

**REGULAR MEETING**  
Tuesday, October 16, 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. **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 Donation from the Valley Spokesmen Touring Club [\[STAFF REPORT\]](#)**

Dublin Police Services' Crime Prevention Unit was given a donation from Valley Spokesmen Touring Club. The donation of \$1,500 will be used to expand the Dublin Police Services' bicycle safety program. The Dublin City Council will present Valley Spokesmen with a Certificate of Appreciation for their donation.  
**STAFF RECOMMENDATION:**  
Accept the \$1,500 donation, approve the Budget Change and formally recognize the donor.
  - 3.3. **Farmers' Market Report - Thank Sponsors, 2012 Season Recap [\[STAFF REPORT\]](#)**

The City Council will present Certificates of Recognition to the sponsors and supporters of the 2012 Dublin Farmers' Market. Staff will also offer a re-cap of the 2012 season and a look ahead to the 2013 Dublin Farmers' Market.  
**STAFF RECOMMENDATION:**  
Receive the report and present Certificates of Recognition.
  - 3.4. **Update on Shop Local Holiday Campaign [\[STAFF REPORT\]](#)**

In 2011, per the City Council's strategic initiatives for Economic Development, the City partnered with the Dublin Chamber of Commerce and launched a Shop Local Holiday Campaign to encourage and increase shopping throughout the City of Dublin during the holidays. This report provides an update on the second year of the Shop Local Holiday Campaign.  
**STAFF RECOMMENDATION:**  
Accept the report.

**3.5. Red Ribbon Week [\[STAFF REPORT\]](#)**

Each year the City participates in “Red Ribbon Week” events at the schools and in the community. Red ribbons are displayed throughout the community and items with drug free messages are distributed to students.

**STAFF RECOMMENDATION:**

Present proclamation declaring October 21-27, 2012, as “Red Ribbon Week” in the City of Dublin.

**3.6. 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 October 2, 2012 [\[STAFF REPORT\]](#)**

The City Council will consider the approval of the minutes of the Regular City Council meeting of October 2, 2012.

**STAFF RECOMMENDATION:**

Approve the minutes of the Regular City Council meeting of October 2, 2012.

**4.2. Adoption of Resolution Extending the Abandoned Vehicle Abatement Program [\[STAFF REPORT\]](#)**

The City Council is being asked to consider the authorization of the extension of the Alameda County Abandoned Vehicle Abatement Program which is due to expire in May 2013.

**STAFF RECOMMENDATION:**

Adopt **Resolution** Authorizing the Extension of the Alameda County Abandoned Vehicle Abatement Program

**4.3. Approval of First Amendment to the Agreement for Long Term Encroachments for Landscape Features with Tract 7641, 7642, 7643, 7644, and 7645 [\[STAFF REPORT\]](#)**

Sorrento at Dublin Ranch I, L.P. and the City of Dublin previously entered into an Agreement for Long Term Encroachments for Landscape Features for Tracts 7641, 7642, 7643, 7644 and 7645, dated April 4, 2006. Sorrento at Dublin Ranch I, L.P. has now executed and filed with the City of Dublin a First Amendment to the Agreement for Long Term Encroachments for Landscape Features with Tracts 7641, 7642, 7643, 7644 and 7645, to include the pedestrian bridge at the Grafton Street public right of way as a landscape feature.

**STAFF RECOMMENDATION:**

Adopt **Resolution** Approving the First Amendment to the Agreement for Long Term Encroachments for Landscape Features with Tracts 7641, 7642, 7643, 7644 and 7645.

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

The City Council will receive a listing of payments issued from September 1, 2012 – September 30, 2012 totaling \$2,641,991.03.

**STAFF RECOMMENDATION:**

Receive the report.

