

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

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CALL TO ORDER & CLOSED SESSION 6:30 P.M.

Conference with Real Property Negotiators–
Approximately 9,500 sf area of Caltrans Right of Way at the westernmost terminus of Scarlett Court
City Negotiator: Joni Pattillo, City Manager
Negotiating party: Caltrans
Under Negotiation: Price and Terms of Payment

REGULAR MEETING 7:00 PM

1. **Call to Order and Pledge of Allegiance to the Flag**
2. **Report on Closed Session**
3. **ORAL COMMUNICATIONS**
 - 3.1. **Introduction of New City Employees [\[STAFF REPORT\]](#)**

New members of City Staff will be introduced.
STAFF RECOMMENDATION:
Welcome new City of Dublin Staff members.
 - 3.2. **Appointment to Alameda County Mosquito Abatement District [\[STAFF REPORT\]](#)**

The City Council will consider appointment of Abe Gupta as the City of Dublin appointee to the Alameda County Mosquito Abatement District.
STAFF RECOMMENDATION:
Adopt Resolution making an Appointment to the Alameda County Mosquito Abatement District Board of Trustees.
 - 3.3. **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 May 29, 2012 and the Regular Meeting of June 19, 2012

[\[STAFF REPORT\]](#)

The City Council will consider the approval of the minutes of the Special City Council meeting of May 29, 2012, and the Regular City Council meeting of June 19, 2012.

STAFF RECOMMENDATION:

Approve the minutes of the Special City Council meeting of May 29, 2012, and the Regular City Council meeting of June 19, 2012.

4.2. Acceptance of Improvements for Tract 7651, Sorrento East (SR Structured Lot Options 1 LLC) and Approval of Regulatory Traffic Control Devices [\[STAFF REPORT\]](#)

SR Structured Lot Options I LLC (Regent) has constructed the tract improvements for Tract 7651 Sorrento East in accordance with the Improvement Agreement for Tract 7651. It is now appropriate for the City to accept these improvements and approve the regulatory traffic control devices.

STAFF RECOMMENDATION:

Adopt Resolution Accepting Improvements for Tract 7651 and Approving Regulatory Traffic Control Devices.

4.3. Approval of On-Call Geology and Geotechnical Services [\[STAFF REPORT\]](#)

The City Council will consider approving consulting services agreements for on-call geology and geotechnical services. The term of the Agreement shall begin on July 18, 2012 and shall end on June 30, 2014

STAFF RECOMMENDATION:

Adopt **Resolution** approving consulting services agreements with BSK Associates, Cal Engineering & Geology, Construction Testing Services, Inc., Geocon Consultants, Inc., and Lai & Associates for geology and geotechnical services.

4.4. Acceptance of Work - Contract No. 12-05 Street Light Pole Painting [\[STAFF REPORT\]](#)

On May 1, 2012, the City Council awarded Contract No. 12-05, Dublin Ranch Street Light Pole Painting Contract (CIP No. 960023), to California Custom Painting. The project was for the painting of 146 decorative street light poles in the Dublin Ranch Street Lighting Assessment District (99-1).

STAFF RECOMMENDATION:

Accept the improvements under Contract No. 12-05, Dublin Ranch Street Light Pole Painting Contract, and authorize the release of retention after 35 days.

4.5. Approval of Final Map and Tract Improvement Agreement, Approval of Agreement for Long-Term Encroachment for Landscape Features, and Acceptance of Parkland Dedication Credits for Tract 7654, Sorrento East-Neighborhood 8 North [\[STAFF REPORT\]](#)

D.R. Horton Bay, Inc., a Delaware Corporation, is filing Final Map 7654 to subdivide Parcel 3 of Tract 7982 into 62 lots. Tract 7654 is the northern portion of Neighborhood 8 in the Sorrento East project and is bounded on the west by Grafton Street, the north by Palermo Way, and the east by Lee Thompson Street. D.R. Horton Bay, Inc. will also be constructing certain public improvements on Grafton Street that were required for Tract 7982.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving Final Map and Tract Improvement Agreement for Tract 7654, Sorrento East-Neighborhood 8 North; adopt **Resolution** Approving Agreement for Long-Term Encroachment for Landscape Features with Tract 7654; and adopt **Resolution** Accepting Park Land Dedication Credits for Park Land Dedication Requirements for Tract 7654.

