of Owner, promptly and diligently assist Owner to enforce Owner's rights under any Telecom Lease Agreements by way of litigation or other extraordinary enforcement actions, if necessary.

(viii) Insurance. Verify compliance by Telecom Lessees with insurance requirements set forth in Telecom Lease Agreement.

(ix) Notices. Inform Owner of any material notices which Manager receives in connection with any Location or Property, the Telecom Lessees, or Telecom Lease Agreements, including material notices received from any governmental body, insurance carrier, or Telecom Lessee.

(x) Performance of Services. Manager shall use commercially reasonable efforts to:

- (a) perform the Services in a diligent, careful, and professional manner; and
- (b) maximize revenues and minimize expenses and losses, and the Services shall be of a scope and quality not less than those generally performed by first class, professional telecommunications site managers.

**Section 5. Manager's Exclusivity; Owner's Indemnity.** Owner has appointed Manager as its exclusive manager and marketer of the Property. Owner shall not undertake any marketing or other activities related to the Property (including the retention of any broker or other manager) and shall refer to Manager all inquiries it receives from potential Telecom Lessees. Manager further acknowledges and agrees that Owner may communicate to Manager its objectives with respect to the general leasing of the Property and the Manager shall use its commercially reasonable efforts to accomplish such objectives. Owner hereby warrants and represents that Owner has no arrangements with any broker(s) which would entitle such broker(s) to a commission or referral fee for any Telecom Lease Agreements, and Owner agrees to indemnify, defend, and hold harmless Manager against any claims of any broker, manager, or other person claiming such an arrangement, including attorney's fees and expenses.

**Section 6. Inquiries and Negotiations.** Without limiting Manager's marketing obligations set forth herein to identify prospective Telecom Lessees, all inquiries concerning proposed Telecom Lease Agreements shall be referred to Manager. All negotiations of proposed Telecom Lease Agreements shall be conducted by or under the direction of the Manager.

**Section 7. Owner's Responsibilities Related to Leasing.**

A. Access and Information. Owner shall provide Manager, its agents, subcontractors, and employees with 24 hour access 7-days a week to each Property, subject to Owner's security requirements, to install, maintain, inspect, operate, dismantle, assemble, alter, repair, and monitor any Telecom Equipment of Telecom Lessees in a Property and to work with on-site Property personnel to show each Property to prospective Telecom Lessees. Owner shall respond promptly to the reasonable requests of Manager regarding the Property, shall provide Manager with any information, documents or materials related to the Property and shall keep Manager informed of any material events which may impact the Property.

B. Lease Approval. Each proposed Telecom Lease Agreement shall be subject to Owner's approval. Manager shall provide Owner with a draft of each Telecom Lease Agreement to permit Owner to evaluate the terms thereof and the potential Telecom Lessee. Owner shall

promptly notify Manager of its intention to accept or reject each proposed Telecom Lease Agreement. Owner reserves the right to accept or reject any offer to lease any portion of the Property to any proposed Telecom Lessee, provided that there is a commercially reasonable justification for doing so and provided that Owner provides Manager with a written justification therefore. Any attorneys or consultants engaged by owner in connection with the review of any proposed Telecom Lease Agreement shall be at Owner's sole cost and expense.

C. Condition of the Property. During the Term of this Agreement Owner shall keep the Property, other than the Telecom Equipment, in good condition and repair, reasonable wear and tear excepted and shall keep the Property free from excess vegetation and debris. Owner shall be responsible for the maintenance or repair of any equipment, machinery, or mechanical systems, including any heating, ventilating, or air conditioning systems, relating to the building operation (collectively the "Building Systems") that are or may be made available to Telecom Lessees pursuant to their respective Telecom Lease Agreements.

D. Addition or Removal of Locations. During the Term, Owner may add additional Locations to Exhibit A by providing written notice thereof to Manager. Upon receipt of such notice, Manager shall commence performing the Services for such Location. If during the Term, Owner sells, assigns or transfers all of its right, title and interest in and to any Location to a third party (whether pursuant to a taking under the power of eminent domain or otherwise) or otherwise ceases to have an interest in a Location, this Agreement shall terminate (as to that Location only), and on the date of such assignment or transfer the Owner shall promptly deliver to Manager an amended Exhibit A reflecting the removal of such Location from the scope of this Agreement and shall pay Manager the Management Fee described on Exhibit B, Section 1(i) for the remaining term any Telecom Lease Agreements at such Location. Upon the termination of this Agreement as to a Location, the Manager shall be released and discharged from all liability hereunder with respect to such Location for the period from and after the applicable termination date and the Manager shall have no further obligation to perform any Services with respect thereto from and after such date.

**Section 8. Books, Records, and Reporting.** Manager shall keep and maintain books, records and accounts in connection with the Services to be provided and management of the Property. Owner shall have the right during usual business hours upon reasonable notice to examine and audit all such books, records and accounts, and Owner may make copies of any documents and records pertaining to any time period during the Term. If any audit shows that Owner or Manager, as applicable, has been underpaid, then the other party shall promptly pay to the party that has been underpaid the amount due. Before any records or documents relating to the Property are destroyed during the Term, Manager shall notify Owner, whereupon Owner shall have thirty (30) days to take possession of such records and documents. In no event shall Manager destroy records or documents during the Term relating to the Property without Owner's written approval.

**Section 9. Owner's Obligation.** Owner shall provide Manager with such cooperation and information as is reasonably necessary for the effective performance of the Services.

**Section 10. Indemnity.**

A. Manager's Indemnity. Manager shall indemnify, defend, and hold harmless Owner from and against, any and all claims, liabilities, damages, and costs (including without limitation, reasonable attorneys' fees) arising out of any fraud, gross negligence, or willful misconduct on the part of Manager.

B. Owner's Indemnity. Owner shall indemnify, defend, and hold harmless Manager from and against any and all claims, liabilities, damages, and costs (including without limitation, reasonable attorneys' fees) arising out of: (i) any fraud, gross negligence, or willful misconduct on the part of Owner; (ii) any Telecom Lease Agreement; and (iii) Owner's ownership or leasing of the Property. Owner shall look solely to the Telecom Lessee in the event of any damage to the Properties by reason of such Telecom Lessee's breach of any Telecom Lease Agreement and shall hold Manager and its Affiliates harmless from and against any liability in respect thereof.

**Section 11. Representations and Warranties.** Each party makes the following representations and warrants to the other: (i) it is duly organized, validly existing, and in good standing under the laws of the state of its formation, and is, or will be at the appropriate time, qualified to do business in any jurisdiction in which such qualification is necessary for the performance by such party of its obligations hereunder; (ii) it has the necessary power and authority required to execute, deliver, and perform this Agreement, and has sufficient staff and other resources to carry out its duties hereunder in a prompt, efficient, diligent, and professional manner; (iii) the execution, delivery, and performance of this Agreement has been duly authorized by all necessary action on the part of such party, and once executed, this Agreement will be valid and binding upon such party; and (iv) this Agreement does not conflict with the organizational documents of such party or constitute a default under any material instrument or agreement by which such party is bound.

**Section 12. Insurance Requirements.** Manager shall maintain during the term of this Agreement a policy of Commercial General Liability Insurance naming Owner as an additional insured and providing \$1,000,000 in coverage per occurrence and \$2,000,000 in aggregate. Manager shall furnish Owner, at the time of execution of this Agreement, with copies certificates of insurance evidencing its insurance coverage as required under this Agreement. Manager shall deliver to Owner upon request evidence that Owner has been added as additional insured. All Manager's policies shall be at Manager's sole cost. Owner shall maintain insurance on the Property in such amounts as may be reasonably required by the Telecom Lessees under the Telecom Lease Agreements.

**Section 13. Miscellaneous.**

A. Relationship of Parties. The parties intend that Manager's legal status with respect to Owner shall be that of an independent contractor. Nothing in this Agreement shall constitute a partnership, joint venture, agency, or other similar relationship.

B. Notice. Any notice in this Agreement permitted to be given, made or accepted by either party to the other, must be in writing and may be given or served by depositing the same in the United States mail, postpaid, certified, return receipt requested, addressed to the party to be

notified, or by delivering same by hand or overnight courier to an officer or agent of such party. Notice deposited in the United States mail shall be deemed given three (3) days after it is deposited. Notice given in any other manner shall be effective when received at the address of the addressee. For purposes hereof the addresses of the parties, until changed as hereafter provided shall be as follows:

if to Owner:

if to Manager:

Horizon Tower, LLC  
117 Town and Country Drive, Suite A  
Danville, CA 94526  
Attn: Property Manager

with a copy (which shall not constitute notice) to:

Edinger Associates PLLC  
1875 I Street, N.W.  
Washington, DC 20006  
Attn: Brook A. Edinger

C. Assignment. None of the rights, interests, duties, or obligations created by this Agreement may be assigned, transferred, or delegated in whole or in part by any party hereto without the prior written consent of the other party, which consent shall not be unreasonably withheld, conditioned, or delayed, except that either party may assign this Agreement to a person or entity acquiring substantially all of its assets or equity and who agrees to assume this Agreement in writing.

D. Entire Agreement and Amendment. This Agreement (including exhibits hereto) contains the entire agreement between Owner and Manager, and no oral statements or prior written matter not set forth herein shall be of any force and effect. No variation, modification or changes hereof shall be binding on either party hereto unless set forth in a document executed by such parties.

E. No Recording. Neither Owner nor Manager shall file or record any instrument or document relative to this Agreement in any public records.

F. Governing Laws and Venue. The laws of the State California shall govern the validity, enforcement, and interpretation of this Agreement.

G. Waiver. No failure by Owner or Manager to insist on the strict performance of any obligation, covenant, agreement, term, or condition of this Agreement, or to exercise any right or remedy available upon a breach of this Agreement, shall constitute a waiver, and no breach shall be waived, altered or modified, except by written instrument.

H. Owner's Representatives; Consents and Approvals. Owner's consents and approvals may be given only by Owner or its representatives from time to time designated by Owner to Manager in writing. Owner may from time to time designate representatives to

approve matters, receive reports, materials, or other items, or otherwise take action on behalf of Owner, and Manager shall cooperate with such representatives, to the same extent as if dealing directly with Owner.

I. Confidential information. Manager agrees to hold in confidence and not use or disclose to others any confidential or proprietary information of Owner heretofore or hereafter disclosed to Manager, including but not limited to any data, information, plans, programs, processes, costs, operations, or Telecom Lessee lists which may come within the knowledge of Manager in the performance of its services, except where Owner specifically authorizes disclosure.

J. Severability. If any provision hereof is in conflict with any statute or law of the governing jurisdiction or any other statute or rule of law of any other applicable jurisdiction or is otherwise unenforceable, such provision shall be deemed to be void only to the extent of such conflict or unenforceability and shall be separate from and shall not invalidate any other provisions of this agreement.

K. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

[SIGNATURE PAGE FOLLOWS]

SIGNATURE PAGE TO  
TELECOMMUNICATIONS SITE MANAGEMENT AGREEMENT

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the date set forth above:

MANAGER:

HORIZON TOWER, LLC

By: \_\_\_\_\_  
Name:  
Title:

OWNER:

CITY OF DUBLIN, CALIFORNIA

By: \_\_\_\_\_  
Name:  
Title:

EXHIBIT A  
LIST OF LOCATIONS

## EXHIBIT B

### MANAGER'S COMPENSATION

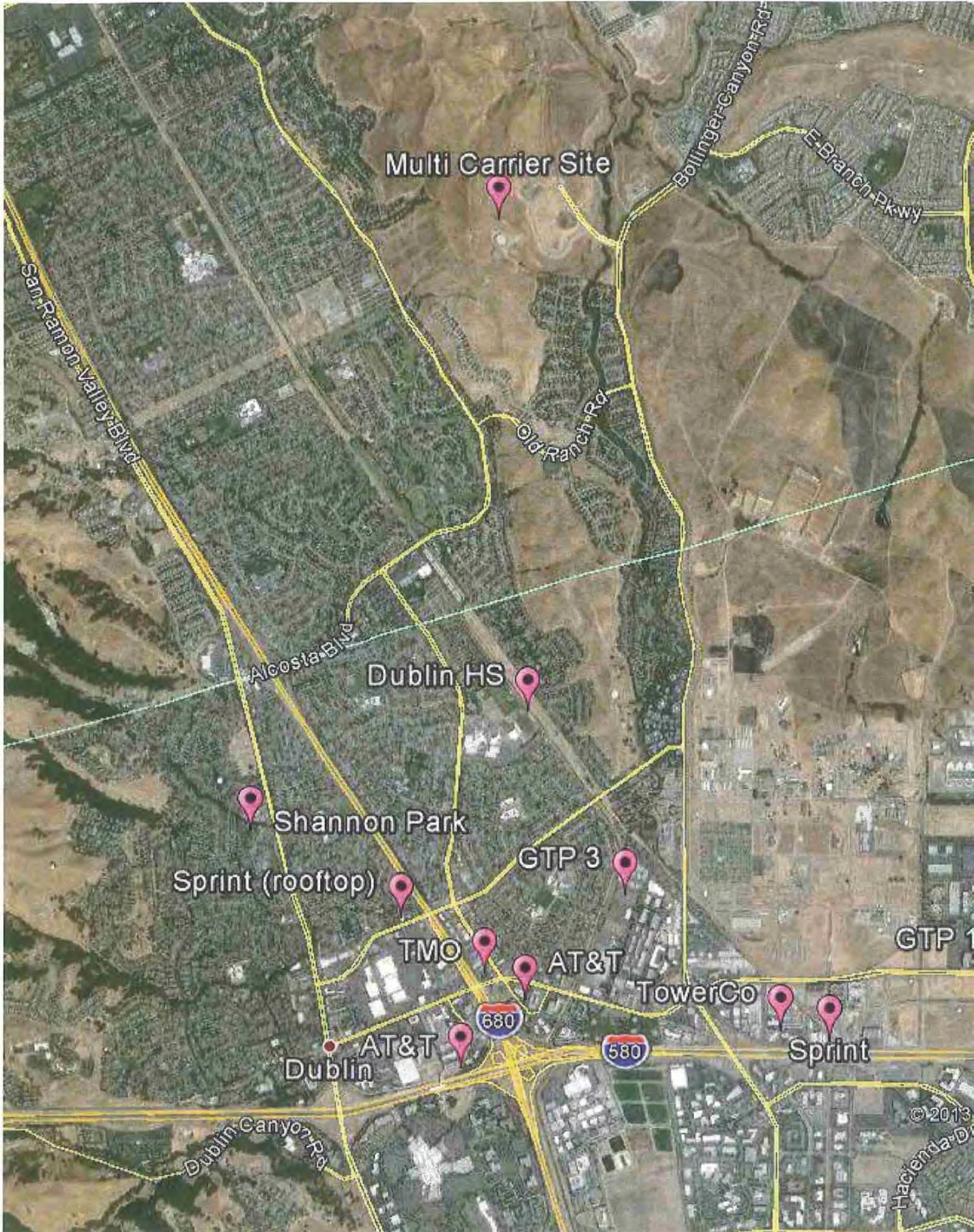
1. Management Fee. Owner shall pay to Manager a fee (the "Management Fee") in the amounts described below. The Management Fee shall be paid monthly in arrears. The Manager is authorized to deduct the Management Fee from monthly rental payments it collects under the Telecom Lease Agreements. The Manager shall provide the Owner a monthly statement detailing the monthly rental payments due to be collected each month and a calculation of the Management Fee:
  - (i) Thirty percent (30%) of the total rental payments to be collected during the initial term of each Telecom Lease Agreement; and
  - (ii) Twenty-Five percent (25%) of the total rental payments to be collected during all renewal or extension terms of each Telecom Lease Agreement or the term of any replacement contract entered into in lieu of an extension or renewal of a Telecom Lease Agreement, regardless of any termination of this Agreement.
2. Project Fees. Owner shall pay Manager for providing services which are outside of the scope of the Services described in this Agreement in the amount of \$150.00 per hour, plus actual expenses incurred by Manager. Prior to undertaking any project at an hourly rate, Manager will provide Owner, or its representative, with an estimate of the hours required to complete the project and the scope of work to be performed. The Manager is authorized to deduct the Project Fees from monthly rental payments it collects under the Telecom Lease Agreements.
3. Additional Compensation. Upon termination of this Agreement, Manager shall provide Owner with a list setting forth the names of the persons or entities to whom Manager has shown the Property for possibly occupancy by such party or with whom Manager has commenced negotiations of the terms of a potential Telecom Lease Agreement. Such list shall be submitted by Manager to Owner within twenty (20) business days of the termination of this Agreement. If Owner enters into any Telecom Lease Agreement with any party on such list within one hundred fifty (150) days from the termination date of this Agreement, Manager shall be entitled to receive from Owner the Management Fee as set forth in this Agreement on account of such Telecom Lease Agreement.
4. Expenses. Manager shall be responsible to pay its own costs and expenses associated with providing the Services and Owner shall be responsible for paying all costs and expenses associated with the Property including any improvements to the Property, any fees or expenses related to zoning applications, filing fees and similar expenses.

EXHIBIT C

TELECOM LEASE AGREEMENT TEMPLATE

**Appendix 3 – Existing Telecom Site Map – City of Dublin**

See attached



Multi Carrier Site

Dublin HS

Shannon Park

Sprint (rooftop)

GTP 3

TMO

AT&T

TowerCo

Dublin

AT&T

Sprint

GTP 1

© 2013

Hacienda Dr

San Ramon Valley Blvd

Alcosta Blvd

Old Ranch Rd

Bollinger Canyon Rd

E-Branch Pkwy

Dublin Canyon Rd

680

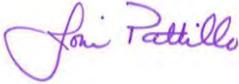
580



## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #300-40

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**DATE:** December 17, 2013  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Joni Pattillo, City Manager   
**SUBJECT:** Check Issuance Report and Electronic Funds Transfers  
*Prepared by Veronica Briggs, Finance Technician II*

### EXECUTIVE SUMMARY:

The City Council will receive a listing of payments issued from November 1, 2013 – November 30, 2013 totaling \$11,155,592.55.

### FINANCIAL IMPACT:

SUMMARY OF PAYMENTS ISSUED  
November 1, 2013 through November 30, 2013

Total Number of Payments: 280  
Total Amount of Payments: \$11,155,592.55

### RECOMMENDATION:

Staff recommends that the City Council receive the report.

  
\_\_\_\_\_  
Submitted By  
Administrative Services Director

  
\_\_\_\_\_  
Reviewed By  
Assistant City Manager

### DESCRIPTION:

The Payment Issuance Report (Attachment 1) provides a listing of all payments for the period beginning November 1, 2013 through November 30, 2013. This report is provided in accordance with the policy adopted November 15, 2011 in Resolution 189-11. The listing of payments has been reviewed in accordance with policies for processing payments and expenditures.

**ATTACHMENTS:** 1. Payment Listing - November 2013

City of Dublin  
Payment Issuance Report  
**Payments Dated 11/1/2013 through 11/30/2013**

<u>Date Issued</u>	<u>Payee</u>	<u>Amount</u>	<u>Description</u>
11/01/2013	FIRST AMERICAN TITLE	4,562,710.73	QUIMBY ACT NEIGHBORHOOD PARKLAND ACQU
<b>Payments Issued 11/1/2013 Total:</b>		<b>4,562,710.73</b>	
11/04/2013	ALEX, ROSEMARY	46.33	MILEAGE REIMBURSEMENT
11/04/2013	AMADOR VALLEY INDUSTRIES LLC	370.69	COMMERCIAL RECYCLING CONTAINERS
		332.50	COMMERCIAL RECYCLING PROGRAM CONSULT
	Check Total:	703.19	
11/04/2013	APPLE ONE EMPLOYMENT SERVICES	814.00	TEMPORARY PUBLIC WORKS STAFF
11/04/2013	ARROWHEAD	2,123.77	WATER-SEPT 2013
11/04/2013	AT & T MOBILITY	131.30	SERVICE TO 10/7/13
11/04/2013	AT&T - CALNET 2	111.09	SERVICE TO 10/1/13
		16.14	SERVICE TO 10/10/13
		947.42	SERVICE TO 10/12/13
		20.35	SERVICE TO 10/14/13
		35.85	SERVICE TO 10/6/13
	Check Total:	1,130.85	
11/04/2013	BAY ALARM COMPANY	224.88	HERITAGE CENTER CHURCH ALARM SERVICE 1
		304.29	HERITAGE CENTER SCHOOLHOUSE ALARM SEF
		457.21	SHANNON CENTER ALARM INSTALLATION
	Check Total:	986.38	
11/04/2013	BIDDLE, DON	99.44	REIMB LEAGUE OF CA CITIES CONFERENCE EX
11/04/2013	BLACKBURN, KATHY	1,000.00	SENIOR CENTER ENTERTAINMENT
11/04/2013	BRADLEY, ROGER	491.80	REIMB LEAGUE OF CA CITIES CONFERENCE EX
11/04/2013	BYOG	747.09	RECREATION SUPPLIES
		403.30	STAFF SHIRTS
	Check Total:	1,150.39	
11/04/2013	CALIF STATE DISBURSEMENT UNIT	352.62	PAYROLL DEDUCTION / CHILD SUPPORT: PE 10
11/04/2013	CALIFORNIA PEACE OFFICERS ASSN	125.00	MEMBERSHIP RENEWAL-MCCARTHY
11/04/2013	CAMINO PRESS	119.03	RUBBER STAMPS
11/04/2013	CHECKERS CATERING	1,209.47	TRAINING SUPPLIES
11/04/2013	COMCAST	117.03	SHANNON CENTER TV & INTERNET TO 10/8/13
11/04/2013	COMMUNICATION STRATEGIES	2,827.50	INFORMATION TECHNOLOGY CONSULTING
		6,922.50	TECHNOLOGY CONSULTING SERVICES
	Check Total:	9,750.00	
11/04/2013	CONTRA COSTA TIMES	52.00	ANNUAL SUBSCRIPTION RENEWAL
11/04/2013	COUNTY OF ALAMEDA	3.00	ASSESSOR'S MAPS
11/04/2013	DELL MARKETING L.P.	69.02	COMPUTER EQUIPMENT
		3,545.36	REPLACEMENT COMPUTERS
	Check Total:	3,614.38	
11/04/2013	DEPARTMENT OF JUSTICE	539.00	FINGERPRINT PROCESSING SERVICES- SEPT 21
11/04/2013	DUBLIN CYCLERY	560.00	COMMUNITY OUTREACH EXPENSE
11/04/2013	DUBLIN HIGH SCHOOL	500.00	SPLATTER EVENT RECYCLING
11/04/2013	EASI FILE	626.10	RECORDS STORAGE SUPPLIES
11/04/2013	FASTSIGNS	21.80	UPDATE BANNERS

City of Dublin  
Payment Issuance Report  
**Payments Dated 11/1/2013 through 11/30/2013**

Date Issued	Payee	Amount	Description
11/04/2013	FEHR & PEERS ASSOCIATES INC.	1,360.18	BIKEWAYS MASTER PLAN UPDATE CONSULTING
		1,674.75	CROSSWALK DESIGN AMADOR VALLEY BLVD-SE
	Check Total:	3,034.93	
11/04/2013	FERGUSON, LARRY	1,104.77	REIMBURSE HEALTH INSURANCE PREMIUMS
11/04/2013	FIELDMAN, ROLAPP & ASSOCIATES	3,126.00	CONSULTANT SVCS FOR CFD FOR SUNCAL PRC
11/04/2013	FOSS, CHRISTOPHER	486.80	REIMB LEAGUE OF CA CITIES CONFERENCE EX
		155.00	REIMB LEAGUE OF CA CITIES MEETING EXPENS
	Check Total:	641.80	
11/04/2013	FRANCHISE TAX BOARD	175.00	WAGE ASSIGNMENT: PE 10/18/13
11/04/2013	GOODYEAR TIRE & RUBBER COMPANY	955.67	POLICE VEHICLE TIRES
11/04/2013	GUPTA, ABE	99.44	REIMB LEAGUE OF CA CITIES CONFERENCE EX
11/04/2013	HAUBERT, DAVID	64.70	REIMB LEAGUE OF CA CITIES CONFERENCE EX
11/04/2013	IMAGEX	5,256.05	SPLATTER EVENT EXPENSE
11/04/2013	IMPRINT WORKS, THE	755.52	INSIDE DUBLIN SUPPLIES
11/04/2013	ISLES, ELIZABETH	11.31	MILEAGE REIMBURSEMENT
		98.90	REIMBURSE HERITAGE CENTER EXPENSES
	Check Total:	110.21	
11/04/2013	JJACPA, INC	2,500.00	PROJECT ACCOUNTING CONSULTING SERVICES
11/04/2013	KIMLEY-HORN AND ASSOC. INC.	1,773.39	DOUGHERTY ROAD WIDENING PROJECT-AUG 2
		40.45	DOUGHERTY ROAD WIDENING PROJECT-JULY 2
	Check Total:	1,813.84	
11/04/2013	KLEIST, JULAINA	268.80	REC CLASS INSTRUCTOR
11/04/2013	LIVERMORE AUTO GROUP	78.63	CODE ENFORCEMENT VEHICLE MAINTENANCE
11/04/2013	MANAGEMENT PARTNERS INC.	1,281.50	EXECUTIVE COACHING SERVICES TO 10/15/13
11/04/2013	MARTIN, JULIE	39.00	REFUND SENIOR CENTER EXCURSION FEE
11/04/2013	MCE CORPORATION	348,059.90	MAINTENANCE SERVICES-SEPT 2013
11/04/2013	MEIN, STEPHANIE	129.27	MILEAGE REIMBURSEMENT
11/04/2013	MERRILL, HOWARD	16.38	REIMBURSE DRIVER MEAL EXPENSE
11/04/2013	OTIS ELEVATOR CO., INC.	270.00	ELEVATOR SERVICE-NOV 2013
11/04/2013	P G & E	134.46	SERVICE TO 10/10/13
		4,498.33	SERVICE TO 10/11/13
		133.72	SERVICE TO 10/13/13
		52.57	SERVICE TO 10/15/13
		198.24	SERVICE TO 10/28/13
		12.52	SERVICE TO 10/3/13
		42.99	SERVICE TO 10/6/13
		3,411.71	SERVICE TO 10/8/13
	Check Total:	8,484.54	
11/04/2013	PARS	555.57	ADMIN & TRUSTEE FEES-AUG 2013
11/04/2013	PATTILLO, JONI	51.70	REIMBURSE ICMA CONFERENCE EXPENSE
11/04/2013	PUBLIC BENEFIT TECHNOLOGY	405.00	CITY COUNCIL MEETING VIDEO & ARCHIVING-S
11/04/2013	RBF CONSULTING	411.47	ENGINEERING SERVICES TO 9/29/13
11/04/2013	REGIONAL GOVERNMENT SERVICES	4,929.00	TEMPORARY BUILDING STAFF-RECORDS PROJ
		4,870.08	TEMPORARY POLICE ADMIN STAFF
	Check Total:	9,799.08	
11/04/2013	ROONEY, DOUGLAS	46.33	MILEAGE REIMBURSEMENT
11/04/2013	SNG & ASSOCIATES INC.	12,801.00	ENGINEERING SERVICES TO 8/31/13
11/04/2013	STEVENSON, PORTO & PIERCE INC.	22,875.00	PLANNING SERVICES TO 10/18/13

City of Dublin  
 Payment Issuance Report  
**Payments Dated 11/1/2013 through 11/30/2013**

Date Issued	Payee	Amount	Description
11/04/2013	THE MURPHY TRUST	70,000.00	COMMERCIAL FACADE IMPROVEMENT GRANT
11/04/2013	TJ KRISTI CORPORATION	300.00	FUEL TANK MONITORING-SEPT 2013
11/04/2013	TREASURER ALAMEDA COUNTY	14,549.96	FUEL-SEPT 2013
11/04/2013	TRI-VALLEY COMMUNITY TV	350.00	SPLATTER EVENT FILMING
11/04/2013	UNUM LIFE INS CO OF AMERICA	10,957.21	LIFE INSURANCE PREMIUM - NOVEMBER 2013
11/04/2013	VALLEY WINDOW CLEANING INC	6,320.00	WINDOW CLEANING-OCT 2013
11/04/2013	VERIZON WIRELESS	266.07	SERVICE TO 10/10/13
		771.03	SERVICE TO 10/3/13
	Check Total:	1,037.10	
	<b>Payments Issued 11/4/2013 Total:</b>	<b>554,992.25</b>	
11/05/2013	CITY SERVE OF THE TRI-VALLEY	5,000.00	COMMUNITY SUPPORT GRANT FY13-14
	<b>Payments Issued 11/5/2013 Total:</b>	<b>5,000.00</b>	
11/08/2013	CAL PERS	80,852.53	PERS RETIREMENT PLAN: PE 11/1/13
11/08/2013	EMPLOYMENT DEVELOPMENT DEPT	13,836.18	CALIFORNIA STATE WITHHOLDING: PE 11/1/13
11/08/2013	I C M A 401 PLAN	1,366.52	DEFERRED COMP 401A: PE 11/1/13
11/08/2013	I C M A 457 PLAN	21,419.99	DEFERRED COMP 457: PE 11/1/13
11/08/2013	INTERNAL REVENUE SERVICE	50,062.78	FEDERAL WITHHOLDING: PE 11/1/13
11/08/2013	US BANK - PARS	1,620.07	PARS: PE 11/1/13
11/08/2013	WAGeworks, INC.	2,752.20	DEPENDENT CARE - WAGE WORKS: PE 11/1/13
	<b>Payments Issued 11/8/2013 Total:</b>	<b>171,910.27</b>	
11/12/2013	4 PAWS GOOSE CONTROL, INC	1,000.00	GOOSE CONTROL SERVICES-OCT 2013
		1,000.00	GOOSE CONTROL SERVICES-SEPT 2013
	Check Total:	2,000.00	
11/12/2013	ALAMEDA COUNTY FIRE DEPARTMENT	852,018.84	FIRE SERVICES - SEPT 2013
11/12/2013	ALL CITY MANAGEMENT SVCS INC	6,152.00	CROSSING GUARD SERVICES TO 10/12/13
11/12/2013	AMY'S ENGRAVED SIGNS & AWARDS	24.53	RECREATION STAFF NAMEPLATES
11/12/2013	ANDERSON, LINDSAY	750.00	REFUND SHANNON DEPOSIT
11/12/2013	APPLE ONE EMPLOYMENT SERVICES	880.00	TEMPORARY PUBLIC WORKS STAFF
11/12/2013	ARROYO, ANEL	910.80	REC CLASS INSTRUCTOR
11/12/2013	ASSOCIATED RIGHT OF WAY SVCS	3,185.00	TRAFFIC & FACILITY IMPACT FEE STUDY
11/12/2013	AT&T - CALNET 2	0.31	SERVICE TO 10/12/13
		124.04	SERVICE TO 10/14/13
		178.97	SERVICE TO 10/19/13
	Check Total:	303.32	
11/12/2013	B & S HACIENDA AUTO BODY	2,061.58	POLICE VEHICLE MAINTENANCE
		1,305.25	POLICE VEHICLE REPAIR
	Check Total:	3,366.83	
11/12/2013	BAY ISLAND OFFICIAL ASSOC	1,862.00	SPORTS OFFICIATING SERVICES-OCT 2013
		1,847.00	SPORTS OFFICIATING SERVICES-SEPT 2013
	Check Total:	3,709.00	
11/12/2013	CALIF STATE DISBURSEMENT UNIT	352.62	PAYROLL DEDUCTION / CHILD SUPPORT: PE 11
11/12/2013	CALLANDER ASSOCIATES INC.	3,341.73	PASSATEMPO PARK LANDSCAPE DESIGN SVCS

City of Dublin  
Payment Issuance Report  
Payments Dated 11/1/2013 through 11/30/2013