- 4.5. Acceptance of Improvements for Grafton Street (Central Parkway to Gleason Drive) - Tract 7641 (Sorrento West), and Approving Regulatory Traffic Control Devices at Grafton Street (Sorrento at Dublin Ranch I LP, A California Limited Partnership) [STAFF REPORT]**  
 Sorrento at Dublin Ranch I LP, a California Limited Partnership (Toll Bros), has constructed the Grafton Street improvements for Tract 7641 Sorrento West in accordance with the Improvement Agreement for Tract 7641. 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 Grafton Street (Central Parkway to Gleason Drive) – Tract 7641, and Approving Regulatory Traffic Control Devices at Grafton Street (Sorrento at Dublin Ranch I LP, a California limited partnership)
- 4.6. Agreement with the Alameda County Transportation Commission (ACTC) to Transfer CMA Transportation Improvement Program (TIP) Funds for the Annual Street Overlay Program [STAFF REPORT]**  
 This is an agreement with the Alameda County Transportation Commission (ACTC) to transfer CMA Transportation Improvement Program (TIP) Funds for the Annual Street Overlay Program.  
**STAFF RECOMMENDATION:**  
 Adopt **Resolution** Approving an Agreement with the Alameda County Transportation Commission (ACTC) for Transportation Improvement Program (TIP) Fund Transfer for City of Dublin’s Annual Street Overlay Program.
- 4.7. Acceptance of Work – Contract No. 11-13, Civic Center Generator Equipment Pre-Purchase and Contract No. 12-04, Civic Center Generator Installation [STAFF REPORT]**  
 The Civic Center Generator Project (CIP No. 930008) replaced the existing Civic Center emergency generator with a larger unit capable of powering the entire Civic Center site.  
**STAFF RECOMMENDATION:**  
 Accept the improvements under Contract No. 11-13, Civic Center Generator Equipment Pre-Purchase and Contract No. 12-04, Civic Center Generator Installation, and release retention after 35 days if there are no subcontractor claims.
- 4.8. Approval of Final Map and Tract Improvement Agreement, and Acceptance of Parkland Dedication Credits for Tract 8080, Sorrento East Neighborhood 10, Phase 2 [STAFF REPORT]**  
 Taylor Morrison of California, LLC, a California limited liability company, is filing Final Map 8080 to subdivide Lot A of Tract 7656 into 55 lots. Tract 8080 is the northern portion of Tract 7656. Tract 7656 is bounded on the west by Lee Thompson Street, on the south by Central Parkway, and on the east by Lockhart Street.  
**STAFF RECOMMENDATION:**  
 Adopt **Resolution** Approving Final Map and Tract Improvement Agreement for Tract 8080, Sorrento East-Neighborhood 10, Phase 2; adopt **Resolution** Accepting Park Land Dedication Credits for Park Land Dedication Requirements for Tract 8080 Sorrento East-Neighborhood 10, Phase 2 (Taylor Morrison, LLC, a California limited liability company).
- 4.9. Approving Partial Release of Securities for Tract 7982 Improvements to be Constructed with Tract 7983 at Giovanni Way, Sorrento East, Neighborhood 11, Tract 7983 (Standard Pacific Corporation, a Delaware Corporation) [STAFF REPORT]**  
 Standard Pacific Corporation, a Delaware Corporation, recently constructed more than 75% of the improvements of Giovanni Way, a portion of the Tract 7982 improvements to be constructed with Tract 7983, in accordance with the Tract Improvement Agreement for Tract 7983. Tract 7983 is located east of Grafton Street, north of Giovanni Way, west of Lee Thompson Street, and south of Capoterra Way. It is now appropriate for the City to approve partial release of securities for these improvements.  
**STAFF RECOMMENDATION:**  
 Adopt **Resolution** Approving the Partial Release of Securities for Tract 7982 to be constructed with Tract 7983, Sorrento East, Tract 7983, Neighborhood 11 (Standard Pacific Corporation, A Delaware

Corporation).

**4.10. Civic Center Modifications Award of Contract No. 12-12 [STAFF REPORT]**

Staff is seeking City Council authorization to award the Civic Center Modifications Project, Contract No. 12-12. The construction of Civic Center Modifications Project will include a series of minor upgrades to enhance customer service as well as meet the current Americans with Disabilities Act (ADA) regulations.

**STAFF RECOMMENDATION:**

Adopt **Resolution** Awarding Contract No. 12-12, Civic Center Modifications Project, to Agbayani Corporation.

**4.11. Accepting of Improvements for Tract 7982 to be Constructed with Tract 7652 for Bulk Grading, Park Site Rough Grading and Erosion Control, and Traffic Signal Modification, Approving Traffic Regulatory Control Devices at the Intersection of Lee Thompson Street and Central Parkway, and Approving Partial Release of Securities for Improvements at Palermo Way and Lee Thompson Street, Sorrento East, Neighborhood 6, Tract 7652 (Standard Pacific Corporation, a Delaware Corporation) [STAFF REPORT]**

Standard Pacific Corporation, a Delaware Corporation, recently completed a portion of improvements for Tract 7982 to be constructed with Tract 7652, including traffic signal modifications, bulk grading, and park site grading and erosion control, in accordance with the Tract Improvement Agreement for Tract 7652. The developer also constructed more than 75% of the required improvements at Palermo Way and Lee Thompson Street in accordance with the Tract Improvement Agreement for Tract 7652. Tract 7652 is located east of Grafton Street, north of Palermo Way, west of Lockhart Street, and south of Gleason Drive. It is now appropriate for the City to accept completed improvements, approve the regulatory traffic control devices, and approve partial release of securities for improvements more than 75% complete.