4.6. Acceptance of Landscape Improvements for Tract 6765, Schaefer Ranch (Schaefer Ranch Holdings, LLC, a California Limited Liability Company) [\[STAFF REPORT\]](#)

Discovery Builders, dba Schaefer Ranch Holdings, LLC, has completed the landscape improvements in accordance with the Landscape Improvement Agreement for Tract 6765. It is now appropriate for the City to accept these improvements.

STAFF RECOMMENDATION:

Adopt **Resolution** for the Acceptance of Landscape Improvements for Tract 6765, Schaefer Ranch (Schaefer Ranch Holdings, LLC).

4.7. Request for Authorization to Use ECS Refining for the Recycling of City Electronic Waste and Surplus Computer Equipment [STAFF REPORT]

The City generates electronic waste in the form of 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.

4.8. Approval of Task Order Under Existing On-Call Consultant Services Agreement for Design Engineering Services with BKF Engineers for the Storm Drain Trash Capture Project, CIP No. 960029 [STAFF REPORT]

The 2012-2017 Five-Year Capital Improvement Program includes the Storm Drain Trash Capture Project, which is a component of the City's State-mandated plan to reduce trash in the storm drain system by 40% by 2014. The City Council will consider approval of an agreement for project design services for the project. BKF Engineers, the proposed Consultant firm, has an existing on-call services agreement with the City to perform this type of work.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving Task Order under Existing Consultant Services Agreement with BKF Engineers for Engineering Design Services for Storm Drain Trash Capture Project, CIP Project No. 960029.

4.9. Acceptance of Work – Contract No. 12-02, Fiscal Year 2011-2012 Annual Sidewalk Safety Repair Program and Curb Ramp Installation [STAFF REPORT]

On April 3, 2012, the City Council approved an award of contract to AJW for Contract No. 12-02, Fiscal Year 2011-2012 Annual Sidewalk Safety Repair Program and Americans Disabilities Act Implementation (Curb Ramp Installation). The Contract was proposed to complete improvements identified in two Capital Improvement Projects. The Annual Sidewalk Safety Repair Program (CIP No. 949103) removed and replaced approximately 4,900 square feet of sidewalk with offsets of 3/4-inch or more that posed a tripping hazard. The Americans with Disabilities Act (ADA) Transition Plan (CIP No. 939103) completed the installation of 10 new curb ramps.

STAFF RECOMMENDATION:

Accept the improvements under Contract No. 12-02, Fiscal Year 2011-2012 Annual Sidewalk Safety Repair Program and Curb Ramp Installation; approve an additional change order in the amount of \$1,650.75 for General Fund Sidewalk Repairs; and authorize the release of retention after 35 days if there are no subcontractor claims.

4.10. Approval of Task Order Under Existing On-Call Consultant Services Agreement with Mark Thomas and Company for Design Engineering Services for the San Ramon Road Bypass Storm Drain Project, CIP No. 960028 [STAFF REPORT]

Caltrans will provide to the City of Dublin funding in the amount of \$852,000 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. The City Council will consider approval of an agreement for project design services. Mark Thomas and Company, the proposed Consultant firm, has an existing on-call services agreement with the City to perform this type of work.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving Task Order under Existing On-Call Consultant Services Agreement with Mark Thomas and Company for Design Engineering Services for the San Ramon Road Bypass Storm Drain CIP Project No. 960028.

4.11. Agreement for Fiscal Impact Study of Dublin Crossings Project [\[STAFF REPORT\]](#)

As part of the review for the proposed Dublin Crossings project, a fiscal impact study will be required to complete the project's specific plan. Staff recommends that Keyser Marston Associates, Inc. conduct the fiscal impact analysis of the proposed project.

