

ADJOURNED REGULAR MEETING
Tuesday, June 19, 2012
DUBLIN CIVIC CENTER, 100 Civic Plaza
DUBLIN CITY COUNCIL
A G E N D A

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BUDGET HEARING ITEMS 5:30 P.M.

Regular Order of Business for City Council will follow immediately after Budget Hearing items.

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO THE FLAG

III. Public Hearing: Adopting the Five-Year Capital Improvement Program 2012-2017

1) The City Council will conduct a public hearing and consider approval of a resolution adopting the Five Year Capital Improvement Program (CIP) which outlines public projects proposed for completion from Fiscal Year 2012-2013 through Fiscal Year 2016-2017. The proposed 5-year CIP includes thirty-two projects totaling approximately \$141,011,152 (prior years and current timeframe). Of this amount, approximately \$22,153,725 is anticipated to be expended during Fiscal Year 2012-2013, and \$15,634,611 is anticipated to be expended during Fiscal Year 2013-2014.

STAFF RECOMMENDATION:

Open the Public Hearing; 2) Receive Capital Improvement Program (CIP) Overview; 3) Review the proposed CIP by major project category (General Improvements, Community Improvements, Parks, and Streets) and ask questions about the proposed activities; 4) Receive Public Comment; 5) Close the public hearing; and 6) Approve Resolution Adopting the Five Year Capital Improvement Program 2012-2017.

II. Public Hearing: Fiscal Years 2012-2013 and 2013-2014 Preliminary Budget and Financial Plan

The City Council will conduct a public hearing and consider approval of a resolution adopting the Fiscal Years 2012-2013 and 2013-2014 Preliminary Budget and Financial Plan and other resolutions necessary for enactment of the two-year Budget.

STAFF RECOMMENDATION:

1) Open the Public Hearing; 2) Receive Budget Overview; 3) Review the Preliminary Budgets by Major Program Area (General, Public Safety, Transportation, Health and Welfare, Culture and Leisure Services, and Community Development) and ask questions about proposed budget activities; 4) Receive Public Comment; 5) Close the public hearing; and 6) Adopt the following **Resolutions**: (a) Adopting a Budget for the City of Dublin for Fiscal Year 2012-2013; (b) Adopting an Appropriation for a City Contribution to Dublin Partners in Education for Fiscal Year 2012-2013, and Exhibit A; (c) Establishing a Salary Plan for Full-Time Personnel in Accordance with the Personnel

Rules; and (d) Establishing a Salary Plan for Management Positions Exempt from Competitive Services.

3. ORAL COMMUNICATIONS

3.1. Recognition of Former Alameda County Fire Chief Sheldon Gilbert [\[STAFF REPORT\]](#)

The City Council will recognize former Alameda County Fire Chief Sheldon Gilbert.

STAFF RECOMMENDATION:

Present the proclamation.

3.2. Introduction of New City Employees [\[STAFF REPORT\]](#)

New members of City Staff will be introduced.

STAFF RECOMMENDATION:

Welcome new City of Dublin Staff members.

3.3. Mayor's Appointment of City Historian and Proposed Suspension of the Poet Laureate Program

[\[STAFF REPORT\]](#)

In March 2012, the City began recruitments for the City Historian and Poet Laureate positions. One application was received for City Historian and none for Poet Laureate. The City Council will consider confirming the Mayor's re-appointment of Georgean Vonheeder-Leopold as City Historian, as well as the temporary suspension of the City's Poet Laureate Program to create a literary arts program in its place.

STAFF RECOMMENDATION:

Confirm the Mayor's re-appointment of Georgean Vonheeder-Leopold as City Historian and temporarily suspend the Poet Laureate Program to create a literary arts program in its place.

3.4. 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 Special Meeting of April 18, 2012 and the Regular Meeting of June 5, 2012

[\[STAFF REPORT\]](#)

The City Council will consider the approval of the minutes of the Special City Council meeting of April 18, 2012, and the Regular City Council meeting of June 5, 2012.

STAFF RECOMMENDATION:

Approve the minutes of the Special City Council meeting of April 18, 2012, and the Regular City Council meeting of June 5, 2012.

