

REGULAR MEETING
Tuesday, April 16, 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.

CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) 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. Arbor Day Proclamation [[STAFF REPORT](#)]

The City Council will present a proclamation for Arbor Day, April 26, 2013.

STAFF RECOMMENDATION:

Present the proclamation.

3.2. Name Selection for Golden Eaglet [[STAFF REPORT](#)]

The golden eagle that resides in Dublin, affectionately known as Bella, recently hatched two baby eagles. During the St. Patrick's Day Festival, Neighborhood Resources held a "Name Bella's Baby!" contest to raise awareness about Bella and the region's golden eagles. The winning names for the baby eagles will be selected by Dublin City Council from the submitted entries.

STAFF RECOMMENDATION:

Receive the report and draw names for the baby eagles from the eligible entries.

3.3. Preview of the 2013 Dublin Farmers' Market [[STAFF REPORT](#)]

The City of Dublin is partnering again with the Pacific Coast Farmers' Market Association to host the 2013 Dublin Farmers' Market at Emerald Glen Park beginning Thursday, April 18 through September 26. Staff will be presenting the City Council with a preview of this year's events and activities.

STAFF RECOMMENDATION:

Receive the presentation.

3.4. 2013 Bike Month Festivities [\[STAFF REPORT\]](#)

During National Bike Month, a series of regional events such as Bike to Work Day are organized by the East Bay Bicycle Coalition to promote bicycling as an alternative mode of transportation. This presentation is intended to update the City Council on the City's involvement with Bike Month events taking place in Dublin and in the Tri-Valley area.

STAFF RECOMMENDATION:

Approve the proclamation declaring the month of May as Bike Month in the City of Dublin.

3.5. Acknowledgement of Rotary Superstars [\[STAFF REPORT\]](#)

Ms. Janine Thalblum, President Elect of the Dublin Rotary Club, will recognize the winners of the Dublin Rotary Superstars from the City of Dublin, Alameda County Fire Department, Alameda County Sheriff's Office, and the Dublin Unified School District.

STAFF RECOMMENDATION:

Receive the presentation.

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 Special City Council Meeting of March 23, 2013, and the Regular City Council Meeting of April 2, 2013 [\[STAFF REPORT\]](#)

The City Council will consider approval of the minutes of the Special City Council meeting of March 23, 2013, and the Regular City Council meeting of April 2, 2013.

STAFF RECOMMENDATION:

Approve the minutes of the Special City Council meeting of March 23, 2013, and the Regular City Council meeting of April 2, 2013.

4.2. Acceptance of Work Positano Hills Park - Contract No. 12-03 [\[STAFF REPORT\]](#)

Capital Improvement Project No. 950013 Positano Hills Park was completed by Construction Contract No. 12-03. The work by Blossom Valley Construction is now complete and ready for City Council acceptance.

STAFF RECOMMENDATION:

Adopt Resolution Accepting improvements to Positano Hills Park under Contract No. 12-03; and authorize Staff to accept a maintenance bond in the amount of \$133,980 and release the performance bond, and authorize Staff to release the final retention within 35 days provided there are no claims.

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

The City Council will receive a listing of payments issued from March 1, 2013 – March 31, 2013 totaling \$6,087,710.58.

STAFF RECOMMENDATION:

Receive the report.

4.4. Amendment to Maintenance Facility Use Agreement with Alameda County Fire Department [\[STAFF REPORT\]](#)

The City of Dublin contracts for fire services with the Alameda County Fire Department (ACFD). The City Council and ACFD entered into two agreements in June 2012 which would allow the ACFD administrative offices and maintenance facility to relocate from San Leandro to Dublin in early 2014. This report provides an update and proposed amendment to the July 12, 2012 ACFD Maintenance Facility Use Agreement.

STAFF RECOMMENDATION:

Adopt **Resolution** approving the proposed amendment to the agreement with the Alameda County Fire Department.

4.5. Passatempo Park - Consultant Services for Construction Management [STAFF REPORT]

As part of the construction of Passatempo Park, Staff is seeking the services of a construction management firm to assist with the project management.

STAFF RECOMMENDATION:

Adopt **Resolution** approving an Agreement with E. Majdalani Construction Management, Inc. for construction management services related to the Passatempo Park.

4.6. Passatempo Park – Consultant Services Change Order [STAFF REPORT]

On March 6, 2012, the City Council approved an Agreement with Callander Associates Landscape Architecture, Incorporated (Callander) to complete design services for Passatempo Park. Staff is seeking additional services from the Architect through the construction phase of the project, which is typical for park improvement projects.

STAFF RECOMMENDATION:

Approve Change Order No. 4 for Callander in the amount of \$29,299.

4.7. Authorization to Bid Construction of Public Safety Complex and Maintenance Yard Facility [STAFF REPORT]

Staff is seeking City Council authorization to bid the construction of the Public Safety Complex on Clark Avenue, and the Maintenance Yard Facility on Scarlett Court. Both facilities would be constructed under one contract. The facilities will be joint-use projects with Alameda County Fire Administration and Maintenance.

STAFF RECOMMENDATION:

Authorize Staff to advertise Contract No. 12-14, City of Dublin Public Safety Complex and Maintenance Yard Facility, for bids.

4.8. Award of Contract for Passatempo Park - Contract No. 13-03 [STAFF REPORT]

As approved in the 2012-2017 Capital Improvement Program, construction of the 5.1-acre Passatempo Park is scheduled to begin in Fiscal Year 2012-2013 and be completed in Fiscal Year 2013-2014. On March 26, 2013 six bids were submitted for the construction of Passatempo Park. Staff is seeking City Council authorization to award the contract.