Date Issued	Payee	Amount	Description
11/12/2013	CAPITAL ONE COMMERCIAL	882.20	SHANNON & SENIOR CENTER SUPPLIES
11/12/2013	CCAC	200.00	CITY CLERK'S ASSOCIATION WORKSHOP REG-J
11/12/2013	CENTRAL VALLEY TOXICOLOGY	2,570.00	LAB TESTING SERVICES TO 9/25/13
11/12/2013	CGS GYMNASIIC SERVICES INC	782.60	REC CLASS INSTRUCTOR
11/12/2013	CHAN, PAMELA	35.00	REFUND REC CLASS
11/12/2013	CHAN, ROSA	296.25	REC CLASS INSTRUCTOR
11/12/2013	CHINN, AVA YEE	502.90	REC CLASS INSTRUCTOR
11/12/2013	CONNAUGHTON, JUDITH	612.00	REC CLASS INSTRUCTOR
11/12/2013	COSTAR REALTY INFORMATION INC.	459.00	REAL ESTATE INFORMATION SUBSCRIPTION-NC
11/12/2013	CPRS DISTRICT 2	110.00	RECREATION FALL FORUM REGISTRATION-SIU,
11/12/2013	CRANFORD, ROBIN	1,833.73	REC CLASS INSTRUCTOR
11/12/2013	DIAZ, JACQUI	376.60	REIMBURSE CA SPECIALIZED TRAINING CLASS
11/12/2013	DOSAJ, SHASHI	420.00	REC CLASS INSTRUCTOR
11/12/2013	EAST BAY DIVISION LCC	100.00	LEAGUE OF CA CITIES MEETING EXP-SBRANTI,
11/12/2013	FARMER, LYNDA	60.00	REC CLASS INSTRUCTOR
11/12/2013	FRANCHISE TAX BOARD	175.00	PAYROLL DEDUCTION / WAGE ASSIGNMENT: PE
11/12/2013	FRANKLIN, RHONDA	11.87	MILEAGE REIMBURSEMENT
11/12/2013	GCS PROMOTION SPECIALTIES	1,103.01	POLICE SUPPLIES
11/12/2013	HAGGIN, ERIC	720.00	REC CLASS INSTRUCTOR
11/12/2013	HSI, RON	23.40	REC CLASS INSTRUCTOR
11/12/2013	IRON MOUNTAIN	482.27	OFFSITE RECORDS STORAGE-SEPT 2013
11/12/2013	ISLES, ELIZABETH	90.14	MILEAGE REIMBURSEMENT
		22.88	REIMBURSE HERITAGE CENTER SUPPLIES
	Check Total:	113.02	
11/12/2013	JACOBS, PAMELA	54.00	REC CLASS INSTRUCTOR
11/12/2013	KENNEDY, RUSS	7.58	HERITAGE CENTER SUPPLIES
11/12/2013	KHYBER PASS KABOBS	600.00	SPLATTER EVENT REIMBURSEMENT
11/12/2013	KING, ARTHUR	83.30	REC CLASS INSTRUCTOR
11/12/2013	KOMADINA, SMILJKA	750.00	REFUND SHANNON DEPOSIT
11/12/2013	KOVVURI, SRINIVASA	370.67	REFUND REC CLASS
11/12/2013	LIVERMORE AUTO GROUP	1,745.69	POLICE VEHICLE MAINTENANCE
		673.30	POLICE VEHICLE REPAIR
	Check Total:	2,418.99	
11/12/2013	LIVERMORE, CITY OF	75.00	REGIONAL BUSINESS EVENT
11/12/2013	MANNING, JAN	1,600.50	REC CLASS INSTRUCTOR
11/12/2013	MATASSOW, MARINA	250.00	REFUND HERITAGE CENTER DEPOSIT
11/12/2013	MERKADEAU, LISA	750.00	REFUND SHANNON DEPOSIT
11/12/2013	MOTTOLA, ANN	34.69	MILEAGE REIMBURSEMENT
11/12/2013	NATIONAL ASSN OF TOWN WATCH	99.75	NATIONAL NIGHT OUT SUPPLIES
11/12/2013	NEXTEL COMMUNICATIONS	77.32	SERVICE TO 10/19/13
11/12/2013	P G & E	261.79	SERVICE TO 10/30/13
11/12/2013	PAUL NIEMUTH & ASSOCIATES	8,687.50	PLANNING SERVICES - AUG/SEP 2013
		4,312.50	PLANNING SERVICES - JUL 2013
	Check Total:	13,000.00	
11/12/2013	PURSUIT NORTH	121.06	POLICE VEHICLE REPAIR

City of Dublin  
Payment Issuance Report  
**Payments Dated 11/1/2013 through 11/30/2013**

Date Issued	Payee	Amount	Description
11/12/2013	SAFEWAY INC	82.87	BICYCLE RODEO SUPPLIES
		41.51	POLICE PUBLIC FORUM SUPPLIES
	Check Total:	124.38	
11/12/2013	SMITH, JENNIFER	6.33	MILEAGE REIMBURSEMENT- SEPT/OCT 2013
11/12/2013	SMITH, SUSAN	750.00	REFUND SHANNON DEPOSIT
11/12/2013	SNG & ASSOCIATES INC.	10,605.50	ENGINEERING SERVICES TO 9/30/13
11/12/2013	STALLER, GLENN	237.60	REC CLASS INSTRUCTOR
11/12/2013	STIVING, KIMBERLEY	750.00	REFUND SHANNON DEPOSIT
11/12/2013	SWA GROUP	10,178.90	IRON HORSE PARK & OPEN SPACE DESIGN SVC
11/12/2013	TAE, HEE YU	1,033.50	REFUND PRESCHOOL FEES
11/12/2013	TREASURER ALAMEDA COUNTY	7,544.10	BOOKING FEES
11/12/2013	TRI-VALLEY YMCA	8,219.88	GRANT FUNDING FY13-14
11/12/2013	VALENTIN, M.	100.80	REC CLASS INSTRUCTOR
11/12/2013	VERIZON WIRELESS	71.05	SERVICE TO 10/15/13
		38.01	WIRELESS SERVICE PARKS IPAD TO 10/10/13
	Check Total:	109.06	
11/12/2013	WALLACE, LOREY	882.00	REC CLASS INSTRUCTOR
11/12/2013	WEISS, ROBIN S.	176.40	REC CLASS INSTRUCTOR
11/12/2013	WESTERN PACIFIC SIGNAL LLC	16,880.00	CITYWIDE SIGNAL COMMUNICATIONS UPGRADE
11/12/2013	WETHERFORD, HAZEL	28.48	MILEAGE REIMBURSEMENT - OCT 2013
11/12/2013	WILLKOMM, PHILLIP	223.74	REIMB CODE ENFORCEMENT OFFICER CONF E
11/12/2013	WOLFF, ADRIAN	250.00	REFUND SPORTS FIELD RENTAL DEPOSIT
	<b>Payments Issued 11/12/2013 Total:</b>	<b>967,518.84</b>	
11/18/2013	ARORA, AKSHAY	14,548.20	REC CLASS INSTRUCTOR
11/18/2013	AT&T - CALNET 2	298.16	SERVICE TO 10/14/13
		227.54	SERVICE TO 10/26/13
		149.21	SERVICE TO 10/27/13
	Check Total:	674.91	
11/18/2013	ATHENS BURGERS	2,000.00	SCHAEFFER RANCH PARK DEDICATION EXPENS
11/18/2013	BSK ASSOCIATES INC.	4,750.00	PASSATEMPO PARK GEOTECHNICAL SVCS TO 8
		2,652.50	PASSATEMPO PARK GEOTECHNICAL SVCS TO 9
	Check Total:	7,402.50	
11/18/2013	CALLANDER ASSOCIATES INC.	2,025.65	SHANNON PARK WATER AREA DESIGN SVCS TO
		1,912.57	SHANNON PARK WATER AREA DESIGN SVCS TO
	Check Total:	3,938.22	
11/18/2013	CASTRO VALLEY PERFORMING ARTS	1,447.05	REC CLASS INSTRUCTOR
11/18/2013	CDW GOVERNMENT INC	980.02	COMPUTER EQUIPMENT
11/18/2013	CENTENO, CAMILLE	14.01	MILEAGE REIMBURSEMENT
11/18/2013	COFFEE CONCEPTS	750.00	CONTRACT SERVICES
11/18/2013	COMCAST	411.04	CIVIC CENTER INTERNET & CABLE SVC TO 11/
11/18/2013	COMCAST	222.49	SENIOR CENTER INTERNET & CABLE SVC TO 12
11/18/2013	CRONIN, MICHELE	395.91	REIMBURSE NATIONAL REC & PARK CONF EXPE
11/18/2013	DAHLIN GROUP INC	149,400.00	AQUATIC COMPLEX ARCHITECTURAL DESIGN S
		11,237.09	MAINT FACILITY ARCHITECTURAL DESIGN TO 9
	Check Total:	160,637.09	

City of Dublin  
Payment Issuance Report  
**Payments Dated 11/1/2013 through 11/30/2013**

Date Issued	Payee	Amount	Description
11/18/2013	DEPARTMENT OF CONSUMER AFFAIRS	115.00	CIVIL ENGINEERING LICENSE RENEWAL-HUISIN
11/18/2013	DEVANE, BRENDAN	1,103.60	REC CLASS INSTRUCTOR
11/18/2013	DSRSD	1,651.70	SERVICE TO 10/31/13
11/18/2013	DUBLIN HIGH SCHOOL PFS	750.00	REFUND SHANNON CENTER DEPOSIT
11/18/2013	E. MAJDALANI CONSTRUCTION	12,350.00	CONSTRUCTION MGMT PASSATEMPO PARK TO
11/18/2013	FIELDMAN, ROLAPP & ASSOCIATES	8,263.00	CONSULTANT SVCS FOR CFD FOR SUNCAL PRC
11/18/2013	GOODLAND LANDSCAPE	147,158.06	CONSTRUCTION SVCS-PASSATEMPO PARK TO
11/18/2013	HAAG, JERRY P	1,198.75	IRON HORSE TRAIL CEQA PREPARATION TO 10/
		27,595.59	PLANNING SERVICES TO 10/31/13
	Check Total:	28,794.34	
11/18/2013	HATZIKOKOLAKIS, JACQUI	48.79	REIMBURSE TREE LIGHTING SUPPLIES
11/18/2013	HOLMES, SHEILA	45.00	REC CLASS INSTRUCTOR
11/18/2013	HORIZON DISTRIBUTORS, INC.	460.68	PASSATEMPO PARK TREE STAKES
11/18/2013	HUDSON, ANNA	35.03	MILEAGE REIMBURSEMENT
11/18/2013	IBE, MARVIN	182.88	REC CLASS INSTRUCTOR
11/18/2013	INTERWEST CONSULTING GROUP INC	5,060.00	PLAN REVIEW & BUILDING INSPECTION SVCS T
11/18/2013	KAPADIA, MARIA	304.50	REC CLASS INSTRUCTOR
11/18/2013	LANLOGIC INC.	13,782.50	INFORMATION TECHNOLOGY TEMP STAFF SUPP
11/18/2013	LINDORF, BRUCE	750.00	REFUND DEPOSIT SHANNON CENTER RENTAL
11/18/2013	MACK5	22,050.00	CONSTRUCTION MGMT ALCO JOINT USE FACILI
11/18/2013	MCCAIN, INC.	558.08	STREET NAME SIGN
11/18/2013	MEIN, STEPHANIE	63.55	REIMBURSE STORAGE BINS
11/18/2013	MERRILL, HOWARD	16.59	REIMBURSE SR VAN DRIVER MEAL
11/18/2013	OMNI-MEANS LTD	2,196.00	SPEED SURVEYS
11/18/2013	P G & E	4,256.05	SERVICE TO 10/24/13
		3,432.28	SERVICE TO 10/25/13
		175.48	SERVICE TO 10/29/13
		627.68	SERVICE TO 10/30/13
		10,258.23	SERVICE TO 10/31/13
		12.32	SERVICE TO 11/1/13
	Check Total:	18,762.04	
11/18/2013	PAPPA, STEVE	8.48	MILEAGE REIMBURSEMENT - OCT 2013
		23.17	MILEAGE REIMBURSEMENT - SEPT 2013
	Check Total:	31.65	
11/18/2013	PLEASANTON, CITY OF	77,701.04	TVBID FEES FOR JUL-SEP 2013
11/18/2013	RAYNE OF SAN JOSE	409.75	WATER SOFTENER SERVICE-NOV 2013
11/18/2013	RBF CONSULTING	16,686.72	PLANNING SERVICES TO 9/29/13
		15,453.20	PLANNING SERVICES TO 9/30/13
	Check Total:	32,139.92	
11/18/2013	SELECT IMAGING	213.64	BUSINESS CARDS
		344.71	DUBLIN CROSSING SPECIFIC PLAN COPIES
	Check Total:	558.35	
11/18/2013	SHAMROCK OFFICE SOLUTIONS INC	1,754.90	PRINTER SUPPLIES
11/18/2013	SHUMS CODA ASSOCIATES INC	1,430.00	PLAN REVIEW & BUILDING INSPECTIONS SVCS-
11/18/2013	SIMPLER SYSTEMS, INC	16,317.85	SOFTWARE HOSTING CONSULTING SERVICES
11/18/2013	SPECTRUM COMMUNITY SVCS INC.	1,001.00	COMMUNITY SUPPORT GRANT-SEP 2013
11/18/2013	STEVENSON, PORTO & PIERCE INC.	17,312.50	PLANNING SERVICES TO 11/1/13

City of Dublin  
Payment Issuance Report  
**Payments Dated 11/1/2013 through 11/30/2013**

Date Issued	Payee	Amount	Description
11/18/2013	TLC INTERIOR PLANT SERVICE	135.00	PLANT SERVICE-NOV 2013
11/18/2013	TREASURER ALAMEDA COUNTY	331.63	FINGERPRINT SERVICES - SEPT 2013
		2,478,849.33	POLICE SERVICES - JUL/AUG 2013
	Check Total:	2,479,180.96	
11/18/2013	TREASURER ALAMEDA COUNTY	2,833.50	PARKING CITATIONS COLLECTED-AUG 2013
	Vendor Total:	2,482,014.46	
11/18/2013	TRI-SIGNAL INTEGRATION INC	126.00	FIRE ALARM SYSTEM QUARTERLY TESTING 11/1
11/18/2013	TRI-VALLEY COMMUNITY TV	760.00	PRODUCTION SERVICES-DUBLIN REAL ESTATE
11/18/2013	TRI-VALLEY HOUSING OPPORTUNITY	18,750.00	COMMUNITY SUPPORT GRANT FY13-14
11/18/2013	YOSEMITE CHAPTER OF ICC	125.00	INTERNATIONAL CODE COUNCIL COURSE REG-
<b>Payments Issued 11/18/2013 Total:</b>		<b>3,101,132.30</b>	
11/22/2013	CAL PERS	82,232.30	PERS RETIREMENT PLAN: PE 11/15/13
11/22/2013	CAL PERS HEALTH PREMIUM	158,421.45	HEALTH INSURANCE PREMIUM - DECEMBER 20
11/22/2013	CALIF STATE DISBURSEMENT UNIT	352.62	PAYROLL DEDUCTION CHILD SUPT PE 11/15/13
11/22/2013	EMPLOYMENT DEVELOPMENT DEPT	16,387.47	CALIFORNIA STATE WITHHOLDING: PE 11/15/1
11/22/2013	I C M A 401 PLAN	1,339.44	DEFERRED COMP 401A: PE 11/15/13
11/22/2013	I C M A 457 PLAN	21,804.42	DEFERRED COMP 457: PE 11/15/13
11/22/2013	INTERNAL REVENUE SERVICE	56,479.56	FEDERAL WITHHOLDING: PE 11/15/13
11/22/2013	US BANK - PARS	1,772.11	PARS: PE 11/15/13
11/22/2013	WAGeworks, INC.	2,752.20	DEPENDENT CARE - WAGE WORKS: PE 11/15/13
<b>Payments Issued 11/22/2013 Total:</b>		<b>341,541.57</b>	
11/25/2013	ADAMS, SHALICE	750.00	REFUND SHANNON DEPOSIT
11/25/2013	AGBAYANI CONSTRUCTION CORP	15,295.00	CIVIC CENTER MODIFICATION CONSTRUCTION
		18,086.98	RETAINAGE RELEASE-CIVIC CENTER CONSTRU
	Check Total:	33,381.98	
11/25/2013	ALAMEDA COUNTY FIRE DEPARTMENT	931,917.08	FIRE SERVICES - OCT 2013
11/25/2013	ALAMEDA COUNTY HOUSING &	750.00	HOUSING MORTGAGE CREDIT CERTIFICATION F
11/25/2013	AMERIPRIDE UNIFORM SERVICES	232.54	MAT SERVICE-OCT 2013
11/25/2013	AMOS PRODUCTIONS	745.00	EMPLOYEE RECOGNITION EVENT SERVICES
11/25/2013	APPLE ONE EMPLOYMENT SERVICES	880.00	TEMPORARY PUBLIC WORKS STAFF
11/25/2013	ARORA, AKSHAY	701.40	JUNIOR TENNIS TEAM INSTRUCTOR
		238.80	REC CLASS INSTRUCTOR
	Check Total:	940.20	
11/25/2013	BASCOM, KRISTI	559.60	REIMB AMERICAN PLANNING ASSN CONFERENC
11/25/2013	BORTOLOTTA & CO., INC., G.	12,743.40	RETAINAGE RELEASE-DUBLIN BLVD RESURFAC
11/25/2013	BOZZO, TARYN GAVAGAN	102.18	REIMB MUNICIPAL MGMT ASSN CONFERENCE E
11/25/2013	BRADLEY, ROGER	368.66	REIMB MUNICIPAL MGMT ASSN CONFERENCE E
11/25/2013	BSK ASSOCIATES INC.	1,185.00	STORM DRAIN ASSESSMENT EXPENSE
11/25/2013	C.F. ARCHIBALD PAVING, INC.	13,146.39	2013 ANNUAL STREET OVERLAY PROGRAM
11/25/2013	CHITTA, RAGHU	537.00	REFUND PRESCHOOL FEES
11/25/2013	COIT SERVICES, INC.	2,230.00	CARPET CLEANING-OCT 2013

City of Dublin  
Payment Issuance Report  
**Payments Dated 11/1/2013 through 11/30/2013**

Date Issued	Payee	Amount	Description
11/25/2013	COMMUNICATION ACADEMY	450.00	REC CLASS INSTRUCTOR
11/25/2013	CONTRACT SWEEPING SERVICES	379.50	STREET SWEEPING-SLURRY SEAL
		345.00	STREET SWEEPING-SPLATTER EVENT
	Check Total:	724.50	
11/25/2013	DEPARTMENT OF JUSTICE	741.00	FINGERPRINTING SERVICES - OCT 2013
11/25/2013	DSRSD	10,424.26	STORM INTERCEPTOR CLEANING
11/25/2013	DUBLIN RANCH GOLF COURSE	2,212.70	REC CLASS INSTRUCTOR
11/25/2013	DUBLIN UNIFIED SCHOOL DISTRICT	2,412.00	JANITORIAL SERVICE AFTER SCHOOL REC-NOV
11/25/2013	EAST BAY CHAPTER ICC	265.00	ANNUAL MEMBERSHIP - SHREEVE
11/25/2013	ENTERPRISE RENT A CAR	1,197.06	POLICE VEHICLE RENTAL
11/25/2013	FRANCHISE TAX BOARD	175.00	PAYROLL DEDUCTION / WAGE ASGNMT: PE 11/1
11/25/2013	HATZIKOKOLAKIS, JACQUI	16.84	MILEAGE REIMBURSEMENT
11/25/2013	IAPMO	124.58	BUILDING PUBLICATIONS
11/25/2013	I-GATE NEST	25,000.00	ANNUAL MUNICIPAL BOARD PARTNERSHIP
11/25/2013	INTERNATIONAL CODE COUNCIL	50.00	MEMBERSHIP DUES-SHREEVE
11/25/2013	IRON MOUNTAIN	148.00	ACAP TRUST FUND DISBURSEMENT
11/25/2013	J. S. BUILDING MAINTENANCE	1,860.98	JANITORIAL SERVICES LIBRARY-OCT 2013
11/25/2013	JORDAN & ASSOCIATES, INC.	2,000.00	LEGISLATIVE CONSULTANT SERVICES-OCT 2013
11/25/2013	KIMLEY-HORN AND ASSOC. INC.	5,674.42	DOUGHERTY ROAD WIDENING PROJECT
		5,320.00	DOUGHERTY ROAD WIDENING PROJECT TO 8/3
	Check Total:	10,994.42	
11/25/2013	KROLL FACTUAL DATA CORP	37.20	FIRST TIME HOME LOAN PRGM CREDIT REPORT
11/25/2013	LI, YIZHI	545.00	REC CLASS INSTRUCTOR
11/25/2013	MANAGEMENT PARTNERS INC.	1,902.75	EXECUTIVE COACHING SERVICES TO 10/31/13
11/25/2013	MAZE & ASSOCIATES	15,056.00	FINANCIAL AUDIT SERVICES FOR FY12-13
11/25/2013	MEIN, STEPHANIE	47.36	MILEAGE REIMBURSEMENT
11/25/2013	MENDOZA, DAN	750.00	REFUND SHANNON DEPOSIT
11/25/2013	MEYERS NAVE	1,938.40	LEGAL SERVICES-SCHAEFER RANCH GHAD
11/25/2013	NORTH STAR DESTINATION	42,666.66	MARKETING & BRANDING STRATEGY DEVELOPI
11/25/2013	P G & E	4,904.10	SERVICE TO 10/17/13
		2,741.51	SERVICE TO 11/12/13
	Check Total:	7,645.61	
11/25/2013	PACHECO BROTHERS GARDENING INC	3,465.00	LANDSCAPING SERVICES-NOV 2013
11/25/2013	PAKPOUR CONSULTING GROUP, INC.	11,326.88	SLURRY SEAL PROGRAM INSPECTION SVCS-OC
11/25/2013	PEELLE TECHNOLOGIES INC	3,732.87	DOCUMENT PREPARATION & IMAGING SVCS
11/25/2013	PLEASANTON RENTALS INC	103.55	SCHAEFER RANCH OPENING SUPPLIES
11/25/2013	PMC	40.00	DUBLIN CLIMATE ACTION PLAN UPDATE TO 10/
		6,350.00	HOUSING CONSULTANT SERVICES TO 7/26/13
	Check Total:	6,390.00	
11/25/2013	POSITIVE PROMOTIONS INC	3,303.95	RED RIBBON WEEK SUPPLIES
11/25/2013	RHAA	3,030.16	PIONEER CEMETERY MASTER PLAN PROJECT-(
11/25/2013	ROONEY, DOUGLAS	119.78	MILEAGE REIMBURSEMENT
11/25/2013	ROTO ROOTER	91,205.25	2013 STORM DRAIN SYSTEM IMPROVEMENTS
11/25/2013	SAFEWAY INC	248.22	COUNCIL MEETING SUPPLIES
11/25/2013	SELECT IMAGING	302.14	DOCUMENT COPIES FOR THE VILLAGE AT DUBL
11/25/2013	SHAH, DINAH	1,382.40	REC CLASS INSTRUCTOR

City of Dublin  
 Payment Issuance Report  
**Payments Dated 11/1/2013 through 11/30/2013**

Date Issued	Payee	Amount	Description
11/25/2013	SHAMROCK OFFICE SOLUTIONS INC	87.01	COPIER SUPPLIES
		761.93	OFFICE SUPPLIES-OCT 2013
		435.95	PRINTER
		316.10	PRINTER REPAIRS
	Check Total:	1,600.99	
11/25/2013	SMITH, LINDA	143.19	REIMB MUNICIPAL MGMT ASSN CONFERENCE E
		67.80	REIMBURSE IDEA EXCHANGE PROGRAM EXPEN
	Check Total:	210.99	
11/25/2013	SPECIAL EVENTS	1,408.06	SUNDAY CONCERT EXPENSE
11/25/2013	STEFFEN, ERIN	406.66	REIMB MUNICIPAL MGMT ASSN CONFERENCE E
11/25/2013	TERMINIX INTERNATIONAL LP	677.00	PEST CONTROL SERVICES-OCT 2013
		622.00	PEST CONTROL SERVICES-SEPT 2013
	Check Total:	1,299.00	
11/25/2013	TNT BAND	600.00	DANCESCAPE EXPENSE
11/25/2013	TREASURER ALAMEDA COUNTY	1,000.00	POLICE COMPUTER NETWORK SERVICES-SEP 2
11/25/2013	TRI-VALLEY JANITORIAL INC.	2,018.56	EXTRA JANITORIAL SERVICES-OCT 2013
		10,808.00	JANITORIAL SERVICES FY13-14 OCT 2013
	Check Total:	12,826.56	
11/25/2013	TYLER BUSINESS FORMS	251.16	W-2 AND 1099 SUPPLIES
11/25/2013	UNITED SITE SERVICES OF CA INC	787.33	DISPOSAL SERVICE TO 11/15/13
11/25/2013	VALLEY WINDOW CLEANING INC	1,480.00	WINDOW CLEANING-SHANNON OCT 2013
11/25/2013	VSS INTERNATIONAL, INC.	164,861.10	2013 ANNUAL SLURRY SEAL PROGRAM
11/25/2013	WETHERFORD, HAZEL	144.50	REIMB MUNICIPAL MGMT ASSN CONFERENCE E
11/25/2013	WHITE, ROYLEEN A	7,500.00	ADMINISTRATIVE SERVICES CONSULTING SVCS
<b>Payments Issued 11/25/2013 Total:</b>		<b>1,435,380.26</b>	

City of Dublin  
Payment Issuance Report  
**Payments Dated 11/1/2013 through 11/30/2013**

Date Issued	Payee	Amount	Description
11/27/2013	BUSINESS CARD	279.47	ADMIN SERVICES DEPT TRAINING SUPPLIES
		171.36	CIVIC CENTER HOLIDAY TREE SUPPLIES
		515.67	SCHAEFER PARK OPENING SUPPLIES
		27.00	ST. PATRICK'S EVENT SUPPLIES
	Check Total:	993.50	
11/27/2013	BUSINESS CARD	504.30	CA SPECIALIZED TRAINING CLASS EXPENSE-DI
		21.00	CLIPPER CARD FEES - SEP 2013
		250.00	EMPLOYEE RECOGNITION EVENT SERVICES
		475.00	EMPLOYMENT ADVERTISEMENT
		229.84	IDEA EXCHANGE PROGRAM EXPENSE-L.SMITH
		124.34	INSIDE DUBLIN SUPPLIES
		25.00	LEGISLATIVE UPDATE BRIEFING-DIAZ
		23.96	MANAGEMENT TRAINING SUPPLIES
		41.26	MEETING SUPPLIES
		563.58	OFFICE EQUIPMENT
		203.66	SAFETY WEEK SUPPLIES
	Check Total:	2,461.94	
11/27/2013	BUSINESS CARD	352.53	AMERICAN PLANNING ASSN CONFERENCE EXP
		125.00	BUILDING OFFICIALS CLASS REG-RECINOS-SER
		591.96	CODE ENFORCEMENT OFFICERS CONFERENCE
		90.00	INT'L CODE COUNCIL CERTIFICATION-RUVALCA
		300.00	INT'L CODE COUNCIL CLASS REG-SHREEVE/RU'
		300.00	MUNICIPAL MGMT ASSN CONFERENCE REG-BAI
		93.05	POLICE CAPTAINS ACADEMY SUPPLIES
	Check Total:	1,852.54	
11/27/2013	BUSINESS CARD	159.80	CONGRESS OF CITIES & EXPOSITION EXP-HAUI
		670.00	CONGRESS OF CITIES & EXPOSITION REG-HAU
		211.62	HUMAN RESOURCE MANAGERS SEMINAR EXP-I
		38.96	INSIDE DUBLIN SUPPLIES
		140.00	SOCIAL MEDIA WORKSHOP REG-DIAZ/JACKMAN
		600.00	U.S. MAYORS CONFERENCE REG-SBRANTI
	Check Total:	1,820.38	
11/27/2013	BUSINESS CARD	43.00	MEETING EXPENSE-PATILLO
		31.00	MEETING EXPENSE-PATTILLO
		463.56	NATIONAL CIVIC LEAGUE BOARD MEETING EXP
	Check Total:	537.56	
11/27/2013	BUSINESS CARD	149.99	ANNUAL SUBSCRIPTION
		109.86	BREAKFAST WITH SANTA SUPPLIES
		130.40	HARVEST FAIRE SUPPLIES
		127.57	HERITAGE PARK & MUSEUMS SUPPLIES
		70.70	HOMETOWN HEROES EVENT SUPPLIES
		12.07	PRESCHOOL SUPPLIES
		46.64	RECREATION SUPPLIES
		372.54	SCHAEFER RANCH PARK BANNER
		2,792.46	SCHAEFER RANCH PARK SUPPLIES
		43.54	SHANNON CENTER SUPPLIES
		1,285.00	SOCIETY OF LANDSCAPE ARCHITECTS CONF R
		115.00	ST. PATRICK'S FESTIVAL SUPPLIES
	Check Total:	5,255.77	
11/27/2013	BUSINESS CARD	252.59	HARVEST FAIRE SUPPLIES
		898.50	HERITAGE CENTER SUPPLIES
		216.27	HOMETOWN HEROES SUPPLIES
		32.10	MEETING SUPPLIES
		130.00	MUNICIPAL MGMT ASSN MEMBERSHIP-FRANKLI

City of Dublin  
Payment Issuance Report  
**Payments Dated 11/1/2013 through 11/30/2013**

<u>Date Issued</u>	<u>Payee</u>	<u>Amount</u>	<u>Description</u>
		228.25	OFFICE SUPPLIES
		-55.00	REFUND NAT'L PARK & REC CONF REG-MCCRE/
		<u>1,702.71</u>	Check Total:
11/27/2013	BUSINESS CARD	280.44	POLICE EQUIPMENT
		75.90	ROBBERY AWARENESS SUPPLIES
		134.35	SAFETY SEMINAR SUPPLIES
		141.24	TRI-VALLEY CRIME NETWORK SUPPLIES
		<u>631.93</u>	Check Total:
11/27/2013	BUSINESS CARD	150.00	AMERICAN PUBLIC WORKS CONF REG-KHAN/DE
		<u>15,406.33</u>	<b>Payments Issued 11/27/2013 Total:</b>
		<u>11,155,592.55</u>	<b>Grand Total for Payments Dated 11/1/2013 through 11/30/2013:</b>
Total Number of Payments Issued: 280			



## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #450-30

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Christopher L. Foss, Assistant City Manager

A handwritten signature in black ink, appearing to read "Chris Foss", is positioned to the right of the "FROM:" line.

**SUBJECT:** **Iron Horse Nature Park and Open Space.** Planned Development Rezone with a related Stage 1 and 2 Development Plan for a new public park (PLPA-2013-00044)  
*Prepared by Kristi Bascom, Principal Planner*

### EXECUTIVE SUMMARY:

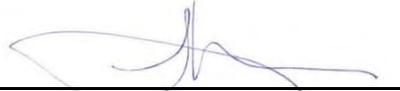
On December 3, 2013, the City Council approved a General Plan Amendment to facilitate the future development of the Iron Horse Nature Park and Open Space on approximately 35 acres of land north and south of Amador Valley Boulevard along the former Union Pacific railroad right-of-way. An ordinance approving the rezoning of 12.13 acres to a Planned Development Zoning District and approving the related Stage 1 and 2 Development Plan for the project was also introduced. The City Council is considering adopting the ordinance at this meeting.

### FINANCIAL IMPACT:

The property has already been acquired by the City. It is envisioned the City and Zone 7 will work in partnership to seek project funding and develop the future park in phases over time. The City's primary funding source for development of the future park will be Public Facility Fees collected in the area covered by the Downtown Specific Plan, and other in-fill development outside of the area covered by the Eastern Dublin Specific Plan. The timing of the park improvements is unknown at this time and will depend on future available funding.

### RECOMMENDATION:

Staff recommends that the City Council: 1) Waive the reading and adopt an Ordinance amending the Zoning Map to Rezone 12.13 acres of former Union Pacific Railroad right-of-way adjacent to the Iron Horse Regional Trail to a Planned Development Zoning District and approving the related Stage 1 and 2 Development Plan for the Iron Horse Nature park and Open Space project.



Submitted By  
Director of Community Development



Reviewed By  
Assistant City Manager

## **DESCRIPTION:**

### ***Background***

The Parks and Recreation Master Plan outlines the City's standards for meeting the parks and recreation facilities needs for Dublin residents at the build-out of the General Plan. Based on the population projections, Staff believes that the City will have a citywide parkland deficit at build-out of approximately 12 acres. Therefore, City Staff have been examining ways to acquire additional parkland to continue to meet the standard of providing five acres of parkland for every 1,000 residents.

The City acquired two parcels of abandoned railroad right of way (ROW) from Union Pacific in November to develop 12-acres into a nature park and open space. The future park site is located north and south of Amador Valley Boulevard, adjacent to the Iron Horse Regional Trail and extends to the northern city limits and south to the Alamo Canal Trail. The proposed park site is vacant and was formerly a Union Pacific railroad track. As such, it is approximately 5,900 feet in length with a width ranging from approximately 100 to 150 feet. The tracks were located on a small berm in the approximate center of the site with embankments on either side leading to small depressions. A railroad trestle remains on the site from the previous railroad use. The site is bounded to the east by land owned by Alameda County, which has an easement for the Kinder Morgan pipeline.

To the west of the proposed park site are several linear parcels of land owned by the Alameda County Flood Control District/Zone 7 Water Agency (Zone 7). This property is occupied by South San Ramon Creek, which is a flood control facility owned and operated by Zone 7, and the Iron Horse Regional Trail, which is operated by the East Bay Regional Park District. Surrounding land uses include single and multi-family residential dwellings and the City's Stagecoach Park to the east, with residential uses and Dublin High School further to the west. Residential uses lie to the north within San Ramon. Residential uses have been constructed south of the proposed park site as well. The total size of the land owned by Zone 7 is 22.82 acres.

