



**MINUTES OF THE CITY COUNCIL
OF THE CITY OF DUBLIN**

REGULAR MEETING – SEPTEMBER 18, 2012

CLOSED SESSION

A closed session was held at 6:31 p.m., regarding:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: City owned right-of-way located in front of 11501 Dublin Blvd.

Agency negotiator: Joni Pattillo

Negotiating parties: Ring Family Revocable Trust and Davies Family Revocable Trust, jointly doing business as Ring Properties

Under negotiation: Price and terms of payment.



A regular meeting of the Dublin City Council was held on Tuesday, September 18, 2012 in the City Council Chambers of the Dublin Civic Center. The meeting was called to order at 7:00 p.m., by Mayor Sbranti.



ROLL CALL

PRESENT: Councilmembers Hart, Hildenbrand, Swalwell, and Mayor Sbranti

ABSENT: Councilmember Biddle



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 there was no reportable action during Closed Session.



By consensus, the City Council agreed to move up Item 7.2 after the Consent Calendar.



ORAL COMMUNICATIONS

Proclamation in Honor of the Anniversary of the United States Constitution

7:02 p.m. 3.1

The City Council presented a proclamation honoring the anniversary of the United States Constitution.



Acceptance of Gifts to City from Dublin Senior Center Sponsors

7:04 p.m. 3.2

On motion of Vm. Hart, seconded by Cm. Hildenbrand and by unanimous vote (Cm. Biddle absent), the City Council recognized the sponsors and individuals, and formally accepted the contributions.



2012 Walk to School Week

7:11 p.m. 3.3

The City Council presented the proclamation declaring the week October 1 - 7, 2012 as "Walk and Roll to School Week."



Public Comments

No comments were made by any member of the public at this time.



CONSENT CALENDAR

7:14 p.m. 4.1 through 4.11

Cm. Swalwell pulled Item 4.9 for further discussion.

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

Approved (4.1) Minutes of the Regular City Council Meeting of September 4, 2012.

Adopted (4.2)

RESOLUTION NO. 162 - 12

FINDING THAT THE DEVELOPERS HAVING OBLIGATIONS UNDER THE FOLLOWING DEVELOPMENT AGREEMENTS HAVE COMPLIED IN GOOD FAITH WITH THE TERMS AND PROVISIONS OF THOSE AGREEMENTS AND CONCLUDING THE 2012 ANNUAL REVIEW FOR THOSE AGREEMENTS: DUBLIN RANCH AREA A-H; DUBLIN RANCH SUPPLEMENTAL DA, AREAS F, G AND H; AMB/LEGACY PARTNERS, WEST DUBLIN TRANSIT VILLAGE; STOCKBRIDGE/BHV EMERALD PLACE – GREEN ON PARK PLACE; WESTERN PACIFIC HOUSING, TRANSIT CENTER SITE E-1; GATEWAY MEDICAL GROUP/TRIAD; SORRENTO EAST/SR STRUCTURED LOT OPTIONS; GRAFTON STATION; DUBLIN RANCH AMENDMENT TO THE MASTER AGREEMENT; STANDARD PACIFIC (FALLON CROSSINGS); SCHAEFER RANCH SOUTH; WALLIS RANCH; TRANSIT CENTER, MASTER DA; SPRINGFIELD MONTESSORI; DUBLIN RANCH NORTH; SORRENTO EAST/SR STRUCTURED AMENDED; JORDAN RANCH; FALLON GATEWAY/TARGET; PROMENADE; AND AVALON BAY, SITE C

Received (4.3) the Check Issuance Report;

Directed (4.4) Staff to prepare an Ordinance amending the City's Conflict of Interest Code.

Adopted (4.5)

RESOLUTION NO. 163 - 12

UPDATING THE CITY OF DUBLIN POSITION ALLOCATION PLAN FOR FISCAL YEAR 2012-2013

RESOLUTION NO. 164 - 12

AMENDING THE SALARY PLAN FOR FULL-TIME PERSONNEL

Adopted (4.6)

RESOLUTION NO. 165 - 12

ADOPTING THE 2012 ANNUAL REVIEW OF INVESTMENT POLICY AND DELEGATION OF AUTHORITY TO COMPLETE INVESTMENT TRANSACTIONS

Received (4.7) the reports as authorized by Section 41004 of the California Government Code; and approve the Budget Change.

Adopted (4.8)

ORDINANCE NO. 15 - 12

**AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF DUBLIN
AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES'
RETIREMENT SYSTEM**

Approved (4.10) the Third Amendment to Agreement for Legal Services.