STAFF RECOMMENDATION:

Adopt **Resolution** approving the Consultant Services Agreement with Keyser Marston Associates, Inc. for the Fiscal Impact Study for Dublin Crossings.

4.12. Approval of Final Parcel Map for Parcel Map 10053, Silvera Ranch Phase 4 (KB Homes), and Approval of Amendment to Deed Restriction for Tract 7441 [\[STAFF REPORT\]](#)

KB Homes, dba KB Home South Bay, Inc., is filing the Final Parcel Map for Parcel Map 10053 to create 4 individual lots within the Silvera Ranch Phase 4 development. City Council approval is needed to file the map and to amend an existing deed restriction that encumbers the new lots.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving the Final Parcel Map for Parcel Map 10053 and adopt **Resolution** Amending the Declaration of Deed Restrictions for Tract 7441.

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

The City Council will receive a listing of payments issued from June 1, 2012 – June 30, 2012 totaling \$3,630,022.24.

STAFF RECOMMENDATION:

Receive the report.

4.14. Approve Procurement of Consulting Services for the Update of the Citywide Bikeways Master Plan and Pedestrian Plan [\[STAFF REPORT\]](#)

The 2007 Citywide Bikeways Master Plan is being updated to reflect the current status of the Plan and to achieve consistency with recently updated regional transportation plans. Staff is also proposing the development of a Pedestrian Plan with emphasis on the Downtown area. The City Council will consider the procurement of transportation consulting services to update the Bikeways Master Plan and develop the Pedestrian Plan. The two master plans will be combined together to create Dublin Bikeways and Pedestrian Master Plan.

STAFF RECOMMENDATION:

Authorize the City Manager to procure consulting services with Fehr and Peers for the update of the Citywide Bikeways Master Plan/development of Pedestrian Plan for an amount not to exceed \$146,970.

4.15. Approve Agreement with Metropolitan Transportation Commission for Program for Arterial System Synchronization (FY 12-13 Cycle) [\[STAFF REPORT\]](#)

This item seeks City Council approval of an agreement between the Metropolitan Transportation Commission (MTC) and the City of Dublin for participation in the Program for Arterial System Synchronization.

STAFF RECOMMENDATION:

Adopt **Resolution** approving the indemnification agreement between Metropolitan Transportation Commission and City of Dublin for participation in the Program for Arterial System Synchronization.

5. WRITTEN COMMUNICATION – None.

6. PUBLIC HEARINGS

6.1. Planned Development Rezone with related Stage 2 Development Plan Amendment to increase the lot coverage for Schaefer Ranch South [\[STAFF REPORT\]](#)

Discovery Builders is proposing to construct 140 single-family detached homes on approximately 41.5 acres within Schaefer Ranch. The proposed project is identified as Orchid at Schaefer Ranch and is located south of Dublin Blvd. The current application includes an amendment to the Development Regulations adopted with the Stage 2 Development Plan. The proposed amendment would allow a maximum of 40% lot coverage for 2-story detached single-family homes which is greater than the currently adopted standard of 35%. A Site Development Review permit was approved by the Planning Commission on June 12, 2012 for the 140 homes. The minimum lot size would remain at 4,500 square feet.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate, waive the reading and INTRODUCE an Ordinance approving a Planned Development Rezone with related Stage 2 Development Plan Amendment for the project known as Orchid at Schaefer Ranch (Schaefer Ranch South) adopting development regulations specific to changing the maximum lot coverage for two-story homes.

6.2. Adoption of Revised Purchasing Ordinance Chapter 2.36 Dublin Municipal Code [\[STAFF REPORT\]](#)

City Staff conducted a comprehensive review of the City's "Purchasing" regulations as outlined in Chapter 2.36 of the Dublin Municipal Code. Included in the recommended revisions are increased thresholds for purchases that can be handled administratively. The organization of the code was also reformatted to eliminate redundancies and clarification of City restrictions. The proposed revision also incorporates the Uniform Public Construction Cost Accounting Act procedures for work defined under State Law as "public projects."

