

REGULAR MEETING
Tuesday, April 17, 2012
DUBLIN CIVIC CENTER, 100 Civic Plaza
DUBLIN CITY COUNCIL
A G E N D A

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REGULAR MEETING 7:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ORAL COMMUNICATIONS

3.1. Request for the Placement of Purple Ribbons on City Street Trees to Recognize the American Cancer Society's "Paint Your Town Purple" Campaign [\[STAFF REPORT\]](#)

The City Council will consider Tammy Goldstein's request for the placement of Purple Ribbons on City street trees to recognize the "Paint Your Town Purple" Campaign.

STAFF RECOMMENDATION:

Approve the placement of purple ribbons on City Street trees.

3.2. 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 Adjourned Regular City Council Meeting of March 3, 2012 and the Regular City Council Meeting of April 3, 2012 [\[STAFF REPORT\]](#)

The City Council will consider the approval of the minutes of the Adjourned Regular City Council Meeting of March 3, 2012 and the Regular City Council Meeting of April 3, 2012.

STAFF RECOMMENDATION:

Approve the minutes of the Adjourned Regular City Council Meeting of March 3, 2012 and the Regular City Council Meeting of April 3, 2012.

- 4.2. Partial Acceptance of Off-Site Improvements (Dublin Boulevard Widening) for Tract 6765, Schaefer Ranch (Schaefer Ranch Holdings, LLC) and Approval of Regulatory Traffic Control Devices [\[STAFF REPORT\]](#)**
Discovery Builders, dba Schaefer Ranch Holdings, LLC, has constructed the Dublin Boulevard Widening off-site improvements for Tract 6765 in accordance with the Improvement Agreement for Tract 6765. It is now appropriate for the City to accept these improvements and approve the regulatory traffic control devices.
STAFF RECOMMENDATION:
Adopt **Resolution** for the Partial Acceptance of Off-Site Improvements (Dublin Boulevard Widening) for Tract 6765, Schaefer Ranch (Schaefer Ranch Holdings, LLC) and Approval of Regulatory Traffic Control Devices.
- 4.3. Positano Hills Park - Consultant Services for Geotechnical Services [\[STAFF REPORT\]](#)**
As part of the construction of Positano Hills Park, Staff is seeking the services of a geotechnical services firm to provide testing and observation services.
STAFF RECOMMENDATION:
Adopt **Resolution** Approving an Agreement with Lai and Associates for Geotechnical Services related to the Positano Hills Park Construction.
- 4.4. Check Issuance Report and Electronic Funds Transfers [\[STAFF REPORT\]](#)**
The City Council will receive a listing of payments issued from March 1, 2012 – March 31, 2012 totaling \$6,810,728.14.
STAFF RECOMMENDATION:
Receive the report.
- 4.5. Authorization to Enter into an Agreement with Maze & Associates Accountancy Corporation to Provide Auditing Services [\[STAFF REPORT\]](#)**
The City's current contract for audit services ended with the completion of the June 30, 2011 financial statements.. Following the issuance of a Request for Proposal, Staff received six proposals. A review of the proposals concluded with the recommendation to select the firm of Maze & Associates to provide audit services, and to enter into a five-year agreement for such services.
STAFF RECOMMENDATION:
Adopt **Resolution** Authorizing the City Manager to Execute an Agreement with Maze & Associates to Provide Audit Services
- 4.6. Revisions to the Personnel System [\[STAFF REPORT\]](#)**
The City's Personnel System is governed by several documents. Each document addresses a specific set of issues. The Staff Report identifies proposed changes to the City's current Personnel System. As discussed below, these proposed adjustments are based on the need to add, amend and delete certain job classifications.
STAFF RECOMMENDATION:
Review the proposed modifications to the City's Classification, Salary/Benefit Plans, and adopt the following resolutions: 1) Two **Resolutions** Amending the Classification Plan; 2) Two **Resolutions** Amending the Salary Plan; 3) **Resolution** Amending the Management Positions Exempt from Competitive Service and Prescribing Leave Benefits for the Designated Positions; and 4) Authorize amendment to the Position Allocation Plan for Fiscal Year 2011-2012.
- 4.7. Emerald Glen Park Plaza Replacement Project, Award of Contract No. 11-12 [\[STAFF REPORT\]](#)**
Staff is seeking City Council authorization to award the Emerald Glen Park Plaza Replacement Project, Contract No. 11-12. The replacement project will encompass approximately one third of the main plaza adjacent to the concession/restroom building on the north side of the park. To properly grade the plaza surrounding sections of adjoining sidewalk, landscape and ADA parking will need to be replaced. Additional courtesy ramps for families or deliveries will be installed from the parking lot.
STAFF RECOMMENDATION:
Adopt **Resolution** Awarding Contract No. 11-12, Emerald Glen Park Plaza Replacement Project to