4.2. Approval of Cooperative Agreement with the State of California Department of Transportation (Caltrans) for the San Ramon Road Bypass Storm Drain Project, CIP No. 960028

[\[STAFF REPORT\]](#)

Caltrans will provide funding to the City of Dublin, in the amount of \$892,000, for the construction of a parallel storm drain line in San Ramon Road between Shannon Avenue and Silvergate Drive, including storm runoff treatment as mitigation for construction of the Altamont Pass Truck Climbing Lane Project on Interstate 580. City Council approval is required for a Cooperative Agreement with Caltrans for the work.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving Cooperative Agreement between the City of Dublin and the State of California Department of Transportation (Caltrans) for the San Ramon Road Bypass Storm Drain Project CIP Project 960028.

4.3. Emerald Glen Park Plaza Replacement - Project Acceptance [STAFF REPORT]

Staff is seeking City Council authorization to accept the Emerald Glen Park Plaza Replacement Project, Contract No. 11-12 and approve Change Order No. 1.

STAFF RECOMMENDATION:

Approve Change Order #1 to Contract No. 11-12; adopt **Resolution** Accepting Improvements to Emerald Glen Park Plaza Replacement Contract No. 11-12; and authorize Staff to accept a maintenance bond in the amount of \$4,638.

4.4. Adoption of an Appropriations Limit for Fiscal Year 2012-2013 [STAFF REPORT]

Each year the City Council is required by State Law to adopt an Appropriations Limit (Limit) in conjunction with the Budget process. The Fiscal Year 2012-2013 Appropriations Limit is calculated by multiplying the adopted Limit for the prior year by a set of factors to create a new limit. The Appropriations Limit for Fiscal Year 2012-2013 exceeds, by a significant amount, the appropriations which are subject to the Limit.

STAFF RECOMMENDATION:

Adopt **Resolution** Adopting an Appropriation Limit for Fiscal Year 2012-2013 of \$200,919,750.

4.5. Check Issuance Report and Electronic Funds Transfers [STAFF REPORT]

The City Council will receive a listing of payments issued from May 1, 2012 – May 31, 2012 totaling \$7,372,303.60.

STAFF RECOMMENDATION:

Receive the report.

4.6. Award of Bid for Contract No. 12-07 to Sanact, Inc. (2012 Storm Drain Cleaning and CCTV Project) [STAFF REPORT]

The Citywide Street Storm Drain Assessment Project (CIP No. 960017) includes storm drain cleaning, closed-circuit television inspection, analysis and ranking the system condition, and addressing critical repairs and maintenance in areas where the system may not be functioning as desired. The analysis completed to date has identified thirteen pipe segments which need cleaning due to build-up of debris, roots, calcium carbonate, and other material. The City Council will consider awarding an agreement to Sanact Inc. to complete this work.

STAFF RECOMMENDATION:

Adopt **Resolution** Awarding Contract No. 12-07, 2011 Storm Drain Cleaning and CCTV Project, to Sanact, Inc; and authorize the City Manager to approve additional contract work up to an additional \$12,361.

4.7. Jordan Ranch 2, Planned Development Rezone with amended Stage 1 and Stage 2 Development Plans [STAFF REPORT]

At its meeting of June 5, 2012, the City Council waived the reading and introduced an Ordinance approving a Planned Development Rezone with related Stage 1 and Stage 2 Development Plan Amendments for the project known as Jordan Ranch 2 specific to Subareas 1-4. The proposed Planned Development Rezone is consistent with the companion General Plan and Eastern Dublin Specific Plan land use adopted by the City Council on June 5, 2012.

STAFF RECOMMENDATION:

Waive the reading and adopt an **Ordinance** approving a Planned Development Rezone with related Stage 1 and Stage 2 Development Plan Amendments for the project known as Jordan Ranch 2 specific to four subareas.

4.8. Contract Review: Crossing Guard Services [STAFF REPORT]

The City Council will conduct a contract review of the City's crossing guard contractor, All City Management Services, Inc. A proposed amendment has been included that will extend the contract until June 30, 2014.