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate, waive the reading and INTRODUCE an Ordinance Revising Section 2.36 of the Municipal Code for the City of Dublin and Providing for Informal Bidding Procedures Under the Uniform Public Construction Cost Account Act (Section 22000, et seq. of the Public Contract Code).

6.3. Solid Waste and Recycling Enclosure Standards Ordinance [\[STAFF REPORT\]](#)

The Solid Waste and Recycling Enclosure Standards were adopted by the City Council in June 2011. The standards establish design criteria and size requirements for new enclosures within the City. The purpose of the standards is to ensure that there is adequate space in newly constructed enclosures for solid waste and recycling, including organics if applicable. The Solid Waste and Recycling Enclosure Standards apply to: new development projects; remodeled commercial development projects that trigger a planning entitlement and consist of grocery stores, restaurants, markets, daycare centers and auto repair/use; and tenant improvements, where no planning entitlement is required, if the use has the potential to pollute stormwater. The Solid Waste and Recycling Enclosure Standards have been in place for just over a year, and based on lessons learned, minor modifications are being proposed to the standards.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate, waive the reading and INTRODUCE an Ordinance Amending Chapter 7.98 Relating to Solid Waste and Recycling Enclosure Standards.

6.4. Approve Parking Regulations on John Monego Court [\[STAFF REPORT\]](#)

This item will consider revising the parking designation on John Monego Court to convert the west side of the street from unrestricted to a 2-hour limited parking zone and to convert the east side of the street from no-parking to an unrestricted zone. The existing no-parking zones between Dublin Boulevard and the first driveway on the west side and the second driveway on the east side would remain.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate, and waive the reading and INTRODUCE an Ordinance Amending the Dublin Traffic Code Relating to Parking Regulations on John Monego Court.

7. UNFINISHED BUSINESS

7.1. Adoption of an Urgency Ordinance Imposing a Moratorium on New Tobacco Sales

[STAFF REPORT]

The City Council will consider an Urgency Ordinance that prohibits the establishment of new uses involving the sale of tobacco products as well as the issuance of business licenses, use permits, building permits or any other land use entitlement to businesses that intend to engage in the sale of tobacco products.

STAFF RECOMMENDATION:

1) Receive Staff presentation; 2) Deliberate; and 3) Consider the proposed Urgency Ordinance. If the City Council supports the proposed ordinance, the City Council would waive the reading and adopt, by a 4/5ths vote, an Urgency Ordinance making findings and establishing a citywide moratorium on the establishment of new uses involving the sale of tobacco products and on the issuance of business licenses, use permits and building permits to businesses intending to engage in the sale of tobacco products.

7.2. Temporary Promotional Signs Sign Quality Standards [STAFF REPORT]

At the March 6, 2012 City Council meeting, the City Council considered amendments to Chapter 8.84 (Sign Regulations) of the Zoning Ordinance including changes to Temporary Promotional Signs. The City Council directed Staff to conduct further research in regards to regulating the quality of temporary promotional signs and to prepare a report on ways to address the quality. The City Council will receive the report on ways to address the quality of temporary promotional signs which are displayed by local businesses to advertise special promotions or events for a limited period of time.

STAFF RECOMMENDATION:

Receive the report and provide Staff with direction on whether to prepare Zoning Ordinance Amendments to address the quality of temporary promotional signs.

7.3. Revisions to Chapter 5.24 Fireworks Ordinance [STAFF REPORT]

On July 10, 2012, Staff held a meeting with the non-profit organizations and fireworks providers to discuss this year's fireworks process as well as the fireworks ordinance. After much discussion, those present requested procedural changes to the process, but recommend that the ordinance remain as is.

STAFF RECOMMENDATION:

Receive the report and provide direction to whether or not to follow through with the requested changes.