Environmental Landscape Solutions.

- 4.8. Approval of Consulting Services Agreement with Harris & Associates for Construction Management/Inspection Services for the Alamo Canal Regional Trail Project** [\[STAFF REPORT\]](#)
The City Council will consider a Consulting Services Agreement with Harris & Associates for Construction Management and Inspection Services for the Alamo Canal Regional Trail project.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving the Consulting Services Agreement with Harris & Associates to Provide Construction Management and Inspection Services for the Alamo Canal Regional Trail Project (CIP No. 960008) and authorizing the City Manager or her designee to approve Change Orders for the contract up to the contingency amount of \$31,607.

- 4.9. Positano Hills Park - Consultant Services for Construction Management** [\[STAFF REPORT\]](#)

As part of the construction of Positano Hills Park, Staff is seeking the services of a construction management firm to assist with the project management.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving an Agreement with EM Construction Management for construction management services related to the Positano Hills Park.

5. WRITTEN COMMUNICATION

- 5.1. Correspondence from Ferma Corporation Regarding a Notice of Contract Expiration - Discard Material Non-Exclusive Collection Franchise Agreement** [\[STAFF REPORT\]](#)

Ferma Corporation, one of the City's 10 nonexclusive franchise haulers, has requested that an item be brought before the City Council regarding a notice received from the City, indicating that the nonexclusive franchise agreement would expire at the agreed upon time stipulated within the agreement terms.

STAFF RECOMMENDATION:

Receive the report.

6. PUBLIC HEARINGS

- 6.1. Brannigan Street: General Plan Amendment, Eastern Dublin Specific Plan Amendment, Planned Development rezoning with related Stage 1 Development Plan Amendment and new Stage 2 Development Plan, Development Agreement, and CEQA Addendum to prior CEQA documents for a 3-acre parcel located along the west side of Brannigan Street north of Gleason Drive within Area F of Dublin Ranch (PLPA-2011-00039)** [\[STAFF REPORT\]](#)
[\[STAFF REPORT\]](#)

The subject of this application is a 3-acre parcel located along the west side of Brannigan Street north of Gleason Drive. This site currently is designated Public/Semi-Public in the General Plan and the Eastern Dublin Specific Plan with consistent zoning of Planned Development (PD) Public/Semi-Public. The Applicant has requested land use amendments to the General Plan and the Eastern Dublin Specific Plan, a Planned Development rezoning with related Stage 1 Development Plan Amendment and new Stage 2 Development Plan to change the land use designation and zoning from Public/Semi-Public to Medium Density Residential. The Applicant has also requested a Development Agreement.

STAFF RECOMMENDATION:

Conduct public hearing, deliberate, adopt **Resolution** Adopting a CEQA Addendum for the project proposed for a 3-acre site on Brannigan Street north of Gleason Drive within Dublin Ranch and adopting a related Statement of Overriding Considerations; waive the reading and INTRODUCE an Ordinance adopting a Planned Development rezone with related Stage 1 Development Plan Amendment and new Stage 2 Development Plan for a 3-acre site on Brannigan Street north of Gleason Drive; and waive the reading and INTRODUCE an Ordinance approving a Development Agreement between the City of Dublin and Lennar Homes of California, Inc.

