

REGULAR MEETING
Tuesday, March 19, 2013
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 REAL PROPERTY NEGOTIATORS
Property: Alameda County Assessor's Parcel No. 941-2768-006-02
Agency Negotiator: Joni Pattillo, City Manager
Negotiating parties: MVP Development California, LLC and Union Pacific Railroad Company
Under negotiation: Price and terms of payment
- II. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Alameda County Assessor's Parcel No. 941-0550-023-04
Agency Negotiator: Joni Pattillo, City Manager
Negotiating parties: MVP Development California, LLC and Union Pacific Railroad Company
Under negotiation: Price and terms of payment
- III. 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 & PLEDGE OF ALLEGIANCE TO THE FLAG**
2. **REPORT ON CLOSED SESSION**
3. **ORAL COMMUNICATIONS**
 - 3.1. **Proclamation for Axis Community Health** [**\[STAFF REPORT\]**](#)
The City Council will present a proclamation to Axis Community Health proclaiming April 7, 2013, as "Axis April Fools 5K Day".
STAFF RECOMMENDATION:
Present proclamation.
 - 3.2. **Remembrance of Former City Councilmember Peter J. Hegarty** [**\[STAFF REPORT\]**](#)
On February 26, 2013, former Vice Mayor and City Councilmember Peter J. Hegarty passed away. The City Historian has prepared an article about Mr. Hegarty and will make a presentation on his contributions to the community.
STAFF RECOMMENDATION:
Receive the Staff Report and presentation from the City Historian.

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 City Council Meeting of March 2, 2013, and the Regular City Council Meeting of March 5, 2013** [\[STAFF REPORT\]](#)

The City Council will consider approval of the minutes of the Special City Council meeting of March 2, 2013, and the Regular City Council meeting of March 5, 2013.

STAFF RECOMMENDATION:

Approve the minutes of the Special City Council Meeting of March 2, 2013, and the Regular City Council Meeting of March 5, 2013.

4.2. **Approval of a New Capital Improvement Program (CIP) Project - Accessible Pedestrian Signal Retrofit of Existing Traffic Signals** [\[STAFF REPORT\]](#)

Staff received community requests to review and address pedestrian access for visually disabled individuals at key signalized intersections. To address this concern, Staff developed a ranking system for prioritizing intersections which could benefit most from the installation of Accessible Pedestrian Signals. Based on these rankings, four intersections were deemed to be the highest priority under the proposed project. This proposed Capital Improvement Program project will retrofit the existing traffic signals at those intersections.

STAFF RECOMMENDATION:

Approve a new CIP Accessible Pedestrian Signal Retrofit of Existing Traffic Signals, and, adopt **Resolution** requesting the Metropolitan Transportation Commission for the allocation of \$28,964 in TDA Article 3 funding for the CIP project.

4.3. **Acceptance of In-Tract Improvements for Tract 7855, Neighborhood "C-3", Positano/ Fallon Village (Braddock and Logan) and Approval of Regulatory Traffic Control Devices** [\[STAFF REPORT\]](#)

Dublin RE Investors, LLC, by Braddock and Logan Services, Inc. (Braddock and Logan), has completed the street improvements for Tract 7855, Neighborhood "C-3", Positano/Fallon Village in accordance with their Tract Improvement Agreement. It is now appropriate for the City to accept these improvements and approve the regulatory traffic control devices.

STAFF RECOMMENDATION:

Adopt **Resolution** accepting the Improvements for Tract 7855 and approving the Regulatory Traffic Control Devices.

4.4. **Authorization to Prepare Engineer's Reports: Citywide Street Lighting Maintenance Assessment District 83-1; Landscaping and Lighting Maintenance Assessment District 83-2 (Stagecoach Road); Landscaping and Lighting Maintenance Assessment District 86-1 (Villages at Willow Creek); Landscaping and Lighting Maintenance Assessment District 97-1 (Santa Rita Area); Street Lighting Maintenance Assessment District 99-1 (Dublin Ranch Area and Tracts 7067, 7586, 8024, 8073, 8074)** [\[STAFF REPORT\]](#)

This action authorizes City Staff to prepare the Engineer's Reports for the Fiscal Year 2013-2014 assessments. Citywide Street Lighting Maintenance District 83-1 pays the cost of energy and maintenance for the City's street light system, except for the lights included in Street Lighting Maintenance Assessment District 99-1. Landscaping and Lighting Maintenance Assessment District 83-2 (Stagecoach Road) pays the cost of utilities and maintenance for landscaping improvements along Stagecoach Road and on the interior slopes of the Dublin Hills Estates development. Landscaping and

Lighting Maintenance Assessment District No. 86-1 (Villages at Willow Creek) pays the cost of utilities and maintenance for certain landscaping improvements associated with the Villages at Willow Creek development. Landscaping and Lighting Maintenance Assessment District 97-1 (Santa Rita Area) pays the cost of utilities and maintenance for certain landscaping improvements within the Santa Rita development area. Public hearings will be held prior to the levy of assessments.

