

**RESOLUTION NO. 95-09**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF DUBLIN**

\* \* \* \* \*

**ESTABLISHING BAY-FRIENDLY LANDSCAPE REQUIREMENTS FOR CIVIC  
LANDSCAPE PROJECTS**

**WHEREAS**, in 2008, the City of Dublin adopted a 75% waste diversion goal; and

**WHEREAS**, studies conducted by the Alameda County Waste Management Authority show that plant debris from landscape construction, renovation, and maintenance comprises seven percent of the materials disposed of in Alameda County landfills; and

**WHEREAS**, Stopwaste.org (a public agency consisting of the Alameda County Waste Management Authority and the Alameda County Source Reduction and Recycling Board) developed Bay-Friendly Guidelines, which sets forth landscape design, construction and maintenance methods to reduce waste, promote the use of recycled-content products, and support other environmental objectives; and

**WHEREAS**, Stopwaste.org has adopted guidelines for the reception of Waste Import Mitigation funding that requires local governmental agencies to use Bay-Friendly Landscape Guidelines in improvement projects; and

**WHEREAS**, adopting landscaping guidelines is exempt from the California Environmental Quality Act (CEQA) per Guideline 150611(b)(3) because it is certain that the adoption of the guidelines will have no potential for having a significant effect on the environment; and

**WHEREAS**, Bay-Friendly Landscape Guidelines will benefit the City by incorporating sustainable landscaping practices into the City's improvement projects; and

**WHEREAS**, sustainable landscaping practices have positive effects on energy, water, and resource conservation, on waste and pollution mitigation, on wildlife habitat, and on human health over the life of the landscape; and

**WHEREAS**, requiring City improvement projects to incorporate Bay-Friendly Landscape Guidelines is necessary and appropriate to achieve the full benefits of sustainable landscaping.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Dublin does hereby adopt Bay-Friendly Landscape requirements (attached hereto as Exhibit A) as a means of incorporating Stopwaste.org's Bay-Friendly Landscape Guidelines.

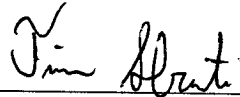
**PASSED, APPROVED AND ADOPTED** this 23<sup>rd</sup> day of June, 2009, by the following vote:

**AYES:** Councilmembers Biddle, Hart, Hildenbrand, Scholz, and Mayor Sbranti

**NOES:** None

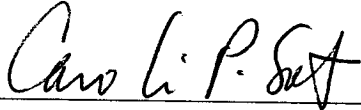
**ABSENT:** None

**ABSTAIN:** None



\_\_\_\_\_  
Mayor

**ATTEST:**



\_\_\_\_\_  
City Clerk

## **EXHIBIT A**

### **BAY-FRIENDLY LANDSCAPE REQUIREMENTS FOR CIVIC LANDSCAPE PROJECTS**

#### **PURPOSE AND INTENT**

These requirements are intended to incorporate the Bay-Friendly Landscape Guidelines developed by Stopwaste.org (a public agency consisting of the Alameda County Waste Management Authority and the Alameda County Source Reduction and Recycling Board) in the design, construction and maintenance of Civic Landscape Projects. Consistent use of the Bay-Friendly Landscape Guidelines in Civic Landscape Projects will promote sustainable landscapes that have a positive effect on energy, water and resource efficiency, waste and pollution generation, wildlife habitat, and human health. In addition, use of the Bay-Friendly Landscape Guidelines may result in cost savings to the City over the life of its projects.

#### **SECTION 1. DEFINITIONS**

For the purposes of this Article, the following definitions shall apply:

- a. “Bay-Friendly Landscape Guidelines” means the guidelines developed by Stopwaste.org for use in the professional design, construction and maintenance of landscapes.
- b. “Bay-Friendly Landscape Scorecard” means the Bay-Friendly Landscape point system developed by Stopwaste.org and used to track Bay-Friendly features incorporated into the design and construction of new landscapes,
- c. “Civic Landscape Project” means any improvement project that includes new or significantly renovated or expanded landscape areas owned or maintained by the City or developed as part of a Public-Private Partnership. Civic Landscape Projects are located on real property or controlled by the City. Civic Landscape Projects are not located within the public right-of-way. Traditional Public Works Projects are located within the public right-of-way and are not Civic Landscape Projects.
- d. “Compliance Officer” means the City Manager or his/her Designee who is authorized and responsible for implementing these Bay-Friendly Landscape requirements.
- e. “Covered Project” means Civic Landscape Projects that include new or significantly renovated landscape with a cost of \$100,000 or more.
- f. “Excluded Project” means Civic Landscape Projects of any cost that are one of the following:

- i. The landscape scope of work is limited to tree planting,
  - ii. The landscape scope of work is limited to erosion control planting for an engineering purpose,
  - iii. The landscape project is required as an environmental mitigation or enhancement and regulated and (or) funded by State or Federal Agencies,
  - iv. The landscape project purpose is to install turf, both natural and artificial, for the purpose of renovating or constructing a sports field or multiple-use field.
  - v. The Compliance Officer has deemed that project compliance with these requirements is not in the public interest as set forth in Section 4 below, and
  - vi. Any renovation of landscaping of historical significance.
- g. "Landscape" means portions of a parcel or areas within the project limits developed with turf, groundcover, perennials, shrubs, trees, pathways, and paving, but does not include areas developed with buildings, roadways or other structures.
- h. "Non-covered Project" means Civic Landscape Projects that include new or significantly renovated landscape areas with costs that do not exceed \$100,000.
- i. "Public-Private Partnership" means any improvement project built on City-owned land, any improvement project primarily funded by the City, or any improvement project built under a Disposition and Development Agreement with the City.
- j. "Traditional Public Works Project" means projects involving new construction or renovation of pump stations, flood control improvements, roads, bridges, sewers, storm drains, water, gas and electrical facilities, traffic lights, sidewalks, bike paths, bus stops, and associated infrastructure on City owned and/or maintained property.

## **SECTION 2. STANDARD FOR COMPLIANCE**

- a. All Covered Projects initiated on or after July 1, 2009, shall meet the Stopwaste.org recommended minimum number of points on the Bay-Friendly Landscape Scorecard and all basic required practices on the Bay-Friendly Landscape Scorecard. Any projects underway before July 1, 2009 are exempt.
- b. For the purposes of reducing operating and maintenance costs in all City facilities and Public-Private Partnership facilities, Covered Projects that do not meet the threshold that triggers compliance with the requirements of this policy are required to meet as many Bay-Friendly Landscaping Scorecard points as practicable.

### **SECTION 3. IMPLEMENTATION OF REGULATIONS**

The Compliance Officer shall develop and distribute any additional administrative policies, guidelines or other materials necessary to incorporate these Bay-Friendly Landscape Requirements into design, construction, and maintenance documents and agreements, and other appropriate agreements related to Covered Projects.

### **SECTION 4. UNUSUAL CIRCUMSTANCES**

Compliance with these requirements for Covered Projects may be waived in unusual circumstances where the Compliance Officer has determined that the public interest would not be served by complying with such provisions.