6.2. Silvera Ranch Phase 4 General Plan Amendment, Eastern Dublin Specific Plan Amendment, Planned Development Zoning Amendments with related Stage 1 and Stage 2 Development Plan Amendments, and related CEQA findings for a 0.95-acre site north of Fallon Road in the neighborhood known as Bella Monte (PLPA 2010-00055) [STAFF REPORT]

The subject of this application is a 0.95-acre area within the project known as Silvera Ranch. This site is currently designated Rural Residential/Agriculture in the General Plan and the Eastern Dublin Specific Plan with consistent zoning of Planned Development (PD) Rural Residential/Agriculture. Since adoption of the approved Development Plan for Silvera Ranch, the City's codes and requirements have changed pertaining to fire prevention and roadway access. The Applicant/Property Owner has requested land use amendments to both the General Plan and the Eastern Dublin Specific Plan, with Planned Development Zoning Amendments and related Stage 1 and Stage 2 Development Plan Amendments to change the land use designation and zoning from Rural Residential/Agriculture to Single-Family Residential.

STAFF RECOMMENDATION:

Conduct public hearing, deliberate, waive the reading and INTRODUCE an Ordinance adopting Planned Development Zoning Amendments for a 0.95-acre area within Silvera Ranch Phase 4 (Bella Monte) from Planned Development (PD) Rural Residential/Agriculture to PD Single-Family Residential and approving related Stage 1 and Stage 2 Development Plan Amendments.

6.3. Brannigan Street Project and Silvera Ranch Phase 4 – General Plan and Eastern Dublin Specific Plan Amendments (PLPA 2011-00039 and PLPA-2010-00055) [STAFF REPORT]
[STAFF REPORT]

The Brannigan Street Project is a 3-acre parcel located along the west side of Brannigan Street north of Gleason Drive within Area F of Dublin Ranch. This site currently is designated Public/Semi-Public in the General Plan and the Eastern Dublin Specific Plan. The Applicant has requested land use amendments to change the General Plan and the Eastern Dublin Specific Plan land use designation to Medium Density Residential.

Silvera Ranch Phase 4 is a 0.95-acre parcel currently designated Rural Residential/Agriculture in the General Plan and the Eastern Dublin Specific Plan. The Applicant has requested land use amendments to change both the General Plan and the Eastern Dublin Specific Plan land use designation to Single-Family Residential.

The City Council will consider approving General Plan and Eastern Dublin Specific Plan amendments for the Brannigan Street Project and the Silvera Ranch Phase 4 Project

STAFF RECOMMENDATION:

Conduct public hearing, deliberate, and adopt **Resolution** Approving General Plan and Eastern Dublin Specific Plan amendments for the Brannigan Street Project (PLPA 2011-00039) and the Silvera Ranch Phase 4 Project (PLPA 2010-00055).

6.4. Zoning Ordinance Amendment to Chapter 8.84 (Sign Regulations) [STAFF REPORT]
[STAFF REPORT]

In October 2011, Staff presented to the City Council City-initiated amendments to the Dublin Zoning Ordinance, including Chapter 8.84 (Sign Regulations). The City Council reviewed the proposed amendments and directed Staff to obtain input from the community on the proposed changes to the Sign Regulations Chapter. A Town Hall Meeting was held on February 9, 2012 and Staff obtained input from the community. Staff presented the feedback received from the community at the March 6, 2012 City Council meeting. The City Council directed Staff to modify the proposed amendments to change the amount of time that Temporary Promotional Signs are allowed to be displayed. The draft Ordinance has been revised to change the display period for Temporary Promotional Signs. The City Council will consider introducing an Ordinance to amend Chapter 8.84 (Sign Regulations).

STAFF RECOMMENDATION:

Conduct public hearing, deliberate, waive the reading and INTRODUCE an Ordinance Amending Chapter 8.84 (Sign Regulations) of the Zoning Ordinance.

6.5. Tralee Townhomes Planned Development Rezone Stage 2 Development Plan Amendment to revise the land plan to remove the public art feature [\[STAFF REPORT\]](#)

The Tralee project is comprised of 130 condominiums (apartments) and 103 townhouses as well as approximately 34,950 square feet of commercial retail office at the northwest corner of Dublin Blvd and Dougherty Road. The original Stage 2 Development Plan provided a location for public art which was to sit on the podium parking structure. Issues with the weight of the art piece, structural concerns with the podium itself and the actual proposed location were determined to be problematic and the public art component is proposed to be replaced with an in-lieu payment for public art.