Parks and Community Services Staff prepared a Conceptual Park Master Plan with community input for the 12-acre park site contemplates the restoration of watershed areas that would include the potential re-alignment of both South San Ramon Creek and the Iron Horse Trail to allow a more natural meandering of both facilities through the proposed park site. The Park Master Plan was approved by the City Council on October 1, 2013 along with the environmental documentation for the project.

Although the property surrounding the creek is under ownership of Zone 7, the proposed creek restoration is integral with the Conceptual Park Master Plan as it would expand the amount of parkland available, beyond the 12-acre Union Pacific parcel, through a partnership and easement. The City has worked collaboratively with Zone 7 throughout the process of developing the Conceptual Park Master Plan. Zone 7 is simultaneously completing a master plan for restoration of the watershed, including the South San Ramon channel.

The future park site is currently in an "Unclassified" Zoning District. In order to acquire the site and utilize it as a public park, the site is proposed to be rezoned as a Planned Development Zoning District. A Development Plan accompanies all properties with Planned Development Zoning. The Development Plan provides greater detail on the project proposal and outlines the specific proposed uses and development standards for the site. The Stage 1 and 2 Development Plan proposed for the site is detailed in the Planned Development Ordinance and is described more fully in the December 3, 2013 City Council Staff Report (Attachment 1).

On December 3, 2013, the City Council approved Resolution 200-13 amending the General Plan for the project site. At the same meeting, the City Council introduced an Ordinance rezoning 12.13 acres of former Union Pacific Railroad right-of-way adjacent to the Iron Horse Regional Trail to a Planned Development Zoning District with a related Stage 1 and 2 Development Plan for the Iron Horse Nature Park and Open Space Project.

The City Council is being asked to waive the second reading and adopt the Ordinance (Attachment 2).

## **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration (MND) was prepared and circulated for public review from August 5, 2013 to September 4, 2013. On October 1, 2013, the City Council approved Resolution 166-13, adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.

## **NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A Public Notice was published in the Valley Times and posted at several locations throughout the City. The Public Notice was provided to all persons who have expressed an interest in being notified of meetings. The Staff Report for this meeting was also made available on the City's website.

- ATTACHMENTS:**
1. December 3, 2013 City Council Staff Report (without attachments).
  2. Ordinance amending the Zoning Map to Rezone 12.13 acres of former Union Pacific Railroad right-of-way adjacent to the Iron Horse Regional Trail to a Planned Development Zoning District and approving the related Stage 1 and 2 Development Plan for the Iron Horse Nature park and Open Space project.



**STAFF REPORT  
CITY COUNCIL**

**CITY CLERK  
File #420-30/450-30**

---

**DATE:** December 3, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Christopher L. Foss, Assistant City Manager

Handwritten signature of Christopher L. Foss in blue ink.

**SUBJECT:** **Iron Horse Nature Park and Open Space.** General Plan Amendment and Planned Development Rezoning with a related Stage 1 and 2 Development Plan for a new public park. (PLPA-2013-00044)

*Prepared by Kristi Bascom, Principal Planner*

**EXECUTIVE SUMMARY:**

The City Council will consider a General Plan Amendment and Planned Development Rezone in order to facilitate the future development of the Iron Horse Nature Park and Open Space on approximately 35 acres of land north and south of Amador Valley Boulevard along the former Union Pacific railroad right-of-way.

**FINANCIAL IMPACT:**

The property has already been acquired by the City. It is envisioned the City and Zone 7 will work in partnership to seek project funding and develop the future park in phases over time. The City's primary funding source for development of the future park will be Public Facility Fees collected in the area covered by the Downtown Specific Plan, and other in-fill development outside of the area covered by the Eastern Dublin Specific Plan. The timing of the park improvements is unknown at this time and will depend on future available funding.

**RECOMMENDATION:**

Staff recommends that the City Council conduct the public hearing, deliberate, adopt **Resolution** Approving a General Plan Amendment for the future Iron Horse Nature Park and Open Space Project; and waive the reading and INTRODUCE an Ordinance amending the Zoning Map to Rezone 12.13 acres of former Union Pacific Railroad right-of-way adjacent to the Iron Horse Regional Trail to a Planned Development Zoning District and approving the related Stage 1 and 2 Development Plan for the Iron Horse Nature Park and Open Space Project.

Handwritten signature of the Director of Community Development in blue ink.

Submitted By  
Director of Community Development

Handwritten signature of the Assistant City Manager in blue ink.

Reviewed By  
Assistant City Manager

**DESCRIPTION:**

## ***Background***

The Parks and Recreation Master Plan outlines the City's standards for meeting the parks and recreation facilities needs for Dublin residents at the build-out of the General Plan. Based on the population projections, Staff believes that the City will have a citywide parkland deficit at build-out of approximately 12 acres. Therefore, City Staff have been examining ways to acquire additional parkland to continue to meet the standard of providing five acres of parkland for every 1,000 residents.

The City Council entered into a Purchase and Sale Agreement to acquire two parcels of abandoned railroad right of way (ROW) from Union Pacific in order to develop 12-acres into a nature park and open space. Escrow closed on the property in early November, and the parcels are now owned by the City. The future park site is located north and south of Amador Valley Boulevard, adjacent to the Iron Horse Regional Trail and extends to the northern city limits and south to the Alamo Canal Trail. The proposed park site is vacant and was formerly a Union Pacific railroad track and, as such, is approximately 5,900 feet in length with a width ranging from approximately 100 to 150 feet. The tracks were located on a small berm in the approximate center of the site with embankments on either side leading to small depressions. A railroad trestle remains on the site from the previous railroad use. The site is bounded to the east by land owned by Alameda County, which has an easement for the Kinder Morgan pipeline.

To the west of the proposed park site are several linear parcels of land owned by the Alameda County Flood Control District/Zone 7 Water Agency (Zone 7). This property is occupied by South San Ramon Creek, which is a flood control facility owned and operated by Zone 7, and the Iron Horse Regional Trail, which is operated by the East Bay Regional Park District. Surrounding land uses include single and multi-family residential dwellings and the City's Stagecoach Park to the east, with residential uses and Dublin High School to the west. Residential uses lie to the north within San Ramon. Residential uses have been constructed south of the proposed park site as well. The total size of the land owned by Zone 7 is 22.82 acres.

Parks and Community Services Staff have prepared a Conceptual Park Master Plan with community input (Attachment 1) for the 12-acre park site. The Master Plan contemplates the restoration of watershed areas that would include the potential re-alignment of both South San Ramon Creek and the Iron Horse Trail to allow a more natural meandering of both facilities through the proposed park site. The Park Master Plan was approved by the City Council on October 1, 2013 along with the environmental documentation for the project (Attachment 2).

Although the property surrounding the creek is under ownership of Zone 7, the proposed creek restoration is integral with the Conceptual Park Master Plan as it would expand the amount of parkland available, beyond the 12-acre Union Pacific parcel, through a partnership and easement. The City has worked collaboratively with Zone 7 throughout the process of developing the Conceptual Park Master Plan. Zone 7 is simultaneously completing a master plan for restoration of the watershed, including the South San Ramon channel.

**Figure 1: Proposed Project Area with Parcel Boundaries**



### ***Proposed Project***

The City proposes to assign a Parks/Public Recreation General Plan land use designation to 12.13 acres that currently have no land use designation. Additionally, undesignated portions of several parcels owned by Zone 7 Water Agency will be assigned an Open Space land use designation. Portions of the Zone 7 parcels that have a land use designation of “Stream Corridor” will remain. Rezoning to a Planned Development (PD) Zoning District is also proposed for the future park site to ensure consistency between the amended General Plan and site zoning. The General Plan Amendment and Rezone are being completed with the intent to build a future public park as well as potentially realign the Iron Horse Regional Trail and South San Ramon Creek. The future development of the linear park, potential South San Ramon Creek realignment, and potential Iron Horse Regional Trail realignment will take place on a total of approximately 35 acres of land (12 acres to be owned by the City of Dublin as a public park and 23 acres owned by Zone 7 Water Agency that will continue to be used for the South San Ramon channel and Iron Horse Regional Trail).

It is envisioned the City and Zone 7 would work in partnership to seek project funding and develop the site in phases over time. The City’s primary funding source for development of the site would be Public Facility Fees collected in the area covered by the Downtown Specific Plan, and other in-fill development outside of the area covered by the Eastern Dublin Specific Plan. The timing of the improvements is unknown at this time and will depend on available funding.

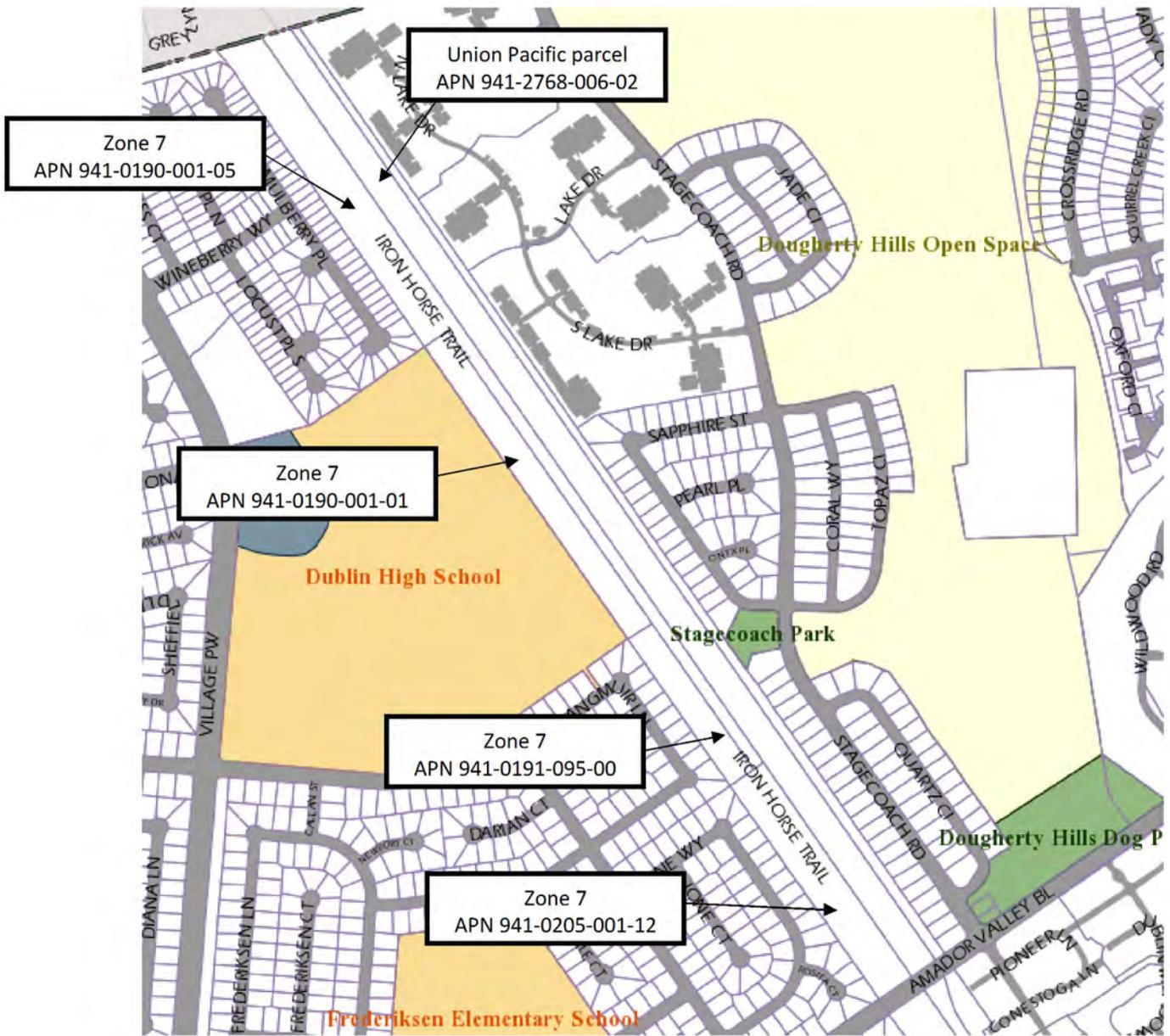
**ANALYSIS:**

The table below is a summary of the size, ownership, and General Plan/Zoning designations for the subject parcels.

**Table 1: Current and Proposed Zoning and General Plan land use designations by parcel**

Parcel No.	Size (acres)	Owner	General Plan land use		Zoning	
			Current	Proposed	Current	Proposed
941-2768-006-02	12.13	Union Pacific	Undesignated	Parks/Public Recreation	Unclassified	Planned Development
941-0190-001-01	3.97	Zone 7	Undesignated and Stream Corridor	Open Space and Stream Corridor	No change proposed	
941-0190-001-05	8.83	Zone 7	Undesignated and Stream Corridor	Open Space and Stream Corridor	No change proposed	
941-0191-095-00	1.99	Zone 7	Undesignated and Stream Corridor	Open Space and Stream Corridor	No change proposed	
941-0205-001-12	4.31	Zone 7	Undesignated and Stream Corridor	Open Space and Stream Corridor	No change proposed	
941-0205-001-63 (partial)	3.72 (est.)	Zone 7	Undesignated and Stream Corridor	Open Space and Stream Corridor	No change proposed	
Total acreage	34.95					

Figure 2: Parcel Boundaries (north of Amador Valley Boulevard)



**Figure 3: Parcel Boundaries (south of Amador Valley Boulevard)**



**General Plan Amendment:**

Future Park Site

The future park site (parcel now owned by the City) is one of the few parcels in Dublin that does not have a General Plan land use designation. When the General Plan was originally adopted in 1985, the full length of the former railroad right of way from one end of the City to the other was designated "Transportation Corridor," although no land use designation was ascribed.

Over time, General Plan Amendments were approved for residential projects on either side of Dougherty Road along the former right of way, which eliminated the use of the corridor for transportation purposes. Today, in order to acquire the site and utilize it as a public park, it should be designated Parks/Public Recreation in the General Plan.

The Resolution approving a General Plan Amendment for the future Iron Horse Nature Park and Open Space Project is included as Attachment 3 to this Staff Report.

### Zone 7 parcels

The parcels owned by Zone 7 that are part of the project area either have a General Plan land use designation of Stream Corridor or have no General Plan land use designation. In order to allow the potential realignment of South San Ramon Creek and the Iron Horse Regional Trail, the portion of the parcels without a land use designation shall be designated Open Space. The portion of the parcels that have the Stream Corridor land use designation shall remain as is. The proposed General Plan land use designations of Open Space and Stream Corridor will be consistent should the realignment of the two facilities take place.

### **Zoning:**

#### Future Park Site

The future park site is currently in an "Unclassified" Zoning District. In order to utilize the site as a public park, the site is proposed to be rezoned as a Planned Development Zoning District with a Stage 1 and 2 Development Plan.

A Development Plan accompanies all properties with Planned Development Zoning. The Development Plan provides greater detail on the project proposal and outlines the specific proposed uses and development standards for the site.

The following section briefly describes each item of the Iron Horse Nature Park and Open Space Stage 1 and 2 Development Plan.

1. Zoning. The Zoning for the subject property is PD-Planned Development (PLPA-2013-00044).
2. Statement of Permitted Uses. The permitted uses include a public park, public open space, stream corridor, and a regional multi-use trail.
3. Stage 1 and 2 Site Plan. The Conceptual Park Master Plan (serving as the Stage 1 and 2 Site Plan) is a schematic depiction of the location of the proposed uses on the site. Minor adjustments and refinements to the Conceptual Park Master Plan are permitted once the project moves forward to a final park design, site improvement plans, and construction drawings, but the final design must be in substantial conformance with the Stage 1 and 2 Site Plan.
4. Site area, proposed densities, and development regulations. The total site area for the Planned Development Zoning District is 12.13 acres. Development of buildings that are appropriate to a public park are allowed in accordance with the citywide Parks and Recreation Master Plan and the Park Master Plan for this site.
5. Phasing Plan. The future 12.13 acre park site is expected to be graded, improved, and constructed as a whole, but the proposed project is not currently in the five-year Capital Improvement Program budget. Improvements completed on the Zone 7 parcels adjacent to the future public park may be completed at a later date as funding permits.
6. Master Neighborhood Landscaping Plan. Not applicable.
7. Consistency with General Plan and any applicable Specific Plan. The proposed project is consistent with the General Plan (as amended).
8. Inclusionary Zoning Regulations. The Inclusionary Zoning Regulations do not regulate non-residential projects, so therefore this is not applicable.
9. Aerial Photo. An aerial photo is on file.

10. Architectural Standards. Any future building shall be designed to be compatible with the main use of the project area as a public park and shall be designed in accordance with the Conceptual Park Master Plan for this site.
11. Preliminary Landscape Plan. Because this is a future park site, the Site Plan and Preliminary Landscape Plan are the same exhibit.

### Zone 7 parcels

The parcels owned by Zone 7 already have existing zoning designations that are not proposed to change. The zoning for the Zone 7 parcels is residential – either R-1 (Single-Family Residential) or R-M (Multi-Family Residential). It is very typical for parks, stream corridors, and open space areas to have the same zoning as the surrounding properties, which is the case with these, and those zoning districts permit the future potential realignment of the South San Ramon Creek and Iron Horse Regional Trail.

The Draft Ordinance rezoning 12.13 acres of former Union Pacific Railroad right-of-way adjacent to the Iron Horse Regional Trail to a Planned Development Zoning District and approve the related Stage 1 and 2 Development Plan for the Iron Horse Nature Park and Open Space Project is included as Attachment 4 to this Staff Report.

## **CONSISTENCY AND CONFORMITY WITH THE GENERAL PLAN AND ZONING ORDINANCE**

The proposed Planned Development Rezoning and related Stage 1 and 2 Development Plans are consistent with the General Plan (as amended) and Zoning Ordinance in that the proposed project will meet the City's goals of providing adequate parkland to serve Dublin residents.

In accordance with Government Code section 65402, when property is acquired for a public purpose, the Planning Commission is required to report on whether the proposed public use is in conformance with the City's General Plan. With the proposed amendments to the General Plan land use designations for the subject parcels, the proposed use as a public park and open space will be in conformance with the General Plan. A finding of General Plan conformance has been included in the recommended Resolution for City Council consideration.

## **PLANNING COMMISSION REVIEW**

On September 10, 2013, the Planning Commission reviewed the proposed General Plan Amendment and Planned Development Rezoning. After some discussion on the matter, the Planning Commission adopted the following resolutions:

1. Resolution 13-24: Recommending City Council Adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for a General Plan Amendment and Planned Development Rezone with a related Stage 1 and 2 Development Plan for the future Iron Horse Nature Park and Open Space Project;
2. Resolution 13-25: Recommending City Council Approval of a General Plan Amendment for the future Iron Horse Nature Park and Open Space Project; and
3. Resolution 13-26: Recommending that the City Council adopt an Ordinance rezoning 12.13 acres of former Union Pacific Railroad right-of-way adjacent to the Iron Horse Regional Trail to a Planned Development Zoning District and approve the related Stage 1 and 2 Development Plan for the Iron Horse Nature Park and Open Space Project.

## **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration (MND) was prepared and circulated for public review from August 5, 2013 to September 4, 2013. Two comment letters were received during the public review period: one from resident John Whitehead and one from the Dublin San Ramon Services District (DSRSD).

The comment letter from DSRSD confirms the agency's support of the proposed project. The comment letter from Mr. Whitehead identified several concerns about proposed park operations and potential future uses at the site which are addressed in a written response. Minor staff-initiated clarifications and modifications were also made to the MND that were noted in the Response to Environmental Comments. The MND and responses together comprise the Final MND.

On October 1, 2013, the City Council approved Resolution 166-13, adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project (Attachment 2). At that meeting, the City Council also approved the Concept Park Master Plan for the Iron Horse Nature Park and Open Space.

### **NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

In consideration of the site's location along an existing regional trail and residential corridor, the public input process has been integral in the development of the preferred conceptual design. Two public workshops were held to solicit input and discuss components of the Conceptual Park Master Plan (Saturday, April 27, 2013 and Tuesday, June 11, 2013). The Parks and Community Services Commission also held a public meeting on August 19, 2013. Notices were sent out to all property owners and tenants within 500 feet of the future park site for all three meetings in an effort to include as many community members as possible.

In accordance with State law, public notices were sent to property owners and tenants as required by law when the Mitigated Negative Declaration was circulated for public review on August 5, 2013. A public notice was mailed to all property owners and occupants as required by law to advertise the project and the Planning Commission public hearing on September 10, 2013 and the City Council public hearing on October 1, 2013. A public notice for this meeting was mailed to all property owners and occupants as required by law and was published in the Valley Times and posted at several locations throughout the City.

In accordance with California Government Code Section 65352.3, the City requested a contact list of local Native American tribes from the Native American Heritage Commission (NAHC) and notified each tribal representative of the proposed project. As of the date of this Staff Report, the City had not received any communications from tribal representatives requesting consultation on the matter.

- ATTACHMENTS:**
1. Iron Horse Nature Park and Open Space Conceptual Park Master Plan
  2. City Council Resolution 166-13 (without attachments)
  3. Resolution approving a General Plan Amendment for the future Iron Horse Nature Park and Open Space Project
  4. Ordinance amending the Zoning Map to Rezone 12.13 acres of former Union Pacific Railroad right-of-way adjacent to the Iron Horse Regional Trail to a Planned Development Zoning District and approving the

related Stage 1 and 2 Development Plan for the Iron Horse Nature Park  
and Open Space Project

**ORDINANCE NO. XX – 13**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF DUBLIN**

\*\*\*\*\*

**AMENDING THE ZONING MAP TO REZONE 12.13 ACRES OF FORMER UNION PACIFIC  
RAILROAD RIGHT-OF-WAY ADJACENT TO THE IRON HORSE REGIONAL TRAIL TO A  
PLANNED DEVELOPMENT ZONING DISTRICT AND APPROVING THE RELATED STAGE 1  
AND 2 DEVELOPMENT PLAN FOR THE IRON HORSE NATURE PARK  
AND OPEN SPACE PROJECT  
APN 941-2768-006-02, PLPA-2013-00044**

The Dublin City Council does ordain as follows:

**SECTION 1:** Findings

A. Pursuant to Section 8.32.070 of the Dublin Municipal Code, the City Council finds as follows.

1. The Iron Horse Nature Park and Open Space Project (“the Project”) PD-Planned Development zoning meets the purpose and intent of Chapter 8.32 in that it 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.

2. Development of the Iron Horse Nature Park and Open Space Project under the PD-Planned Development zoning will be harmonious and compatible with existing and future development in the surrounding area in that the site will provide new recreational and open space opportunities for residents in the vicinity and will also help the City maintain the established ratio of five acres of parkland for every 1,000 residents.

B. Pursuant to Sections 8.120.050.A and B of the Dublin Municipal Code, the City Council finds as follows.

1. The PD-Planned Development zoning for the Iron Horse Nature Park and Open Space Project will be harmonious and compatible with existing and potential development in the surrounding area in that the Conceptual Park Master Plan has taken into account sensitive adjacencies and will provide a wide range of amenities to the surrounding neighborhoods.

2. The project site conditions were documented in the Initial Study/Mitigated Negative Declaration and those site challenges that were identified can be designed around as reflected in the adopted mitigation measures so as to not have them present an impediment to utilization of the site for public purposes. There are no major physical or topographic constraints and thus the site is physically suitable for the type and intensity of the Iron Horse Nature Park and Open Space Project approved through the PD zoning.

3. The PD-Planned Development zoning will not adversely affect the health or safety of persons residing or working in the vicinity, or be detrimental to the public health, safety and welfare in that the project will comply with all applicable development regulations and

standards, the citywide Parks and Recreation Master Plan, and will implement all adopted mitigation measures.

4. The PD-Planned Development zoning is consistent with and in conformance with the Dublin General Plan, as amended, in that the proposed use as a future public park is consistent with the Parks/Public Recreation land use designation for the site.

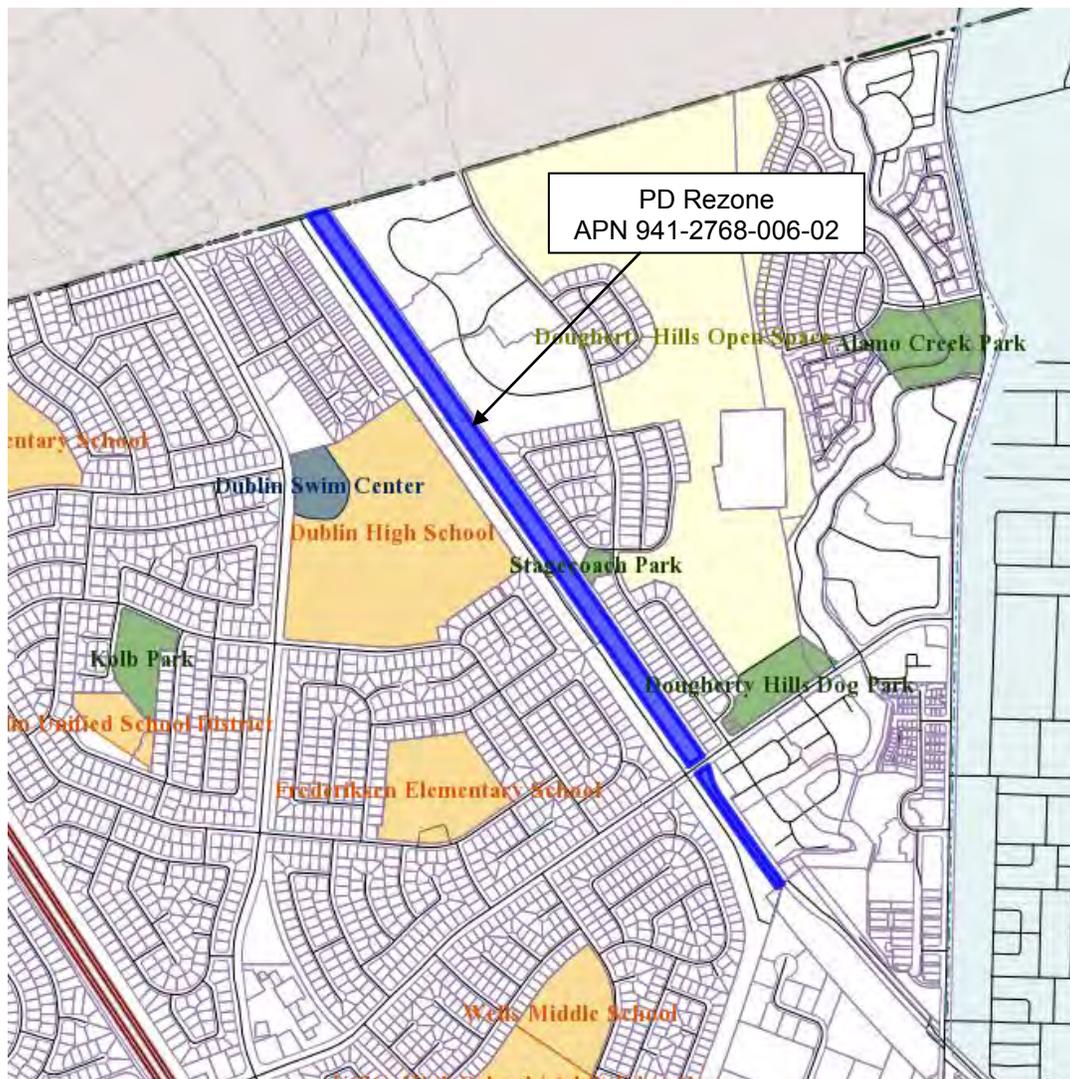
C. Pursuant to the California Environmental Quality Act, the City Council adopted a Mitigated Negative Declaration via Resolution 166-13 on October 1, 2013, prior to approving the Project.

## **SECTION 2:**

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:

12.13 acres generally located both to the north and south of Amador Valley Boulevard and the Dublin-San Ramon city limit line along the Iron Horse Trail and former Union Pacific Railroad tracks. APN 941-2768-006-02.

(“the Property”). A map of the rezoning area is shown below:



### **SECTION 3.**

The regulations for the use, development, improvement, and maintenance of the Property are set forth in the following Stage 1/2 Development Plan for the Project area, which is hereby approved. Any amendments to the Stage 1/2 Development Plan shall be in accordance with section 8.32.080 of the Dublin Municipal Code or its successors.

#### **Stage 1 and 2 Development Plan for the Iron Horse Nature Park and Open Space Project**

This is a Stage 1 and 2 Development Plan pursuant to Chapter 8.32 of the Dublin Zoning Ordinance. 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 rezoning for the Iron Horse Nature Park and Open Space Project, PLPA-2013-00044.

The PD-Planned Development District and this Stage 1/2 Development Plan provides flexibility to encourage innovative development while ensuring that the goals, policies, and action programs of the General Plan and provisions of Chapter 8.32 of the Zoning Ordinance are satisfied.

1. **Zoning.** The Zoning for the subject property is PD-Planned Development (PLPA-2013-00044).
2. **Statement of Permitted Uses.** The permitted uses include a public park with a mix of low-intensity, passive recreation uses near existing residential areas with a few nodes of more active uses at key locations, public open space, stream corridor, and a regional multi-use trail.
3. **Stage 1 and 2 Site Plan.** The Conceptual Park Master Plan (serving as the Stage 1 and 2 Site Plan) is a schematic depiction of the location of the proposed uses on the site. Minor adjustments and refinements to the Conceptual Park Master Plan are permitted once the project moves forward to a final park design (Final Preferred Iron Horse Nature Park and Open Space Master Plan), site improvement plans, and construction drawings, but the final design must be in substantial conformance with the Stage 1 and 2 Site Plan.
4. **Site area, proposed densities, and development regulations.** The total site area for the Planned Development Zoning District is 12.13 acres. Development of buildings that are appropriate to a public park are allowed in accordance with the citywide Parks and Recreation Master Plan and the Park Master Plan for this site.
5. **Phasing Plan.** The future 12.13 acre park site is expected to be graded, improved, and constructed as a whole, but the proposed project is not currently in the five-year Capital Improvement Program budget.
6. **Master Neighborhood Landscaping Plan.** Not applicable.
7. **Consistency with General Plan and any applicable Specific Plan.** The proposed project is consistent with the General Plan (as amended).
8. **Inclusionary Zoning Regulations.** The Inclusionary Zoning Regulations do not regulate non-residential projects, so therefore this is not applicable.
9. **Aerial Photo.** An aerial photo is on file.
10. **Architectural Standards.** Any future building shall be designed to be compatible with the main use of the project area as a public park and shall be designed in accordance

with the citywide Parks and Recreation Master Plan and the Conceptual Park Master Plan for this site.

11. **Development Standards.** Any future development on the project site shall be designed in accordance with the citywide Parks and Recreation Master Plan and the Conceptual Park Master Plan for this site.
12. **Preliminary Landscape Plan.** Because this is a future park site, the Site Plan and Preliminary Landscape Plan are the same exhibit.
13. **Compliance with adopted Mitigation Measures.** Development of the park shall comply with all applicable action programs and mitigation measures of the Iron Horse Nature Park and Open Space Project Mitigation Monitoring and Reporting Program.

**SECTION 4.**

The City Clerk of the City of Dublin shall cause this Ordinance to be posted in at least three (3) public places in the City of Dublin in accordance with Section 36933 of the Government Code of the State of California.

**SECTION 5.**

This ordinance shall take effect and be enforced thirty (30) days from and after its passage.

**PASSED AND ADOPTED BY** the City Council of the City of Dublin, on this \_\_\_\_\_ day of \_\_\_\_\_ 2013, by the following votes:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



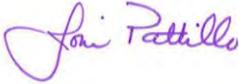
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #570-20

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Parking Regulation Modification on Lockhart Street  
*Prepared by Obaid Khan, Senior Civil Engineer (Traffic/Transportation)*

### EXECUTIVE SUMMARY:

A 300-foot time restricted passenger loading zone on a portion of the west side of Lockhart Street adjacent to Kolb Elementary School was approved by the City Council at the July 16, 2013 meeting. This loading zone was requested by the Dublin Unified School District (DUSD) and implemented in conjunction with the establishment of a school circulation plan to improve traffic flow and safety during pick-up and drop-off times.

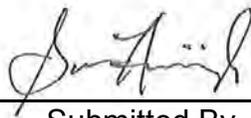
DUSD has requested an extension of the existing 300 foot loading zone by an additional 300 feet to accommodate additional vehicles.

### FINANCIAL IMPACT:

The cost to install new signs delineating the parking zones can be accommodated in the Fiscal Year 2013-2014 Street Maintenance Operating Budget.

