CITY COUNCIL
AND
REDEVELOPMENT AGENCY
AGENDA

NOVEMBER 8, 2010

CLOSED SESSION – 6:30 PM

REGULAR MEETING – 7:00 PM

COUNCIL CHAMBERS
3575 PACIFIC AVENUE
LIVERMORE, CA 94550

Regular City Council meetings are broadcast live on Channel 29 and videotaped for local television and for replay. For a schedule of City Council meeting replay airtimes or to access videos of previous meetings, log onto www.tri-valleytv.org. City Council meetings are also streamed live on the web at www.tri-valleytv.org/live-tv29.html.

HOW TO PARTICIPATE IN YOUR CITY COUNCIL MEETING

You can participate in the meeting in a number of ways:

Speaker Cards - If you wish to address the Council, you must complete a speaker card for each item about which you want to speak. The speaker card box is located in the Council Chambers lobby, on the table directly below the staff reports. Place your speaker card in this box behind the tab that corresponds to the agenda item number. Staff will collect the cards for each item immediately before the item is to be considered and gives the speaker cards to the Mayor. The Mayor will call speakers to the public lectern. No cards will be accepted once the presentation on that item has commenced.

Citizens Forum is an opportunity for the public to speak regarding items not listed on the agenda. Speakers are limited to a maximum of three minutes per person. The Mayor may reduce the amount of time based on the number of persons wishing to speak. You should be aware that the City Council is

prohibited by State law from taking action on any items that are not listed on the agenda. However, if your item requires action, the City Council may place it on a future agenda or direct staff to work with you and/or report to the City Council on the issue.

Public Hearings - The topic of the hearing is typically summarized by staff, followed by questions from the City Council and a presentation by the applicant. The Mayor will then open the hearing to the public and offer an opportunity for public comments. You may take a maximum of three minutes to make your comments.

Other Agenda Items are also open for public input including *Consent Calendar or Matters for Consideration* items. These comments are also subject to the three minute limit.

Written Materials may be submitted by the public. If you wish your materials to be sent to the City Council prior to the City Council meeting, they must be submitted to the City Clerk's Office no later than noon on the Tuesday prior to the Monday meeting. Those items will be copied and sent to the City Council with the agenda packet. Materials submitted after noon on Tuesday will be copied and given to the City Council the night of the meeting; however, it is unlikely that the City Council will be able to read the materials before the start of the meeting. Therefore, it is suggested that you give a verbal summary of your materials at the meeting.

The **City Council Agenda and Agenda Reports** are prepared by City staff and are available for public review on the Thursday evening prior to the City Council meeting in all City libraries and at the City Clerk's Office. Copies may be obtained from the Clerk's Office and in the City Council Chambers lobby prior to the meeting. The Agenda is also available on the City's website, http://www.ci.livermore.ca.us.

Under Government Code §54957.5, any **supplemental material** distributed to the members of the City Council/Redevelopment Agency after the posting of this agenda will be available for public review in the City Clerk's Office, 1052 South Livermore Avenue, Livermore, and on the City's web site http://www.ci.livermore.ca.us.

If supplemental materials are made available to the members of the City Council/Redevelopment Agency at the meeting, a copy will be available for public review at the Council Chambers, 3575 Pacific Avenue, Livermore.

Pursuant to Title II of the Americans With Disabilities Act (Codified at 42 United States Code Section 12101 and 28 Code of Federal Regulations Part 35), AND SECTION 504 OF THE REHABILITATION ACT OF 1973, the City of Livermore does not discriminate on the basis of race, color, religion, national origin, ancestry, sex, disability, age or sexual orientation in the provision of any services, programs, or ACTIVITIES. to arrange an accommodation in order to participate in this public meeting, please call (925) 960-4590 (voice) or (925) 960-4104 (tdd) at least 72 hours in advance of the meeting.

