



**CITY COUNCIL  
AND  
REDEVELOPMENT AGENCY  
AGENDA**

**NOVEMBER 22, 2010**

**WORKSHOP – 5:30 - 6:30 PM**

**CLOSED SESSION – 6:30 PM**

**MULTI-SERVICE CENTER  
3311 PACIFIC AVENUE  
LIVERMORE, CA 94550**

**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](http://www.tri-valleytv.org). City Council meetings are also streamed live on the web at [www.tri-valleytv.org/live-tv29.html](http://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.

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## **WORKSHOP**

**1. CALL TO ORDER 5:30 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

**2. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL REGARDING WORKSHOP ITEMS**

**3. MATTERS FOR CONSIDERATION**

3.01 Workshop on AB 1234 Ethics.

**ADJOURN TO CLOSED SESSION**

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## **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.

**ADJOURN TO REGULAR MEETING**

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

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**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

**2. PROCLAMATIONS AND PRESENTATIONS**

- 2.01 Appointment and administration of Oath of Office

Livermore Area Youth Advisory Commission (Youth Member)

[Staff Report](#)

Alex Wang to an unexpired term ending September 1, 2011

### 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 – November 8, 2010 City [Draft Minutes](#)
- 4.02 **Adoption of an ordinance** amending Municipal Code Chapter 13.44, Storm Drainage Facilities, to allow for City Storm Drain Connection Fees to be collected for existing culvert crossings. [Ordinance](#)
- 4.03 **Adoption of an ordinance** amending Municipal Code Chapter 12.32 to extend the Downtown Revitalization Fee waiver for residential developments from December 10, 2010 to December 31, 2012. [Ordinance](#)
- 4.04 **Adoption of an ordinance** repealing 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

4.05 Resolution authorizing the supplemental appropriation of \$250,000 [Staff Report](#) from the Airport Operating Fund for the preparation of bid-ready architectural design plans and specifications for the construction of a new Airport Administration Building.

4.06 City Council appointments to the following Advisory Bodies: [Staff Report](#)  
Commission for the Arts

- Appointment of Arthur Barinque to an unexpired term ending January 1, 2013
- Reappointment of Walter Davies to a regular term ending January 1, 2015
- Reappointment of Jean King to a regular term ending January 1, 2015
- Reappointment of Jim Schmidt to a regular term ending January 1, 2015

Livermore Area Youth Advisory Commission (Adult Member)

- Reappointment of Marci Rodgers to a regular term ending September 1, 2012

Livermore Housing Authority

- Reappointment of Carl Asbury to a regular term ending January 1, 2015
- Reappointment of John Fulgham (Tenant Member) to a regular term ending January 1, 2015

**5. PUBLIC HEARINGS**

5.01 Hearing to consider a request to amend Municipal Code Chapter [Staff Report](#) 13.25, Water Efficient Landscape, as required to be consistent with [Report](#) the requirements of the updated State Model Water Efficient Landscape Ordinance.

Location: Citywide

Applicant: City of Livermore

On-site and off-site public improvements: None

Site Area: Citywide

Zoning: Various

General Plan: Various

Historic Status: None

CEQA: The project is exempt from the California Environmental Quality Act (CEQA) per the General Rule in Section 15061(b)(3) of the CEQA Guidelines, because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Application Number: Municipal Code Amendment 09-005

**Recommendation:** Planning Commission and staff recommend the City Council introduce the ordinance.

## 6. MATTERS FOR CONSIDERATION

6.01 Discussion and direction regarding City Council appointments to [Document](#) Intergovernmental Agencies.

6.02 Appointment of the Vice Mayor.

[Staff  
Report](#)

**Recommendation:** Staff recommends the Mayor appoint a Vice Mayor.

6.03 Discussion and direction regarding the Draft Conceptual [Staff](#) Alternatives and Screening Criteria for the Recycled Water Master [Report](#) Plan update. (continued from 11-08-2010)

**Recommendation:** Staff recommends the City Council provide direction.

6.04 Discussion and direction regarding negotiation of a long-term [Staff](#) ground lease agreement with Tri-Valley Aviation, LLC, and [Report](#) processing of a development application for the phased construction of corporate hangars.

**Recommendation:** Staff recommends the City Council provide direction.

6.05 Fiscal Year 2010-2011 Financial Update.

[Staff  
Report](#)

**Recommendation:** This report is informational only; no action is required.

6.06 Discussion and direction regarding pending State or Federal [Document](#)

legislation.

*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, [Document](#) City Attorney, Staff, and Councilmembers.

**8. ADJOURNMENT** – To the Ethics–AB 1234 Workshop on December 13, 2010 at 6:00 pm at the Multi-Service Center, 3311 Pacific Avenue, Livermore, and a regular City Council/Redevelopment Agency meeting on December 13, 2010 at 7:00 pm, at the Council Chambers, 3575 Pacific Avenue, Livermore.