



MINUTES OF THE CITY COUNCIL OF THE CITY OF DUBLIN

REGULAR MEETING – NOVEMBER 20, 2012

CLOSED SESSION

A closed session was held at 6:30 p.m. regarding:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Name of case: Elite Landscaping, Inc. v. City of Dublin, Alameda County Superior Court, RG11555497



A regular meeting of the Dublin City Council was held on Tuesday, November 20, 2012 in the City Council Chambers of the Dublin Civic Center. The meeting was called to order at 7:01:38 PM p.m., by Mayor Sbranti.



ROLL CALL

PRESENT: Councilmembers Biddle, Hart, Hildenbrand, Swalwell, and Mayor Sbranti
ABSENT: None



PLEDGE OF ALLEGIANCE

The pledge of allegiance to the flag was recited by the City Council, Staff and those present.



REPORT ON CLOSED SESSION ACTION

Mayor Sbranti stated that there was no reportable action during Closed Session.



ORAL COMMUNICATIONS

2012 Business Anniversary Awards



7:02:21 PM 3.1

The City Council recognized those businesses that have been in Dublin 20, 25, 30, 35, 40, 45, and 50 years.



Introduction of New City Employee

7:09:22 PM . 3.2

The City Council welcomed new Staff member.



Recognition of Inside Dublin 2012 Participants

7:10:26 PM 3.3

Richard Deets provided public comment.
Rameet Kohli provided public comment.

The City Council recognized the 2012 Inside Dublin participants.

Public Comments

7:29:03 PM

No comments were made by any member of the public at this time.



CONSENT CALENDAR

7:29 p.m. 4.1 Items 4.1 to 4.5

On motion of Cm. Hildenbrand, seconded by Cm. Biddle and by unanimous vote, the City Council took the following actions:

Approved 4.1 Minutes of the Regular City Council Meeting of November 6, 2012;

Received 4.2 City Treasurer's Informational Report of Investments for the Period from July 1, 2012 to September 30, 2012.

Received 4.3 Check Issuance Report and Electronic Funds Transfers

Received 4.4 the reports as authorized by Section 41004 of the California Government Code



Adopted 4.5

RESOLUTION NO. 193-12

APPROVING AN AGREEMENT FOR REIMBURSEMENT OF SALES AND USE TAX REVENUE WITH DICK'S SPORTING GOODS, INC. RELATING TO IMPROVEMENTS TO BE PERFORMED ON A PROPERTY LOCATED AT 2820 DUBLIN BOULEVARD



WRITTEN COMMUNICATIONS – None



PUBLIC HEARINGS

PUBLIC HEARING: PLPA-2012-00033 Zoning Ordinance Amendment to Chapter 8.76 (Off-Street Parking and Loading) related to the Village Parkway Market-Based Parking Program

7:30 p.m. 6.1

Mayor Sbranti opened the public hearing.

No testimony was received by any member of the public relative to this issue.

Mayor Sbranti closed the public hearing.

On motion of Cm. Swalwell, seconded by Cm. Biddle and by unanimous vote, the City Council waived the reading and INTRODUCED an Ordinance amending Chapter 8.76 (Off-Street Parking and Loading) related to the Village Parkway Market-Based Parking Program.



Tobacco Retailers Ordinance and Community Park Smoking Prohibition

7:37 p.m. 6.2

Mayor Sbranti opened the public hearing.

Bruce Fiedler provided public comment.

Janice Louie provided public comment.

Karishm Khatri provided public comment.



Sonja Chen provided public comment.
Tiffany Wong provided public comment.
Traci Cross provided public comment.
Zeeshan Raza provided public comment.
Laura Fultz Stout provided public comment.

Mayor Sbranti closed the public hearing.

On motion of Cm. Hildenbrand, seconded by Cm. Biddle , and by majority vote (Vm. Hart voting no), the City Council waived the reading and INTRODUCED an Ordinance adding a new Chapter 4.40 and a new Chapter 8.43 and amended Chapter 8.08 (Definitions), Chapter 8.12 (Zoning Districts and Permitted Uses of Land), Chapter 8.30 (Downtown Dublin Zoning District), Chapter 8.116 (Zoning Clearance), and Chapter 5.56 (Smoking Pollution Control) to the Dublin Municipal Code to regulate the location of new tobacco retailers, establish a tobacco retailing licensing system within the City of Dublin, and prohibited smoking within Community Parks.



Appeal of the Planning Commission's Denial of the Downtown Regional Serving Sign Conditional Use Permit and Site Development Review Permit, PLPA-2012-00042

8:04:13 PM 6.3

Mayor Sbranti opened the public hearing.

Charlie Stroud, with Downtown Displays, provided public comment.
Nicole Salmon, with Downtown Displays, provided public comment.
Doreen Wehrenberg provided public comment.
Tara Bhuthimethee provided public comment.

Mayor Sbranti closed the public hearing.

