

REGULAR MEETING
Tuesday, May 15, 2012
DUBLIN CIVIC CENTER, 100 Civic Plaza
DUBLIN CITY COUNCIL
A G E N D A

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CLOSED SESSION (To be held at end of Regular Meeting)

CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Section 54956.9: 1 case

REGULAR MEETING 7:00 PM

- 1. CALL TO ORDER**
- 2. PLEDGE ALLEGIANCE TO THE FLAG**
- 3. ORAL COMMUNICATIONS**
 - 3.1. Final Results for the Elementary School Recycling Contest [\[STAFF REPORT\]](#)
The City Council will receive a report on the activities of the Dublin Unified School District (DUSD) recycling contest for elementary schools and recognize the year-end top recyclers.
STAFF RECOMMENDATION:
Receive the report and present certificates of recognition to Dougherty Elementary, Murray Elementary and Frederiksen Elementary for their recycling efforts.**
 - 3.2. Certificates of Recognition - Dublin High School and Fallon Middle School Cheer Squads [\[STAFF REPORT\]](#)
The City Council will recognize the Dublin High School Cheer Squad for their accomplishment in being named 2011-2012 JAMZ High School National Champions and Fallon Middle School Cheer Squad for placing third at the USA Jr. High School Nationals.
STAFF RECOMMENDATION:
Present Certificates of Recognition.**
 - 3.3. Report on 2012 Dublin Pride Week Activities [\[STAFF REPORT\]](#)
The City Council will formally recognize the contributions made by various individuals and organizations that helped make the 2012 Dublin Pride Week a successful community event. The City Council will also recognize the Dublin Pride Week Poster Contest and Essay Contest winners.
STAFF RECOMMENDATION:
Receive the 2012 Dublin Pride Week activities report, recognize the sponsors and the poster and essay contest winners.**
 - 3.4. Youth Advisory Committee Appointments [\[STAFF REPORT\]](#)
The Mayor is recommending the appointment of two middle school and eleven high school youth, along with three alternates and one adult At-Large Community member to the Youth Advisory Committee for the term of June 2012 through May 2013.
STAFF RECOMMENDATION:**

Confirm the Mayor's appointments to the Youth Advisory Committee.

3.5. 2012 Business Anniversary Awards [\[STAFF REPORT\]](#)

The City Council will recognize those businesses that have been in Dublin 20, 25, 30, 35, 40, and 45 years.

STAFF RECOMMENDATION:

Recognize those businesses that have been in Dublin 20, 25, 30, 35, 40, and 45 years.

3.6. National Public Works Week [\[STAFF REPORT\]](#)

Each year, the American Public Works Association sponsors National Public Works Week to celebrate the tens of thousands of men and women who provide and maintain the infrastructure and services collectively known as public works.

STAFF RECOMMENDATION:

Present the "National Public Works Week" proclamation to the Public Works Department.

3.7. Proclamation – Axis Community Health [\[STAFF REPORT\]](#)

The City Council will present a proclamation to representatives from Axis Community Health in honor of their 40th anniversary.

STAFF RECOMMENDATION:

Present the proclamation.

3.8. 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 Regular City Council Meeting of May 1, 2012 [\[STAFF REPORT\]](#)

The City Council will consider approval of minutes of Regular City Council Meeting of May 1, 2012.

STAFF RECOMMENDATION:

Approve the minutes of the Regular City Council Meeting of May 1, 2012.

4.2. Check Issuance Report and Electronic Funds Transfers [\[STAFF REPORT\]](#)

The City Council will receive a listing of payments issued from April 1, 2012 – April 30, 2012 totaling \$3,385,627.71

STAFF RECOMMENDATION:

Receive the report.

4.3. Approve an Agreement with ECS Imaging, Inc. for the Purchase of Record Archiving Equipment and Services [\[STAFF REPORT\]](#)

The City Council will consider approval of an agreement with ECS Imaging, Inc. for the purchase and installation of ProStor InfiniVault, a record archiving system, as part of the City's Records Retention Implementation Plan.

STAFF RECOMMENDATION:

Adopt **Resolution** Authorizing the Purchase of Records Archiving Equipment and Services from ECS Imaging, Inc.

4.4. Review of Engineering Survey Results and Establishment of Speed Limits for Various Roadways [\[STAFF REPORT\]](#)

This is the second reading of an ordinance introduced at the regularly scheduled City Council meeting of May 1, 2012. The ordinance will establish, based on the findings of engineering and traffic surveys, new speed limits of 40 mph on Dublin Boulevard between Schaefer Ranch Road and Inspiration Drive,

35 mph on Schaefer Ranch Road between Dublin Boulevard and the City Limit at Interstate 580, 40 mph on Fallon Road between Signal Hill Drive and Tassajara Road, and 35 mph on Positano Parkway between Fallon Road and La Strada Drive.

STAFF RECOMMENDATION:

Waive the reading and adopt an **Ordinance** Amending the Dublin Traffic Code to Establish a New Speed Limit on Portions of Dublin Boulevard (Schaefer Ranch Road to Inspiration Drive), Schaefer Ranch Road (Dublin Boulevard to City Limit), Fallon Road (Signal Hill Drive to Tassajara Road), and Positano Parkway (Fallon Road to La Strada Drive).

4.5. Acceptance of Work Park Lighting Replacement - Contract No. 11-11 [STAFF REPORT]

Capital Improvement Project No. 950012 (Park Lighting Energy Grant Project) replaced, as part of Construction Contract No. 11-11, the park pathway lighting with energy efficient LED lights at Kolb, Dolan and Shannon Parks. The project was funded from both a Federal Grant and the City's General Fund. The work is complete and ready for City Council acceptance.