### RECOMMENDATION:

Staff recommends that the City Council adopt Resolution amending the Dublin Traffic Code modifying parking restrictions on Lockhart Street



Submitted By  
Director of Public Works



Reviewed By  
Assistant City Manager

### DESCRIPTION:

At the July 16, 2013 meeting, the City Council approved a time restricted passenger loading zone at a point 91 feet south of Palermo Way and extending 300 feet southerly to improve pick-up and drop-off operations at Kolb Elementary School. This loading zone provides an alternative to the on-campus pick-up and drop-off area and is part of an overall traffic circulation plan implemented by DUSD in coordination with the City.

Staff has received a request from DUSD to extend the existing loading zone by 300 feet for a total of 600 feet to accommodate additional vehicles. Staff has reviewed the existing field conditions and supports DUSD's request. This action will allow additional drop-off and pick-up of students, and will improve traffic circulation in the area.

Pursuant to Chapter 6.04 of the Dublin Municipal Code, the City Council may, by resolution, designate areas in which parking is prohibited at certain times. A draft resolution is attached (Attachment 1) that would designate the west side of Lockhart Street from a point approximately 91 feet south of southerly prolongation of Palermo Way to a distance of 600 feet south, a time restricted loading zone during the hours of: 7:30 AM to 9:00 AM and 1:30 PM to 3:30 PM on school days only. A map of the proposed action (Attachment 2) is attached for reference.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A copy of this staff report has been provided to DUSD.

- ATTACHMENTS:**
1. Resolution amending the Dublin Traffic Code modifying parking restrictions on Lockhart Street
  2. Aerial view of proposed action

**RESOLUTION NO. – 13**

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

\*\*\*\*\*

**MODIFYING PARKING REGULATIONS ON LOCKHART STREET**

**WHEREAS**, a passenger loading zone 300 feet in length currently exists on the west side of Lockhart Street beginning from a point 91 feet south of Palermo Way; and

**WHEREAS**, it is important to provide, in the interest of improved traffic safety and circulation, an extension of the dedicated passenger loading zone by 300 feet on the west side of Lockhart Street during school pick-up and drop-off hours; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Dublin hereby adopts the following parking regulation:

**Section 1:** The following language shall be deleted from section 6.28.010 (“No Parking Zones: Designated”) of the City of Dublin Traffic Code:

Lockhart Street

On the westerly curbline from the prolongation of the southerly curbline of Gleason Drive, to the prolongation of the northerly curbline of Central Parkway except on the westerly curbline from a point 91 feet south of the prolongation of the southerly curbline of Palermo Way, southerly a distance of 300 feet during the hours of 7:30 AM to 9:00 AM and 1:30 PM to 3:30 PM on school days only.

**Section 2:** The following language shall be added to section 6.28.010 (“No Parking Zones: Designated”) of the City of Dublin Traffic Code:

Lockhart Street

On the westerly curbline from the prolongation of the southerly curbline of Gleason Drive, to the prolongation of the northerly curbline of Central Parkway except on the westerly curbline from a point 91 feet south of the prolongation of the southerly curbline of Palermo Way, southerly a distance of 600 feet during the hours of 7:30 AM to 9:00 AM and 1:30 PM to 3:30 PM on school days only.

**Section 3:** The following language shall be deleted from Section 6.40.080 (“Passenger Loading Zones 7:30 AM to 9:00 AM and 1:30 PM to 3:30 PM School Days Only”) of the City of Dublin Traffic Code:

Lockhart Street

On the westerly curbline from a point 91 feet south of the prolongation of the southerly curbline of Palermo Way, southerly a distance of 300 feet.

**Section 4:** The following language shall be added to Section 6.40.080 (“Passenger Loading Zones 7:30 AM to 9:00 AM and 1:30 PM to 3:30 PM School Days Only”) of the City of Dublin Traffic Code:

Lockhart Street

On the westerly curbline from a point 91 feet south of the prolongation of the southerly curbline of Palermo Way, southerly a distance of 600 feet.

**PASSED, APPROVED AND ADOPTED** this 17<sup>th</sup> day of December, 2013, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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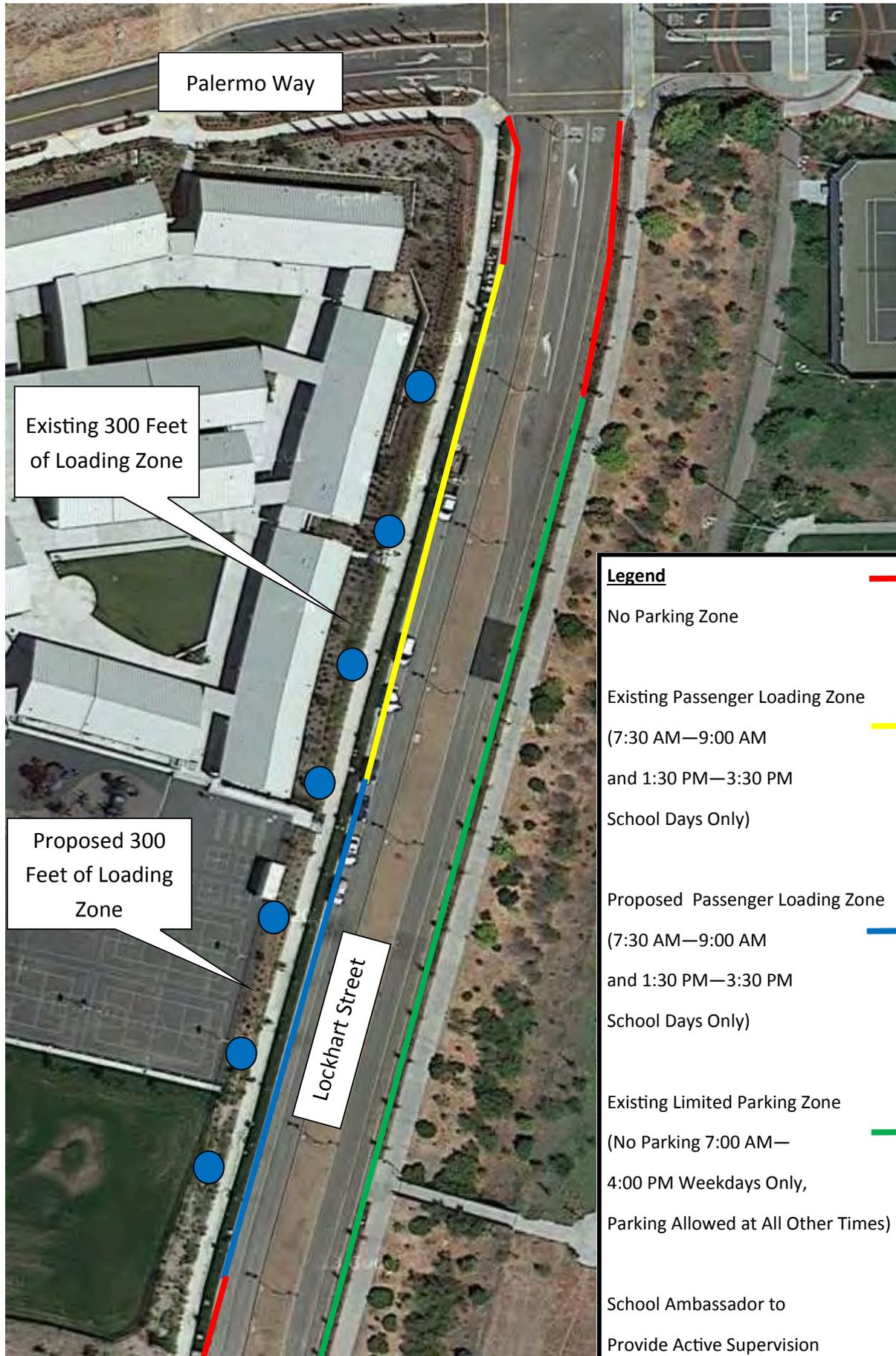
Mayor

**ATTEST:**

---

City Clerk

# Attachment 2 Aerial View of Proposed Loading Zone



<b>Legend</b>	
No Parking Zone	
Existing Passenger Loading Zone (7:30 AM—9:00 AM and 1:30 PM—3:30 PM School Days Only)	
Proposed Passenger Loading Zone (7:30 AM—9:00 AM and 1:30 PM—3:30 PM School Days Only)	
Existing Limited Parking Zone (No Parking 7:00 AM— 4:00 PM Weekdays Only, Parking Allowed at All Other Times)	
School Ambassador to Provide Active Supervision	

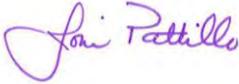


# STAFF REPORT CITY COUNCIL

CITY CLERK  
File #600-35

**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Approve Contract Change Order No. 4 and Acceptance of Work – Contract No. 13-07, 2013 Annual Street Overlay Program  
*Prepared by Steven Yee, Public Works Manager*

## EXECUTIVE SUMMARY:

The 2013 Annual Street Overlay Program (CIP No. 969104) resurfaced various City streets with asphalt concrete (AC) overlay on top of existing pavement.

## FINANCIAL IMPACT:

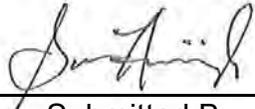
The adopted total appropriations in CIP No. 969104 are \$921,600, including design and improvements. Of this amount, \$74,600 has been allocated for design/inspections and \$847,000 for improvements. The improvements budget includes \$297,000 in federal earmark funds for the pavement rehabilitation of Dublin Boulevard between Dougherty Road and Scarlett Drive and \$550,000 for the 2013 Annual Street Overlay Program. Dublin Boulevard resurfacing improvement was completed under a separate contract. The total cost of improvements under this contract is \$477,546, which includes Contract Change Order No. 4 for the resurfacing of Davona Drive in partnership with Dublin San Ramon Services District (DSRSD). The City will be reimbursed 75% of the \$62,541 cost of Contract Change Order No. 4 by DSRSD plus an administrative fee.

Fund	Improvement Budget*	Actual Cost
<u>ACTC Measure B Funds</u> <u>#2204</u>	\$550,000	\$477,546

\* Improvement budget of \$550,000 is for the 2013 Annual Street Overlay Program only.

## RECOMMENDATION:

Staff recommends that the City Council approve Contract Change Order No. 4 and accept improvements under Contract No. 13-07, 2013 Annual Street Overlay Program, and release retention after 35 days if there are no subcontractor claims.



Submitted By  
Director of Public Works



Reviewed By  
Assistant City Manager

**DESCRIPTION:**

The 2013 Annual Street Overlay Program consisted of removing and replacing failed asphalt concrete (AC) pavement to a minimum depth of 4 inches, resurfaced the street with a minimum 1-1/2-inch overlay of AC, and re-stripped pavement markings. Major cracks were sealed prior to resurfacing in order to prevent the cracks from reflecting through the new AC overlay. This year's program resurfaced the following streets (Attachment 1):

Tassajara Road (North City Limits to Moller Creek)  
Brighton Drive (Amador Valley Boulevard to Tamarack Drive)  
Tamarack Drive (Brighton Drive to Village Parkway)  
Tamarack Drive (Village Parkway to Firethorn Way)  
Village Parkway (Dublin Blvd to Clark Avenue)  
Lisa Court

In addition to the above streets, a portion of Davona Drive between Lucania Street and Chatam Street was also resurfaced as part of an agreement with DSRSD. As a cost savings measure, DSRSD requested Davona Drive to be repaved as part of the City's annual street overlay program. The District had recently installed a recycled water pipeline on Davona Drive and damaged the existing pavement. It was agreed that DSRSD will reimburse the City 75% of the actual improvement cost plus an 11.5% administrative fee. The agreed 75% ratio is derived from the remaining service life of the existing pavement before DSRSD's project. The total cost for the Davona Drive improvements is \$62,541.39, which DSRSD will reimburse the City \$46,906.04 with \$7,192.26 in administrative cost managing the improvements. Contract Change Order No. 4 (Attachment 2) is for the Davona Drive improvements.

Staff has reviewed the work as part of Contract No. 13-07, 2013 Annual Street Overlay Program, and determined the work is complete.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

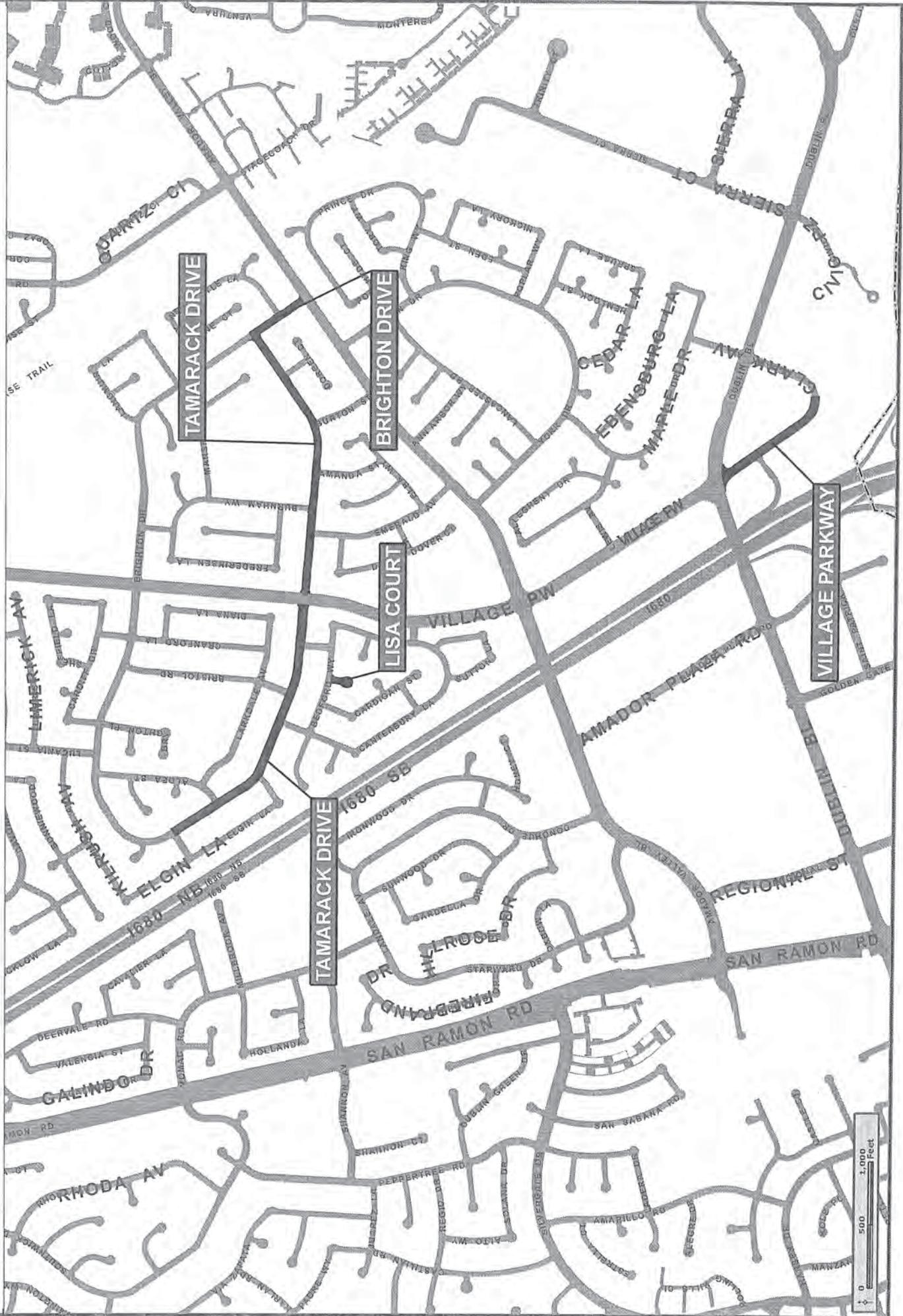
None.

**ATTACHMENTS:**

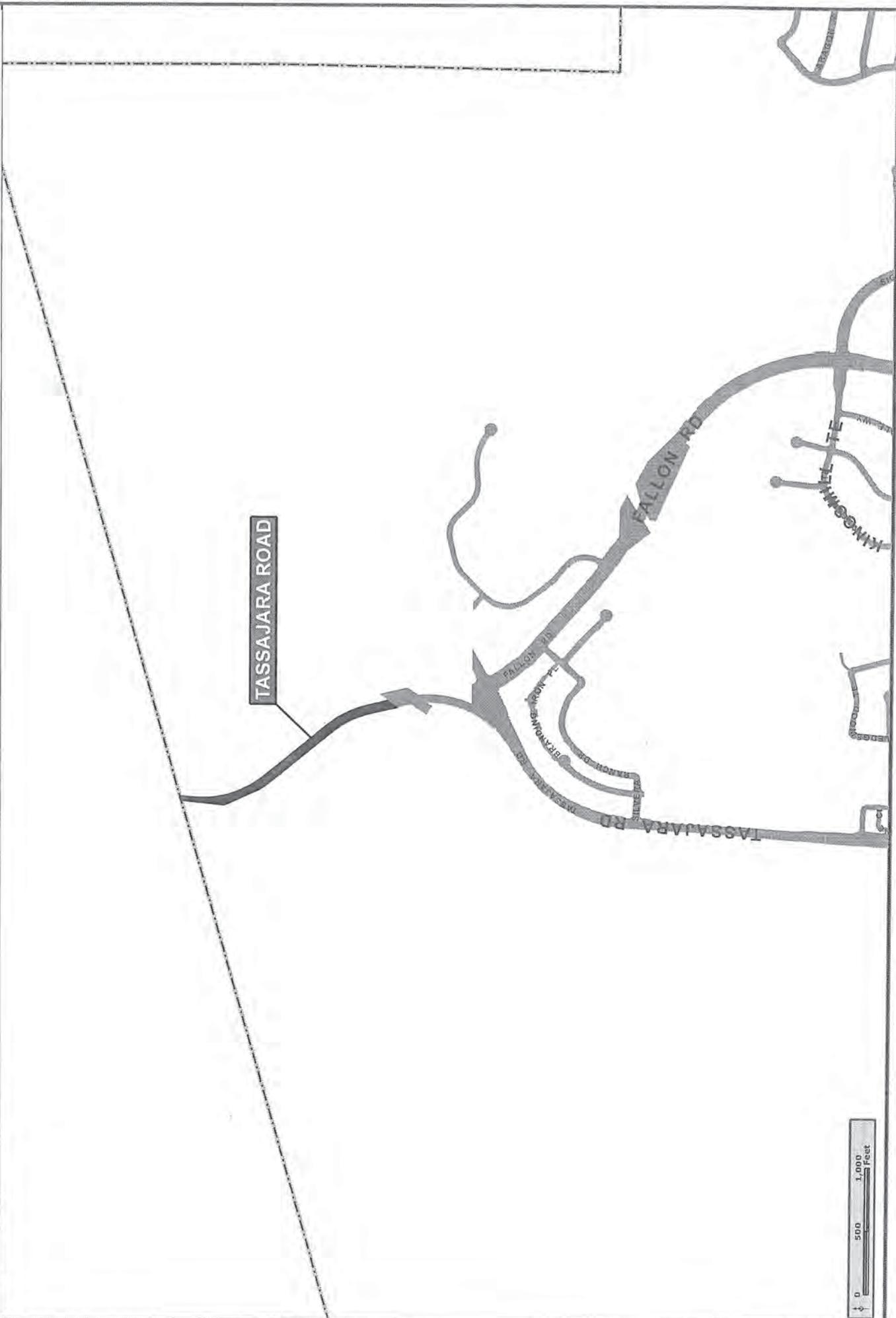
1. Location Map
2. Contract Change Order No. 4



# 2013 Annual Street Overlay Program City of Dublin



# 2013 Annual Street Overlay Program City of Dublin











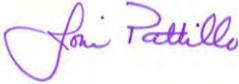
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #350-40

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Request for Authorization to Use ECS Refining for the Recycling of City Electronic Waste and Surplus Computer Equipment  
*Prepared by Steve Pappa, Information Systems Manager*

### EXECUTIVE SUMMARY:

The City generates electronic waste in the form of surplus computers, monitors, printers and other items that have reached the end of useful life. The City strives to dispose of these items in an environmentally responsible manner. It is proposed to use ECS Refining for the recycling of electronic waste identified as beyond the useful life.

### FINANCIAL IMPACT:

There is a charge of \$175.00 for pickup of the surplus computers and related electronic equipment, however there is no cost associated with the proper disposal of the items by ECS Refining.

### RECOMMENDATION:

Staff recommends that the City Council adopt **Resolution** authorizing the use of ECS Refining for the recycling of City electronic waste and surplus computer equipment.



Submitted By  
Administrative Services Director



Reviewed By  
Assistant City Manager

### DESCRIPTION:

The City generates electronic waste as a result of its annual office equipment replacement schedule. Electronic waste includes obsolete computers, monitors, printers, scanners and other inoperable office equipment. California law requires that the City safely dispose of this electronic waste.

Dublin Municipal Code section 2.36.150 allows the Purchasing Agent to dispose of worn and obsolete equipment. In the past, for inventory tracking purposes, Staff has provided the City

Council with a list of assets prior to disposal. At this time, the City will be disposing of obsolete City computers and office equipment.

Due to the age of the equipment it was determined that the computers are beyond their useful life and continued use would not be desirable. The City removes all files from the computer hard drive including the operating system software. This assures the City has complied with software licensing agreements and reduces the potential for City information to exist on the hard disk drive before disposal. However current best practices recommend, as a security precaution, that a professional recycler shred the hard drives and provide a certification of destruction for computer hard drives.

ECS Refining of Stockton is a leader in electronics recycling and is at the forefront of environmental compliance within the recycling industry. ECS Refining is an approved Recycler for California's Electronics Recycling Act (SB20) which governs the processing of materials in laptop computers, and computer monitors. ECS Refining has the top designation of e-Steward and does not export electronic waste out of California for disposal where environmental standards may be less strict. All materials are recycled and re-enter the product manufacturing stream rather than being sent to a landfill for disposal. Incoming materials are sorted, weighed, labeled and sent to a de-manufacturing line. Computer hard drives are removed from computer cases and are shredded.

The City's computer equipment to be disposed of is inoperable without additional software and based on the age may not operate at current expectations. Current disposal practice has the recycler shred all hard drives. These factors limit the potential for seeking placement for re-use with other organizations. Staff reviewed current practices among cities and most follow a similar protocol of using a certified recycler.

The proposed resolution (Attachment 1) authorizes Staff to use ECS Refining for disposal of electronic waste, and directs Staff to remove the disposed assets from the City's fixed asset records. A list of the equipment is attached to the resolution as Exhibit A.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

None.

- ATTACHMENTS:**
1. Resolution authorizing the use of ECS Refining for the recycling of City electronic waste and surplus computer equipment

**RESOLUTION NO. xx - 13**

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

\*\*\*\*\*

**AUTHORIZING THE USE OF ECS REFINING FOR THE RECYCLING  
OF CITY ELECTRONIC WASTE AND SURPLUS COMPUTER EQUIPMENT**

**WHEREAS**, the City generates electronic waste as a result of its computer and office equipment replacement schedule; and

**WHEREAS**, electronic waste includes computers, monitors, back-up power supplies, printers, and other office equipment that is no longer used for City operations; and

**WHEREAS**, Dublin Municipal Code section 2.36.150 allows the Purchasing Agent to dispose of worn and obsolete equipment; and

**WHEREAS**, Staff has provided the City Council with a listing of worn and obsolete electronic equipment to be disposed of; and

**WHEREAS**, California law requires that electronic waste be recycled and disposed of in an environmentally responsible manner; and

**WHEREAS**, ECS Refining is a State certified electronic waste recycler with e-Steward designation; and

**WHEREAS**, ECS Refining will provide the City with certification that the electronic waste was disposed of properly and in an environmentally responsible manner.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Dublin hereby authorizes the use of ECS Refining for the recycling of City electronic waste and surplus computer equipment as described to the City Council on December 17, 2013 and listed on Exhibit A attached hereto.

**BE IT FURTHER RESOLVED** that the City assets disposed of shall be removed from the fixed asset records of the City.

**PASSED, APPROVED AND ADOPTED** this 17<sup>th</sup> day of December, 2013, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

**CITY OF DUBLIN COMPUTER RECYCLING LISTING (December 17, 2013)**

**PREPARED BY ADMINISTRATIVE SERVICES DEPARTMENT**

**EXHIBIT A**

<b>Description</b>	<b>APPROX. PURCHASE DATE</b>	<b>Serial Number</b>	<b>Manufacturer / Model</b>
<b>CITY OWNED EQUIPMENT</b>			
COMPUTER	7/1/2009	5VC2XG1	Dell Optiplex 755
COMPUTER	7/1/2009	6JXX5H1	Dell Optiplex 755
COMPUTER	7/1/2009	8FX37J1	Dell Optiplex 755
COMPUTER	7/1/2009	3XKJD1	Dell Optiplex 745
COMPUTER	7/1/2009	8RBC5L1	Dell Optiplex 760
COMPUTER	7/1/2009	1X52TB1	Dell Optiplex 620
COMPUTER	7/1/2009	9JXX5H1	Dell Optiplex 755
COMPUTER	7/1/2009	FYCYTK1	Dell Optiplex 760
COMPUTER	7/1/2009	39Y8G1	Dell Inspiron T7400
COMPUTER	7/1/2009	49YPNK1	Dell Optiplex 755
COMPUTER	7/1/2009	C98R261	Dell Optiplex 755
COMPUTER	7/1/2009	FGG1KH1	Dell Optiplex 760
COMPUTER	7/1/2009	H8N98S1	Dell Optiplex 760
COMPUTER	7/1/2009	79N98S1	Dell Optiplex 760
COMPUTER	7/1/2009	8FN98S1	Dell Optiplex 760
COMPUTER	7/1/2009	8JXX5H1	Dell Optiplex 760
COMPUTER	7/1/2009	BNZ69F1	Dell Optiplex 760
COMPUTER	7/1/2009	BJXX5H1	Dell Optiplex 760
COMPUTER	7/1/2009	3KYT5J1	Dell Optiplex 760
COMPUTER	7/1/2009	49Y8YG1	Dell Inspiron T7400
COMPUTER	7/1/2009	19Y8YG1	Dell Inspiron T7400
COMPUTER	7/1/2009	HW52TB1	Dell Optiplex 760
COMPUTER	7/1/2009	3DG8DH1	Dell Optiplex 760
MONITOR	7/1/2009	56908692	Phillips 15" 150S1C/74
MONITOR	7/1/2009	CNOYG6137161867DAMRL	Dell 1707FPt
MONITOR	7/1/2009	CN02Y3114760645AD3R5	Dell 1703FPs
MONITOR	7/1/2009	CNOYG6137161868CA260	Dell 1707FPt
MONITOR	7/1/2009	CNOYG6137161868CA271	Dell 1707FPt
MONITOR	7/1/2009	CNOYG6137161868CA259	Dell 1707FPt
MONITOR	7/1/2009	CNOD548H7161886CBATQAOO	Dell 1708FPt
MONITOR	7/1/2009	CNOD548H7161886OBAH1AOO	Dell 1708FPt
MONITOR	7/1/2009	CNOD548H7161886OBAGTAOO	Dell 1708FPt
MONITOR	7/1/2009	CNOFK9457161875AAAUIJ	Dell 1707FPt
MONITOR	7/1/2009	CNO2Y3114760645AD3RC	Dell 1703FPs
MONITOR	7/1/2009	MX02Y31147605392CTU2	HP 1504FP
MONITOR	7/1/2009	MX02Y3114760538QAK2B	HP 1504FP
MONITOR	7/1/2009	CNOC182J7444598I8115	Dell 1708FPt
MONITOR	7/1/2009	CNOF019J7426195L2TWL	Dell 1708FPb
MONITOR	7/1/2009	CN02Y3114760645AD3R9	Dell 1703FPs
MONITOR	7/1/2009	CNOD54214663348Q3ANT	Dell E153FPb
MONITOR	7/1/2009	CNOF019J7426197O33DS	Dell 1708FPb
MONITOR	7/1/2009	CNOC182J7444598I8145	Dell 1708FPt
MONITOR	7/1/2009	MX02Y3114760545JDKMK	Dell 1703FPs
MONITOR	7/1/2009	CNOF019J7426197O32US	Dell 1708FPb

<b>Description</b>	<b>APPROX. PURCHASE DATE</b>	<b>Serial Number</b>	<b>Manufacturer / Model</b>
MONITOR	7/1/2009	CNOUW0426418082T02HH	Dell 1908FPc
MONITOR	7/1/2009	CN05Y23271618464ADXB	Dell 1901FP
MONITOR	7/1/2009	CNO2Y3114760645AD3QQ	Dell 1703FPs
SCANNER	7/17/2006	DAJ01316	Canon DR7580
PRINTER	9/29/2009	CNBC4CJ0ZJ	HP LaserJet 1320n
PRINTER	6/13/2008	U62054J8F355513	Brother MFC 6490CW
PRINTER	4/6/2004	P310001199	Zebra P310i
PRINTER	4/6/2004	HP002387161	Ithaca 93PL
PRINTER	4/6/2004	MY5AR3W1Z0	Hp photosmart 8250
PRINTER		CNBR439891	HP LaseJet 1000 Series
MISC	2/8/2000	JAB03514172	Cisco 1720 router
MISC	3/6/1999	0200/7WSV30B55C	3Com SuperStack Hub
MISC	7/20/2002	02007GWV100672	3Com LinkBuilder FMS II
MISC	6/19/2006	47100488	Sharp FO-4400 FAX
MISC	2/8/2000	211400938	Kentrox 658 CSU/DSU
MISC	2/8/2000	506433000	Kentrox 658 CSU/DSU
MISC	2/8/2000	506430900	Kentrox 658 CSU/DSU
MISC	N/A	N/A	Box of cables, keyboards
MISC	N/A	N/A	Box of cables, keyboards
MISC	N/A	N/A	Box of power supply, UPS

**EXHIBIT A**

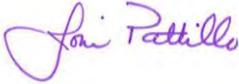


## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #390-50

**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Acceptance of Budget Change for Asset Seizure Funds  
*Prepared by Nate Schmidt, Lieutenant Dublin Police Services*

### EXECUTIVE SUMMARY:

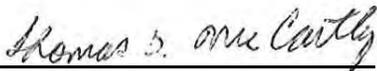
Through the work on several criminal investigations, the Dublin Police Services' Special Investigations Unit has acquired revenue through federal asset seizure and forfeitures. In order for these acquired funds to be used to purchase operational items for the improvement and enhancement of the department, approval must be obtained to move the funds into a budgeted account. The amount of \$100,000.00 in federal asset seizure and forfeitures will be used for the costs associated with purchasing these items.

### FINANCIAL IMPACT:

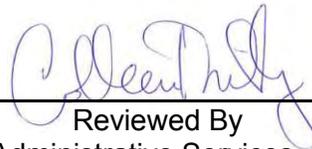
The \$100,000.00 in federal asset seizure and forfeitures will be used for the costs associated with purchasing of items to enhance the services provided by the department. These funds are not included in the Fiscal Year 2013-2014 Adopted Budget. The City Council will need to approve a Budget Change that recognizes the new revenue and expenditure.

### RECOMMENDATION:

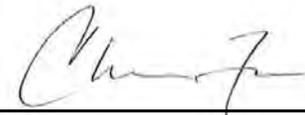
Staff recommends that the City Council accept the \$100,000 in federal asset seizure and forfeitures and approve the Budget Change.



Submitted By  
Police Chief



Reviewed By  
Administrative Services  
Director



Reviewed By  
Assistant City Manager

### DESCRIPTION:

The Dublin Police Services' Special Investigations Unit has acquired federal asset seizure and forfeiture funds through the work of several criminal investigations. Asset seizure and forfeiture funds are defined as a form of confiscation of assets by the state, pursuant to law. It typically applies to the alleged proceeds or instrumentalities of a crime or crimes.

In order for the funds obtained via asset seizure and forfeiture to be used for the costs of improvement and enhancement of the department, it must be approved for these funds to be moved into a budgeted account. Staff is requesting that \$100,000.00 in asset seizure and forfeiture funds be allocated to purchase items which would upgrade the use of technology, provide additional tools for the Investigations Unit, and improve overall service to the community.

The City Council will need to approve the proposed Budget Change (Attachment 1) to accept the funds and appropriate the funds for use in FY 2013-14.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

No public outreach is required regarding this item.