**STAFF RECOMMENDATION:**

Adopt **Resolution** Accepting the Improvements for Tract 7982 to be Constructed with Tract 7652 for Bulk Grading, Park Site Rough Grading and Erosion Control, and Traffic Signal Modification, Approving Traffic Regulatory Control Devices at the Intersection of Lee Thompson Street and Central Parkway, and Approving Partial Release of Securities for Improvements at Palermo Way and Lee Thompson Street - Sorrento East, Tract 7652, Neighborhood 6 (Standard Pacific Corporation, A Delaware Corporation).

**5. WRITTEN COMMUNICATION – None.**

**6. PUBLIC HEARINGS**

**6.1. Introduction of Additional Language to Section 5.24.060 of the Fireworks Ordinance [STAFF REPORT]**

As directed by the Dublin City Council at the September 18, 2012 City Council meeting, Staff has prepared the requested changes adding Subsection D to Section 5.24.060 to the existing City of Dublin Fireworks Ordinance.

**STAFF RECOMMENDATION:**

Conduct public hearing, deliberate, waive the reading and INTRODUCE an Ordinance Amending Chapter 5.24 of the Dublin Municipal Code in Relation to the Fireworks Ordinance.

**6.2. Zoning Ordinance Amendments to Chapter 8.84 (Sign Regulations) of the Dublin Zoning Ordinance as it Relates to the Quality of Temporary Promotional Signs [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. At the July 17, 2012 City Council meeting, the City Council received a report on ways to address the quality of

temporary promotional signs and directed Staff to prepare Zoning Ordinance Amendments. 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.

**7. UNFINISHED BUSINESS**

**7.1. Proposed Building Plan for Emerald Glen Park [STAFF REPORT]**

The Emerald Glen Park Master Plan envisions two public buildings: a Recreation and Aquatic Complex and a Community Center. The 2012-2017 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. The City Council will consider a revised building plan that combines the remaining facilities planned for Emerald Glen into one building totaling 51,360 square feet (sf) that would be constructed in three phases, with Phase I being completed in 2015. The City Council will also consider whether or not to defer some of the improvements proposed for Phase I to advance the next phase of Fallon Sports Park, or alternatively to pursue improvements to the existing fields at the Dublin Sports Grounds rather than delay the Recreation and Aquatic Complex.

**STAFF RECOMMENDATION:**

Receive Staff and consultant presentations and approve the proposed building and phasing plan for Emerald Glen as presented by Staff, and provide direction on the preferred alternative for developing sports fields at the Dublin Sports Grounds or Fallon Sports Park.

**8. NEW BUSINESS**

**8.1. Consideration of Resolution Opposing Federal Budget Control Act (PL 112-25)**

**[STAFF REPORT]**

The League of California Cities has requested that the City Council consider a resolution opposing the Federal Budget Control Act. The Act includes the provision for an automatic sequester that will impact funding critical to supporting core local programs.

**STAFF RECOMMENDATION:**

Consider the proposed **Resolution** and take the appropriate action.

**8.2. Sponsorship of Red, Blue and Gold Banquet [STAFF REPORT]**

The City Council will consider a request from the Tri-Valley Knights of Columbus for a sponsorship of the April 2013 awards dinner to recognize safety service providers.

**STAFF RECOMMENDATION:**

Consider the request and provide Staff with appropriate direction.

**8.3 Adoption of Urgency Ordinance and Introduction of Regular Ordinance Adding Chapter 5.50 Relating to Internet Sweepstakes Cafes to the Dublin Municipal Code [STAFF REPORT]**

The City has recently received inquiries regarding the establishment and operation of an internet cafe that would conduct a “sweepstakes” program whereby people may play games on the computers at the cafe in the hopes of winning prizes. These types of businesses have been opening throughout the state. Their proprietors argue that although the sweepstakes programs might appear to be gambling or a lottery, they comply with state law requirements relating to the operation of sweepstakes and are thus legal. The City Attorney’s Office has prepared a new Chapter for inclusion in the Dublin Municipal Code that would prohibit this type of “internet sweepstakes cafe.”

**STAFF RECOMMENDATION:**

1) Receive Staff presentation; 2) Deliberate; 3) Waive reading and **adopt, by a 4/5ths vote**, an **Urgency Ordinance** adding Chapter 5.50 to the Dublin Municipal Code; and 4) Waive reading and INTRODUCE an Ordinance Adding Chapter 5.50 to the Dublin Municipal Code.

**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** – Meeting adjourned to the Adjourned Regular meeting of Tuesday, November 6, 2012, 5:30 p.m.

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.*