CLOSED SESSION

CALL TO ORDER 6:30 PM

Roll Call
Councilmember/Agencymember Marj Leider
Councilmember/Agencymember John Marchand
Councilmember/Agencymember Jeff Williams
Vice Mayor/Vice Chairperson Doug Horner
Mayor/Chairperson Marshall Kamena

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL REGARDING CLOSED SESSION ITEMS

ADJOURN TO CLOSED SESSION

City Council/Redevelopment Agency

1. Conference with Real Property Negotiator. To meet with Marc Roberts and Tom Webber, City and Agency negotiators, pursuant to Government Code section 54956.8, regarding the purchase, sale, and exchange or lease of real property at 2009-2011 Railroad Avenue (former Lucky's site). The City and Agency negotiators may negotiate with Ed Willig. The instructions will concern price and terms of payment.

Note: This Closed Session may be continued to the end of the Regular Meeting.

REGULAR MEETING

1.	**CALL TO ORDER**	7:00 PM
1.01	Roll Call	Councilmember/Agencymember Marj Leider Councilmember/Agencymember John Marchand Councilmember/Agencymember Jeff Williams Vice Mayor/Vice Chairperson Doug Horner Mayor/Chairperson Marshall Kamena
1.02	Pledge of Allegiance	
1.03	Report of Action Taken in Closed Session	

2. PROCLAMATIONS AND PRESENTATIONS – None.

3. CITIZENS FORUM

- *In conformance with the Brown Act, no City Council/Redevelopment Agency action can occur on items presented during Citizens Forum.*
- *Please complete a speaker card. When the Mayor calls your name, walk to the lectern to address the City Council.*
- *Speakers are limited to a maximum of three minutes per person. The Mayor may reduce the amount of time based on the number of persons wishing to speak.*
- *Citizens Forum will conclude after 30 minutes; however, if there are additional speakers, Citizens Forum will reconvene at 9:30 pm, or following the Public Hearings, whichever occurs first.*

4. CONSENT CALENDAR

Consent Calendar items are considered routine and are acted upon by the City Council/Redevelopment Agency with a single action. Members of the audience wishing to provide public input must complete a speaker card.

4.01	Approval of Minutes – October 25, 2010 City Council/Redevelopment Agency meeting.	Draft Minutes

4.02 Adoption of Storm Drain Master Plan Addendum, Amendment to 2006 Water Reclamation Plan Master Plan Update, and Reduction in Water Connections Fees. Staff Report

- Resolution approving the October 2009 Storm Drain Master Plan Addendum;
- Resolution amending the 2006 Water Reclamation Plant Master Plan Update to include the Cogeneration Project, Project No. 2008-48;
- Resolution approving the new Wastewater, Water and Storm Drain Connection Fee Study, dated March, 2010;
- **Introduction of an ordinance** amending Chapter 13.44, Storm Drainage Facilities to allow for City Storm Drain C onnection Fees to be collected for existing culvert crossings; and
- Resolution reducing City Water Connection development impact fees and authorizing subsidies for Sewer Connection and Storm Drain Connection fees.

4.03 City Council resolution amending and extending the Downtown Development Incentive Program through December 31, 2012; and **introduction of an ordinance** amending Chapter 12.32 of the Municipal Code to extend the Downtown Revitalization Fee waiver for residential projects through December 31, 2012. Staff Report

Redevelopment Agency resolution amending and extending the Downtown Development Incentive Program through December 31, 2012, and allowing for the continued allocation of Agency credit towards the Downtown Revitalization Fee for residential projects.

4.04 Resolution authorizing execution of the First Amendment to the Amended and Restated Agreement with the Livermore Area Recreation and Park District to perform planning, engineering, technical and related services for development and improvement projects. Staff Report

4.05 Resolution authorizing execution of an Amended and Restated Agreement with Livermore Golf Management Corporation to adjust certain contractual responsibilities, reduce the Enterprise Fund costs by approximately $82,500 per year, and extend the agreement to January 31, 2013, for maintenance services at the Las Positas Golf Course. Staff Report

4.06 Resolutions authorizing the City Manager to take all necessary actions to dedicate a portion of City lands for highway purposes; submission of an application to Alameda Local Agency Formation Commission (LAFCo) for detachment of portions of Assessor Parcel Numbers 904-0013-002-01 and 904-0013-002-04 from the City, annexation of a portion of County Road No. 8106 (El Charro Road) for El Charro Road improvement purposes, and a Sphere of Influence Amendment to coincide with the proposed boundaries; and authorizing execution of an agreement with Alameda County for the transfer of property tax revenues. Staff Report