**ATTACHMENTS:** 1. Budget Change

**CITY OF DUBLIN  
FISCAL YEAR 2013-14  
BUDGET CHANGE FORM**

Budget Change Reference #: \_\_\_\_\_

**City Council's Approval Required**

From Un-Appropriated Reserves       X                            Budget Transfer Between Funds \_\_\_\_\_

From Designated Reserves \_\_\_\_\_                                      Other \_\_\_\_\_

**DECREASE BUDGET AMOUNT**

**INCREASE BUDGET AMOUNT**

Account	Amount	Account	Amount
		<b>EXP: Federal Asset Seizure Fund - Police Investigations - Equipment</b>	
		2107.2104.72102	\$100,000

**REASON FOR BUDGET CHANGE**

The Dublin Police Services' Special Investigations Unit has acquired revenue through federal asset seizure and forfeitures through criminal investigations. The budget change is for utilization of the acquired funds to purchase operational items to further improve and enhance the operations of the department

As Presented at the City Council Meeting       12/17/2013      

**\*\*\*\*\*Finance Use Only\*\*\*\*\***

Posted By: \_\_\_\_\_

Date: \_\_\_\_\_



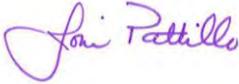
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #600-60

---

**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Affordable Housing Agreement with Moller RE Investors, LLC  
*Prepared by Amy Cunningham, Assistant to the City Manager*

### EXECUTIVE SUMMARY:

Moller RE Investors, LLC, a California limited liability company by Braddock & Logan, Inc., a California corporation is seeking an Affordable Housing Agreement with the City of Dublin to satisfy the affordable housing obligation for Moller Ranch Property. The developer has proposed two alternative methods to the requirements described in the Inclusionary Zoning Regulations to satisfy its 46-unit obligation for this project including: early payment of in-lieu fees for all required units; or a combined payment of fees payable within 30 days of recordation of the final map and construction of units.

### FINANCIAL IMPACT:

Any in-lieu payment made in accordance with this agreement will be deposited into the City's Inclusionary Zoning In-Lieu Fee Fund and used for affordable housing programs. The costs to administer the Affordable Housing Agreements, if the developer chooses to construct the units, are included in the administration fees that are charged with the sale of each affordable unit and the annual monitoring of rental projects.

### RECOMMENDATION:

Staff recommends the City Council adopt the Resolution: approving an Affordable Housing Agreement for the Construction of Inclusionary Units and the Payment of Fees In-Lieu of Constructing Certain Affordable Ownership Units and Authorizing the City Manager to Execute the Agreement, Amend the Agreement, and Take Other Necessary and Appropriate Actions and authorizing the Community Development Director to Approve Developer's Chosen Method of Compliance with its Inclusionary Housing Obligations.

  
\_\_\_\_\_  
Submitted By  
Director of Community Development

  
\_\_\_\_\_  
Reviewed By  
Assistant City Manager

**DESCRIPTION:**

Moller Ranch Property is a residential development consisting of 371 single-family homes on a 216-acre project site. The project site is generally located to the east of Tassajara Road within the Eastern Dublin Specific Plan area. The project is currently owned by Moller RE Investors, LLC, a California limited liability company, by Braddock & Logan Inc., a California corporation (Developer).

The Inclusionary Zoning Ordinance requires that residential projects with 20 or more for sale units/lots contain at least 12.5% low-and moderate-income units/lots. The Ordinance further requires that for-sale units be constructed as follows: 40% of the Inclusionary Unit obligation may be satisfied through payment of a per unit in-lieu fee (currently \$109,573 per unit); 60% of the Inclusionary Unit obligation must be constructed. The Moller Ranch project requires that 46 of the 371 units be designated as Inclusionary Units.

**Moller Ranch Property  
Inclusionary Zoning Requirements**

<b>Total Units</b>	<b>Inclusionary Requirement</b>	<b>Inclusionary Units</b>
371	12.5%	46

The purpose of the Inclusionary Zoning Regulations are to enhance the public welfare and assure that further housing development contributes to the attainment of the City’s housing goals by increasing the production of residential units affordable by households of very-low, low, and moderate-income and assure that the City’s planning area is utilized in a manner consistent with the City’s housing policies and needs.

Section 8.68.040.E of the Ordinance provides that the City Council may, at its discretion, waive, wholly or partially, the requirements of the Inclusionary Zoning Regulations and approve alternate methods of compliance. To do so, the City Council must find that the alternate methods meet the purposes on the Inclusionary Zoning Chapter.

The Developer requests that the City Council approve an alternate method to comply with the requirement to construct the 46 required Inclusionary Units. Moller RE Investors, LLC is proposing two alternate methods to satisfy its 46-affordable-unit obligation for the project as follows:

1. Developer will pay fees in lieu of constructing the required 46 inclusionary units in the amount of \$85,000 per unit, for a total amount of \$3,910,000 payable within 30 days of recordation of the final map; or
2. Developer will pay fees in lieu of constructing a to-be-determined portion of inclusionary units, payable within 30 days of recordation of the final map, and construct 437 sq. ft. moderate-income affordable units that include a living area, bedroom, bathroom, and kitchen area to satisfy the remainder of its 46-unit obligation.

The Developer has agreed to notify the City as to which alternative it will pursue at least 30 days prior to the planned recordation of the first final tract map.

In order to approve the proposed alternate methods, the City Council must find that the Developer’s proposal “meets the purposes” of the Inclusionary Zoning Regulations (Section

8.68.040.E of the Dublin Zoning Ordinance). Because of the specific aspects of this project and the reasons listed below, Staff believes that the City Council can find that Moller RE Investors, LLC's proposed alternate method of complying with the Inclusionary Zoning Regulations "meets the purposes" of the Regulations.

Staff suggests that it would be appropriate to find that the project as a whole will meet the purposes of the Regulations as:

1. The location of the Project is not in close proximity to shopping, transportation, and other amenities that are important factors for the residents of affordable units. Therefore, the units that would be produced with the in-lieu fees are likely to be more suitable for potential buyers than would be affordable units within the Project.
2. In addition, if units are constructed, the 437 sq. ft. secondary units, because of their smaller size relative to other affordable units in the City, provide housing opportunities to a specific, and often underserved portion of the community, including single adults and elderly individuals.
3. Furthermore, low-income families would have difficulty qualifying for financing and paying the high costs required to live in a single-family home of the size contemplated for the Project (including homeowners' association dues, geologic hazard abatement district assessments, landscaping and lighting assessments, landscape maintenance on the property, utilities, and long term maintenance). Developer's proposal to provide smaller secondary units would alleviate some of this difficulty.

The proposed Resolution (Attachment 1) approving the agreement includes the required findings.

If the City Council approves the agreement (Exhibit A to Attachment 1), other amendments to the Project Approvals may be required to maintain consistency between the Planned Development Zoning, Site Development Review and the Agreement. The Dublin Zoning Ordinance allows the Community Development Director to modify these approvals by administrative action if the changes are consistent with the City's Ordinances and the intent of the approved Planning Development Zoning and Site Development Review. If any proposed changes are minor and consistent with the intent of the approved Planned Development Zoning and Site Development Review; an Administrative Amendment to the Planned Development Zoning and a Site Development Review Waiver would be subsequently approved by the Community Development Director.

#### **NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

The request for an Affordable Housing Agreement is not subject to a public hearing therefore a public hearing notice is not required. A copy of this Staff Report has been provided to the Developer and posted on the City's website.

- ATTACHMENTS:**
1. Resolution Approving Affordable Housing Agreement
  2. Exhibit A - Affordable Housing Agreement

**RESOLUTION NO. XX - 13**

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

\*\*\*\*\*

**APPROVING AN AFFORDABLE HOUSING AGREEMENT FOR THE CONSTRUCTION OF INCLUSIONARY UNITS AND THE PAYMENT OF FEES IN-LIEU OF CONSTRUCTING CERTAIN AFFORDABLE OWNERSHIP UNITS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, AMEND THE AGREEMENT, AND TAKE OTHER NECESSARY AND APPROPRIATE ACTIONS AND AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO APPROVE DEVELOPER'S CHOSEN METHOD OF COMPLIANCE WITH ITS INCLUSIONARY HOUSING OBLIGATIONS**

**WHEREAS**, pursuant to the requirements of the Inclusionary Zoning Regulations of the City of Dublin Zoning Ordinance (the "Ordinance" or "Regulations"), the City of Dublin (the "City") and Moller RE Investors, LLC, a California limited liability company by Braddock & Logan Inc., a California corporation, ("Developer"), wish to enter into an Affordable Housing Agreement for the Construction of Inclusionary Units and the Payment of Fees In Lieu of Constructing Certain Inclusionary Units (the "Agreement") for the Moller Ranch Project ("Project"); and

**WHEREAS**, Developer has determined that it is infeasible to construct forty-six (46) affordable units, and it has, following discussions with City staff, proposed the following alternate methods to satisfy its 46-unit obligation for the Project:

1. Developer will pay fees in lieu of constructing 46 inclusionary units in the amount of \$85,000 per unit, for a total of \$3,910,000, payable within 30 days of recordation of the final map; or
2. Developer will pay fees in lieu of constructing a to-be-determined portion of inclusionary units, payable within 30 days of recordation of the final map, and construct 437 sq. ft. moderate-income affordable units that include a living area, bedroom, bathroom, and kitchen area to satisfy the remainder of its 46-unit obligation.

**WHEREAS**, Developer has agreed to notify the City as to which alternative it will pursue, at least 30 days prior to the planned recordation of the first final tract map; and

**WHEREAS**, Section 8.68.040.E of the Dublin Zoning Ordinance allows the City Council, at its discretion, to waive, wholly or partially, the requirements of the Inclusionary Zoning Regulations and approve an alternate method of compliance if the applicant demonstrates, and the City Council finds, that such alternate methods meet the purposes of the Inclusionary Zoning Chapter; and

**WHEREAS**, the purpose of the Inclusionary Zoning Regulations are to enhance the public welfare and assure that further housing development contributes to the attainment of the City's housing goals by increasing the production of residential units affordable by households of very-low, low and moderate-income and assure that the limited remaining developable land in the City's planning area is utilized in a manner consistent with the City's housing policies and needs; and

**WHEREAS**, a Staff Report setting forth in further detail the background and terms of the Agreement has been submitted to the City Council for consideration of this request.

**NOW, THEREFORE, BE IT RESOLVED** the City Council hereby finds that the proposal by Developer to either pay fees in-lieu of constructing forty-six (46) Inclusionary Units or a portion of said units and construct 437 sq. ft. moderate-income secondary affordable units, as an alternate method of complying with the Inclusionary Zoning Regulations is consistent with the purposes of the Inclusionary Zoning Regulations for the reasons that follow:

1. The location of the Project is not in close proximity to shopping, transportation, and other amenities that are important factors for the residents of affordable units. Therefore, the units that would be produced with the in-lieu fees are likely to be more suitable for potential buyers than would be affordable units within the Project.
2. In addition, if units are constructed, the 437 sq. ft secondary units, because of their smaller size relative to other affordable units in the City, provide housing opportunities to a specific, and often underserved portion of the community, including single adults and elderly individuals.
3. Furthermore, low-income families would have difficulty qualifying for financing and paying the high costs required to live in a single-family home of the size contemplated for the Project (including homeowners' association dues, geologic hazard abatement district assessments, landscaping and lighting assessments, landscape maintenance on the property, utilities, and long term maintenance.) Developer's proposal to provide smaller secondary units would alleviate some of this difficulty.

**BE IT FURTHER RESOLVED** that the City agrees waive Section 8.68.040.A of the Regulations stating that a developer can pay fees in lieu of constructing a maximum of 40% of its inclusionary-unit obligation, and

**BE IT FURTHER RESOLVED** that the City agrees to waive the requirement forth in Resolution 56-02 effective May 7, 2002, establishing the annual methodology for the fee in lieu of constructing an inclusionary unit (\$109,573 effective July 1, 2013), and agrees, given Developer's agreement to make the payment earlier than otherwise required, to accept payment of \$85,000 per Inclusionary Unit required but not constructed, and

**BE IT FURTHER RESOLVED** that the City agrees to waive that portion of Section 8.68.040.E of the Regulations, stating that all affordable units shall reflect the range of numbers of bedrooms provided in the project as a whole. In doing so, the City and Developer agree that all Inclusionary Units will be 437 sq. ft., and include a living area, bedroom, bathroom, and kitchen area, and

**BE IT FURTHER RESOLVED** that the City Council of the City of Dublin does hereby approve Affordable Housing Agreement for the Construction of Inclusionary Units and the Payment of Fees In-Lieu of Constructing Certain Inclusionary Units Between the City of Dublin and Developer, as described in Exhibit A. ("Agreement"), and

**BE IT FURTHER RESOLVED** that the City Manager is authorized and directed to execute the Agreement and such other documents, and to take such other and further action, as necessary and appropriate to carry out the intent of this Resolution, and

**BE IT FURTHER RESOLVED** that the Community Development Director or his or her designee, as specified in the Agreement, is authorized to approve the Developer's chosen method of compliance with its inclusionary housing obligations.

**PASSED, APPROVED AND ADOPTED** this 17th day of December 2013, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Clerk

2123810.1

RECORDING REQUESTED BY:

City of Dublin

When Recorded Mail To:

City Clerk  
City of Dublin  
100 Civic Plaza  
Dublin, CA 94568

*Fee Waiver per G.C. 27383*

Space above this line for Recorder's Use

**AFFORDABLE HOUSING AGREEMENT  
FOR THE CONSTRUCTION OF INCLUSIONARY UNITS AND THE PAYMENT OF  
FEES IN-LIEU OF CONSTRUCTING CERTAIN INCLUSIONARY UNITS**

Moller RE Investors, LLC, a California limited liability company  
by Braddock & Logan Services, Inc., a California corporation

Moller Ranch Property

**AFFORDABLE HOUSING AGREEMENT  
FOR THE CONSTRUCTION OF INCLUSIONARY UNITS AND THE PAYMENT OF  
FEES IN-LIEU OF CONSTRUCTING CERTAIN INCLUSIONARY UNITS**

Moller RE Investors, LLC, a California limited liability company  
By Braddock & Logan Services, Inc., a California corporation  
Moller Ranch Property

THIS AGREEMENT is hereby entered into this \_\_\_ day of \_\_\_\_\_, 2013 by and between the City of Dublin (the “City”) and Moller RE Investors, LLC, a California limited liability company, by Braddock & Logan Services, Inc. a California corporation, (the “Developer”).

**Recitals**

A. Chapter 8.68 of the Dublin Municipal Code contains Inclusionary Zoning Regulations (the “Regulations”). The Regulations were adopted pursuant to Strategy I.B. of the City’s General Plan Housing Element, the purpose of which is to create affordable housing opportunities in the City of Dublin for low- and moderate-income households.

B. The City of Dublin adopted the Regulations recognizing that the cost of new housing is so high that persons with very low-, low- and moderate-incomes are increasingly unable to locate affordable housing in the City. The purpose of the Regulations is to achieve a balanced community with housing available at all income levels.

C. Accordingly, the Regulations require that residential projects with 20 or more for sale units/lots contain at least 12.5% low- and moderate-income units/lots. The Regulations require that the for-sale units be constructed in the following proportions: 40% low-income, and 60% moderate income. In lieu of constructing 40% of the Inclusionary Units that the Regulations would otherwise require, the Regulations authorize developers to pay a fee of \$109,573 for each affordable unit that is required but not built. If developers opt to pay the maximum allowable fees in lieu of construction, they are still required to construct 60% of the obligation.

D. Developer is the owner of 216 acres of real property in the City of Dublin generally located to the east of Tassajara Road within the Eastern Dublin Specific Plan area and more specifically described in Exhibit 1 (the “Property”). The development project is a residential project consisting of 371 single-family residential units (the “Project”). The Planning Commission, on November 27, 2012 approved Site Development Review (PC Reso. No. 12-45) for the project.

E. Developer has determined that it is infeasible to construct forty-six (46) affordable units, and it has, following discussions with City staff, proposed two alternate methods to satisfy its 46-affordable-unit obligation for the project. Developer’s two proposed alternatives are as follows:

1. Developer will pay fees in lieu of constructing 46 inclusionary units in the amount of \$85,000 per unit, for a total amount of \$3,910,000, payable within 30 days of recordation of the final map, or;
2. Developer will pay fees in lieu of constructing a portion of the 46 inclusionary units at the rate of \$85,000 per unit and construct the remaining units as attached secondary Inclusionary Units.

Developer has agreed to notify the City as to which alternative it will pursue, at least 30 days prior to the planned recordation of the first final tract map.

F. Section 8.68.040.E of the Dublin Zoning Ordinance allows the City Council, at its discretion, to waive, wholly or partially, the requirements of the Regulations and approve an alternative method of compliance if the applicant demonstrates, and the City Council finds, that such alternate method meets the purposes of the Regulations; and

G. In the resolution approving this agreement, the City Council found that the Developer's alternate methods of complying with the Regulations for the Project, as set forth herein, meet the purposes of the Regulations; and

H. The purpose of this Agreement is to set forth the manner by which Developer satisfies any and all inclusionary housing obligations applicable to the Project under the Regulations.

NOW, THEREFORE, in satisfaction of the requirements of Chapter 8.68 of the Dublin Municipal Code, condition 23 of PC Resolution No. 12-45, and in consideration of the City's approval of the Project, Developer and City for themselves and their respective successors and assigns hereby agree as follows:

1. Definitions and Interpretations. Terms used in this Agreement shall be defined as set forth in Chapter 8.68 of the Dublin Municipal Code.

2. Developer's Affordable Housing Obligations.

a. Developer will satisfy its 46-unit inclusionary zoning obligation for the Project by, at Developer's election, either (a) paying fees in lieu of construction at a rate of \$85,000 per unit or (b) constructing up to 46 moderate income, 437 square-foot secondary units that include a living area, bedroom, bathroom, and kitchen area ("the Inclusionary Units") and paying in lieu fees at a rate of \$85,000 per unit on the difference between 46 and the number of units to be constructed. Developer shall identify its election at least 30 days prior to the proposed date for the City's approval of the final map for the project.

b. If Developer elects to construct the Inclusionary Units, it shall identify in a diagram for the Community Development Director's approval the number and location of the Inclusionary Units by income level. In approving the diagram, the Community Development Director shall find (a) that the diagram depicts the number of units specified by the Developer; (b) that the identified units are "reasonably dispersed" throughout the Project, as required by Section 8.68.030.E of the Regulations; and (c) that the income levels of the Inclusionary Units are consistent with Section 8.68.030.B of the Regulations. Once approved, the diagram shall be

incorporated into this agreement as an exhibit as though fully set forth herein. Developer hereby agrees that it will not assert the provisions of Government Code section 66458 to require the City to approve final maps until such time as it has satisfied the requirements of this Subsection.

c. Section 8.68.030 of the Regulations requires that all Inclusionary Units in a project be constructed concurrently with a project or phase of a project. If the City Building Official or City Community Development Director determines that the Inclusionary Units have not been or are not being constructed concurrently with the market-rate units in the Project as required by this Section 2, the Building Official shall withhold further issuance of building permits in the Project until construction of the Inclusionary Units has been completed to the satisfaction of the Community Development Director.

3. In-Lieu Fees. If Developer, when it makes its election, elects to pay fees in lieu of constructing any portion of the Inclusionary Units, Developer will pay a sum of \$85,000 per inclusionary unit for which it elects to pay fees. Thus, if it elects to pay fees for the entire 46-unit obligation, Developer would pay \$3,910,000. The entirety of the fees be paid within 30 days of the recordation of the first final map for the project. If the payment is not made when due, the City may withhold any further city approvals for the project, such as occupancy authorizations or building permits.

4. Inclusionary Unit Design, Location, and Size.

a. Exterior Materials and Exterior Architectural Design. Section 8.68.030.E of the Regulations provides that Inclusionary Units shall not be distinguished by exterior design, construction, or materials. Although the proposed Inclusionary Units are smaller than the units in the project as a whole, the City Council in approving this agreement found that, due to the architectural treatment and configuration of the Inclusionary Units, the Inclusionary Units are not distinguished by exterior design, construction, or materials. The exterior materials and exterior architectural design of the Inclusionary Units shall be consistent with the market-rate units within the Project as reviewed and approved through the Site Development Review by the Planning Commission; provided, however, that minor changes to unit size may be approved by the Community Development Director through a Site Development Review waiver.

b. Unit Location. Section 8.68.030 of the Regulations requires that Inclusionary Units be dispersed throughout the individual phase in which they are constructed. If Developer elects to construct Inclusionary Units, the Community Development Director will be required to approve a diagram that shows the location of the Inclusionary Units as proposed by the Developer and find that the units as shown are reasonably dispersed throughout as required by Section 8.68.030.E of the Regulations. Developer shall construct the units in the locations identified in the diagram, which will ensure compliance with Section 8.68.030 of the Regulations. After the diagram has been approved, the Community Development Director may administratively approve changes in the location of the Inclusionary Units provided that he or she finds that the units are reasonably dispersed as required by Section 8.68.030.E. In so doing, the Community Development Director shall in writing approve a revised diagram, and upon such approval it shall be deemed to replace the existing diagram.

c. Unit Bedrooms and Size. Section 8.68.030.E requires that the Inclusionary Units reflect the range of numbers of bedrooms provided in the project as a whole. The Developer proposes to provide up to 46 moderate-income Inclusionary Units that include a living area, a bedroom, a bathroom, and a kitchen area. The City Council in approving this agreement found that, while this breakdown does not reflect the range of numbers of bedrooms provided by the units in the Project as a whole, as required by Section 8.68.030.E of the Regulations, the Developer's alternate method of compliance meets the purposes of the Regulations.

5. Ensuring Affordability.

a. Regulatory Agreements. Developer shall, if it elects to construct Inclusionary Units, require the initial buyer of each parcel on which one of the Inclusionary Units is located to execute, and record against the parcel, a Secondary Unit Regulatory Agreement in substantially the form attached hereto as Exhibit 3. Developer shall ensure that the initial buyer attends an orientation session, provided by the City, or City approved third party, that describes the requirements of the Secondary Unit Regulatory Agreement.

b. City Administrative Fee. Prior to the City's execution of each Secondary Unit Regulatory Agreement, Developer shall pay the City a City Administrative Fee, in an amount to be established from time to time by the City Council and which is currently set at \$1,500 per transaction.

c. Term. This Agreement shall be effective until all in-lieu fees have been paid, and all Inclusionary Units are constructed, sold, and a Secondary Unit Regulatory Agreement has been recorded against each property on which a Secondary Unit is located. Developer shall have no further obligations under this Agreement. Notwithstanding any provisions of this Agreement to the contrary, the burdens of this Agreement shall terminate as to any parcel that is individually (and not in "bulk") sold to the purchaser or user thereof and thereupon and without the execution or recordation of any further document or instrument such parcel shall be released from and no longer be subject to or burdened by the provisions of this Agreement.

6. Memorandum of Agreement to be Recorded. Developer and City shall execute and acknowledge a Memorandum of this Agreement ("Memorandum") substantially in the form attached hereto as Exhibit 4, and City shall cause the Memorandum to be recorded in the Official Records of Alameda County upon its execution.

7. Agreement Runs with the Land. All of the provisions, rights, terms, covenants, and obligations contained in this Agreement shall be binding upon the Parties and their respective heirs, successors and assignees, representatives, lessees, and all other persons acquiring the Property, or any portion thereof, or any interest therein, whether by operation of law or in any manner whatsoever. All of the provisions of this Agreement shall be enforceable as equitable servitude and shall constitute covenants running with the land pursuant to applicable laws, including, but not limited to, Section 1468 of the Civil Code of the State of California. Each covenant to do, or refrain from doing, some act on the Property hereunder (a) is for the benefit of the Property and is a burden upon the Property, (b) runs with the Property, and (c) is

binding upon each Party and each successive owner during its ownership of the Property or any portion thereof, and shall be a benefit to and a burden upon each Party and the Property hereunder and each other person succeeding to an interest in the Property.

8. Assignments and Transfers.

a. Right to Assign. Developer may wish to sell, transfer or assign all or portions of its Property to other developers (each such other developer is referred to as a "Transferee"). In connection with any such sale, transfer or assignment to a Transferee, Developer may sell, transfer or assign to such Transferee any or all rights, interests and obligations of Developer arising hereunder and that pertain to the portion of the Property being sold or transferred, to such Transferee, provided, however, that no such transfer, sale or assignment of Developer's rights, interests and obligations hereunder shall occur without prior written notice to City and approval by the City Manager, which approval shall not be unreasonably withheld or delayed.

b. Approval and Notice of Sale, Transfer or Assignment. The City Manager shall consider and decide on any transfer, sale or assignment within thirty (30) days after Developer's notice thereof, provided all necessary documents, certifications and other information are provided to the City Manager to enable the City Manager to determine whether the proposed Transferee can perform the Developer's obligations hereunder. Nothing herein shall be deemed to limit the right of Developer to freely alienate or transfer all or any portion of the Property, provided however, Developer shall not be released from liability under this Agreement unless and until the proposed Transferee shall have agreed in writing to be bound by and to comply with the requirements of this Agreement and any recorded Second Unit Regulatory Agreement and the City Manager has approved of such Transferee in accordance with this Section 9(b). Notice of any such approved sale, transfer or assignment (which includes a description of all rights, interests and obligations that have been transferred and those which have been retained by Developer) shall be recorded in the official records of Alameda County, in a form acceptable to the City Manager, concurrently with such sale, transfer or assignment. In the event the City Manager fails to make such determination within such thirty (30) day period, City shall be deemed to have approved the assignment and assumption of this Agreement by the proposed Transferee and Developer shall be released pursuant to Section 9(c) below.

c. Effect of Sale, Transfer or Assignment. Developer shall be released from any obligations and liability hereunder sold, transferred or assigned to a Transferee pursuant to Section 9.a of this Agreement, provided that: a) such sale, transfer or assignment has been approved by the City Manager pursuant to Sections 9.a and 9.b; and b) such obligations are expressly assumed by Transferee and provided that such Transferee shall be subject to all the provisions hereof.

9. Successors. Except as specifically provided in this Agreement, this Agreement shall bind and inure to the benefit of all successors and assigns of the parties and any associates in interest, and their respective directors, officers, agents, servants, and employees, and the

successors and assigns of each of them, separately and collectively. Developer shall provide notice to the City of the names and mailing addresses of any such successors or assigns.

10. Hold Harmless. Developer shall hold City, its elective and appointive boards, commission, officers, agents and employees harmless from and against any or all loss, liability, expense, claim, costs, suits, damages of every kind, nature and description directly or indirectly arising from the performance of the obligations or undertakings of Developer pursuant to this Agreement. Developer shall defend City and its elective and appointive boards, commission, officers, agents and employees from any suits or actions at law or in equity for damages caused or alleged to have been caused, by reason of any of the obligations or undertakings of Developer pursuant to this Agreement. It is further provided that this hold harmless agreement shall apply to all damages and claims for damages for every kind suffered, or alleged to have been suffered, by reason of any of the obligations or undertakings of Developer pursuant to this Agreement provided however, that the foregoing indemnity shall not be construed to apply to any liability or claims related to administering any provisions of the Secondary Unit Regulatory Agreement for any Inclusionary Unit following the sale of such Inclusionary Unit to an initial Qualified Purchaser.

11. Enforcement. If the Developer defaults in the performance or observance of any covenant, condition, restriction or obligation of the Developer as set forth in this Agreement, and such default remains uncured for a period of thirty (30) days after notice thereof is given by the City (or such longer period as may be necessary to cure the default, provided that Developer commence the cure within the thirty (30) day period and diligently prosecutes the cure to completion), the City may take any one or more of the following steps:

a. By specific performance or other action or proceeding at law or in equity, require the Developer to perform its obligations under this Agreement or enjoin any acts or things which may be unlawful or in violation of the rights of the City hereunder.

b. Take such other action at law or in equity as may appear necessary or desirable to enforce the obligations, covenants, conditions and restrictions of the Developer under this Agreement.

If Developer transfers any portion of the project in bulk and a Transferee defaults under this Agreement, the City shall exercise the foregoing remedies only with respect to the defaulting Transferee and its portion of the project; and so long as Developer has not otherwise defaulted hereunder, the City shall not seek to exercise any rights and remedies against Developer.

12. Amendments.

a. This Agreement shall be amended only by a written instrument executed by the parties hereto or their successors in interest and duly recorded in the Official Records of the County of Alameda, California.

b. In the event that Developer is unable to perform its obligations under Section 2 of this Agreement due to significant changes in circumstances, such as unanticipated delays in construction within the Project, the City shall confer with Developer in an effort to

reach a mutually acceptable resolution, consistent with the terms of the affordable housing conditions in the Approvals. If an agreement is reached, this Agreement shall be amended accordingly. Developer shall pay the City its reasonable costs, including attorneys' fees, incurred in such negotiations and in amending this Agreement, and Developer shall, if requested by the City, provide the City with a reasonable deposit to cover the City's reasonable costs, upon Developer initiating such negotiations.

13. Corporate Authority. If either party is a corporation, each individual signing this Agreement on behalf of that corporation represents and warrants that each of them is duly authorized to execute and deliver this Agreement on behalf of the corporation and that the Agreement is binding on the corporation in accordance with its terms.

14. Attorneys' Fees. If legal action is necessary to enforce any provisions of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees and legal costs.

15. Notices, Demands and Communications Between the Parties. Any and all notices, demands or communications submitted by any Party to another Party pursuant to or as required by this Agreement shall be proper if in writing and dispatched by messenger for immediate personal delivery, or by registered or certified United States mail, postage prepaid, return receipt requested, to the address of City and Developer, as applicable, as set forth below. Such written notices, demands and communications may be sent in the same manner to such other addresses as either Party may from time to time designate as provided in this Section. Any such notice, demand or communication shall be deemed to be received by the addressee, regardless of whether or when any return receipt is received by the sender or the date set forth on such return receipt, on the day that it is dispatched by messenger for immediate personal delivery, or two (2) calendar days after it is placed in the United States mail as heretofore provided.

If to Developer:            Jeff Lawrence  
                                     Moller RE Investors, LLC  
                                     by Braddock & Logan Services, Inc.  
                                     4155 Blackhawk Plaza Circle, Suite 201  
                                     Danville, CA 94506  
                                     FAX No. (925) 648-5700

If to City:                    City Manager  
                                     City of Dublin  
                                     100 Civic Plaza  
                                     Dublin, CA 94568

16. Entire Agreement. This Agreement contains the entire understanding between the parties relating to the transaction contemplated hereby, and all prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged herein and shall be of no further force or effect. No provision of this Agreement may be amended, waived, or added except by an instrument in writing signed by the Parties hereto.

17. Incorporation of Exhibits. All exhibits referred in this Agreement are incorporated herein by reference.

18. Counterparts. This Agreement may be executed in counterparts, which when taken together shall constitute a single signed original as though all parties had executed the same page.

**[signatures page follows immediately]**

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date and year first above written.

Dated: \_\_\_\_\_

CITY OF DUBLIN

By: \_\_\_\_\_  
City Manager

Attest

\_\_\_\_\_  
City Clerk

Dated: \_\_\_\_\_

Moller RE Investors, LLC, A California limited liability company

By: Braddock & Logan Services, Inc.  
a California corporation  
Its: Manager

By: \_\_\_\_\_  
Name:  
Its:

**EXHIBIT 1**

**Property Description**

(Attach legal description.)

**EXHIBIT 2**

**Guideline to the Inclusionary Zoning Ordinance Regulations**

(Attach document.)

**EXHIBIT 3**

**Secondary Unit Regulatory Agreement**

(Attach agreement.)

**EXHIBIT 4**

**Memorandum of Agreement**

(Attach agreement.)

2207794.1



## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #600-35

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Emerald Glen Recreation and Aquatic Complex Schematic Design and Theming  
*Prepared by Herma Lichtenstein, Parks and Facilities Development Manager*

### EXECUTIVE SUMMARY:

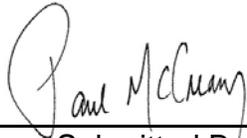
The City Council will receive a presentation on the schematic design, site design, material selection and theming alternatives for the Emerald Glen Recreation and Aquatic Complex.

### FINANCIAL IMPACT:

None

### RECOMMENDATION:

Staff recommends the City Council receive the Staff report and consultant presentation, provide feedback and select the preferred theme alternative for the design.



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Submitted By  
Director of Parks and  
Community Services



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Reviewed By  
Assistant City Manager

### DESCRIPTION:

On August 20, 2013, the City Council received a presentation on conceptual design alternatives and architectural styles for the Recreation and Aquatic Complex. The City Council directed Staff to move forward with the design based on the alternative called "The Wave" (Attachment 1). Over the past three months, Staff and the consultant team have further refined the site design, floor plan, and amenities. Attachment 2 is the updated floor plan. Following is a summary of the current program and amenities:

#### **Main Building and Natatorium**

- Lobby and Reception
- Natatorium with Instruction and Fitness Pool (6,900 s.f.)