7.4. Revisions to the Sales Tax Reimbursement Program and Extension of the Program's Termination Date [STAFF REPORT]

Staff is proposing modifications to the existing Sales Tax Reimbursement Program to change the project qualifications to meet the current economic development needs for the City. Additionally, Staff is recommending that the Program be extended for an additional two year period, from January 9, 2013 to January 9, 2015.

STAFF RECOMMENDATION:

Adopt Resolution revising and restating the General Provisions of the Sales Tax Reimbursement Program and extending the Termination Date of the Sales Tax Reimbursement Program until January 9, 2015.

7.5. Energy Efficiency Upgrade Budget Establishment [STAFF REPORT]

The City Council will considering creating Capital Project No. 930018 and appropriating funds for Fiscal Year 2012-2013 to construct various energy efficiency improvements at all City facilities. The City Council will also consider establishing a budget and authorizing the City Manager to enter into an agreement for project management to assist the City in coordinating the construction efforts.

STAFF RECOMMENDATION:

Amend the Five-year Capital Improvement Program to include Project No. 930018; adopt the Budget

Change Form; and authorize the City Manager to procure project management services in an amount not to exceed \$100,000.

7.6. Construction & Demolition Debris Collection Rate Amendment [\[STAFF REPORT\]](#)

The City Council will consider a reducing the cost and adding additional service level options for the collection of Construction & Demolition (C&D) debris by Amador Valley Industries.

STAFF RECOMMENDATION:

Adopt **Resolution** amending the rates for C&D debris collection services.

7.7. City of Dublin and Alameda County Fire Joint Use Projects – Conceptual Design [\[STAFF REPORT\]](#)

On June 19, 2012, the City Council approved Facility Use Agreements with the Alameda County Fire Department for their Maintenance Facility as well as their tenancy in the City's Public Safety Complex. The ACFD Maintenance Facility will be co-located along with the City's new Corporation Building on the site of the City's Corporation Yard at the east end of Scarlett Court. Staff has completed the conceptual designs for all three facilities and will present the building elevations for City Council review.

STAFF RECOMMENDATION:

Receive the Staff presentation and approve the conceptual design for the projects and direct staff to waive the LEED Silver certification requirement for the combined corporation yard and maintenance facility.

8. NEW BUSINESS

8.1. Authorization to solicit bids for Golden Gate Drive Streetscape Enhancement project

[\[STAFF REPORT\]](#)

The Federal Highway Administration (FHWA) and Caltrans have approved and obligated the federal funds needed to construct the Golden Gate Drive Streetscape Enhancement project. The project will construct transportation related enhancements along Golden Gate Drive between the West Dublin BART Station and Dublin Boulevard. The City is now ready to advertise the project and solicit bids from contractors.

STAFF RECOMMENDATION:

Authorize staff to solicit bids for Contract No. 12-11, Golden Gate Drive Streetscape Enhancement project (CIP No. 960027).

8.2. Informational Report on the City's Noise Regulations [\[STAFF REPORT\]](#)

At the June 19, 2012 City Council meeting, Staff was directed to prepare a report on the City's noise regulations as they relate to the operation of day care facilities and the reuse of school sites. This report outlines the City's current noise regulations and provides options for the City Council's consideration.

STAFF RECOMMENDATION:

Receive the Staff presentation; and provide direction.

8.3. Resolution in Support of Save Oakland Sports [\[STAFF REPORT\]](#)

The City Council will consider a resolution supporting the efforts of Save Oakland Sports to keep the Oakland Raiders, Oakland Athletics, and Golden State Warriors in Oakland and the East Bay.

STAFF RECOMMENDATION:

Consider the proposed **Resolution** supporting the efforts to Save Oakland Sports and take the appropriate action.

8.4. Designation of Voting Delegate for the 2012 League of California Cities Annual Conference

[\[STAFF REPORT\]](#)

The City Council will consider designating one of its members as a voting delegate to vote on the City's behalf at the 2012 League of California Cities Annual Conference.

STAFF RECOMMENDATION:

Discuss designating one of its members as a voting delegate to attend and vote on the City's behalf at

the 2012 League of California Cities Annual Conference.

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.