STAFF RECOMMENDATION:

Adopt **Resolution** approving the amendment to the agreement with All City Management Services, Inc. for the provision of crossing guard services for Fiscal Year 2012-2013 and Fiscal Year 2013-2014.

4.9. Notice of Review of Conflict of Interest Code [STAFF REPORT]

The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially to determine if it is accurate or if the Code needs amendment. The City Council is the code reviewing body for City agencies, and the City Council must direct Staff to review the City's Conflict of Interest Code and make a determination by October 1, 2012, if there is a need to amend the Conflict of Interest Code.

STAFF RECOMMENDATION:

Direct Staff to review the City's Conflict of Interest Code and take the appropriate action.

4.10. Positano Hills Park – Consultant Services Change Order [STAFF REPORT]

On January 18, 2011, the City Council approved an Agreement with MPA Design to complete design services for Positano Hills Park. Staff is proposing additional consulting services through the construction phase of the project.

STAFF RECOMMENDATION:

Approve Change Order #1 for MPA Design in the amount of \$25,542, to provide services during the construction period.

4.11. Approval of on-call consultant agreements for civil engineering and/or land surveying services [STAFF REPORT]

The City Council will consider approving consulting services agreements for on-call civil engineering and/or land surveying services. The term of the Agreements shall begin on July 1, 2012 and shall end on June 30, 2014.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving Consulting Services agreements with Guida Surveying, Inc.; Carroll Engineering; SNG & Associates, Inc.; Zumwalt Engineering Group; Carlson, Barbee and Gibson, Inc. (CBG); Pakpour Consulting Group, Inc.; Harris & Associates; Kimley-Horn & Associates, Inc.; Bellecci & Associates, Inc.; BKF Engineers; RBF Consulting; P/A Design Resources, Inc.; CSG Consultants, Inc.; and Mark Thomas & Company, Inc. for civil engineering and/or land surveying services.

4.12. Consultant Services Agreement with Willdan Financial Services to Update the Public Facilities Fee [STAFF REPORT]

The proposed Fiscal Year (FY) 2012-2013 Budget includes funding to update the Public Facilities Fee. The City Council will consider adopting a Resolution approving an agreement with Willdan Financial Services to prepare the update.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving an Agreement with Willdan Financial Services for Consultant Services to prepare the Public Facilities Fee Update.

4.13. Approval of on-call consultant agreements for construction management and/or construction inspection services [STAFF REPORT]

The City Council will consider approving consulting services agreements for on-call construction management and/or construction inspection services. The term of the Agreements shall begin on July 1, 2012 and shall end on June 30, 2014.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving consulting services agreements with Pakpour Consulting Group, Inc., Harris & Associates, CSG Consultants, Inc., Associated Engineering Consultants, Inc., Ghiradelli & Associates, S&C Engineers, Inc., and Vali Cooper & Associates, Inc. for construction management / construction inspection services.

4.14. Amendment to Policy for Establishing Fund Balance Classifications in accordance with Governmental Accounting Standards Board Requirements [STAFF REPORT]

On June 21, 2011 the City Council adopted Resolution 106-11 which established classifications for Fund Balance in accordance with requirements established by the Governmental Accounting Standards Board (GASB). The rules require that the City Council make any adjustments to the classifications and policies prior to June 30th if they are to be reflected on the final financial statements for the year. The City Council will consider adjustments to the resolution to reflect estimated financial results developed during the preparation of the Fiscal Year 2012/2013 and 2013/2014 Two Year Budget.

STAFF RECOMMENDATION:

Adopt **Resolution** Amending the Principal Components of Fund Balance; adopt **Resolution** Authorizing a Special Designation of General Fund balance for Fiscal Year 2011-2012; and direct Staff to implement the changes in the financial records.