- 14 teaching stations
- 6 lanes for lap swim, water walking and water exercise
- Natatorium Viewing Area and Party Rental Space
- Fitness Center with Cardiovascular Exercise Machines
- Meeting Room
- Locker Rooms, Two Family Changing Rooms and Lobby Restrooms
- Lifeguard Break Room and First Aid Station
- Administrative Offices, Storage and Mechanical Spaces

### **Outdoor Spaces**

- Play Pool (5,000 s.f.) with beach entry, large play structure, play elements, and water dump bucket
- Splash Pad Play Area with water play walls and deck water play
- Slide Tower with two speed slides, one bowl slide and three loop slides
- Sports Pool (5,200 s.f.) with six lanes for competitive swimming and water polo, three warm up lanes, timing system and scoreboard, and climbing wall.
- Group picnic areas for 25 to 100 in one area, and 25 to 300 in the other area
- Cabanas, lounge chairs, tables and fire pits
- Outdoor table tennis
- Concession cart hookups
- Entrance plaza and outdoor amphitheater

The refined plans and amenities were then used to develop two themes for the preferred site plan. One theme is “The Shore” and the other is “The Boardwalk”. Each theme uses different material selections, colors and equipment to play off of the wave architecture of the building. The Shore design features have been inspired by imagery of stones, pebbles, ripples, waves, lines, layers, light and reflection. The Boardwalk theme was inspired by imagery of wood, the shore, warmth, tide, edges, color layers and reflection.

At the City Council meeting, the Consultant will present the updated site plan, as well as color renderings, three-dimensional modeling and image boards depicting the two themes. Staff is seeking direction from the City Council on the preferred theming alternative.

### **NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A copy of the Staff Report was sent to the Parks and Community Services Commission, the Dublin Green Gator Parent Committee President, and the Dublin High School Athletic Director.

### **ATTACHMENTS:**

1. Staff Report on Conceptual Design from August 20, 2013
2. Updated Floor Plan for Building



**STAFF REPORT  
CITY COUNCIL**

**CITY CLERK  
File 290-30**

**DATE:** August 20, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager *Joni Pattillo*

**SUBJECT:** Emerald Glen Recreation and Aquatic Complex Architectural Design Alternatives  
*Prepared by Paul McCreary, Parks and Community Services Director*

**EXECUTIVE SUMMARY:**

The City Council will consider three different architectural styles for the new Emerald Glen Recreation and Aquatic Complex that have been prepared by Dahlin Group Architecture Planning.

**FINANCIAL IMPACT:**

None.

**RECOMMENDATION:**

Staff recommends the City Council receive the report and select the preferred option for the architectural style of the building.

Submitted By  
Director of Parks and  
Community Services

Reviewed By  
Assistant City Manager

**DESCRIPTION:**

The 2012-2017 Capital Improvement Program (CIP) includes Phase I of the Emerald Glen Recreation and Aquatic Complex (Project Number 950007).

On April 16, 2013, the City Council approved an update to the Emerald Glen Park Master Plan, as well as the conceptual layout of the Recreation and Aquatic Complex, as recommended by the Parks and Community Services Commission. During the meeting the City Council expressed the desire to include the outdoor Sport Pool in Phase I of the project, as well as to finish the remaining park improvements including the amphitheater. Based on the rate of development, sufficient funding is available from the Public Facility Fees to include the additional improvements in Phase I. On July 16, 2013, the City Council directed staff to include those

improvements in Phase I. Additionally the City Council directed Staff to fund \$220,000 of public art for the facility.

Dahlin Group Architecture has been working with Staff on the development of design alternatives for the building architecture and primary building materials for the exterior of the building. Three architectural style options were prepared for consideration by the Parks and Community Services Commission and City Council as follows:

- Option A – Civic (Attachment 1)
- Option B – Boathouse (Attachment 2)
- Option C – The Wave (Attachment 3)

It should be noted that for each of the style boards attached, the renderings of the building as shown at the top of the style board are high level building massing concepts and are not representative of the final colors and materials that would be used. The purpose of the selecting the general architecture at this meeting is so that the Architect can begin selecting appropriate building materials. The City Council will have another opportunity to review the building materials and the aquatics features at a future meeting prior to the start of construction documents.

**Parks and Community Services Commission Recommendation**

On July 22, 2013, the Parks and Community Services Commission received a presentation from Staff and the Consultant about the three architectural options. The Commission voted 4-0-0, with two Commissioners absent, to recommend either Option B or C in no particular priority order to the City Council. The Commissioners felt that Option A was too bland and was not as striking or iconic as the other two options.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A public meeting notice was sent to property owners within a 300-foot radius of the park. A copy of the Staff Report was sent to the Parks and Community Services Commission.

- ATTACHMENTS:**
- 1. Architectural Style Option A
  - 2. Architectural Style Option B
  - 3. Architectural Style Option C



CITY OF  
DUBLIN

# Emerald Glen Park

Style A - Civic

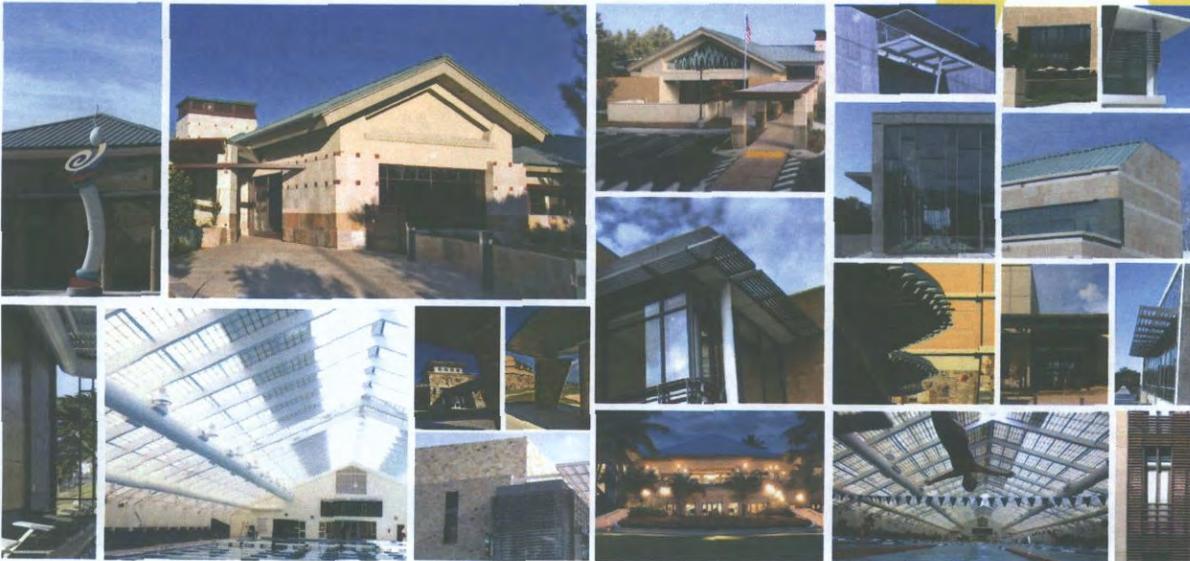
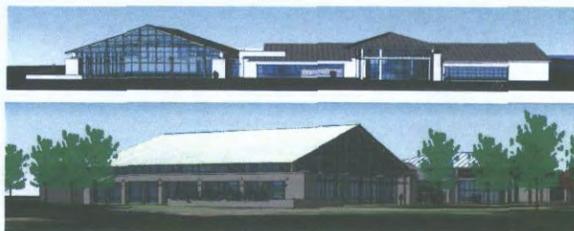


A



# Emerald Glen Park

Style A - Civic





CITY OF  
DUBLIN

# Emerald Glen Park

Style A - Civic





CITY OF  
DUBLIN

# Emerald Glen Park

Style B - Boathouse

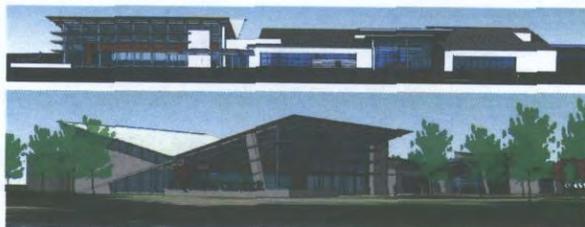


**B**

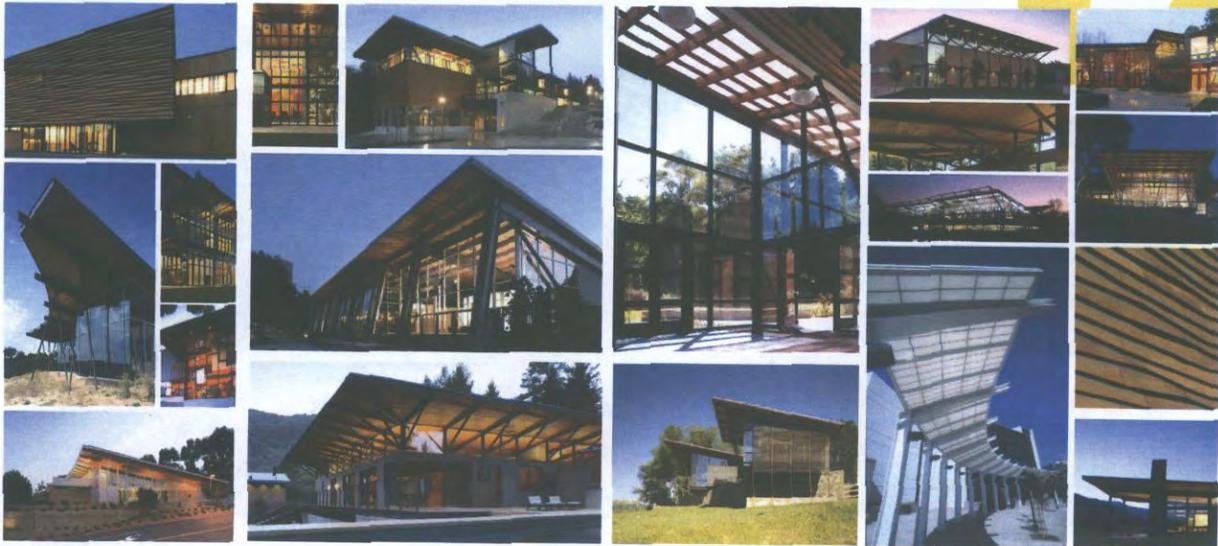


# Emerald Glen Park

Style B - Boathouse



# B





CITY OF  
DUBLIN

# Emerald Glen Park

Style B - Boathouse

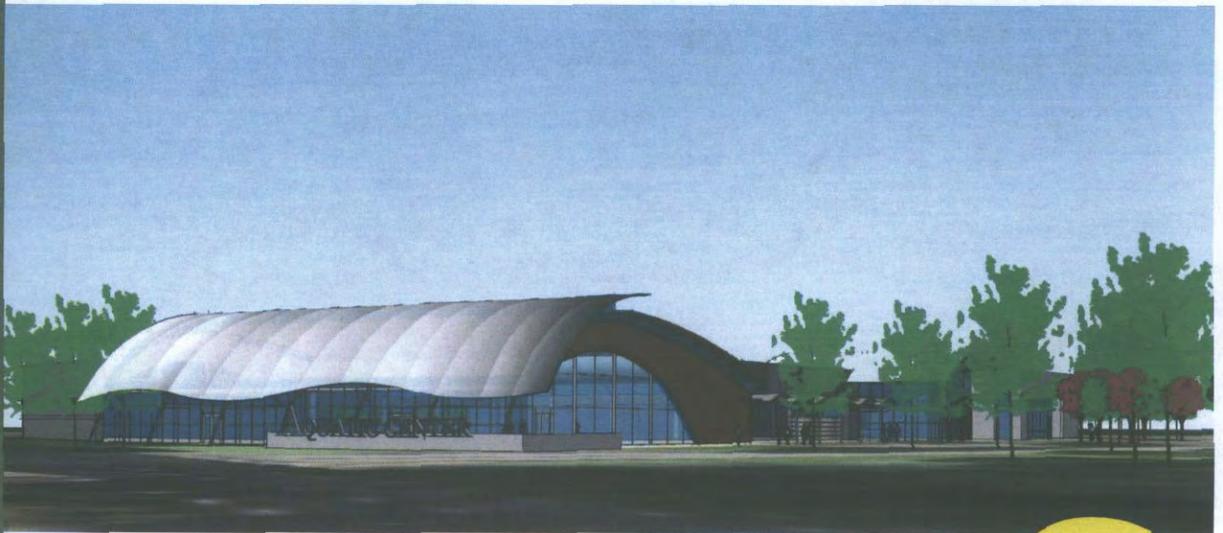




CITY OF  
DUBLIN

# Emerald Glen Park

Style C - Wave



C



# Emerald Glen Park

Style C - Wave



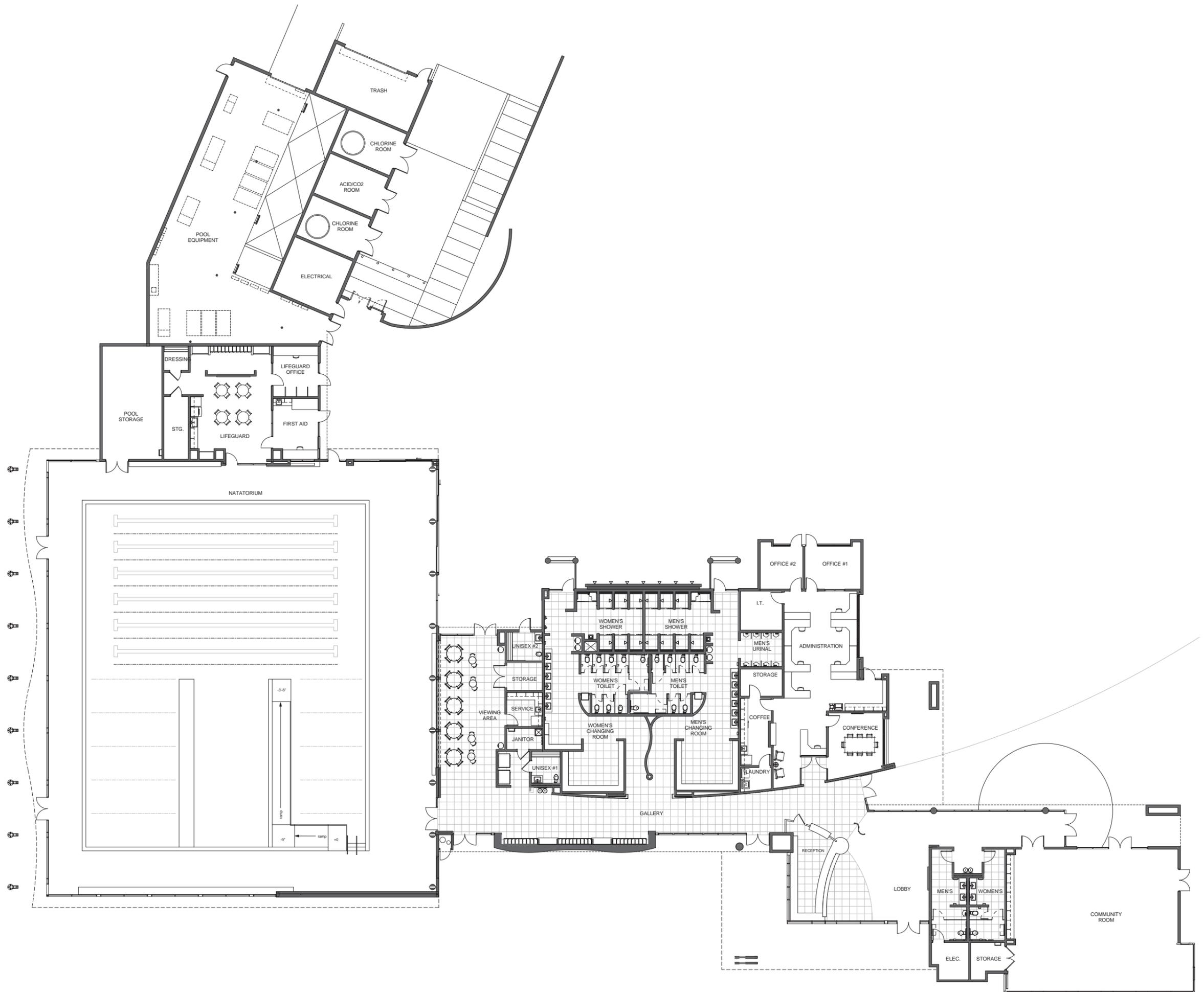


CITY OF  
DUBLIN

# Emerald Glen Park

Style C - Wave





FLOOR PLAN



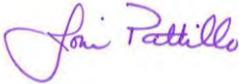
## STAFF REPORT

CITY CLERK  
File #310-30

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Comprehensive Annual Financial Report (CAFR) and Annual Audit for the Fiscal Year Ending June 30, 2013 And Supplemental Reports Completed by the Auditors  
*Prepared by Colleen Tribby, Director of Administrative Services*

### EXECUTIVE SUMMARY:

The City of Dublin has compiled and published its Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2013. This report includes financial statements prepared by City Staff along with the audit prepared by Maze and Associates Accountancy Corporation (Maze), the independent auditors selected by the City Council. The CAFR is a report which encompasses information beyond minimum financial reporting requirements. The Auditors have provided a "clean opinion" based on their review. The report has also been reviewed by the City Council ad-hoc Audit Subcommittee. The Auditors have also completed supplemental reports related to: 1) Federal Grant – Single Audit; 2) A compliance audit of Alameda County Transportation Measure B Funds; 3) Compliance with Alameda County Transportation Commission Vehicle Registration Fund (ACTC-VRF) Program; and 4) A Review of the Annual Appropriations Limit Calculation.

### FINANCIAL IMPACT:

Detailed financial information is summarized in this report as well as the Comprehensive Annual Financial Report (Attachment 1) and a summary of key information (Attachment 2).

### RECOMMENDATION:

It is recommended that the City Council receive and file the reports.

  
\_\_\_\_\_  
Submitted By  
Administrative Services Director

  
\_\_\_\_\_  
Reviewed By  
Assistant City Manager

## DESCRIPTION:

The City of Dublin has compiled and published its Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ending June 30, 2013. This report (Attachment 1) includes audited financial statements reviewed by Maze and Associates Accountancy Corporation (Maze). This firm is the independent auditor selected by the City Council and the current report for the FY 2012-13 audit is the second year of services completed under a five-year agreement approved by the City Council on April 17, 2012.

## **AD-HOC AUDIT COMMITTEE REVIEW**

The Auditors met with the City Council Ad Hoc Audit Committee on December 5, 2013 to review the results of the audit. The interaction of the Auditors directly with representatives of the elected body is a key component to current audit standards. The Committee members were provided with an opportunity to discuss the report and ask questions of the Auditor. The Committee concurred with recommending the acceptance of the report by the City Council.

Overall, based on their testing and review, the Auditors granted the City a “clean opinion” (Attachment 1, pages 1 - 3), meaning that the City’s financial statements present fairly, in all material respects, the financial position of the City.

## **FINANCIAL OVERVIEW**

The financial section of the CAFR includes an unqualified opinion issued by Maze. Attachment 2 provides a summary of key elements contained in the CAFR. Some of the important financial results are addressed below:

Increased Total Assets - The chart below shows that the City’s total net assets increased by \$28.0 million over the prior year. This change is on an entity-wide basis, and includes both capital assets as well as restricted funds.

Item	Governmental Activities			
	June 30, 2013	June 30, 2012	\$ Change	% Change
Current and other assets	158,556,363	132,804,075	25,752,288	19.4%
Notes receivable (See Note5)	10,774,156	10,427,971	346,185	3.3%
OPEB asset (Note 12)	17,717			
Capital assets	438,401,573	433,548,888	4,852,685	1.1%
<b>Total assets</b>	<b>607,749,809</b>	<b>576,780,934</b>	<b>30,968,875</b>	<b>5.4%</b>
Current Liabilities	16,434,604	19,646,421	(3,211,817)	-16.3%
Noncurrent Liabilities	6,960,016	807,642	6,152,374	761.8%
<b>Total Liabilities</b>	<b>23,394,620</b>	<b>20,454,063</b>	<b>2,940,557</b>	<b>14.4%</b>
Net investment in capital assets	432,198,007	433,548,888	(1,350,881)	-0.3%
Restricted	52,548,095	36,714,724	15,833,371	43.1%
Unrestricted				
(See Note 8 to Financials for Classification)	99,609,087	86,063,259	13,545,828	15.7%
<b>Total net assets</b>	<b>584,355,189</b>	<b>556,326,871</b>	<b>28,028,318</b>	<b>5.0%</b>

Total Assets - It is important to consider that not all elements of the reported Total Assets represent unrestricted assets. Included in the Management Discussion and Analysis section of the CAFR is a discussion of the changes in Net Assets (Attachment 1, pages 5 - 21). The amount reported as Total Assets includes:

- 1) \$432.2 million (74.0% of total assets) in investments in capital assets (e.g. land, infrastructure, buildings, and equipment). These are not assets that are available for future spending; and
- 2) \$52.5 million (9.0% of the total assets) are assets subject to external restrictions on how they can be used, such as development impact fee funds.

**MEMORANDUM ON INTERNAL CONTROL (MOIC), or AUDIT RECOMMENDATIONS / DISCLOSURES**

The professional standards adhered to by the Auditors require them to record a formal process of communicating directly with the City Council. As part of the FY 2012-13 CAFR process, the Auditors met with the Ad-Hoc Committee at the start of their field testing as well as at the conclusion of the audit to review the final report. The MOIC to the City Council is included as Attachment 3.

The MOIC contains a description of new GASB requirements implemented by the City during the audit year, upcoming GASB requirements that are not yet effective, and the status of prior-year audit recommendations. The report did not contain any new recommendations on City financial process improvements.

**DESIGNATIONS OF FUND BALANCES**

On June 4, 2013 the City Council adopted Resolution No. 92-13 which amended the policy for the establishment of reserves and created the Fund Balance and Reserves Policy. This policy conforms to required standards enacted by the Governmental Accounting Standards Board (GASB). A listing of the FY 2012-13 year-end reserves established in accordance with this policy is shown on page 65 of the CAFR (Attachment 1). The following table summarizes the fund balances for all City funds:

Fund Balances	General Fund	Special Revenue Funds	Capital Projects Funds	Other Funds	Total
Non-Spendable	2,836,130				2,836,130
Restricted	500,000	7,013,816	38,532,428	8,100,458	54,146,702
Committed	36,020,171				36,020,171
Assigned	23,912,896				23,912,896
Unassigned, unrealized gain/loss	(263,162)				(263,162)
Unassigned, available	14,311,094		(1,098,607)		13,212,487
<b>Total Revenues</b>	<b>77,317,129</b>	<b>7,013,816</b>	<b>37,433,821</b>	<b>8,100,458</b>	<b>129,865,224</b>

As shown above, General Fund Reserves totaled \$77.3 million as of June 30, 2013: \$14.3 million of that is available for cash flow purposes, equating to 3.0 months of budgeted operating expenditures. This is in accordance with the City Policy, which sets the cash flow goal at between two and four months of the budget.

The second component of the Unassigned General Fund reserves is an unrealized gain on investments. Accounting rules require the City to record investments at market value as of the fiscal year end. If the City had actually sold the investments it would have had incurred a loss of \$263,162. This is recognized in the City's books to illustrate that this portion of the Net Assets is not available, and is presented for financial statement purposes only.

The Unassigned fund balance of negative \$1.1 million in the Capital Projects Funds represents the General Fund advance to the Fire Impact Fee Fund.

### **ADDITIONAL REPORTS PREPARED BY THE AUDITORS**

In addition to the Audit of the Financial Statements, the Auditor engagement also included the completion of specialized reports. The supplemental reports include 1) Federal Grant – Single Audit; 2) A compliance audit of Alameda County Transportation Measure B Funds; 3) Compliance with Alameda County Transportation Commission Vehicle Registration Fee (ACTC-VRF) Program; and 4) A Review of the Annual Appropriations Limit Calculation. These reports are described below and included for informational purposes.

#### **Single Audit Report – Federal Grants (Attachment 4)**

The City is required to obtain a Single Audit if annual expenditures of Federal Funds exceed \$500,000. In the Fiscal Year ending June 30, 2013 the City had \$2.1 million in expenditures of Federal Funds. The report includes a Report on Internal Control as well as a Report on Compliance. The findings resulted in no audit findings relative to the federal programs reported by the City.

#### **Alameda County Transportation Commission (ACTC) – Measure B Funds Report (Attachment 5)**

The Alameda County Transportation Commission provides local funding via two local programs: the Local Street Improvements Program and the Bicycle and Pedestrian Improvements Program. During FY 2012-13, projects in the City of Dublin funded by Measure B were as follows:

- 1) Bicycle Master Plan Program Implementation and update of 2007 Bikeway and Pedestrian Master Plan;
- 2) Alamo Canal completion (Trail under I-580);
- 3) Golden Gate (West Dublin BART Improvements); and
- 4) Streets/Sidewalk Overlay Program.

The report found that, based on the information reviewed and presented, that the expenditures were materially in compliance with the program requirements.

As of the fiscal year end, the majority of the Local Streets restricted fund balance (\$874,161) is assigned to a Capital Reserve for the Streets/Sidewalk Overlay Program. The Bike / Pedestrian restricted fund balance was \$6,513 at the fiscal year end.

#### **Alameda County Transportation Commission – Vehicle Registration Fee Report (Attachment 6)**

The City of Dublin uses a Special Revenue Fund to account for the funds collected through the ACTC's Vehicle Registration fee. The goal of the program is to sustain the County's transportation network through a distribution of the funds throughout the County on successive five-year cycles.

As of June 30, 2013, the ACTC VRF fund had a balance of \$328,503 in restricted funds. The FY 2013-14 Budget appropriated funds from this source to support a portion of the maintenance costs for citywide traffic signal upgrades. Staff will be evaluating recommendations to the City Council regarding the continued appropriation of this revenue source.

**Appropriation Limit Schedule Report (Attachment 7)**

State law requires the adoption of an Appropriations Limit (“Limit”) which must be included in the Budget document. The City Council adopts the Limit by resolution and it is adjusted annually based on factors establish in State Law. The Limit applies only to appropriations that are funded by “proceeds of taxes”. The Limit for the City of Dublin is substantially more than the amount of revenue generated from taxes. The Auditors reviewed the calculation used to develop the \$226,135,179 Limit as presented in the FY 2013-14 Budget. There were no exceptions noted in the findings.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A copy of the report was sent to Katherine Yuen, Partner Maze and Associates.

- ATTACHMENTS:**
1. Comprehensive Annual Financial Report (CAFR)
  2. Summary – Key Information in CAFR
  3. Memorandum of Internal Controls
  4. Single Audit Report – Federal Funds
  5. Alameda County Transportation Commission Measure B Funds Report
  6. Alameda County Transportation Vehicle Registration Fee Report
  7. Gann Appropriation Limit Schedule

**For full text of**  
**City of Dublin Comprehensive Annual Financial Report**  
Fiscal Year ended June 30, 2013

Please use link below

<http://www.dublin.ca.gov/Archive.aspx?ADID=448>

**SUMMARY – KEY INFORMATION COMPREHENSIVE ANNUAL FINANCIAL REPORT  
FOR THE YEAR ENDING JUNE 30, 2013  
City Council Meeting December 17, 2013**

1. Includes audited financial statements reviewed by Maze and Associates Accountancy Corporation (Maze).
2. “Clean Opinion” based on testing Financial Statements fairly represent the City’s financial position.
3. During FY 2012-13, Management implemented provisions of the new Government Accounting Standards Board (GASB) Statement 63, which became effective during the year, resulting in format and nomenclature changes. Additionally, Management early-implemented GASB Statement 65, also affecting format and nomenclature.
4. CAFR format will allow the City to apply for a Certificate of Achievement from the Government Finance Officers Association (GFOA). The goal is to provide financial information of the highest quality, in a transparent manner.
5. ORGANIZATION OF DRAFT REPORT:
  - a. Transmittal letter (pages v - x): provides a general overview of economic and budgetary factors that impact the City.
  - b. Opinion issued by the Independent Auditor (pages 1 - 3).
  - c. Management Discussion and Analysis (MD&A) (pages 5 – 21): provides an overview of the financial activities, with a focus on significant trends, as well as major changes associated with the City's major funds (i.e. General Fund and Impact Fee funds).
  - d. Financial Statements: a significant portion of the CAFR is comprised of financial statements and schedules for the various funds used to account for the City’s revenue and expenditures. Pages 25 - 27 include a Government-Wide Statement of Net Position which is similar to financial statements presented by private corporations.
  - e. Statistical Section (pages 155 – 182): the unaudited statistical section of the CAFR includes graphs of relevant historical data.
6. Fund Equity - A complete listing of both fund reserves and designations for all funds is shown on page 65 of the report.
7. Audit Recommendations / Disclosures - As part of the Audit Review the independent auditors can present recommendations for consideration by the City. The process allows the Auditors to disclose their observations on certain practices and policies. As part of the recommendations the Auditors also note the upcoming government accounting standard changes. This information is presented as a separate document “Memorandum On Internal Control and Required Communications for the year ended June 30, 2013”.

**CITY OF DUBLIN  
MEMORANDUM ON INTERNAL CONTROL  
AND  
REQUIRED COMMUNICATIONS**

**FOR THE YEAR ENDED  
JUNE 30, 2013**

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**CITY OF DUBLIN  
MEMORANDUM ON INTERNAL CONTROL  
AND  
REQUIRED COMMUNICATIONS**

**For the Year Ended June 30, 2013**

**Table of Contents**

	<b><u>Page</u></b>
<b><i>Memorandum on Internal Control</i></b> .....	1
Schedule of Other Matters.....	3
Status of Prior Year Schedule of Other Matters .....	7
<b><i>Required Communications</i></b> .....	9
Significant Audit Findings .....	9
<i>Accounting Policies</i> .....	9
<i>Unusual Transactions, Controversial or Emerging Areas</i> .....	10
<i>Estimates</i> .....	10
<i>Disclosures</i> .....	10
<i>Difficulties Encountered in Performing the Audit</i> .....	11
<i>Corrected and Uncorrected Misstatements</i> .....	11
<i>Disagreements with Management</i> .....	11
<i>Management Representations</i> .....	11
<i>Management Consultations with Other Independent Accountants</i> .....	11
<i>Other Audit Findings and Issues</i> .....	11
Other Information Accompanying the Financial Statements.....	11

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## MEMORANDUM ON INTERNAL CONTROL

To the City Council of  
the City of Dublin, California

We have audited the basic financial statements of the City of Dublin for the year ended June 30, 2013, and have issued our report thereon dated November 7, 2013. In planning and performing our audit of the basic financial statements of the City of Dublin, in accordance with auditing standards generally accepted in the United States of America, we considered the City's internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

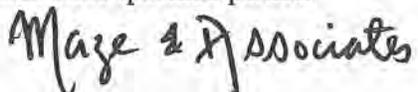
Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist and that were not identified. In addition, because of inherent limitations in internal control, including the possibility of management override of controls, misstatements due to error or fraud may occur and not be detected by such controls.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected on a timely basis. We did not identify any deficiencies in internal control that we consider to be material weaknesses.

Included in the Schedule of Other Matters are recommendations not meeting the above definitions that we believe to be of potential benefit to the City.

This communication is intended solely for the information and use of management, City Council, others within the organization, and agencies and pass-through entities requiring compliance with generally accepted government auditing standards, and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink that reads 'Maze & Associates' in a cursive, stylized font.

Pleasant Hill, California  
November 7, 2013

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CITY OF DUBLIN  
MEMORANDUM ON INTERNAL CONTROL

SCHEDULE OF OTHER MATTERS

**NEW GASB PRONOUNCEMENTS OR PRONOUNCEMENTS NOT YET EFFECTIVE**

The following comment represents new pronouncements taking affect in the next few years. We have cited them here to keep you abreast of developments:

**EFFECTIVE FISCAL YEAR 2014:**

**GASB 66 – *Technical Corrections—2012—an amendment of GASB Statements No. 10 and No. 62***

The objective of this Statement is to improve accounting and financial reporting for a governmental financial reporting entity by resolving conflicting guidance that resulted from the issuance of two pronouncements, Statements No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, and No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*.

This Statement removes the GASB Statement No. 10 provision that limits fund-based reporting of an entity's risk financing activities to the general fund and the internal service fund type.

This Statement also amends Statement 62 by modifying the specific guidance on accounting for (1) operating lease payments that vary from a straight-line basis, (2) the difference between the initial investment (purchase price) and the principal amount of a purchased loan or group of loans, and (3) servicing fees related to mortgage loans that are sold when the stated service fee rate differs significantly from a current (normal) servicing fee rate. These changes clarify how to apply Statement No. 13, *Accounting for Operating Leases with Scheduled Rent Increases*, and result in guidance that is consistent with the requirements in Statement No. 48, *Sales and Pledges of Receivables and Future Revenues and Intra-Entity Transfers of Assets and Future Revenues*, respectively.

**GASB 67 – *Financial Reporting for Pension Plans—an amendment of GASB Statement No. 25***

This statement is applicable when a Trust arrangement is established to hold the employer contributions prior to payment to the retirees (i.e. funding changes to prefunding rather than the current pay-as-you-go funding).

