

REGULAR MEETING
Tuesday, September 17, 2013
DUBLIN CIVIC CENTER, 100 Civic Plaza
DUBLIN CITY COUNCIL
A G E N D A

- *Agendas and Staff Reports are posted on the City's Internet Website (www.dublin.ca.gov)*
- *Agendas may be picked up at the City Clerk's Office for no charge, or to request information on being placed on the annual subscription list, please call 833-6650.*
- *A complete packet of information containing Staff Reports and exhibits related to each item is available for public review at least 72 hours prior to a City Council Meeting or, in the event that it is delivered to City Councilmembers less than 72 hours prior to a City Council Meeting, as soon as it is so delivered. The packet is available in the City Clerk's Office and also at the Dublin Library.*

CALL TO ORDER & CLOSED SESSION 5:00 P.M.

- I. PUBLIC EMPLOYEE APPOINTMENT
Title: City Manager
- II. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9:
1 case
Existing facts and circumstances: Letter from Richard Taylor to the City Attorney, dated July 29, 2013
- III. 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 AND PLEDGE OF ALLEGIANCE TO THE FLAG**
2. **REPORT ON CLOSED SESSION**
3. **ORAL COMMUNICATIONS**
 - 3.1. **Donation of Redwood Trees at Heritage Park and Museums by the Orman Family**
[STAFF REPORT]
Staff is seeking City Council recognition of the donation of three redwood trees at the Heritage Park and Museums by the Orman Family.
STAFF RECOMMENDATION:
Recognize and formally accept the donation of three redwood trees at the Heritage Park and Museums by the Orman Family.
 - 3.2. **Proclamation in Honor of the Anniversary of the United States Constitution [STAFF REPORT]**
The City Council will present a proclamation to representatives from Daughters of the American Revolution designating September 17 - September 23, 2013 as Constitution Week in the City of Dublin.
STAFF RECOMMENDATION:
Present the proclamation.

3.3. 2013 Walk and Roll to School Proclamation [STAFF REPORT]

During the second week of October, the City of Dublin will work with the Dublin Unified School District and Safe Routes to Schools Alameda County to promote participation in International Walk to School Month, an annual event that encourages students and parents to consider walking and bicycling to school. This proclamation will declare the week of October 7th through October 11th as “Walk and Roll to School Week” in the City of Dublin.

STAFF RECOMMENDATION:

Present the proclamation declaring the week of October 7th through October 11th as “Walk and Roll to School Week” in the City of Dublin.

3.4. 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 September 3, 2013 Regular City Council Meeting [STAFF REPORT]

The City Council will consider approval of the minutes of the Regular City Council meeting of September 3, 2013.

STAFF RECOMMENDATION:

Approve the minutes of the Regular City Council meeting of September 3, 2013.

4.2. Proposed First Amendment to Affordable Housing Agreement with Standard Pacific Corp., Inc. [STAFF REPORT]

Standard Pacific Corporation is seeking an amendment to their Affordable Housing Agreement with the City of Dublin to satisfy the remaining affordable housing obligation for the Fallon Crossings Project through the payment of in-lieu fees. The in-lieu fee payment would be deposited into the City's Inclusionary Zoning In-Lieu Fee Fund and used for affordable housing programs which further the goals of the City's Inclusionary Zoning Regulations.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving First Amendment to Affordable Housing Agreement for the Construction of Inclusionary Units and Payment of Fees In-Lieu of Constructing Certain Affordable Ownership Units.

4.3. Proposed Affordable Housing Agreement with Rancho Silvera Ventures LLC [STAFF REPORT]

Rancho Silvera Ventures, LCC, is seeking an Affordable Housing Agreement with the City of Dublin to satisfy the remaining affordable housing obligation for the Silvera Ranch Phase III Project through the payment of in-lieu fees. The in-lieu fee payment would be deposited into the City's Inclusionary Zoning In-Lieu Fee Fund and used for affordable housing programs which further the goals of the City's Inclusionary Zoning Regulations.

STAFF RECOMMENDATION:

Adopt **Resolution** Approving an Affordable Housing Agreement for the Construction of Inclusionary Units and the Payment of Fees In-Lieu of Constructing Certain Affordable Ownership Units.