Adopted (4.11)

RESOLUTION NO. 167 - 12

**RESCINDING RESOLUTION NO. 53-02 AND ESTABLISHING STAFF AUTHORITY
TO ACT ON GENERAL LIABILITY CLAIMS**



Cm. Swalwell pulled Item 4.9, Award of Bid-Contract No. 12-11, Golden Gate Drive Streetscape Enhancement Project for further discussion.

Rafael Gonzalez provided public comment regarding this item.

John Suarez, representative of Suarez & Munoz, provided public comment regarding this item.

Wilson Lew, Phoenix Electrical Company, provided public comment regarding this item.

George Corona, Dublin resident, provided public comment regarding this item.

On motion of Mayor Sbranti, seconded by Cm. Hildenbrand and by majority vote (Cm. Swalwell voting no and Cm. Biddle absent), the City Council adopted

RESOLUTION NO. 166 - 12

**AWARDING CONTRACT NO. 12-11,
GOLDEN GATE DRIVE STREETSCAPE ENHANCEMENT PROJECT,
TO SUAREZ & MUNOZ CONSTRUCTION, INC.**



WRITTEN COMMUNICATIONS – None.



PUBLIC HEARINGS

Adoption of Master Fee Schedule

10:04 p.m. 6.1

Mayor Sbranti opened the public hearing.

Joe Guerra, Dublin Crossing representative, provided public comment on this item.

Crisand Giles, BIA Bay Area, provided public comment on this item.

Mayor Sbranti closed the public hearing.

On motion of Mayor Sbranti, seconded by Cm. Hildenbrand and by unanimous vote (Cm. Biddle and Cm. Swalwell absent after excusing himself from the meeting), the City Council adopted

RESOLUTION NO. 168-12

ADOPTING A MASTER FEE SCHEDULE FOR SERVICES PROVIDED BY CITY

and directed Staff to return with an analysis of impact of implementation of a fee reduction.



UNFINISHED BUSINESS

**Introduction of Proposed Fireworks Ordinance Language Additions,
Relating to the Reinvestment of Fireworks Proceeds within the City of Dublin**

7:33 p.m. 7.1

On motion of Cm. Hildenbrand, seconded by Vm. Hart and by unanimous vote (Cm. Biddle absent), the City Council directed Staff to return with an amendment to the City's Firework's ordinance including the proposed language as detailed in the Staff Report.



Tobacco Retailers Ordinance Outreach Report

7:37 p.m. 7.2

Zeeshan Raja, representative of Alameda County Public Health Department, provided public comment on this item.

Katie Parr, Alameda County Public Health Department, provided public comment on this item.

Janice Louie, Alameda County Public Health Department representative, provided public comment on this item.

Serena Chen, American Lung Association in California, provided public comment on this item.

Carrie Cox, retailer, provided public comment on this item.

Jonathan Krueger provided public comment on this item.

Bruce Fiedler, Dublin resident, provided public comment on this item.

Rich LaRowe provided public comment on this item.

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

David Haubert, Dublin resident, provided public comment on this item.

By consensus, the City Council directed Staff to develop a Tobacco Retailers Ordinance including all the variances proposed in the Staff Report and agreed upon by the Chamber of Commerce and Tobacco Retailers as detailed in the Staff Report; and to "not include arcades and licensed childcare facilities/ preschools in the definition of youth oriented areas, within this ordinance.[PM1]



Mr. Swalwell left the dais and City Council meeting at 9:05 p.m. A short recessed was called by the Mayor at 9:05 p.m.



The Mayor called the meeting back to order at 9:15 p.m. By consensus, the City Council agreed to hear Public Comment on Item 7.3, but delay action until a future Regular City Council meeting.



Proposed Building Plan for Emerald Glen Park

7.3 9:19 p.m.

Paul Raja provided public comment on this item.

Steven Jones, Dublin resident, provided public comment on this item.

Todd Barnes, Dublin resident, provided public comment on this item

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

The City Council asked Staff to return with estimates regarding restriping the two adult fields at the Dublin Sports Grounds when the item is brought back to the City Council.



NEW BUSINESS - NONE



OTHER BUSINESS

10:46 p.m.

The City Council and Staff provided brief information only reports including Committee Reports and Reports by Council related to Meetings Attended at City Expense (AB1234).



ADJOURNMENT

10:55 p.m. 10.1

There being no further business to come before the City Council, the meeting was adjourned at 10:55 p.m. in honor of the victims of September 11, 2001, those individuals killed around the world in embassies, the CHP officer killed recently in Alamo, and in memory of Staff Sgt. Sean Diamond and our fallen troops.

Minutes prepared by Caroline P. Soto, City Clerk.

Mayor

ATTEST:

City Clerk