4.07 Resolution authorizing the concurrent consideration of General Plan Amendment 10-001 and Zoning Map Amendment 10-002 to change the land use designation of an approximately 1.87 acre vacant parcel. Location: south of Las Positas Road, east of Bennett Drive, and west of Capitol Street. Staff Report

4.08 Resolution accepting for permanent maintenance and releasing security for the 2009 Sidewalk Repair Program and the 2008 ADA Access Ramps, Project No.'s 2009-02 and 2008-07. Staff Report

4.09 Resolution accepting for permanent maintenance and releasing security for the 2010 Street Resurfacing, Project No. 2010-01. Staff Report

4.10 Resolution amending Resolution 72-79 to add the job classification of Administrative Specialist I (class code 203), and to re-title the job classification of Administrative Specialist (class code 227) to Administrative Specialist II in the Confidential Salary Schedule. Staff Report

4.11 Resolution authorizing a supplemental appropriation in the amount of $150,000 for the 2011 Amgen Tour of California. Staff Report

4.12 Resolution approving the 2010-11 Tourism and Special Event Grant Program funds in the amount of $10,000. Staff Report

4.13 Confirmation of the reappointment of James Doggett to the Alameda County Mosquito Abatement District Board of Trustees. Staff Report

5. PUBLIC HEARINGS

5.01 Hearing to repeal Chapters 15.02 - Building Code, 15.04 - Property Maintenance Code, 15.06 - Fire Code, 15.08 - Electrical Code, 15.10 - Mechanical Code, 15.12 - Plumbing Code, 15.14 - Swimming Pools and Spas, 15.76 - Commercial and Residential Green Building); and adopt new Chapters 15.02 - Building Code, 15.04 - Property Maintenance Code, 15.06 - Fire Code, 15.08 - Electrical Code, 15.10 - Mechanical Code, 15.12 - Plumbing Code, 15.14 - Residential Code, and 15.26 - Green Building Standards Code, of the Livermore Municipal Code by adopting and amending the 2009 Editions of the International Building, Property Maintenance, Fire, and Residential Codes, 2009 Editions of the Uniform Mechanical and Plumbing Codes, the 2008 Edition of the National Electrical Code, and the 2010 California Green Building Standards Code, as amended and put forth in the California Building Standards Code. Staff Report

Recommendation: Staff recommends the City Council introduce the ordinance.

6. MATTERS FOR CONSIDERATION

6.01 Discussion and direction regarding City Council appointments to Intergovernmental Agencies. Document

6.02 Discussion and direction on revisions to the Disposition and Development Agreement with the Livermore Valley Performing Arts Center (LVPAC) regarding the financing structure for the Regional Performing Arts Theater. Staff Report

Recommendation: Staff recommends the City Council and Redevelopment Agency provide direction.

6.03 Discussion and direction regarding the Draft Conceptual Alternatives and Screening Criteria for the Recycled Water Master Plan update. Staff Report

Recommendation: Staff recommends the City Council provide direction.

6.04 Discussion and direction regarding pending State or Federal legislation. Document

Note: Bills affecting local government operations may be discussed if they were introduced or amended after posting of the Agenda.

7. COUNCIL COMMITTEE REPORTS AND MATTERS INITIATED BY CITY MANAGER, CITY ATTORNEY, STAFF, AND COUNCIL MEMBERS

7.01 Council Committee Reports and Matters Initiated by City Manager, City Attorney, Staff, and Councilmembers. Document

8. **ADJOURNMENT** – To the Ethics–AB 1234 Workshop at 6:00 pm on November 22, 2010 at the Multi-Service Center, 3311 Pacific Avenue, Livermore, and a regular City Council/Redevelopment Agency meeting on November 22, 2010 at 7:00 pm, Council Chambers, 3575 Pacific Avenue, Livermore.

Supplemental Materials #1	Document
Supplemental Materials #2	Document