STAFF RECOMMENDATION:

Adopt **Resolutions** directing preparation of the Annual Engineer's Reports for: Citywide Street Lighting Maintenance Assessment District 83-1; Landscaping and Lighting Maintenance Assessment District 83-2 (Stagecoach Road); Landscaping and Lighting Maintenance Assessment District No. 86-1 (Villages at Willow Creek); Landscaping and Lighting Maintenance Assessment District 97-1 (Santa Rita Area); and Street Lighting Maintenance Assessment District 99-1.

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

The City Council will receive a listing of payments issued from February 1, 2013 – February 28, 2013 totaling \$7,487,704.94.

STAFF RECOMMENDATION:

Receive the report.

4.6. Approval of Final Map and Tract Improvement Agreement, Approval of Agreement for Long-Term Encroachment for Landscape Features, and Acceptance of Park Land Dedication In-Lieu Fees for Tract 8109, Neighborhood “E-2,” Positano/ Fallon Village (KB Home South Bay)

[STAFF REPORT]

KB Home South Bay, Inc., is filing a Final Map for Tract 8109 (Neighborhood “E-2”) to create 84 individual lots for the construction of homes.

STAFF RECOMMENDATION:

Adopt **Resolution** approving Final Map and Tract Improvement Agreement for Tract 8109, Neighborhood “E-2,” Positano/Fallon Village; adopt **Resolution** approving the Agreement for Long Term Encroachment for Landscape Features for Tract 8109, Neighborhood “E-2,” Positano/Fallon Village; and adopt **Resolution** accepting Parkland Dedication In-Lieu Fees for Park Land Dedication requirements for Tract 8109, Neighborhood “E-2,” Positano/Fallon Village.

4.7. Proposed Project for East Bay Regional Park District Measure WW Local Grant Program

[STAFF REPORT]

A new Capital Improvement Project is being proposed for Fiscal Year (FY) 2013-2014 to fully renovate the tennis courts at Kolb Park, and resurface the courts at Emerald Glen Park. Staff is seeking City Council authorization to fund the majority of the project costs with the City of Dublin’s remaining allocation of the East Bay Regional Park District (EBRPD) Measure WW Bond Program. The Measure WW Bond Program funds the renovation or expansion of local public parks. Applications for the FY 2013-2014 funding cycle are due by March 31, 2013.

STAFF RECOMMENDATION:

Authorize Staff to submit a Measure WW grant application to East Bay Regional Park District for the tennis court renovations at Emerald Glen and Kolb Parks.

4.8. Annual Progress Report on the Status of the Dublin General Plan and Housing Element for Calendar Year 2012 [STAFF REPORT]

The City Council will review the Annual Progress Report on the Status of the Dublin General Plan and Housing Element for Calendar Year 2012 in accordance with Government Code Section 65400(a)(2).

STAFF RECOMMENDATION:

Accept the Annual Progress Report on the Status of the Dublin General Plan and Housing Element Compliance for Calendar Year 2012; and direct Staff to forward the Annual Progress Report to the California State Office of Planning and Research and the California Department of Housing and Community Development.

4.9. Award of Bid – Contract No. 12-15, Dublin Boulevard Resurfacing [STAFF REPORT]

The Annual Street Overlay Program (CIP No. 969104) provides for the resurfacing of Dublin Boulevard between Dougherty Road and Scarlett Drive with placing 1½” asphalt concrete overlay on top of existing

pavement

STAFF RECOMMENDATION:

Adopt **Resolution** awarding Contract No. 12-15, Dublin Blvd. Resurfacing, to G. Bortolotto & Co., Inc.

4.10. Acceptance of Off-Site Improvements on Fallon Road for Parcel Map 10049, Neighborhoods D and E, Positano/Fallon Village (Braddock and Logan) [STAFF REPORT]

Dublin RE Investors, LLC, by Braddock and Logan Services, Inc. (Braddock and Logan), has constructed the off-site street improvements on Fallon Road for Parcel Map 10049, Neighborhoods “D” and “E,” Positano/Fallon Village in accordance with their Improvement Agreement. It is now appropriate for the City to accept these improvements.

STAFF RECOMMENDATION:

Adopt **Resolution** accepting the Off-Site Improvements on Fallon Road for Parcel Map 10049.

4.11. Request to Waive Competitive Bid Process, Authorize Staff to Purchase Public Works Vehicles Directly from Vendor and Declare Replaced Vehicles as Surplus Property [STAFF REPORT]

The Fire Prevention Division currently has both of the inspection vehicles scheduled for replacement. Staff is requesting to waive the competitive bid process, purchase the vehicles from Downtown Ford Sales at the State and County contract price and declare the replaced vehicles as surplus property.