5. WRITTEN COMMUNICATION - None

6. PUBLIC HEARINGS

6.1. Citywide Street Lighting Maintenance Assessment District No. 1983-1; Landscaping and Lighting Maintenance Assessment District No. 1983-2 (Tract 4719); Landscaping and Lighting Maintenance Assessment District No. 1986-1 (Villages at Willow Creek); Landscaping and Lighting Maintenance Assessment District No. 1997-1 (Santa Rita Area); Street Lighting Maintenance Assessment District No. 1999-1 (Dublin Ranch, Jordan Ranch, and Tract 7067) [STAFF REPORT]

The City Council will consider approving the Engineer's Reports and the levy of special assessments in each of the five maintenance districts for the 2012-2013 Fiscal Year. A public hearing is required. Maintenance Assessment Districts allow for the collection of special assessments on the property tax bill. These assessments can only be used to pay for the identified activities benefiting the properties assessed. The amount of the assessment will vary based on several factors including: the cost projected to maintain the improvements, approved annual adjustment factors; existing balances collected in prior years; and the number and type of properties.

STAFF RECOMMENDATION:

Conduct Public Hearings for each of the five Assessment Districts; deliberate; and adopt **Resolutions** approving Engineer's Report, Confirming Diagram and Assessment, and Ordering Levy of Assessment for Citywide Street Lighting Maintenance Assessment District No. 1983-1; Landscaping and Lighting Maintenance Assessment District No. 1983-2 (Tract 4719); Landscaping and Lighting Maintenance Assessment District No. 1986-1 (Villages at Willow Creek); Landscaping and Lighting Maintenance Assessment District No. 1997-1 (Santa Rita Area); and Street Lighting Maintenance Assessment District No. 1999-1 (Dublin Ranch, Jordan Ranch, and Tract 7067).

6.2. Adoption of Rates for Garbage Collection, Disposal, and Recycling Services Provided By Amador Valley Industries and Establishing the 2012-2013 Annual Assessment [STAFF REPORT]

The Agreement for solid waste services between the City and Amador Valley Industries (AVI) requires the City to adopt a rate schedule, which is estimated to produce a specified revenue amount as identified in the Agreement. The City has also adopted an ordinance which requires all parcels in the City to subscribe to weekly minimum garbage service. For residential properties that are serviced with individual containers, the City collects the annual cost of minimum service with the property tax bill. The City Council will consider adopting two separate resolutions establishing the garbage rates effective July 1, 2012 and establishing the Fiscal Year 2012-2013 refuse related property tax assessment.

STAFF RECOMMENDATION:

Conduct public hearing; deliberate; adopt **Resolution** Amending the Schedule for Service Rates for

Integrated Solid Waste Services; and adopt **Resolution** Amending and Establishing the Collection of Minimum Residential Garbage and Recycling Service Fees for Fiscal Year 2012-2013.

6.3. Resolution Approving an Energy Services Contract for Energy Related Improvements to City of Dublin Facilities [STAFF REPORT]

The City Council will receive a report on a comprehensive energy audit conducted by Chevron Energy Solutions, and will consider an Energy Services Performance Contract with Chevron Energy Solutions to implement the recommended efficiency improvements from the energy audit, which is a proposed next phase in the City's ongoing efforts to reduce energy consumption and develop long-term cost savings through increased energy efficiency.

STAFF RECOMMENDATION:

Adopt **Resolution** that: 1) Approves an Energy Service Contract with Chevron Energy Solutions Company, a division of Chevron U.S.A. Inc., and an associated financing contract, for the implementation and funding of certain energy related improvements to City facilities as authorized by California Government Code Sections 4217.10 through 4217.18; 2) Finds that the cost to the City to implement the energy related improvements per this energy service contract will be less than the anticipated marginal cost to the City of thermal, electrical, or other energy that would have been consumed by the City in the absence of purchasing the energy improvements; 3) Finds that it is in the City's interests to enter into a financing agreement for the energy improvements and that the payments made under that agreement will be offset by the savings to the City arising from the improvements; 4) Accepts the Lease terms presented by US Bank and authorizes Staff to negotiate the final terms and amount to be financed; and 5) Authorizes the City Manager to execute the Agreements in substantially the form presented to the City Council.

7. UNFINISHED BUSINESS

7.1. Public Access Defibrillation (PAD) Plan Program Update Including Smart Phone Application [STAFF REPORT]

This report will provide an update on Staff's work on the "Implementation of the Public Access Defibrillation (PAD) Plan Program as well as the "Assessment of the appropriateness of implementing a Smart Phone Application".