STAFF RECOMMENDATION:

Adopt **Resolution** Accepting Improvements to Park Lighting Replacement, Contract No. 11-11; and authorize Staff to accept a maintenance bond in the amount of \$20,045 and authorize Staff to release the final retention within 35 days provided there are no claims.

4.6. City Treasurer's Investment Report for 3rd Quarter 2011-2012 [STAFF REPORT]

The City's investment portfolio totals \$111,424,381 (par value). As of March 31, 2012, funds were invested at an average yield of 1.090%. The portfolio includes both discretionary and restricted funds and the balance will fluctuate throughout the year. The report presented provides background on the City investment portfolio as well as the investment results as of March 31, 2012.

STAFF RECOMMENDATION:

Receive the Quarterly Investment Report.

5. WRITTEN COMMUNICATION – None.

6. PUBLIC HEARINGS – None.

7. UNFINISHED BUSINESS

7.1. Dublin Library Food and Beverage Service Study [STAFF REPORT]

One of the City Council's Key Initiatives for Fiscal Year 2011-2012 is to explore the feasibility of installation of a coffee / snack area at the Dublin Library through the initiation of a Library Building Program Update. The study has been completed and a conceptual plan has been prepared that provides an area for food and beverage service when the Library expansion area opens to the public in the future.

STAFF RECOMMENDATION:

Receive the report and provide direction to Staff on whether to include a café with vending services in the future Library expansion project, and whether in the interim to secure a vendor to provide food and beverage service from a self-contained cart outside the Library.

7.2. Authorization to Explore Possible Financing of Energy Saving Projects including a Lease Purchase Arrangement [STAFF REPORT]

The City is working with Chevron Energy Solutions to present a comprehensive strategy to reduce the City's consumption of energy. In order to present the City Council with a comprehensive package, Staff has discussed with the Consultants options to finance the projects using a lease purchase financing. In order to explore this further and to obtain a firm cost of financing, Staff is requesting that the City Council authorize obtaining non-binding rate locked commitments from financing entities. The City Manager would also be authorized to execute a non-binding commitment based on the proposal which best met the needs of the City at the lowest cost. The financing would require a City Council approval of the authorization at a future City Council meeting where the full project scope will be presented.

STAFF RECOMMENDATION:

Authorize the City Manager to execute a non-binding rate lock for lease purchase financing of energy saving projects as described in this report. The final approval shall be subject to City Council approval.

8. NEW BUSINESS

8.1. Consideration of Eliminating the Development Agreement Requirement from the Eastern Dublin Specific Plan [\[STAFF REPORT\]](#)

The Eastern Dublin Specific Plan requires that applicants for development in Eastern Dublin enter into a mutually acceptable development agreement with the City. The City’s original purpose for this requirement was to ensure the adequate provision of infrastructure and payment of impact fees. There are now other implementation measures in place to insure the provision of infrastructure and payment of fees that make this requirement, from the Staff’s perspective, no longer necessary.

Under California law, a developer is not protected if development regulations change. Thus, a local agency can change the regulations that apply to an approved project in a way that prevents the developer from completing the project. State law also provides that developers may obtain the vested right to proceed with a project by entering into a development agreement with the local agency approving the project.

Local agencies have no obligation to enter into development agreements, and therefore they can negotiate for consideration in exchange for granting them. In order to comply with the development agreement requirement, the City has offered developers a standard development agreement that vests the developer’s right to proceed with its project for a five-year period. In practice, since the Eastern Dublin Specific Plan requires the agreement, the City has not been able to ask for community benefits in exchange for the vested rights. City Staff is recommending that the development-agreement requirement be eliminated because it will give the City the opportunity to negotiate for community benefits when developers desire the certainty provided by a development agreement.

STAFF RECOMMENDATION:

Direct Staff to prepare and present, to the Planning Commission and City Council, an amendment to the Eastern Dublin Specific Plan that eliminates the requirement that applicants for development enter into a mutually acceptable development agreement with the City.

8.2. Village Parkway Pilot Parking Program [\[STAFF REPORT\]](#)

Since the adoption of the Downtown Dublin Specific Plan in February 2011, City Staff have been working to implement the goals and policies of both the Specific Plan and the subsequent recommendations of the Urban Land Institute (ULI) Technical Assistance Panel report. One of the recommendations from the ULI report was to incentivize more commercial businesses in the downtown by having greater flexibility in regulatory standards such as the City’s parking requirements. The City Council will provide direction to Staff on testing a parking reduction pilot program in a portion of the Village Parkway District for a period of three years.

STAFF RECOMMENDATION:

Provide Staff with direction on whether or not to amend the Zoning Ordinance to temporarily suspend the parking standards in a portion of the Village Parkway District for a limited term of three years.

8.3. Designation of Two Councilmembers as City Representatives to Discuss Compensation with City Attorney [\[STAFF REPORT\]](#)

The item provides for designation of two City Councilmembers to serve as the City’s representatives to discuss terms of the City Attorney’s contract, including compensation, with the City Attorney.

RECOMMENDATION:

Designate two members of the City Council to discuss compensation with the City Attorney.

8.4. East Bay Economic Development Alliance’s “Open for Business” Pledge [\[STAFF REPORT\]](#)

The City Council will consider adoption of an “Open for Business” Pledge as part of an East Bay Economic Development Alliance (EDA) initiative to promote the region’s business-friendly

environment.

STAFF RECOMMENDATION: Adopt **Resolution** regarding the East Bay EDA's "Open for Business" Pledge

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. REPORT ON CLOSED SESSION

11. 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.