

REGULAR MEETING
Tuesday, September 04, 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.

I. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

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

II. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney

III. CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Vice-Mayor Kevin Hart and Councilmember Don Biddle

Employee: City Attorney

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** [\[STAFF REPORT\]](#)
Two new members of City Staff will be introduced.
STAFF RECOMMENDATION:
Welcome new City of Dublin Staff members.
 - 3.2. **Acceptance of Paintings from Megan Zhu** [\[STAFF REPORT\]](#)
The City Council will consider the acceptance of two paintings by Dublin resident, Megan Zhu. The paintings will be loaned to the City for two years and will be displayed in the reception area for the offices of the City Council and City Manager.
STAFF RECOMMENDATION:
Accept the offer from Ms. Zhu for the two paintings.
 - 3.3. **Presentation by School of Imagination (SOI) about Happy Talkers Early Autism Screenings** [\[STAFF REPORT\]](#)
The City Council will receive a presentation from the School of Imagination (SOI) about their Happy Talkers Early Autism Screenings.
STAFF RECOMMENDATION:

Receive the presentation.

3.4. Carl Zeiss Meditec Recognition for Environmental Efforts [\[STAFF REPORT\]](#)

The City Council will present a certificate of appreciation to Carl Zeiss Meditec for its example to the community in their pursuit of renewable energy sources. Specifically, Carl Zeiss Meditec has installed a solar power system at its facility, curtailing the high cost of energy and reducing its carbon footprint within the community.

STAFF RECOMMENDATION:

Formally recognize Carl Zeiss Meditec, Inc.

3.5. 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 City Council Meeting of July 25, 2012 and the Regular City Council Meeting of August 21, 2012 [\[STAFF REPORT\]](#)

The City Council will consider the approval of the minutes of the Special City Council meeting of July 25, 2012 and the Regular City Council meeting of August 21, 2012.

STAFF RECOMMENDATION:

Approve the minutes of the Special City Council meeting of July 25, 2012 and the Regular City Council meeting of August 21, 2012.

4.2. Adoption of Ordinance Establishing Bus Stops at Various Locations Citywide [\[STAFF REPORT\]](#)

This is the second reading of an ordinance introduced at the regularly scheduled City Council meeting of August 21, 2012. The ordinance will amend the Dublin Traffic Code to establish bus stops at various locations in the City as requested by Livermore Amador Valley Transit Authority (LAVTA).

STAFF RECOMMENDATION:

Waive the reading and adopt the **Ordinance** establishing bus stops at various locations Citywide.

4.3. 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 8105, Positano Neighborhood D-4 [\[STAFF REPORT\]](#)

Braddock and Logan Services, Inc., dba Dublin RE Investors, LLC, is filing a Final Map for Tract 8105 (Neighborhood "D-4") to create 98 individual lots for the construction of homes.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving Final Map and Tract Improvement Agreement for Tract 8105, Neighborhood "D-4," Positano/Fallon Village; adopt **Resolution** Approving the Agreement for Long Term Encroachment for Landscape Features for Tract 8105, Neighborhood "D-4," Positano/Fallon Village; and adopt **Resolution** Accepting Parkland Dedication In-Lieu Fees and Credits for Park Land Dedication Requirements for Tract 8105, Neighborhood "D-1," Positano/Fallon Village.

4.4. Civic Center Modification Design and Construction – Construction Management [\[STAFF REPORT\]](#)

The 2012-2017 Capital Improvement Program (CIP) includes the Civic Center Modification Design and Construction Project (#930006). O'Connor Construction Management is being recommended to provide Construction Management Services for this project.

STAFF RECOMMENDATION:

Adopt **Resolution** approving an Agreement with O'Connor Construction Management for

construction management services for the Civic Center Modification Design and Construction Project.

4.5. Request to Rename Taleo Way to Dublin Corporate Way [STAFF REPORT]

Tishman Speyer, building owner of Dublin Corporate Center, submitted a letter requesting a street name change of Taleo Way to Dublin Corporate Way.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving the Renaming of Taleo Way to Dublin Corporate Way.

4.6. Project Acceptance, Dublin Transit Center Public Art [STAFF REPORT]

In December 2010, the City Council approved a contract for artist Cliff Garten to create the steel and light sculpture, “Dubliner,” to be located at the Dublin Transit Center. The artist has now completed all final modifications to the hardscape and fulfilled the requirements of the contract. The City Council is being asked to formally accept the artwork as complete.

STAFF RECOMMENDATION:

Accept the Dublin Transit Center public art project, “Dubliner,” by artist Cliff Garten.

4.7. 2012-2013 Contract for Services with the Alameda County Library [STAFF REPORT]

The City of Dublin contracts with the Alameda County Library for additional hours of service at the Dublin Public Library. The contract for Fiscal Year 2012-2013 is for 19 additional hours of service per week, which is two more hours than last fiscal year. The City Council will consider the Contract Agreement with the Alameda County Library.

STAFF RECOMMENDATION:

Adopt **Resolution** approving an agreement with County of Alameda for additional library services for Fiscal Year 2012-2013.

4.8. Financing Institution Change for Energy Upgrade Capital Project [STAFF REPORT]

The City Council will consider authorizing the City Manager to enter into negotiations with alternative financial institutions to fund a comprehensive energy upgrade project covering the City’s municipal operations.

STAFF RECOMMENDATION:

Adopt **Resolution** approving a change in financial institutions for the funding of the City’s Energy Upgrade Project, CIP #930018.

4.9. “splatter” Event Street Closures [STAFF REPORT]

On September 22, 2012 the new “splatter” event will be held at Emerald Glen Park. In recognition of the 30th anniversary of incorporation of the City, an aerial fireworks display will take place at the conclusion of the event. During the fireworks display, the fireworks area “fallout zone” of 350 feet requires the temporary closure of a portion of Central Parkway between Persimmon Drive and Glynnis Rose Drive.