STAFF RECOMMENDATION:

Conduct public hearing, deliberate, waive the reading and INTRODUCE an Ordinance adopting a Planned Development Rezone with a Stage 2 Development Plan Amendment to revise the public art requirement for the Tralee Mixed-Use development project.

7. UNFINISHED BUSINESS

7.1. Award of Contract for Positano Hills Park - Contract No. 12-03 [\[STAFF REPORT\]](#)

As approved in the 2010-2015 Capital Improvement Program, construction of the 4.6 acre Positano Hills Park is scheduled to begin in Fiscal Year 2011-2012 and be complete in Fiscal Year 2012-13. On March 29, 2012 fourteen bids were submitted for the construction of Positano Hills Park. Staff is seeking City Council authorization to award the contract.

STAFF RECOMMENDATION:

Adopt **Resolution** Awarding Base Bid Contract #12-03 to Blossom Valley Construction Incorporated.

7.2. Building Plan for Emerald Glen Park [\[STAFF REPORT\]](#)

The Emerald Glen Park Master Plan envisions two public buildings: a Recreation and Aquatic Complex as well as a Community Center. The 2010-2015 Capital Improvement Program includes funding to restart the design process for the Recreation and Aquatic Complex, which was suspended in 2009 due to the downturn in the economy. Staff will provide an overview of the current building plan for Emerald Glen Park to determine if the City Council wishes to relook at the building and phasing plan prior to starting design on the Recreation and Aquatic Complex. This item was postponed at the March 6, 2012 City Council Regular meeting and moved to this meeting.

STAFF RECOMMENDATION:

Receive the report and direct Staff to prepare an update to the building program for Emerald Glen Park and phasing alternatives for consideration by the Parks and Community Services Commission and City Council.

7.3. Branding and Promotions Plan for the New Food, Wine and Art Event [\[STAFF REPORT\]](#)

The City Council will consider the proposed branding and promotions plan for the new food, wine and art event that will be held on Saturday, September 22, 2012 at Emerald Glen Park.

STAFF RECOMMENDATION:

Receive the report, select the preferred event logo, and adopt the Budget Change in the amount of \$35,779 for part-time seasonal staffing costs and deposits for fireworks and entertainment that will be expended in the current fiscal year.

7.4. Report on Tobacco Retailers Ordinance [\[STAFF REPORT\]](#) [\[STAFF REPORT\]](#) [\[STAFF REPORT\]](#)

A Fiscal Year 2011-2012 City Council initiated work plan goal directs Staff to establish zoning restrictions for new tobacco retailers within the City. As directed by the City Council, Staff is presenting this item to re-cap the discussion from the January 17, 2012 City Council meeting.

STAFF RECOMMENDATION:

Provide feedback and direction on developing a Tobacco Retailers Ordinance.

7.5. Sustainable Communities Strategy Preferred Land Use Scenario [\[STAFF REPORT\]](#)

The Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) are preparing a Sustainable Communities Strategy for the nine-county Bay Area region in accordance with Senate Bill 375. The Sustainable Community Strategy is a 25 year land use strategy for the Bay Area that identifies areas to accommodate all of the region's population, including all income groups, and forecasts a land use pattern that when integrated with the transportation system reduces greenhouse gas emissions from automobiles and light trucks. The availability of future grant funding opportunities at the local jurisdiction level will be tied to implementation of the Sustainable Communities Strategy. To date, a total of five land use scenarios have been developed by ABAG and MTC. On March 9, 2012, the final land use scenario, the Preferred Scenario, was released and ABAG and MTC are currently soliciting comments from local jurisdictions.

STAFF RECOMMENDATION:

Receive the report and direct Staff to provide comments to the Association of Bay Area Governments (ABAG).

8. NEW BUSINESS – None.

9. 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).

10. ADJOURNMENT

This AGENDA is posted in accordance with Government Code Section 54954.2(a)

If requested, pursuant to Government Code Section 54953.2, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation, please contact the City Clerk's Office (925) 833-6650 at least 72 hours in advance of the meeting.

Mission

The City of Dublin promotes and supports a high quality of life 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.