STAFF RECOMMENDATION:

Adopt **Resolution** awarding Contract No. 13-03 to Goodland Landscape Construction Incorporated.

4.9. First Amendment to Agreement with Tri-Valley Janitorial Service and Supply for Janitorial Services [STAFF REPORT]

The City entered into a three-year Agreement with Tri-Valley Janitorial Services and Supply on September 6, 2011. The building inspectors' trailers located in eastern Dublin were included in the scope of janitorial services. Due to the age and need for extensive repair of the trailers, the building inspectors have been moved to a location at the Civic Center and the existing eastern Dublin trailers will be disposed of this month. The amendment would remove the building inspectors' trailers from the Agreement.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving First Amendment to Janitorial Services Agreement between the City of Dublin and Tri-Valley Janitorial Service and Supply.

5. WRITTEN COMMUNICATION – None.

6. PUBLIC HEARINGS

6.1. Revisions to the Dublin General Plan and a New Economic Development Element

[\[STAFF REPORT\]](#) [\[STAFF REPORT\]](#)

One of the City Council's key initiatives for Fiscal Year 2011-2012 was to revise the General Plan and create a new Economic Development Element. The purpose for the revisions is to bring the text current with changes that have occurred in the community since incorporation as well as changes in State Law and local ordinances. The revisions include adding information about the City's growth and development since the inception of the General Plan, updating maps and exhibits to improve their graphic representation, and reformatting the document so that it is more readable and user-friendly. A new Economic Development Element is also proposed which is based on the recently adopted Economic Development Strategy. The City Council will consider adopting the revised General Plan and new Economic Development Element as well as the environmental document that has been prepared for the project.

STAFF RECOMMENDATION:

Conduct public hearing, deliberate, adopt **Resolution** adopting a Negative Declaration for a General Plan Amendment for the revised General Plan and new Economic Development Element; and adopt **Resolution** approving a General Plan Amendment for the revised General Plan and new Economic Development Element.

7. UNFINISHED BUSINESS

7.1. Emerald Glen Recreation and Aquatic Complex Conceptual Plan [\[STAFF REPORT\]](#)

On October 16, 2012, the City Council approved the updated building and phasing plan for the Emerald Glen Recreation and Aquatic Complex. Staff is seeking City Council approval on the proposed conceptual site plan.

STAFF RECOMMENDATION:

Approve the proposed conceptual site plan.

7.2. Resolution "Dissolving" the Dublin Housing Authority [\[STAFF REPORT\]](#)

The Dublin Housing Authority (DHA) was created to own and manage the Arroyo Vista Housing Project. When the Arroyo Vista redevelopment transaction was executed, DHA transferred all of its assets to the Housing Authority of Alameda County with the expectation that DHA would be "dissolved" after the statutorily required two-year period of non-action. More than two years have passed since DHA has transacted any business or exercised any powers, and the City Council is being asked to adopt a resolution terminating DHA's authority to transact business and to exercise its powers and vacating the offices of DHA's commissioners. This action would effectively dissolve DHA.

STAFF RECOMMENDATION:

Adopt **Resolution** declaring that the Dublin Housing Authority shall not transact any business, that it shall not exercise its powers under the Housing Authorities Law, and that the Offices of the Dublin Housing Authority Commissioners are vacated.

8. NEW BUSINESS

8.1. Eastern Dublin Specific Plan Development Update [\[STAFF REPORT\]](#)

The City Council will receive a report on the development assumptions in the Eastern Dublin Specific Plan and the status of actual development within the Specific Plan area. This report includes a comparison of the development assumptions originally adopted in 1994, the development assumptions as of 2013, and the development assumptions with the proposed Specific Plan Amendments.

STAFF RECOMMENDATION:

Receive the report on the development assumptions and the status of actual development within the Eastern Dublin Specific Plan area.

8.2. Shannon Park Water Play Area Authorization to Bid Contract No. 13-06 [\[STAFF REPORT\]](#)

The 2012-2017 Capital Improvement Program includes the renovation of the Shannon Park Water Play Area. On November 6, 2012, the City Council approved the conceptual plan for the new water play area. The construction documents have been completed and Staff is seeking City Council authorization to bid

the Shannon Park Water Play Area for construction.

STAFF RECOMMENDATION:

Authorize Staff to advertise Contract No. 13-06 Shannon Park Water Play Area.

8.3. AvalonBay Communities, Inc. Public Art Project [\[STAFF REPORT\]](#)

AvalonBay Communities, Inc. is currently under construction with a residential development adjacent to the East Dublin BART Station on Iron horse Parkway and DeMarcus Boulevard. As part of their Development Agreement, the developer opted to install public art instead of paying the in-lieu fee. Per the Public Art Master Plan, all private developers are required to meet with the Heritage and Cultural Arts Commission for review of the artwork. Upon recommendation by the Heritage and Cultural Arts Commission, the developer is also required to seek final approval of the artwork by the City Council.

STAFF RECOMMENDATION:

Approve the artwork proposed by AvalonBay, Inc.

8.4. Naming of Emerald Glen Park Rose Garden [\[STAFF REPORT\]](#)

The City Council will consider a request by Councilmember Haubert to name the Emerald Glen Park Rose Garden after Dublin resident Tom McCormick.

STAFF RECOMMENDATION:

Determine whether to rename the area as the McCormick Rose Garden.

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)

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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.