STAFF RECOMMENDATION:

Adopt **Resolution** authorizing the temporary street closure for the 2012 “splatter” event fireworks display.

4.10 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 7655, Sorrento East Neighborhood 9 [STAFF REPORT]

Shea Homes, Inc., a Delaware corporation, is filing Final Map 7655 to subdivide Parcel 4 of Tract 7982 into 12 lots for condominium purposes. The project is proposed to contain 68 condominium / townhome units. Tract 7655 is bounded on the west by Grafton Street, the south by Central Parkway, the east by Lee Thompson Street, and the north by Giovanni Way. Shea Homes Inc. will also be constructing certain public improvements on Grafton Street, Central Parkway, and Lee Thompson Street that were required for Tract 7892.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving Final Map and Tract Improvement Agreement for Tract 7655, Sorrento East-Neighborhood 9; adopt **Resolution** Approving Agreement for Long-Term Encroachment for Landscape Features with Tract 7655; and adopt **Resolution** accepting Park Land Dedication Credits

for Park Land Dedication Requirements for Tract 7655.

5. **WRITTEN COMMUNICATION** - None

6. **PUBLIC HEARINGS** - None

7. **UNFINISHED BUSINESS**

7.1. **Adoption of Proposed User Fee Policy and Review of User Fee Study Results**

[STAFF REPORT]

This item will allow the City Council to adopt a policy related to User Fees and also provides information on the User Fee Study results. The City Council has not previously had an established formal policy related to User Fees. The City's current fee and cost recovery model was adopted by the City Council in April 2006 using budgetary data from Fiscal Year 2004-05. Capital Accounting Partners recently completed a comprehensive analysis of City's costs related to fees collected. Staff has provided an opportunity for review and input by stakeholder groups. The City Council will be presented with the results of the Study for discussion, prior to considering adoption of changes in the fees. A public hearing is tentatively scheduled for September 18, 2012.

STAFF RECOMMENDATION:

1) Receive Staff's presentation on the study results; 2) Provide comments on the study and draft Proposed Master Fee Schedule; 3) adopt **Resolution** establishing a user fee cost recovery policy; and 4) Confirm the proposed public hearing date of September 18, 2012.

8. **NEW BUSINESS**

8.1. **Project Update: Dublin Boulevard Improvement Project between Civic Plaza/Sierra Court and Dublin Court** **[STAFF REPORT]**

The City of Dublin's Five-Year Capital Improvement Program (2012-2017) includes a budget for preliminary engineering work to improve Dublin Boulevard between Civic Plaza/Sierra Court and Dublin Court. The proposed improvements include widening of travel lanes, installation of bicycle lanes and sidewalks/pedestrian path, and enhancement of existing street landscaping. Engineering work has begun and three project alternatives were developed for the segment of Dublin Boulevard fronting the Dublin Sports Grounds between Civic Plaza and Dublin Court. Staff will present the three project alternatives and is requesting City Council direction. Staff will proceed with the preferred alternative for further engineering and environmental work.

STAFF RECOMMENDATION:

Direct staff to proceed with further engineering and environmental work for Alternative #2.

8.2. **Rule 20A Utility Undergrounding Priorities** **[STAFF REPORT]**

In consideration of a new street capital improvement project to widen Dublin Boulevard from Civic Plaza/Sierra Court to Dublin Court, Staff is recommending that the City Council consider prioritizing Dublin Boulevard - Civic Plaza/Sierra Court to Dublin Court to Priority #1 in the Rule 20A Utility Undergrounding Priority List, and authorize Staff to formally introduce an Ordinance creating an Underground District for Dublin Boulevard - Civic Plaza/Sierra Court to Dublin Court, or provide direction to Staff regarding any changes in the undergrounding priorities.

STAFF RECOMMENDATION:

Receive the report and: 1) consider prioritizing Dublin Boulevard - Civic Plaza/Sierra Court to Dublin Court to Priority #1 in the Rule 20A Utility Undergrounding Priority List, and authorize staff to formally introduce an Ordinance creating an Underground District for Dublin Boulevard -Civic Plaza/Sierra Court to Dublin Court, or 2) provide direction to Staff regarding any changes in the undergrounding priorities.

8.3. **Report on Dublin's Creek Cleanup Day 2012 Activities** **[STAFF REPORT]**

The City Council will receive a report on the planned activities for the Creek Cleanup Day, scheduled for Saturday, September 15, 2012.

STAFF RECOMMENDATION:

Receive the Creek Cleanup Day 2012 activities report.

8.4. Resolution in Support of Proposition 35 – The CASE Act [STAFF REPORT]

The City Council will consider a resolution supporting Proposition 35 – the CASE Act ballot initiative which would strengthen penalties against human trafficking and protect sexually exploited children.

STAFF RECOMMENDATION:

Consider the proposed resolution and take the appropriate action.

8.5. Confirmation of Appointment of City Council 2012 Ad-Hoc Audit Review Committee

[STAFF REPORT]

The independent auditors from the firm of Maze and Associates have scheduled their field work necessary to complete the Comprehensive Annual Financial Report (CAFR) for the year ending June 30, 2012. The City Council will consider the establishment of an Ad Hoc Committee, comprised of two City Council Members, to review the audit process and final report with the Auditors.

STAFF RECOMMENDATION:

Confirm the Mayor’s appointment of Mayor Tim Sbranti and Councilmember Don Biddle as the 2012 Ad-Hoc Audit Review Committee that will serve for a limited time. The Committee will meet with the City Auditors to review and discuss the audit report for the period ending June 30, 2012.

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)

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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.