- 4.4. Approval of Change Order for Public Safety Complex Project [STAFF REPORT]**
Staff is seeking City Council authorization for Change Order #5 to the City of Dublin / Alameda County Fire Projects, Contract #12-13/#12-14. This Change Order will provide for additional structural upgrades to the Public Safety Complex at 6363 Clark Ave.
STAFF RECOMMENDATION:
Authorize the City Manager to approve Change Order #5 at an amount not to exceed \$100,000 for miscellaneous structural upgrades, and authorize the City Manager to approve future change orders for Contract #12-13 / #12-14 of up to \$50,000 each not to exceed the contingency established for the project.
- 4.5. Check Issuance Report and Electronic Funds Transfers [STAFF REPORT]**
The City Council will receive a listing of payments issued from August 1, 2013 – August 31, 2013 totaling \$6,040,371.11
STAFF RECOMMENDATION:
Receive the report.
- 4.6. “splatter” Event Street Closures [STAFF REPORT]**
On September 21, 2013, the second annual “splatter” event will be held at Emerald Glen Park. 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 2013 “splatter” event fireworks display.
- 5. WRITTEN COMMUNICATION – None.**
- 6. PUBLIC HEARINGS – None.**
- 7. UNFINISHED BUSINESS**
- 7.1. “The Green” Fiscal Impact Analysis [STAFF REPORT]**
The City Council will receive a status report on the Fiscal Impact Analysis for Regency Centers and The Green, which are two General Plan/Eastern Dublin Specific Plan Amendment studies currently underway. When the General Plan Amendment Study was initiated for The Green, the City Council directed Staff to prepare a Fiscal Impact Analysis for their consideration and to determine if the General Plan Amendment Study should continue or be concluded. Staff is requesting the City Council to review the Fiscal Impact Analysis and provide direction on how to proceed with General Plan Amendment Study.
STAFF RECOMMENDATION:
Receive the status report on the Fiscal Impact Analysis for The Green; and provide direction to Staff and the Applicant on whether the General Plan/Eastern Dublin Specific Plan Amendment Study on The Green should continue or be concluded.
- 7.2. Resolution Approving the Energy Council Joint Exercise of Powers Agreement [STAFF REPORT]**
The Alameda County Waste Management Authority (ACWMA) has established an Energy Council for the purpose of securing funding for energy-related programs and implementing such programs on a Countywide basis. The mechanism that formed the Council is a Joint Exercise of Powers Agreement (JPA). The City Council will consider approving the City’s participation in the Energy Council JPA.
STAFF RECOMMENDATION:
Adopt **Resolution** Approving the Energy Council Joint Exercise of Powers Agreement and petitioning to become a member of the Energy Council.

7.3. Revisions to the Rules of the Conduct of Meetings of the City Council to Allow Teleconferencing

[STAFF REPORT]

The City Council will consider the adoption of revised Rules for the Conduct of Meetings, allowing teleconferencing by its members at City Council meetings.

STAFF RECOMMENDATION:

Adopt **Resolution** Amending and Restating the Rules for the Conduct of Meetings allowing teleconferencing by City Councilmembers at City Council meetings.

8. NEW BUSINESS

8.1. Annual Review of City Investment Policy and Delegation of Authority To Complete Investment Transactions [STAFF REPORT]

The City of Dublin's Investment Policy includes a provision for annual review and for the policy to be presented at a public meeting. Proposed changes to the policy in 2013 include some clarification of policy scope, minor changes to currently allowed investment types, the incorporation of new investment types, and a discussion of investment risks. The City Council is also required to annually designate positions authorized to complete investment transactions: the revised policy still designates the City Treasurer (Administrative Services Director) and Deputy City Treasurers (City Manager and / or Finance Manager) as authorized investment officers, and adds the Assistant Administrative Services Director (a newly created position) as another designated Deputy City Treasurer. The revised policy also now allows for contracting out for asset management services. All changes are in accordance with State law.

STAFF RECOMMENDATION:

Adopt **Resolution** adopting the 2013 Annual Investment Policy and Delegation of Authority to Complete Investment Transactions.

9. OTHER BUSINESS

Brief INFORMATION ONLY reports from Council and/or Staff, including Committee Reports and Reports by Council related to Meetings 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.