This statement is applicable to the City's PERS pension plans and we understand CalPERS intends to implement the Statement in fiscal year 2014 in order to have the applicable information available for the City to implement the provisions of Statement 68 in fiscal year 2015.

This Statement replaces the requirements of Statements No. 25, *Financial Reporting for Defined Benefit Pension Plans and Note Disclosures for Defined Contribution Plans*, and No. 50, *Pension Disclosures*, as they relate to pension plans that are administered through trusts or equivalent arrangements (hereafter jointly referred to as trusts) that meet certain criteria. The requirements of Statements 25 and 50 remain applicable to pension plans that are not administered through trusts covered by the scope of this Statement and to defined contribution plans that provide postemployment benefits other than pensions.

CITY OF DUBLIN  
MEMORANDUM ON INTERNAL CONTROL

SCHEDULE OF OTHER MATTERS

**GASB 70 - Accounting and Financial Reporting for Nonexchange Financial Guarantees**

Some governments extend financial guarantees for the obligations of another government, a not-for-profit entity, or a private entity without directly receiving equal or approximately equal value in exchange (a nonexchange transaction). As a part of this nonexchange financial guarantee, a government commits to indemnify the holder of the obligation if the entity that issued the obligation does not fulfill its payment requirements. Also, some governments issue obligations that are guaranteed by other entities in a nonexchange transaction. The objective of this Statement is to improve accounting and financial reporting by state and local governments that extend and receive nonexchange financial guarantees.

This Statement requires a government that extends a nonexchange financial guarantee to recognize a liability when qualitative factors and historical data, if any, indicate that it is more likely than not that the government will be required to make a payment on the guarantee. The amount of the liability to be recognized should be the discounted present value of the best estimate of the future outflows related to the guarantee expected to be incurred. When there is no best estimate but a range of the estimated future outflows can be established, the amount of the liability to be recognized should be the discounted present value of the minimum amount within the range.

This Statement requires a government that has issued an obligation guaranteed in a nonexchange transaction to recognize revenue to the extent of the reduction in its guaranteed liabilities. This Statement also requires a government that is required to repay a guarantor for making a payment on a guaranteed obligation or legally assuming the guaranteed obligation to continue to recognize a liability until legally released as an obligor. When a government is released as an obligor, the government should recognize revenue as a result of being relieved of the obligation. This Statement also provides additional guidance for intra-entity nonexchange financial guarantees involving blended component units.

This Statement specifies the information required to be disclosed by governments that extend nonexchange financial guarantees. In addition, this Statement requires new information to be disclosed by governments that receive nonexchange financial guarantees.

The provisions of this Statement are effective for reporting periods **beginning after June 15, 2013**. Except for disclosures related to cumulative amounts paid or received in relation to a financial guarantee, the provisions of this Statement are required to be applied retroactively. Disclosures related to cumulative amounts paid or received in relation to a financial guarantee may be applied prospectively.

**EFFECTIVE FISCAL YEAR 2015:**

**GASB 68 - Accounting and Financial Reporting for Pensions (an amendment of GASB 27)**

This Statement will have material impact on the City's financial statements. The primary objective of this Statement is to improve accounting and financial reporting by state and local governments for pensions.

This Statement establishes standards for measuring and recognizing liabilities, deferred outflows of resources, and deferred inflows of resources, and expense/expenditures. For defined benefit pensions, this Statement identifies the methods and assumptions that should be used to project benefit payments, discount projected benefit payments to their actuarial present value, and attribute that present value to periods of employee service.

CITY OF DUBLIN  
MEMORANDUM ON INTERNAL CONTROL

SCHEDULE OF OTHER MATTERS

**GASB 68 - Accounting and Financial Reporting for Pensions (an amendment of GASB 27)  
(Continued)**

In financial statements prepared using the economic resources measurement focus and accrual basis of accounting, a single or agent employer that does not have a special funding situation is required to recognize a liability equal to the net pension liability. The net pension liability is required to be measured as of a date no earlier than the end of the employer's prior fiscal year (the measurement date), consistently applied from period to period.

Note disclosure and required supplementary information requirements about pensions also are addressed. Distinctions are made regarding the particular requirements for employers based on the number of employers whose employees are provided with pensions through the pension plan and whether pension obligations and pension plan assets are shared.

The following are the major impacts:

- This Statement requires the liability of employers and nonemployer contributing entities to employees for defined benefit pensions (**net pension liability**) to be measured as the portion of the present value of projected benefit payments to be provided through the pension plan to current active and inactive employees that is attributed to those employees' past periods of service (**total pension liability**), less the amount of the pension plan's **fiduciary net position**.
- Actuarial valuations of the total pension liability are required to be performed at least every two years, with more frequent valuations encouraged. If a valuation is not performed as of the measurement date, the total pension liability is required to be based on update procedures to roll forward amounts from an earlier actuarial valuation (performed as of a date no more than 30 months and 1 day prior to the employer's most recent year-end).
- The actuarial present value of projected benefit payments is required to be attributed to periods of employee service using the entry age actuarial cost method with each period's service cost determined as a level percentage of pay. The actuarial present value is required to be attributed for each employee individually, from the period when the employee first accrues pensions through the period when the employee retires.

**GASB 69 – Government Combinations and Disposals of Government Operations**

This Statement establishes accounting and financial reporting standards related to government combinations and disposals of government operations. As used in this Statement, the term *government combinations* includes a variety of transactions referred to as mergers, acquisitions, and transfers of operations.

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**CITY OF DUBLIN  
MEMORANDUM ON INTERNAL CONTROL**

**STATUS OF PRIOR YEAR SCHEDULE OTHER MATTERS**

**2012-01 Areas Affected by Staff Turnover During the Year**

During the interim audit in June 2012, we noted that the City had fallen behind in procedures below due to staff turnover:

- The City's March 31, 2012 bank reconciliation was not completed as of June 28, 2012.
- The City had not reviewed the accounts receivable aging report for uncollectable accounts or reconciled the detailed accounts receivable ledger to the City's general ledger in the current year. The City's normal practice is to conduct the review and reconciliation quarterly.

As a result of the interim audit, we made a recommendation to the City that all bank reconciliations be prepared and reviewed within thirty days of the bank statement date or soon thereafter. In addition, unreconciled items should be addressed immediately. We further recommended that the City resume its practice to reconcile the detailed accounts receivable ledger to the City's general ledger and identify uncollectible items on a regular basis.

During the final phase of the audit, we reviewed the City's bank reconciliation for the month ended June 30, 2012, and noted that the City had incorporated our recommendation for the bank reconciliation process.

We recommend that the City continue its timely bank reconciliation procedures in fiscal year 2012-2013. Also, the City should reconcile its detail accounts receivable ledger and review the accounts receivable aging report for uncollectable receivables on a more regular basis.

**Current Status:** The City has improved on its timeliness of bank reconciliations. Accounts receivable review is done quarterly.

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## REQUIRED COMMUNICATIONS

November 7, 2013

Honorable Mayor and Members of the City Council of  
City of Dublin, California

We have audited the basic financial statements of the City of Dublin for the year ended June 30, 2013. Professional standards require that we communicate to you the following information related to our audit under generally accepted auditing standards and, *Government Auditing Standards*.

### Significant Audit Findings

#### *Accounting Policies*

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by City of Dublin are described in Note 1 to the financial statements. The following pronouncements became effective, but did not have a material effect on the financial statements:

**GASB 60 - Accounting and Financial Reporting for Service Concession Arrangements**

**GASB 62 - Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements**

The following pronouncements became effective or were early-implemented, and required a format change in the financial statements and certain nomenclature revisions in the footnotes accompanying the financial statements

**GASB 63 - Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position**

This Statement provides financial reporting guidance for deferred outflows of resources and deferred inflows of resources. *Concepts Statement No. 4, Elements of Financial Statements*, introduced and defined those elements as a consumption of net assets by the government that is applicable to a future reporting period, and an acquisition of net assets by the government that is applicable to a future reporting period, respectively. Previous financial reporting standards do not include guidance for reporting those financial statement elements, which are distinct from assets and liabilities.

*Concepts Statement 4* also identifies net position as the residual of all other elements presented in a statement of financial position. This Statement amends the net asset reporting requirements in *Statement No. 34, Basic Financial Statements—and Management’s Discussion and Analysis—for State and Local Governments*, and other pronouncements by incorporating deferred outflows of resources and deferred inflows of resources into the definitions of the required components of the residual measure and by renaming that measure as net position, rather than net assets.

#### **GASB 65 - Items Previously Reported as Assets and Liabilities**

This Statement establishes accounting and financial reporting standards that reclassify, as deferred outflows of resources or deferred inflows of resources, certain items that were previously reported as assets and liabilities and recognizes, as outflows of resources or inflows of resources, certain items that were previously reported as assets and liabilities. This Statement also provides other financial reporting guidance related to the impact of the financial statement elements deferred outflows of resources and deferred inflows of resources, such as changes in the determination of the major fund calculations and limiting the use of the term deferred in financial statement presentations. This Statement is effective for fiscal periods beginning after December 15, 2012. The City has elected to early implement this Statement to be effective this fiscal year ending June 30, 2013.

#### ***Unusual Transactions, Controversial or Emerging Areas***

We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

#### ***Estimates***

Accounting estimates are an integral part of the financial statements prepared by management and are based on management’s knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate(s) affecting the City’s financial statements was:

Management’s estimate of depreciation is based on useful lives determined by management. These lives have been determined by management based on the expected useful life of assets as disclosed in Note 6. We evaluated the key factors and assumptions used to develop the in determining that it is reasonable in relation to the financial statements taken as a whole.

Accrued compensated absences are estimated using accumulated unpaid leave hours and hourly pay rates in effect at the end of the fiscal year. We evaluated the key factors and assumptions used to develop the accrued compensated absences and determined that it is reasonable in relation to the basic financial statements taken as a whole.

#### ***Disclosures***

The financial statement disclosures are neutral, consistent, and clear.

### ***Difficulties Encountered in Performing the Audit***

We encountered no significant difficulties in dealing with management in performing and completing our audit.

### ***Corrected and Uncorrected Misstatements***

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all/certain such misstatements. We did not propose any audit adjustments that, in our judgment, could have a significant effect, either individually or in the aggregate, on the entity's financial reporting process.

### ***Disagreements with Management***

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

### ***Management Representations***

We have requested certain representations from management that are included in a management representation letter dated November 7, 2013.

### ***Management Consultations with Other Independent Accountants***

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

### ***Other Audit Findings or Issues***

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

### ***Other Information Accompanying the Financial Statements***

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

With respect to the required supplementary information accompanying the financial statements, we applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not express an opinion nor provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

The Introductory and Statistical Sections included as part of the Comprehensive Annual Financial Report have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we did not express an opinion nor provide any assurance on them.

\*\*\*\*\*

This information is intended solely for the use of City Council and management and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

*Maze & Associates*

**CITY OF DUBLIN**  
**SINGLE AUDIT REPORT**  
**FOR THE YEAR ENDED JUNE 30, 2013**

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**CITY OF DUBLIN**  
**SINGLE AUDIT REPORT**  
**For The Year Ended June 30, 2013**

**TABLE OF CONTENTS**

	<u>Page</u>
Schedule of Findings and Questioned Costs.....	1
Section I - Summary of Auditor’s Results.....	1
Section II – Financial Statement Findings.....	3
Section III – Federal Award Findings and Questioned Costs.....	3
Section IV - Status of Prior Year Findings and Questioned Costs.....	4
Schedule of Expenditures of Federal Awards.....	5
Notes to Schedule of Expenditures of Federal Awards.....	6
Independent Auditor’s Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i> .....	7
Independent Auditor's Report on Compliance for Each Major Federal Program; Report on Internal Control Over Compliance; and Report On The Schedule of Expenditures of Federal Awards Required By OMB Circular A-133 .....	9

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CITY OF DUBLIN

**SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
For The Year Ended June 30, 2013**

**SECTION I—SUMMARY OF AUDITOR’S RESULTS**

**Financial Statements**

Type of auditor’s report issued: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified?        Yes        X No
- Significant deficiency(ies) identified?        Yes        X        None Reported

Noncompliance material to financial statements noted?        Yes        X No

**Federal Awards**

Type of auditor’s report issued on compliance for major programs: Unmodified

Internal control over major programs:

- Material weakness(es) identified?        Yes        X No
- Significant deficiency(ies) identified?        Yes        X        None Reported

Any audit findings disclosed that are required to be reported in accordance with section 510(a) of OMB Circular A-133?        Yes        X No

Identification of major programs:

<u>CFDA#(s)</u>	<u>Name of Federal Program or Cluster</u>
<u>20.205</u>	<u>Highway Planning and Construction</u>

Dollar threshold used to distinguish between type A and type B programs: \$300,000

Auditee qualified as low-risk auditee?        Yes        X No

## **SECTION II – FINANCIAL STATEMENT FINDINGS**

Our audit did not disclose any significant deficiencies, or material weaknesses or instances of noncompliance material to the basic financial statements. We have also issued a separate Memorandum on Internal Control dated November 7, 2013 which is an integral part of our audits and should be read in conjunction with this report.

## **SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS**

Our audit did not disclose any findings or questioned costs required to be reported in accordance with section 510(a) of OMB Circular A-133.

## **SECTION IV - STATUS OF PRIOR YEAR FINDINGS AND QUESTIONED COSTS – Prepared by Management**

### **Financial Statement Prior Year Findings**

- There were no prior year Financial Statement Findings reported.

### **Federal Award Prior Year Findings and Questioned Costs**

- There were no prior year Federal Award Findings and Questioned Costs reported.

CITY OF DUBLIN

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
For the Fiscal Year Ended June 30, 2013

Federal Grantor/ Pass-Through Grantor/Program or Cluster Title	Federal CFDA Number	Pass-Through Identifying Number	Federal Expenditures
<b>US Department of Housing and Urban Development, Pass-Through Program From:</b>			
Alameda County of Department of Housing & Community Development Community Development Block Grants/Entitlement Grants	14.218	not available	<u>\$61,346</u>
Total Department of Housing and Urban Development			<u>61,346</u>
<b>US Department of Justice, Direct Program</b>			
Equitable Sharing Program -- Asset Forfeiture Program	16.922		<u>118,035</u>
Total Department of Justice			<u>118,035</u>
<b>U.S. Department of Transportation, Pass-Through Programs From:</b>			
State of California, Department of Transportation			
Highway Planning and Construction (Federal Aid Highway Program)			
Alamo Canal Train Under I-580	20.205	CML 5432(013)	488,886
West Dublin Bart Golden Gate Drive	20.205	not available	629,392
Annual Street Overlay Program	20.205	not available	<u>545,627</u>
Program Total			<u>1,663,905</u>
National Infrastructure Investments TIGER Discretionary Grants	20.933	not available	267,749
State of California, Office of Traffic Safety			
State and Community Highway Safety Program			
Avoid the 21	20.600	not available	<u>4,660</u>
Total Department of Transportation			<u>1,936,314</u>
Total Expenditures of Federal Awards			<u><u>\$2,115,695</u></u>

See Accompanying Notes to Schedule of Expenditures of Federal Awards

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**CITY OF DUBLIN**

**NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
For The Year Ended June 30, 2013**

**NOTE 1-REPORTING ENTITY**

The Schedule of Expenditure of Federal Awards (the Schedule) includes expenditures of federal awards for the City of Dublin, California, and its component units as disclosed in the notes to the Basic Financial Statements.

**NOTE 2-BASIS OF ACCOUNTING**

Basis of accounting refers to *when* revenues and expenditures or expenses are recognized in the accounts and reported in the financial statements, regardless of the measurement focus applied. All governmental funds and agency funds are accounted for using the modified accrual basis of accounting. Expenditures of Federal Awards reported on the Schedule are recognized when incurred.

**NOTE 3-DIRECT AND INDIRECT (PASS-THROUGH) FEDERAL AWARDS**

Federal awards may be granted directly to the City by a federal granting agency or may be granted to other government agencies which pass-through federal awards to the City. The Schedule includes both of these types of Federal award programs when they occur.

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**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL  
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE  
WITH *GOVERNMENT AUDITING STANDARDS***

Honorable Mayor and City Council  
of the City of Dublin, California

We have audited, in accordance with generally accepted auditing standards in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the basic financial statements of the City of Dublin (City) as of and for the year ended June 30, 2013, and the related notes to the financial statements, and have issued our report thereon dated November 7, 2013. Our report included an emphasis of a matter paragraph disclosing the implementation of new accounting principles.

***Internal Control over Financial Reporting***

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

***Compliance and Other Matters***

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

***Purpose of this Report***

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*Mage & Associates*

Pleasant Hill, California  
November 7, 2013

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL PROGRAM; REPORT ON INTERNAL CONTROL OVER COMPLIANCE; AND REPORT ON THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS REQUIRED BY OMB CIRCULAR A-133**

Honorable Mayor and City Council  
of the City of Dublin, California

***Report on Compliance for Each Major Federal Program***

We have audited City of Dublin's compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended June 30, 2013. The City's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

***Management's Responsibility***

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

***Auditor's Responsibility***

Our responsibility is to express an opinion on compliance for each of the City's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the City's compliance.

### ***Opinion on Each Major Federal Program***

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2013.

### ***Report on Internal Control Over Compliance***

Management of the City is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose.

### ***Report on Schedule of Expenditures of Federal Awards Required by OMB Circular A-133***

We have audited the basic financial statements of the City as of and for the year ended June 30, 2013, and have issued our report thereon dated November 7, 2013, which contained an unmodified opinion on those financial statements. Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by OMB Circular A-133 and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the

financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards is fairly stated in all material respects in relation to the financial statements as a whole.

*Maze & Associates*

Pleasant Hill, California  
November 7, 2013

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**CITY OF DUBLIN  
ALAMEDA COUNTY TRANSPORTATION COMMISSION-  
MEASURE B FUNDS**

**FOR THE YEAR ENDED JUNE 30, 2013**

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**CITY OF DUBLIN  
ALAMEDA COUNTY TRANSPORTATION COMMISSION  
MEASURE B FUNDS  
For the Year Ended June 30, 2013**

**Table of Contents**

	<b><u>Page</u></b>
<b>INDEPENDENT AUDITOR’S REPORT .....</b>	<b>1</b>
<b>FINANCIAL STATEMENTS</b>	
Combined Balance Sheet.....	3
Combined Statement of Revenues, Expenditures and Changes in Fund Balance .....	4
Notes to Financial Statements .....	5
<b>INDEPENDENT AUDITOR’S REPORT ON COMPLIANCE WITH <i>MEASURE B</i> COMPLIANCE .....</b>	<b>9</b>

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## INDEPENDENT AUDITOR'S REPORT

Honorable Mayor and Members of the City Council of the City of Dublin  
City of Dublin, California

### *Report on Financial Statements*

We have audited the accompanying financial statements of the Alameda County Transportation Commission – Measure B Funds (Measure B Funds) of the City of Dublin, California, as of and for the year ended June 30, 2013, and the related notes to the financial statements, which collectively comprise the Measure B Funds' basic financial statements as listed in the Table of Contents.

### *Management's Responsibility for the Financial Statements*

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

### *Auditor's Responsibility*

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the City's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

As discussed in Note 1 to the financial statements, the financial statements referred to above present only the Measure B Funds and are not intended to present fairly the financial positions of the City and the results of its operations in conformity with generally accepted accounting principles.

***Opinions***

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Measure B Funds of the City as of June 30, 2013, and the change in financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

***Other Reporting Required by Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated November 7, 2013, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

*Maze & Associates*

Pleasant Hill, California  
November 7, 2013

**City of Dublin**  
**Alameda County Transportation Commission - Measure B Funds**  
**Combined Balance Sheet**  
**June 30, 2013**

	Special Revenue Funds			Total
	Measure B Local Streets	Measure B Bike and Pedestrian	Alamo Canal Trail Under I580	
<b>ASSETS</b>				
Cash and investments	\$ 779,836	\$ -	\$ -	\$ 779,836
Due from other governments	94,325	63,159	-	157,484
<b>Total assets</b>	<b>874,161</b>	<b>63,159</b>	<b>-</b>	<b>937,320</b>
<b>LIABILITIES AND FUND BALANCES</b>				
<b>Liabilities:</b>				
Accounts Payable	-	\$ 13,362	-	13,362
Due to Other Funds	-	43,284	-	43,284
<b>Total expenditures</b>	<b>-</b>	<b>56,646</b>	<b>-</b>	<b>56,646</b>
<b>Fund Balances:</b>				
Restricted	874,161	6,513	-	880,674
<b>Total fund balances</b>	<b>874,161</b>	<b>6,513</b>	<b>-</b>	<b>880,674</b>
<b>Total Liabilities and fund balances</b>	<b>\$ 874,161</b>	<b>\$ 63,159</b>	<b>\$ -</b>	<b>\$ 937,320</b>

See accompanying Notes to Financial Statements

# City of Dublin

## Alameda County Transportation Commission - Measure B Funds Combined Statement of Revenues, Expenditures and Changes In Fund Balance

For the year ended June 30, 2013

	Special Revenue Funds			Total
	Measure B	Measure B	Alamo	
	Local Streets	Bike and Pedestrian	Canal Trail Under I580	
<b>REVENUES:</b>				
Taxes other than property	\$ 369,676	\$ 131,752	\$ -	\$ 501,428
Interest	7,147	837	-	7,984
Reimbursement	-	-	282,992	282,992
<b>Total revenues</b>	<b>376,823</b>	<b>132,589</b>	<b>282,992</b>	<b>792,404</b>
<b>EXPENDITURES:</b>				
Current:				
Highway and Streets	-	181,944	-	181,944
Capital Outlay:				
Street Overlay Program	180,677	-	-	180,677
Alamo Canal Trail Under I580	-	-	306,483	306,483
W. Dublin Bart Station/Golden Gate Dr.	165,836	288,602	-	454,438
<b>Total expenditures</b>	<b>346,513</b>	<b>470,546</b>	<b>306,483</b>	<b>1,123,542</b>
<b>OTHER FINANCING SOURCES (USES)</b>				
Transfers in (out)	-	(23,491)	23,491	-
<b>Total other funding sources (Uses)</b>	<b>-</b>	<b>(23,491)</b>	<b>23,491</b>	<b>-</b>
<b>CHANGE IN FUND BALANCES</b>	<b>30,310</b>	<b>(361,448)</b>	<b>-</b>	<b>(331,138)</b>
<b>FUND BALANCES:</b>				
Beginning of year	843,851	367,961	-	1,211,812
End of year	\$ 874,161	\$ 6,513	\$ -	\$ 880,674

See accompanying Notes to Financial Statements

CITY OF DUBLIN  
ALAMEDA COUNTY TRANSPORTATION COMMISSION  
MEASURE B FUNDS  
NOTES TO FINANCIAL STATEMENTS  
For the year ended June 30, 2013

**NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**A. Reporting Entity**

All transactions of the Alameda County Transportation Commission - Measure B Funds (Measure B Funds) of the City of Dublin, California (City), are included as a separate special revenue fund in the basic financial statements of the City. Measure B Funds is used to account for the City's share of revenues earned and expenditures incurred under the City's local streets, bikes and pedestrians and capital projects programs. The accompanying financial statements are for Measure B Funds only and are not intended to fairly present the financial position of the City and the results of its operations and cash flows of its proprietary fund type.

**B. Basis of Accounting**

The accompanying financial statements are prepared on the modified accrual basis of accounting. Revenues are generally recorded when measurable and available, and expenditures are recorded when the related liabilities are incurred.

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All governmental funds are accounted for using a "*current financial resources*" measurement focus, wherein only current assets and current liabilities generally are included on the balance sheets. Operating statements of governmental funds present increased (revenues and other financing sources) and decreased (expenditures and other financing uses) in net current assets.

**C. Description of Funds**

The accounts are maintained on the basis of fund accounting. A fund is a separate accounting entity with a self-balancing set of accounts.

The following funds are used:

Special Revenue Funds - To account for the proceeds of specific revenues that are legally restricted to be expended for specified purposes.

**NOTE 2 – CASH AND INVESTMENTS**

Cash and investments are maintained on a pooled basis with those of other funds of the City. Pooled cash and investments consist of U.S. government securities, deposits with banks, mutual funds and participation in the California Local Agency Investment Fund. All investments are stated at fair value. Pooled investment earnings are allocated monthly based on the average monthly cash and investment balances of the various funds and related entities of the City.

See the City's Comprehensive Annual Financial Report for disclosures related to cash and investments and the related custodial risk categorization. This may be obtained from the City of Dublin, 100 Civic Plaza, Dublin, California 94568.

**CITY OF DUBLIN**  
**ALAMEDA COUNTY TRANSPORTATION COMMISSION**  
**MEASURE B FUNDS**  
**NOTES TO FINANCIAL STATEMENTS**  
**For the year ended June 30, 2013**

**NOTE 3 – RECEIVABLES**

The receivables represent the Measure B sales tax revenues and project reimbursements for the fiscal year received from the Alameda County Transportation Commission after June 30, 2013.

**NOTE 4 – MEASURE B FUNDS**

Under Measure B, approved by the voters of Alameda County in 1986 (Old Measure B) and in 2000, Alameda CTC Measure B, the City receives a portion of the proceeds of an additional one-half cent sales tax to be used for transportation-related expenditures. This measure was adopted with the intention that the funds generated by the additional sales tax will not fund expenditures previously paid for by property taxes but, rather, would be used for additional projects and programs.

Local projects funded by Measure B were as follows:

- Highway & Streets (Public Work Admin) Bicycle Master Plan Program Implementation and update of 2007 Bikeway and Pedestrian Mater Plan.
- Alamo Canal CIP #960008 (Trail Under I-580). Measure B provided funding associated with construction of a trail underneath I-580 connecting the Alamo Canal Trail between Dublin and Pleasanton.
- Golden Gate #960027 (West Dublin BART Improvements). Measure B provided funding associated with improvements and enhancements along Golden Gate Drive from Dublin Boulevard to the West Dublin/Pleasanton BART station.
- Sidewalk Overlay Program - Measure B provided funding for the replacement of asphalt overlay on streets throughout the City and prolongs the useful life of the pavement. The scope of work includes removing and replacing failed pavement, placing asphalt concrete overlay and restriping the street.

From a pool of funds held by the County, Certain additional portion of the pool is allocated among the cities in the County, based on the cities' populations and the number of roads within their city limits for other transportation-related projects. Funds allocated for streets and roads; bike lanes and pedestrian lanes are recorded as a special revenue funds.

Regional capital projects not using Local Funds, being constructed under contract administered by the City of Dublin were as follows:

Alamo Canal Trail Under 1-580 - This project is a multi-agency partnership including Measure B as well as funding provided by the East Bay Regional Park District and the Cities of Dublin and Pleasanton. The project is independent of local funds provided as part of the Local Bike and Pedestrian funding.

**CITY OF DUBLIN**  
**ALAMEDA COUNTY TRANSPORTATION COMMISSION**  
**MEASURE B FUNDS**  
**NOTES TO FINANCIAL STATEMENTS**  
**For the year ended June 30, 2013**

**NOTE 5 - COMMITMENTS AND CONTINGENCIES**

The City participates in several grant programs. These programs have been audited by the City's independent accountants in accordance with the provisions of applicable State requirements. No cost disallowances were proposed as a result of these audits; however, these programs are still subject to further examination by the grantors and the amount, if any, of expenditures which may be disallowed by the granting agencies cannot be determined at this time. The City expects such amounts, if any, to be immaterial.

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## INDEPENDENT AUDITOR'S REPORT ON MEASURE B COMPLIANCE

To the Honorable Members of the City Council  
City of Dublin, California

### *Report on Compliance for Each Major Federal Program*

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the basic financial statements of the Measure B Funds of the City of Dublin (City), California, as of and for the year ended June 30, 2013 and the related notes to the financial statements, and have issued our report thereon date November 7, 2013.

### *Management's Responsibility*

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants specified in the *Master Programs Funding Agreement* between the City and the Alameda County Transportation Commission.

### *Auditor's Responsibility*

Our responsibility is to express an opinion on compliance for the Measure B funds based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and requirements specified in the *Master Programs Funding Agreement* between the City and the Alameda County Transportation Commission. Those standards and requirements require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on Measure B Funds occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for the Measure B Funds. However, our audit does not provide a legal determination of the City's compliance.

### *Opinion on Measure B Funds*

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on Measure B Funds for the year ended June 30, 2013.

## ***Report on Internal Control Over Compliance***

Management is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for the Measure B Funds and to test and report on internal control over compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements, specified in the *Master Programs Funding Agreement* between the City and the Alameda County Transportation Commission. Accordingly, this report is not suitable for any other purpose.

*Maze & Associates*

Pleasant Hill, California  
November 7, 2013

**CITY OF DUBLIN, CALIFORNIA**  
**ALAMEDA COUNTY**  
**VEHICLE REGISTRATION FEE (VRF)**  
**MEASURE F PROGRAM**  
**FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED JUNE 30, 2013**

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CITY OF DUBLIN, CALIFORNIA  
ALAMEDA COUNTY VEHICLE REGISTRATION FEE (VRF)  
MEASURE F PROGRAM  
FINANCIAL STATEMENTS

For The Year Ended June 30, 2013

Table of Contents

	<u>Page</u>
<i>Independent Auditor's Report</i> .....	1
<i>Financial Statements:</i>	
Balance Sheet .....	3
Statement of Revenues, Expenditures and Changes in Fund Balance .....	4
Notes to Financial Statements .....	5
<i>Independent Auditor's Report on Vehicle Registration Fee (VRF) Measure F Compliance</i> .....	7

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## INDEPENDENT AUDITOR'S REPORT

Honorable Mayor and Members of the City Council  
City of Dublin, California

### *Report on Financial Statements*

We have audited the accompanying financial statements of the Alameda County Vehicle Registration Fee (VRF) Measure F Program (Measure F Program) of the City of Dublin (City), California, as of and for the year ended June 30, 2013, and the related notes to the financial statements, which collectively comprise the Measure F Program's basic financial statements as listed in the Table of Contents.

### *Management's Responsibility for the Financial Statements*

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

### *Auditor's Responsibility*

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the City's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

As discussed in Note 2 to the financial statements, the financial statements referred to above present only the Measure F Program and are not intended to present fairly the financial positions of the City and the results of its operations in conformity with generally accepted accounting principles.

***Opinions***

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Measure F Program of the City as of June 30, 2013, and the change in financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

***Other Reporting Required by Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated November 7, 2013, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

*Maze & Associates*

Pleasant Hill, California  
November 7, 2013

**City of Dublin**  
**Alameda County Transportation Improvement**  
**Authority - Vehicle Registration Fee**  
**Balance Sheet**  
**June 30, 2013**

	Special Revenue Fund	
	Vehicle Registration Fee	Total
<b>ASSETS</b>		
Cash and investments	\$ 371,347	\$ 371,347
Due from other governments	62,481	62,481
<b>Total assets</b>	<b>\$ 433,828</b>	<b>\$ 433,828</b>
<b>LIABILITIES AND FUND BALANCES</b>		
<b>Liabilities:</b>		
Accounts payable	\$ 105,325	\$ 105,325
<b>Total liabilities</b>	<b>105,325</b>	<b>105,325</b>
<b>Fund Balances:</b>		
Restricted	328,503	328,503
<b>Total fund balances</b>	<b>328,503</b>	<b>328,503</b>
<b>Total liabilities and fund balances</b>	<b>\$ 433,828</b>	<b>\$ 433,828</b>

See accompanying Notes to Financial Statements

**City of Dublin**  
**Alameda County Transportation Improvement Authority**  
**- Vehicle Registration Fee Statement of Revenues,**  
**Expenditures and Changes In Fund Balance**

**For the year ended June 30, 2013**

	Special Revenue Funds	
	Vehicle Registration	
	Fee	Total
<b>REVENUES:</b>		
Intergovernmental		
2012-13 Allocation	\$ 246,196	\$ 246,196
2011-12 Allocation	25,027	25,027
2010-11 Allocation	17,596	17,596
Interest	2,796	2,796
Reimbursement	723	723
<b>Total revenues</b>	<u>292,338</u>	<u>292,338</u>
<b>EXPENDITURES:</b>		
Current:		
Highway and Streets	156,497	156,497
Capital Outlay:		
Traffic Signal Improvements	40,468	40,468
<b>Total expenditures</b>	<u>196,965</u>	<u>196,965</u>
<b>NET CHANGE IN FUND BALANCE</b>	<u>95,373</u>	<u>95,373</u>
<b>FUND BALANCE:</b>		
Beginning of year	233,130	233,130
End of year	<u>\$ 328,503</u>	<u>\$ 328,503</u>

CITY OF DUBLIN, CALIFORNIA

ALAMEDA COUNTY VEHICLE REGISTRATION FEE (VRF) MEASURE F PROGRAM  
Notes to the Financial Statements  
For The Year Ended June 30, 2013

**NOTE 1 – BACKGROUND**

**Measure F Program** - Alameda County Vehicle Registration Fee Measure F (Measure F Program) was approved by the voters in November 2010, with 63 percent of the vote. The fee will generate about \$10.7 million per year by a \$10 per year vehicle registration fee. The collection of the \$10 per year vehicle registration fee started in the first week of May 2011. The goal of the VRF Program is to sustain the County's transportation network and reduce traffic congestion and vehicle related pollution. The program includes four categories of projects:

- Local Road Improvement and Repair Program (60 percent)
- Transit for Congestion Relief (25 percent)
- Local Transportation Technology (10 percent)
- Pedestrian and Bicyclist Access and Safety Program (5 percent)

The Alameda County Transportation Commission administers the program and distributes an equitable share of the funds among the four planning areas of the county over successive five year cycles. Geographic equity will be measured by a formula, weighted 50 percent by population of the planning area and 50 percent of registered vehicles of the planning area.

**NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING PRINCIPLES**

**Reporting Entity** – All transactions of the Measure F Program of the City are included as a separate special revenue fund in the basic financial statements of the City.

The accompanying financial statements include the Measure F Program only and are not intended to fairly present the financial position, results of operations and cash flows of the City in conformity with accounting principles generally accepted in the United States of America.

**Basis of Accounting** – The accompanying financial statements are prepared on the modified accrual basis of accounting. Revenues are generally recorded when measurable and available, and expenditures are recorded when the related liabilities are incurred.

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. All governmental funds are accounted for using a "*current financial resources*" measurement focus, wherein only current assets and current liabilities generally are included on the balance sheets. Operating statements of governmental funds presents increases (revenues and other financing sources) and decreases (expenditures and other financing uses) in net current assets.

**Description of Funds** – The accounts are maintained on the basis of fund accounting. A fund is a separate accounting entity with a self-balancing set of accounts.

**CITY OF DUBLIN, CALIFORNIA**

**ALAMEDA COUNTY VEHICLE REGISTRATION FEE (VRF) MEASURE F PROGRAM**

**Notes to the Financial Statements**

**For The Year Ended June 30, 2013**

**NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING PRINCIPLES (Continued)**

The following funds are used:

*Special Revenue Funds* - To account for the proceeds of specific revenues that are legally restricted to be expended for specified purposes.

**Use of Estimates** - Management uses estimates and assumptions in preparing the financial statements. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosures of contingent assets and liabilities, and the reported revenues and expenses. Actual results could differ from those estimates.

**NOTE 3 - CASH AND INVESTMENTS**

Cash and investments are maintained on a pooled basis with those of other funds of the City. Pooled cash and investments consist of U.S. government securities, deposits with banks, mutual funds and participation in the California Local Agency Investment Fund. All investments are stated at fair value. Pooled investment earnings are allocated monthly based on the average monthly cash and investment balances of the various funds and related entities of the City.

See the City's Comprehensive Annual Financial Report for disclosures related to cash and investments and the related custodial risk categorization. This may be obtained from the City of Dublin, 100 Civic Plaza, Dublin, California 94568.

**NOTE 4 – MEASURE F REVENUE**

Included in the 2012-13 allocation is \$21,166, which the City received after June 30, 2013, but accrued as fiscal year 2013 revenue. 2012-13 allocation received by the City between July 1, 2012 and June 30, 2013 amounted to \$225,030.

**INDEPENDENT AUDITOR'S REPORT ON VEHICLES REGISTRATION FEE (VRF)  
MEASURE F COMPLIANCE**

To the Honorable Members of the City Council  
City of Dublin, California

***Report on Compliance for Each Major Federal Program***

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the basic financial statements of Measure F Program of the City of Dublin (City), California, as of and for the year ended June 30, 2013 and the related notes to the financial statements, and have issued our report thereon date November 7, 2013. Our report included an emphasis of a matter paragraph disclosing the implementation of new accounting principles.

***Management's Responsibility***

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants specified in the *Master Programs Funding Agreement*, between the City and the Alameda County Transportation Commission.

***Auditor's Responsibility***

Our responsibility is to express an opinion on compliance for the Measure F Programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and requirements specified in the *Master Programs Funding Agreement* between the City and the Alameda County Transportation Commission. Those standards and requirements require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on Measure F Funds. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for the Measure F Funds. However, our audit does not provide a legal determination of the City's compliance.

### ***Opinion on Measure F Funds***

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on Measure F Funds for the year ended June 30, 2013.

### ***Report on Internal Control Over Compliance***

Management is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for the Measure F Funds and to test and report on internal control over compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements specified in the *Master Programs Funding Agreement* between the City and the Alameda County Transportation Commission. Accordingly, this report is not suitable for any other purpose.

*Maze & Associates*

Pleasant Hill, California  
November 7, 2013

**INDEPENDENT ACCOUNTANT'S REPORT ON  
APPLYING AGREED UPON PROCEDURES FOR  
COMPLIANCE WITH THE PROPOSITION 111  
2013-2014 APPROPRIATIONS LIMIT INCREMENT**

Honorable Mayor and Members of the City Council  
City of Dublin, California

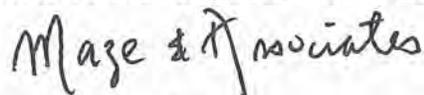
We have performed the procedures below to the Appropriations Limit Worksheet which were agreed to by the City of Dublin for the year ended June 30, 2014. These procedures, which were suggested by the League of California Cities and presented in their Article XIII B Appropriations Limitation Uniform Guidelines were performed solely to assist you in meeting the requirements of Section 1.5 of Article XIII B of the California Constitution. Management is responsible for the Appropriations Limit Worksheet. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is solely the responsibility of the City. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures you requested us to perform and our findings were as follows:

- A. We obtained the Appropriations Limit Worksheet and determined that the 2013-2014 Appropriations Limit of \$226,135,179 and annual adjustment factors were adopted by Resolution of the City Council. We also determined that the population and inflation options were selected by a recorded vote of the City Council.
- B. We recomputed the 2013-2014 Appropriations Limit by multiplying the 2012-2013 Prior Year Appropriations Limit by the Total Growth Factor.
- C. For the Appropriations Limit Worksheet, we agreed the Per Capita Income and City and County Population Factors to California State Department of Finance Worksheets.

We were not engaged to, and did not, conduct an audit, the objective of which would be the expression of an opinion on the Appropriations Limit Worksheet. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information of management and the City Council; however, this restriction is not intended to limit the distribution of this report, which is a matter of public record.

A handwritten signature in black ink that reads 'Maze & Associates'.

October 18, 2013



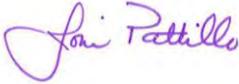
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #810-80

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Consideration of Alameda County Waste Management Authority Mandatory Recycling Ordinance Phase II Participation  
*Prepared by Roger Bradley, Assistant to the City Manager*

### EXECUTIVE SUMMARY:

The City Council will determine whether or not to participate in a Countywide ordinance adopted by the Alameda County Waste Management Authority. The ordinance places a mandate on businesses and multi-family dwellings to recycle all compostable materials generated on site, and also prohibits them from placing such materials in a garbage container.

### FINANCIAL IMPACT:

Staff estimates that the Mandatory Recycling Ordinance could raise the cost of garbage collection for Dublin businesses by as much as 50%.

### RECOMMENDATION:

Staff recommends that the City Council adopt the resolution opting out of the Alameda County Waste Management Authority Mandatory Recycling Ordinance Phase II and direct Staff to conduct an analysis on Phase I participation.



Submitted By  
Assistant to the City Manager



Reviewed By  
Assistant City Manager

### DESCRIPTION:

On January 25, 2012, the Alameda County Waste Management Authority ("ACWMA" or "StopWaste.Org") adopted a Mandatory Recycling Ordinance impacting all jurisdictions within Alameda County. The ordinance has been implemented in two phases. The Mandatory Recycling Ordinance contains an "opt-out" provision enabling a jurisdiction to exclude its service area from the requirements of the Mandatory Recycling Ordinance. On February 21, 2013, the City Council adopted Resolution 21-12 (Attachment 1) opting out of Phase I of the ordinance. Phase II implementation will begin on July 1, 2014. The ACWMA has included within the

ordinance a provision that Alameda County jurisdictions must decide whether to opt out of Phase II of the ordinance before January 1, 2014.

### **Mandatory Recycling Ordinance**

The ACWMA Mandatory Recycling Ordinance Phase II requires all Alameda County businesses and multi-family properties to segregate recyclable and organic materials from regular garbage service by July 1, 2014. Phase II of the ordinance includes all the items covered under Phase I but expands the mandate to all businesses instead of a smaller subset. It also mandates that all businesses and multifamily properties must include the aforementioned organics recycling. While organics collection within the City has good participation, there is still a lot of room for improvement, and in general, there are no multifamily properties that participate in the organic collection program both within the City and throughout the County. Thus, Staff has concern with mandating a program without a proven operational infrastructure. In addition, as the City has not yet participated in the less intense Phase I version of the ordinance, Staff would have hesitation in recommending immediately implementing Phase II participation. However, the ordinance has been written such that jurisdictions must opt-out of Phase II of the ordinance regardless of whether or not they opted to participate in Phase I.

As was the concern when the City Council considered Phase I implementation, Staff believes that there are risks for the ratepayer in participating in Phase II of the ACWMA ordinance. In particular, the ordinance may have a significantly negative impact on the City's rate structure, necessitating a large rate increase for businesses as well as multi-family property owners. The Mandatory Recycling Ordinance will shift materials and revenue away from garbage collection and would result in revenue shortfalls for the City's franchise hauler, AVI, necessitating steep rate increases to recover the lost revenue. This is due to the fact that the City has a bundled rate for garbage service, where residents and businesses pay for the cost of garbage collection with recycling and organics collection being provided either at no additional charge (recycling) or at a steeply discounted rate (organics). Thus, as revenue is lost by customers shifting to smaller garbage bins sizes, rates must be increased to offset lost revenue. Also, a change in law of this magnitude could trigger a franchise agreement provision requiring the City to renegotiate contractual provisions with the City's waste hauler and landfill disposal contractors to restructure the rates and/or modify other provisions within these agreements.

It is Staff's opinion that the ACWMA's Mandatory Recycling Ordinance could have an adverse impact on small businesses within the City of Dublin. In particular, businesses that generate smaller volumes of waste will have to pick up a larger portion of the rate burden as larger businesses have more room to shift to smaller bin sizes than do smaller businesses. In this case, the ordinance mandates that all businesses and multifamily dwellings have less than 10% recyclable and compostable materials within their garbage bins. Forcing a large immediate shift in service level migration can possibly create problems within the City's compensation model. Slower shifts are less impactful to ratepayers, but do have the same impact over time, and can more closely follow inflationary trends, which are not unexpected, easing some of the burden. However, it has been a few years since Phase I has been in place, and Staff believes that it would be appropriate to conduct a detailed review of Phase I participation as part of the rate review process, which occurs in the spring.

Should the City Council decide to opt out of Phase II of the ordinance, the City does have the option to opt in at some point in the future. To date, the City of Hayward, the City of Pleasanton, and the Oro Loma and Castro Valley Sanitary Districts have opted out of the mandatory recycling ordinance Phase II. Additionally, the cities of Fremont, Oakland, Newark, and San

Leandro are participating on a limited basis by deferring participation in mandatory organics collection for a period of time. Thus, approximately 53% (9/17) of the County's jurisdictions will opt out of the ordinance in at least one form or another.

To opt out of the ACWMA Mandatory Recycling Ordinance, the City Council will need to adopt a Resolution (Attachment 2) excluding the Dublin service area from the ordinance.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

None.

- ATTACHMENTS:**
1. Resolution 21-12
  2. Resolution opting out of Phase I of the ACWMA Mandatory Recycling Ordinance #2012-1

RESOLUTION NO. 21 - 12

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF DUBLIN

\*\*\*\*\*

OPTING OUT OF PHASE I OF THE  
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (ACWMA) MANDATORY  
COMMERCIAL RECYCLING ORDINANCE #2012-1

**WHEREAS**, Ordinance #2012-1 is an Ordinance requiring actions to reduce landfilling of recyclable and organics solid waste from businesses, multi-family residences, and self-haulers; and

**WHEREAS**, the City of Dublin is one of seventeen (17) member agencies composing the ACWMA; and

**WHEREAS**, pursuant to the terms of Ordinance #2012-1 by the ACWMA, "Any Member Agency by a resolution of its governing body may, prior to March 2, 2012, choose to exclude its service area from Phase I of this Ordinance"; and

**WHEREAS**, the City of Dublin has reviewed Ordinance #2012-1 and determined that at this time, it would like to be excluded from the agencies and service areas named in Ordinance #2012-1.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Dublin is opting-out of Phase I of Ordinance #2012-1 by the ACWMA, and, therefore, the City of Dublin's service area will be excluded from the service areas described by the Ordinance.

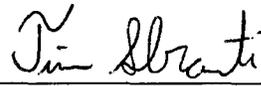
**PASSED, APPROVED AND ADOPTED** this 21st day of February, 2012, by the following vote:

**AYES:** Councilmembers Biddle, Hart, Hildenbrand, Swalwell, and Mayor Sbranti

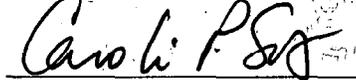
**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

  
\_\_\_\_\_  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
City Clerk

**RESOLUTION NO. XX - 14**

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

\*\*\*\*\*

**OPTING OUT OF PHASE 2 OF THE  
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (ACWMA) MANDATORY  
COMMERCIAL RECYCLING ORDINANCE #2012-1**

**WHEREAS**, ACWMA Ordinance #2012-1 is an ordinance requiring actions to reduce landfilling of recyclable and organics solid waste from businesses, multi-family residences, and self-haulers; and

**WHEREAS**, the City of Dublin is one of seventeen (17) member agencies comprising the ACWMA; and

**WHEREAS**, pursuant to the terms of Ordinance #2012-1 by the ACWMA, "Any Member Agency by a resolution of its governing body may, prior to March 2, 2012, choose to exclude its service area from Phase 1 of this Ordinance"; and

**WHEREAS**, the City of Dublin opted-out of Phase 1 of ACWMA Ordinance #2012-1 on February 21, 2012; and

**WHEREAS**, pursuant to the terms of Ordinance #2012-1 by the ACWMA, "Any Member Agency by a resolution of its governing body may, prior to January 1, 2014, choose to exclude its service area from Sections 4, 5, and 8, Phase 2 of this Ordinance"; and

**WHEREAS**, the City of Dublin has reviewed Ordinance #2012-1 and determined that, at this time, it would like to be excluded from the agencies and service areas named in and covered under Ordinance #2012-1.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Dublin is opting-out of Phase 2 of Ordinance #2012-1 by the ACWMA, and, therefore, the City of Dublin's service area will be excluded from the service areas described by the Ordinance.

**PASSED, APPROVED AND ADOPTED** this 17th day of December, 2013, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Mayor

**ATTEST:**  
  
\_\_\_\_\_

City Clerk



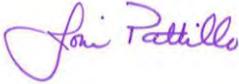
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #910-40

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Military Heritage Center Partnership  
*Prepared by Paul McCreary, Parks and Community Services Director*

### EXECUTIVE SUMMARY:

The City Council will consider a conceptual partnership with Camp Parks to create a Military Heritage Center to house the Camp Parks historical artifacts the City has on permanent loan from the Department of the Army.

### FINANCIAL IMPACT:

The costs of creating a permanent exhibit and operating a Military Heritage Center are unknown at this time.

The Fiscal Year (FY) 2013-2014 budget has funding available to have a consultant prepare a plan to exhibit the Camp Parks Collection on a temporary, virtual and permanent basis. No funding has been identified at this time to implement the plan once adopted.

### RECOMMENDATION:

Staff recommends the City Council take the following action:

1. Determine if the City should pursue a partnership with Camp Parks to create a Military Heritage Center; and if so,
2. Direct Staff to develop a Memorandum of Understanding with Camp Parks for City Council consideration; and
3. Authorize the City Manager to negotiate and execute an agreement with a consultant to prepare the study.



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Submitted By  
Director of Parks and  
Community Services



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Reviewed By  
Assistant City Manager

## **DESCRIPTION:**

The City has an opportunity to partner with Camp Parks to create a “Military Heritage Center” at the Visitor Center being constructed at the new gate off Dougherty Road at Mariposa Lane. The purpose of this partnership would be to exhibit the historical artifacts the City has on permanent loan from the Department of the Army.

As background, on October 19, 2010, the City Council directed Staff secure a donation of the historical artifacts from the former history museum at Camp Parks, and to pursue the concept of a permanent museum of military history at the community park in the future Dublin Crossing development (Attachment 1 is the Staff Report from that meeting). Staff worked with the Department of the Army and on August 15, 2011 received approval of the permanent loan of the collection to the City. The collection was moved to an area in the expansion space at the Library. Staff has worked with a lead volunteer from the Historic Park and Museums to further catalog the collection and ensure the contents are stored for preservation.

The City has a key initiative for the current Fiscal Year (FY) to have a consultant develop a Collections Policy for the Camp Parks collection, and determine opportunities to exhibit the collection on a temporary, virtual and permanent basis. Funding was allocated in the budget this FY to conduct the study and develop the plan.

Staff from the Parks and Community Services Department recently met with Lt. Colonel Gerdes to discuss the study planned by the City. Lt. Colonel Gerdes indicated that, as part of the development of the new main gate for the Base on Dougherty Road, there will be a new Visitor Control Center, which has a 2,400 square foot room that could be used to exhibit the Camp Parks Collection (by comparison the Library Community Room is 1,800 square feet). The room is unfinished and shelled out for tenant improvements. This type of unfinished space would lend itself well to an exhibition space and storage for the collection artifacts that are not on display.

In concept Camp Parks would allow the City to create a permanent exhibit in the room, as well as provide opportunities for temporary exhibitions. This would allow the City to develop plans for a Military Heritage Center without having to pay for the estimated \$1.0 million it would cost to construct a similar building. The Lt. Colonel indicated that, while Camp Parks could provide the space, they would not have resources to develop the space or operate the Center once it is opened.

Staff recommends the City Council consider this site for the permanent exhibition of the Camp Parks Collection, rather than the future community park at Dublin Crossing, as previously directed. It would significantly reduce the capital outlay and the collection would be on display at the base, which is more relevant to the collection.

If the City Council concurs and has interest in pursuing this partnership at the new Camp Parks Visitor Center, Staff would further discussions with Lt. Colonel Gerdes to develop a memorandum of understanding or partnership agreement with Camp Parks for City Council consideration at a future meeting. As part of the process Staff would reach out to the Dublin Historical Preservation Association to determine their interest in partnering with the City on the project.

Concurrently Staff would find a consultant to prepare the Camp Parks Collections Policy and develop an exhibit plan and cost estimate for the tenant improvements and construction of the exhibit. Staff would involve a variety of stakeholders in the planning process including:

- Camp Parks and Department of the Army Museum and Architectural Specialists
- Heritage and Cultural Arts Commission Representatives
- City Historian
- Dublin Historical Preservation Association
- Dublin Unified School District history teachers with curriculum tied to Base history
- Volunteers at the Dublin Historic Park and Museums
- Veterans and Dublin residents with an interest in history

If the concept is approved by the City Council, Staff anticipates the study could be completed by fall 2014.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A copy of this Staff Report was sent to Lt. Colonel Gerdes, the Heritage and Cultural Arts Commissioners and the President of the Dublin Historical Preservation Association.

- ATTACHMENTS:**
1. City Council Staff Report from October 19, 2010, Regarding Acquisition of the Camp Parks Historical Artifacts



**STAFF REPORT  
DUBLIN CITY COUNCIL**

**CITY CLERK**  
File #    -

**DATE:** October 19, 2010  
**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Joni Pattillo, City Manager  
**SUBJECT:** **Camp Parks Historical Artifacts**  
*Prepared By: Diane Lowart, Parks and Community Services Director*

**EXECUTIVE SUMMARY:**

The City Council has a high priority objective (Culture & Leisure, Heritage & Cultural Arts, #9) to work with U.S. Army Reserve Camp Parks to preserve its history during the redevelopment of the facility. Correspondence has been received from Lieutenant Colonel Friend, Garrison Commander at Camp Parks, outlining the conditions to be met to facilitate donation of historical artifacts from the former history museum at Camp Parks.

**FINANCIAL IMPACT:**

There is no cost associated with storage and temporary display of the artifacts. The cost associated with a permanent museum of military history has not yet been determined.

**RECOMMENDATION:**

It is recommended that the City Council take the following action:

1. Direct Staff to send a letter to Lieutenant Colonel Friend indicating the City's interest in securing a donation of historical artifacts from the former history museum at Camp Parks.
2. Direct Staff to pursue the concept of a permanent museum of military history at the community park in the future Camp Parks development.

A handwritten signature in cursive script, appearing to read "D. Lowart", written over a horizontal line.

Submitted by:  
Parks and Community Services Director

A handwritten signature in cursive script, appearing to read "C. J.", written over a horizontal line.

Reviewed by:  
Assistant City Manager

## DESCRIPTION:

The Camp Parks History Center officially opened in 1993 and contained 1,500 sq. ft. of exhibit space. The History Center was permanently closed in early 2010 and the historical artifacts from the Center were inventoried and put into storage at Camp Parks. Contained in the inventory are the artifacts listed below.

- 26-29 boxes containing framed photos, log books, maps, oversized documents, photographs, clippings, documents, binders and albums (approximately 2/3 of the material is directly related to Camps Parks history and is of interest)
- Hospital display – bed, night stand, blankets from Shoemaker
- Hammock, sailor
- Framed maps and prints
- Camp Parks Sign and “Shack”

Correspondence has been received from Lieutenant Colonel Friend, Garrison Commander at Camp Parks, outlining the conditions to be met to facilitate donation of historical artifacts from the former history museum at Camp Parks (Attachment 1). If the City of Dublin is interested in requesting a donation of the historical artifacts, the following is required:

1. A written request, a location map/sketch map of surrounding area pinpointing the exact display location, and photographs of the proposed display site and facilities.
2. A copy of the City charter from the county or state identifying the City as an incorporated municipality.

Staff, in consultation with representatives from the Dublin Historical Preservation Association (DHPA), has met to discuss possible options to deal with the historical artifacts from the former history museum. The preferred option of Staff and DHPA would be for the City to request the artifacts and then put them in storage in the library expansion space which is a temperature controlled environment necessary to preserve the artifacts. The artifacts could be displayed periodically in the small classroom of the Murray Schoolhouse. Long term, the City could consider an option to develop a small military museum as part of the community park in the future Camp Parks development. At the present time, there is not a military museum in the immediate Bay Area and a museum of this nature could be a regional draw. Additionally there are many veterans' groups that may be interested in supporting a concept such as this.

Regarding the community park in the future Camp Parks development, in September 2005 the City Council received the final report prepared by Moore Iacofano Golstman, Inc. on potential themes for a centrally-located park space at the future Camp Parks development site. Instead of simply creating a list of facilities that existed elsewhere, the report entitled, *“Uniquely Dublin: A Vision for a Community Place,”* examined the concept of “placemaking” and formulated a strategy for the City to consider when examining the Camp Parks property. The report presented three themes including: Arts and Culture; Food; and Games. The City Council did not take action on the report but requested further input from the City’s advisory bodies.

In February 2006, Staff returned to the City Council to determine if the theme concept should be pursued and if so, whether one of the original three themes was acceptable or if some combination of the themes was desirable. Further, the City Council was asked to determine the

desired acreage number for transmittal to the U.S. Army. The City Council concurred that the combination theme was preferred and determined that the desired acreage was 46 acres.

The Heritage and Cultural Arts Commission considered this item at its meeting on October 14, 2010; Staff will verbally report to the City Council on the recommendation of the Commission.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

A copy of the Staff Report was provided to the Heritage and Cultural Arts Commission and the Dublin Historical Preservation Association.

**ATTACHMENTS:**

1. Correspondence from Michael P. Friend, Lieutenant Colonel, Camp Parks

1062



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
UNITED STATES ARMY GARRISON CAMP PARKS  
BUILDING 790, 5TH STREET  
CAMP PARKS, CA 94568-5201

RECEIVED  
CITY OF DUBLIN

AUG 10 2010

CITY MANAGER'S OFFICE

August 4, 2010

Commander, United States Army Garrison, Camp Parks

Ms. Joni Pattilo  
100 Civic Plaza  
Dublin, California 94568

PDF: - DIANE L.  
- Paul McCreeg  
- John H.  
- Elizabeth I.

Pls Follow up w/ Joni

Dear Ms. Pattilo:

I am writing to you to provide information regarding regulatory requirements for this installation to donate "Historical Artifacts" from the Department of The Army's Center of Military History (CMH). This is in response to "Historical Artifacts" that are currently stored in Camp Parks. Prior to any agreements being finalized for this Command to donate artifacts, under Army Regulation 870-20 (Historical Activities, Army Museums, Historical Artifacts, and Art), the CMH will determine whether any of the military equipment stored in Camp Parks has any specific or intrinsic historical value. When historical value has been established, the CMH may direct Army possession and or allow donation.

For a possible donation to occur and to facilitate the requirements of the CMH, which is designated as the Army's executive agent and custodian for all military historical artifacts, the following conditions must be met by any designated recipient:

1. A written request, a location map/sketch map of surrounding area pinpointing the exact display location, and photographs of the proposed display site and facilities.
2. If the requesting entity is the City of Dublin, the city must provide a copy of its charter from the county or state identifying them as an incorporated municipality.
3. If the requesting entity is a museum, historical society, or historical institution of a state or a foreign nation, then that entity must provide certification of government ownership and 501C Certificate.
4. If the requesting entity is a nonprofit museum operated and maintained for educational purposes only, then they must be incorporated under applicable state law and possess IRS tax exemption. The museum must be operated by a full-time, paid or unpaid staff (minimum one staff member on duty at all times the facility is open) who cares for tangible objects and exhibits them to the public for a minimum of 180 full days per year, either for free or a nominal charge. An institution that exhibits objects by appointment only may still qualify to receive items donated by the Army, provided the entity can demonstrate the donated objects were available for viewing for 180 or more days for 2

8.2 10-19-10

202

SUBJECT: Historical Artifacts Donation Requirements

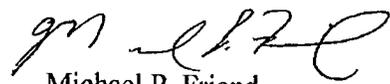
consecutive years. Certified copies of the following documents must be provided by the museum and will be reviewed in determining the museum's eligibility:

- (a) Museum charter.
- (b) Articles of Incorporation under state law.
- (c) 501C Certificate of IRS Tax Exemption.
- (d) Museum collection policy.
- (e) Facilities report.
- (f) Photographs of the museum facilities including buildings, exhibits, restoration and storage facilities, and any other physical assets of the museum.
- (g) Listing of museum staff, including name, address, SSN, date of birth, and credentials of all full and part time employees. A National Agency Check on each of the officers will be conducted at museum expense.
- (h) Museum financial reports and projected 3-year budget.
- (i) Certification of completion of the Army Curators Course or an equivalent course as approved by CMH (must be completed within 1 year of receipt of Army property, either through attendance of a scheduled class or through a correspondence course).

My designated representative for this matter is Dan Gannod, Chief of Public Affairs for Camp Parks, who is available at (925) 875-4298/4650 or [pao.parks@us.army.mil](mailto:pao.parks@us.army.mil). A copy of this letter is also being sent to the Honorable Tim Sbranti, and Dublin Historical Preservation Association.

Thank you for your continued interest in the heritage and contributions Camp Parks and Army have made and continue to make to the greater Dublin area.

Sincerely,

  
Michael P. Friend  
Lieutenant Colonel, USA  
Commanding



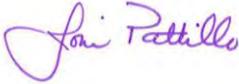
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File #610-40

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** City Councilmember Dublin Pride Week Committee Appointments  
*Prepared by Roger Bradley, Assistant to the City Manager*

### EXECUTIVE SUMMARY:

The City Council will consider appointing two of its members to the 2014 Dublin Pride Week Committee for a limited term beginning January 2014 and ending December 2014. The Dublin Pride Week Committee plans and prepares this annual event, which seeks to engage individuals and/or groups in action based activities to help improve the community.

### FINANCIAL IMPACT:

None.

### RECOMMENDATION:

Staff recommends that the City Council discuss two Councilmember appointments to the Dublin Pride Week Committee and confirm the appointments for the limited term of January 2014 through December 2014.



Submitted By  
Assistant to the City Manager



Reviewed By  
Assistant City Manager

### DESCRIPTION:

Dublin Pride Week is an annual event that seeks to promote a positive image for the City of Dublin. The primary objective for Dublin Pride Week is to seek ways to engage individuals and/or groups in action-based activities to help improve the community. At the forefront of this effort is the Dublin Pride Week Committee. The Committee is made up of Councilmembers, City Staff and various community members and community organizations and comes together to plan and prepare the event. Councilmember participation is a key component of this committee and the ultimate success of Dublin Pride Week activities. Last year, Dublin Pride Week was held starting on the last Saturday in April and continuing through the first Saturday in May. The committee will decide whether to continue this schedule during its meetings.

Traditionally, two City Councilmembers have been appointed to serve on the Dublin Pride Week Committee. In 2013, Vice Mayor Don Biddle and Councilmember David Haubert served as the City Council's representatives; however, their terms of service on the Committee expire as of December 2013. As such, Staff requests that the appointment of two Councilmembers to this committee be deliberated and confirmed for a limited term beginning January 2014 and ending December 2014.

At the current time, Pride Week Committee Meetings are tentatively scheduled to occur once a month on a Tuesday with each meeting starting at 2:00 in the afternoon. Generally, this meeting schedule continues through the month of February. As Pride Week approaches, more frequent meetings often become necessary. As a result, the Pride Week Committee may meet on a bi-weekly basis beginning in March and continue in such a manner until Pride Week activities begin. Other meetings schedules can be set to meet the needs of committee members.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

None.

**ATTACHMENTS:**       None.



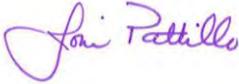
## STAFF REPORT CITY COUNCIL

CITY CLERK  
File # 140-30

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**DATE:** December 17, 2013

**TO:** Honorable Mayor and City Councilmembers

**FROM:** Joni Pattillo, City Manager 

**SUBJECT:** Appointment of Delegate to Attend the National League of Cities Congressional City Conference and Designation of Voting Delegate for the 2014 National League of Cities Annual Conference  
*Prepared by Caroline P. Soto, City Clerk/Records Manager*

### EXECUTIVE SUMMARY:

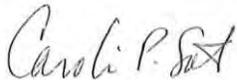
The City Council will consider appointing one of its members as a delegate, and one as an alternate, to attend the National League of Cities (NLC) Congressional City Conference in March 2014, and appointing a voting delegate, and an alternate, to attend and vote, on the City's behalf, at the NLC Annual Conference in November of 2014.

### FINANCIAL IMPACT:

Sufficient funds will be available for attendance at both the March and November 2014 conferences.

### RECOMMENDATION:

Staff recommends that the City Council review and discuss appointing one of its members as a delegate, and one as an alternate, to attend the National League of Cities (NLC) Congressional City Conference in March 2014, and appoint a voting delegate, and an alternate, to attend and vote on the City's behalf at the NLC Annual Conference in November of 2014.



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Submitted By  
City Clerk



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Reviewed By  
Assistant City Manager

### DESCRIPTION:

The NLC is an organization through which city officials work together on a national level to further their common interests and the interests of their citizens. The NLC Congressional City Conference, to be held in Washington, D.C, from March 8-12, 2014, provides local elected officials and municipal staff a myriad of opportunities to learn about federal issues important to America's cities and towns, to lobby Congress on those priorities, and to be part of a clear and

unified voice. The program includes general sessions featuring national leaders, members of the Administration and Congress, workshops and pre-conference leadership seminars.

The NLC Annual Conference is scheduled to be held November 18–22, 2014, in Austin, Texas. During this conference, the annual business meeting is held, at which each member city is afforded the opportunity to shape the NLC's federal advocacy agenda for the upcoming year by casting a vote on preferred policy recommendations. In order for the City of Dublin to participate in this meeting, the City Council will need to appoint a voting delegate, and an alternate, to attend and vote on the City's behalf at the conference.

Once City Councilmembers have been appointed to attend one or both of the conferences, notification of voting delegate and alternate will be forwarded to the NLC. Last year, the City Council appointed Cm. Haubert as its delegate, and Cm. Hart as the alternate, to attend the National League of Cities (NLC) Congressional City Conference in March 2013, and appointed Cm. Hart as the voting delegate, and Cm. Haubert as the alternate, to attend and vote on the City's behalf at the NLC Annual Conference in November of 2013.

**NOTICING REQUIREMENTS/PUBLIC OUTREACH:**

Noticing not required.

**ATTACHMENTS:**

None.