On motion of Cm. Biddle, seconded by Cm. Hildenbrand, and by majority vote (Mayor Sbranti and Cm. Swalwell voting no), the City Council adopted

RESOLUTION NO. 194-12

REVERSING THE PLANNING COMMISSION'S ADOPTION OF RESOLUTION 12-33 AND APPROVING A CONDIDIONAL USE PERMIT AND SITE DEVELOPMENT REVIEW PERMIT FOR THE CONSTRUCTION AND ONGOING OPERATION OF A REGIONAL-SERVING, FREESTANDING SIGN WITH A REVISED DEIGN AND MODIFIED CONDITIONS OF APPROVAL

9:35 p.m. Mayor Sbranti called for a break.



UNFINISHED BUSINESS

Site 16A General Plan and Eastern Dublin Specific Plan Amendment Study

9:42:31 PM 7.1

On motion of Cm. Hildenbrand, seconded by Vm. Hart and by unanimous vote, the City Council adopted

RESOLUTION NO. 195-12

**APPROVING THE INITIATION OF A GENERAL PLAN AND EASTERN DUBLIN SPECIFIC PLAN AMENDMENT STUDY TO CHANGE THE LAND USE DESIGNATIONS FOR A 14.32 ACRE PARCEL AT THE SOUTHWEST CORNER OF DUBLIN BOULEVARD AND HACIENDA DRIVE FROM "CAMPUS OFFICE" TO "GENERAL COMMERCIAL/CAMPUS OFFICE"
(APN 986-0033-007-00)**



Consulting Services Agreement with Economic & Planning Systems, Inc. to evaluate of proposed Zoning Ordinance Amendments

9:44:46 PM 7.2

Mayor Sbranti requested that Staff look into ACTC parking policy related to housing.

On motion of Cm. Swalwell, seconded by Cm. Hildenbrand and by unanimous vote, the City Council adopted

RESOLUTION NO. 196-12

**APPROVING AN AGREEMENT WITH ECONOMIC & PLANNING SYSTEMS, INC. TO EVALUATE PROPOSED ZONING ORDINANCE AMENDMENTS RELATED TO TANDEM PARKING, CONDOMINIUM GUEST PARKING AND MULTI-FAMILY ACCESSORY STORAGE
PLPA-2012-00028**

and approved the Budget Transfer.



NEW BUSINESS



**Heritage Park Office Complex General Plan and Dublin Village Historic Area Specific Plan
Amendment Study**

10:08:38 PM .8.1

Scott Stringer, Partner with Bates Stringer Ventures, provided public comment.

On motion of Cm. Biddle, seconded by Vm. Hart and by unanimous vote, the City Council adopted

RESOLUTION NO. 197-12

**APPROVING THE INITIATION OF A GENERAL PLAN AND SPECIFIC PLAN AMENDMENT
STUDY TO CHANGE THE LAND USE DESIGNATION ON APPROXIMATELY 5.85 ACRES AT
11875 DUBLIN BOULEVARD FROM RETAIL/OFFICE TO MEDIUM DENSITY RESIDENTIAL**



City of Dublin Community Grants Program City Council Subcommittee Appointments

10:34:21 PM 8.2

On motion of Mayor Sbranti, seconded by Cm. Hildenbrand and by unanimous vote, the City Council confirmed the Mayor's appointments of Mayor Sbranti and Vm. Hart to the City of Dublin Community Grants Program Subcommittee for Fiscal Year 2013-2014.



Financial Assistance for Hurricane Sandy Relief Efforts

10:41:16 PM 8.3

On motion of Cm. Hildenbrand, seconded by Vm. Hart and by unanimous vote, the City Council considered the \$10,000 appropriation and authorized the Budget Change.



**Consideration of Date of Volunteer Recognition Event and Appointments to
Citizens/Organization of the Year Ad-Hoc Committee**

10:42:18 PM 8.4



On motion of Mayor Sbranti, seconded by Vm. Hart and by unanimous vote, the City Council confirmed the appointment of Vm. Hart and Cm. Haubert to the Citizens/Organization of the Year Ad Hoc Committee, and considered the date of Wednesday, February 20, 2013 as first choice for the Volunteer Recognition Event and would determine the date after the Subcommittee meets.



Invitation for Mayor Sbranti to attend St. Patrick's Day Festival in Dublin, Ireland

10:51:14 PM . 8.5

On motion of Cm. Biddle, seconded by Cm. Hildenbrand and by unanimous vote, the City Council authorized City travel out of State by Mayor Sbranti and authorized the Budget Change.



OTHER BUSINESS

10:53 p.m.

The City Council and Staff provided brief information only reports including Committee Reports and Reports by Council related to Meetings Attended at City Expense (AB1234).



ADJOURNMENT

11:04:23 PM 10.1

There being no further business to come before the City Council, the meeting was adjourned at p.m. in memory of Staff Sgt. Sean Diamond and our fallen troops, and adjourned the meeting to the Adjourned Regular meeting of December 4, 2012 to begin at 5:00 p.m.

Minutes prepared by Gloria McCafferty, Deputy City Clerk.



Mayor

ATTEST: 

Deputy City Clerk