STAFF RECOMMENDATION:

Adopt **Resolution** authorizing staff to purchase Fire Prevention vehicles directly from the vendor, approve the budget change and declare replaced vehicles as surplus property.

5. WRITTEN COMMUNICATION - NONE

6. PUBLIC HEARINGS - NONE

7. UNFINISHED BUSINESS - NONE

8. NEW BUSINESS

8.1. Consideration of Acquisition of Former Railroad Right of Way Adjacent to the Iron Horse Trail and Initiation of Associated General Plan Amendment Study and Parks and Open Space Master Plan for the Portions of the Right of Way North of Amador Valley Boulevard [STAFF REPORT]

Staff is seeking City Council authorization to approve an Agreement to pursue the potential acquisition of two parcels of former Union Pacific right of way for potential use as future parkland and open space (APN Numbers: 941-2768-006-02 and 941-0550-023-04). If the City Council chooses to move forward with the potential acquisition of the parcels, a General Plan Amendment (GPA) Study would need to be completed to consider a land use designation of Parks/Public Recreation and Open Space for the parcel adjacent to the Iron Horse Trail that begins at the City limits to the north and runs south to just beyond Amador Valley Boulevard to the Alamo Canal Trail (APN 941-2768-006-02). As part of the GPA study, the City would also hold several public meetings to develop a Parks and Open Space Master Plan for the site prior to completing the acquisition process.

STAFF RECOMMENDATION:

1) Adopt **Resolution** approving the Agreement to Assign and Assume the Purchase and Sale Agreement held by UP Amador, LLC for two parcels of Union Pacific Right of Way (APN Numbers: 941-2768-006-02 and 941-0550-023-04) and approving the initiation of a General Plan Amendment Study to change the land use designation on APN 941-276-006-02 Parks/Public Recreation and Open Space; 2) Resolution approving the Agreement with SWA Group to prepare a Park and Open Space Master Plan for Parcel 941-2768-006-02; and, 3) Appropriate funds in the amount of \$303,300 to fund the project costs anticipated for the remainder of Fiscal Year 2012-2013 from the Public Facilities Fee Fund in accordance with the Budget Change Form.

8.2. Authorization to Execute an Agreement for Replacement of Telephone Systems at City Facilities [STAFF REPORT]

On June 5, 2012, the City Council authorized the release of a Request for Proposals (RFP) for replacement of the telephone system serving City facilities. Staff has identified the system that best meets the City’s needs after reviewing proposals received and will proceed with the project’s implementation following City Council approval. The proposals were evaluated based on content, proposed costs, and capabilities of the vendors. Replacement of the telephone system is exempt from

competitive bidding in accordance with Section 2.36.100 (B) (4) of the Municipal Code.

STAFF RECOMMENDATION:

Adopt **Resolution** authorizing the City Manager to execute a Consulting Services Agreement with ExtraTeam IT Solutions for the purchase and installation of telephone system at City facilities.

8.3. Approval of a New Capital Improvement Program (CIP) Project – Amador Valley Boulevard Pedestrian Safety Improvements at Midblock Crosswalk between Regional Street and Starward Drive [\[STAFF REPORT\]](#)

Staff received safety concerns from residents and businesses in the vicinity of the mid-block pedestrian crosswalk on Amador Valley Boulevard between Regional Street and Starward Drive. To address these concerns, a field evaluation was conducted to determine appropriate measures to enhance pedestrian safety at this location. Staff seeks City Council approval of a new CIP project to implement new safety measures at the existing mid-block crosswalk on Amador Valley Boulevard.

STAFF RECOMMENDATION:

Approve a new CIP Amador Valley Boulevard Pedestrian Safety Improvements at the Midblock Crosswalk between Regional Street and Starward Drive project, and adopt **Resolution** requesting the Metropolitan Transportation Commission for the allocation of \$178,225 in TDA Article 3 funding for the new CIP project

8.4. Designation of No Parking Zone on Tamarack Drive [\[STAFF REPORT\]](#)

In a continuing effort to improve safety near schools, Staff met with representatives from the Dublin Unified School District at Frederiksen Elementary School to discuss traffic safety during student pick-up and drop-off times. It was observed that a safety improvement could be made by painting 20' of red curb on Tamarack Drive adjacent to an existing crosswalk to improve visibility and safety for pedestrians and school-aged children.

STAFF RECOMMENDATION:

Adopt **Resolution** approving Parking Regulation on Tamarack Drive.

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 (AB1234).

10. ADJOURNMENT – In memory of Staff Sgt. Sean Diamond and our fallen troops.

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.