STAFF RECOMMENDATION:

Receive the report.

7.2. Conceptual Park Design [STAFF REPORT]

The 2010-2015 Capital Improvement Program (CIP) includes funding for the design and construction of Passatempo Park. As part of the design process, Staff is seeking City Council approval on the preferred Conceptual Park Design for the 5.1 acre park located in the Sorrento East Development.

STAFF RECOMMENDATION:

Receive the presentation from Staff and the Consultant, approve the preferred Conceptual Park Design, and authorize the Consultant to proceed with preparation of construction documents.

8. NEW BUSINESS

8.1. Presentation of Form Downtown Dublin Specific Plan Area Community Benefit Program Agreement [STAFF REPORT]

The Downtown Dublin Specific Plan establishes a limited development pool of additional non-residential square footage and residential dwelling units that would be made available to developers who participate in the Community Benefit Program and provide a community benefit to the City in exchange for use of a portion of the pool. The City Attorney's Office has prepared a form agreement proposed to be used by developers wishing to participate in the Program.

STAFF RECOMMENDATION:

Receive staff report.

8.2. Authorization of Development Agreement with The Kingsmill Group [STAFF REPORT]

The Kingsmill Group seeks to develop the former Crown Chevrolet site and has requested a

Development Agreement with the City that includes the allocation of units from the Downtown Specific Plan Development Pool. Staff will present the negotiated deal points to be included in the Development Agreement and is requesting authorization from the City Council to proceed in its preparation.

STAFF RECOMMENDATION:

Authorize Staff to prepare and process a Development Agreement that includes the negotiated deal points summarized in this report.

8.3. Report on the Potential to Initiate a Tree City USA Program [STAFF REPORT]

One of the City Council's Key Initiatives in Fiscal Year 2011-2012 is to receive a report on the potential to initiate a Tree City USA Program.

STAFF RECOMMENDATION:

Receive the report and provide direction to Staff on whether or not to pursue the Tree City USA designation.

8.4. Health and Wellness Campaign [STAFF REPORT]

The City Council proposed a key initiative for Fiscal Year 2011-2012 to implement a Health and Wellness campaign. The City Council will receive a Staff report on two options regarding a Health and Wellness Campaign for Dublin residents.

STAFF RECOMMENDATION:

Receive the report and direct Staff to implement the Live Healthy Dublin campaign and web portal beginning in March 2013.

8.5. Review of Services and Approval of a New Agreement with MCE Corporation [STAFF REPORT]

The City of Dublin has contracted with MCE Corporation for various maintenance services since 1984. The City Council will review an analysis of services provided and consider approving a new five-year agreement.

STAFF RECOMMENDATION:

Review the analysis of services provided by MCE Corporation; authorize the procurement as an exception to the requirement for competitive bidding; and adopt **Resolution** Approving Agreement with MCE Corporation, Inc. for Maintenance Services.

8.6. Fire Service Contract Evaluation and Facility Use Agreements [STAFF REPORT]

The City of Dublin contracts for Fire Services with the Alameda County Fire Department (ACFD). This report provides a comprehensive evaluation of the services provided and includes a proposed contract extension of twenty years through June 30, 2032. The report also includes facility use agreements for the Alameda County Fire Department's Administrative Offices (6363 Clark Avenue, Dublin), as well as the ACFD Maintenance Facility (5777 Scarlett Court, Dublin).

STAFF RECOMMENDATION:

Adopt **Resolution** Approving an Agreement between the City of Dublin and the Alameda County Fire Department for Fire and Emergency Response Services; and adopt **Resolution** approving facility use agreements for Alameda County Fire Department's Administrative Offices and Maintenance Facility.

8.7. Establish a Standing City Council Economic Development Committee [STAFF REPORT]

For the past two fiscal years, the City Council has established ad-hoc committees for specific and limited economic development work. Staff is proposing that the City Council establish a formal, standing committee in order to expand its scope to more general economic development activities and efforts.

STAFF RECOMMENDATION:

Adopt **Resolution** Establishing a Standing Economic Development Committee and accept the Mayor's Appointments.

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.