



**CITY COUNCIL
AND
REDEVELOPMENT AGENCY
AGENDA**

NOVEMBER 9, 2009

REGULAR MEETING – 7:00 PM

**COUNCIL CHAMBERS
3575 PACIFIC AVENUE
LIVERMORE, CA 94550**

**Reception for newly appointed Mayor and Councilmembers
immediately following the Regular Meeting**

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.tv30.org.

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.

Reception for newly appointed Mayor and Councilmembers immediately following the Regular Meeting

REGULAR MEETING

1. **CALL TO ORDER** 7:00 PM
 - 1.01 Roll Call Councilmember/Agencymember Doug Horner
 Councilmember/Agencymember Marj Leider
 Councilmember/Agencymember Jeff Williams
 Vice Mayor/Vice Chairperson John Marchand
 Mayor/Chairperson Marshall Kamena
 - 1.02 Pledge of Allegiance
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 26, 2009 City Council/Redevelopment Agency meeting and [Draft Minutes](#) November 2, 2009 Special City Council/Redevelopment Agency meeting.

City Council

- 4.02 Adoption on second reading of an ordinance amending Municipal Code Chapter 3.27, [Staff Report](#) Transferable Development Credits In-Lieu Fee, to add a subsection entitled “Deferred Fee Program” to provide a special fee deferral program in response to unprecedented economic conditions. (10-26-09)
- 4.03 Adoption on second reading of an ordinance amending Planning and Zoning Code Section [Staff Report](#) 3.10.360 to include Transferable Development Credits Program (TDC) In-lieu Fees in the Local Economic Stimulus Fee Deferral Program. (10-26-09)
- 4.04 Confirmation of appointments to the following Advisory Bodies: [Staff Report](#)
- Golf Course Greens Committee
Appointment of Alan Brooks to an unexpired term ending November 1, 2010
- Relocation Appeals Board
Appointment of Rena Leibovitch, Beautification Committee representative
Appointment of Neal Pann, Historic Preservation Commission representative
Appointment of David George, Livermore Housing Authority representative
Appointment of Michal Lea, Planning Commission representative
Appointment of Todd Storti, Planning Commission representative
- 4.05 Resolution authorizing the appropriation and expenditure of the State of California Office of Traffic [Staff Report](#) Safety “Next Generation – Click It or Ticket” grant in the amount of \$22,464.
- 4.06 Resolution authorizing execution of an agreement with Hallmark Community Solutions, in the [Staff Report](#) amount of \$2,118,970, to acquire, rehabilitate, and resell foreclosed properties as part of the City’s Neighborhood Stabilization Program.

- 4.07 Resolution authorizing execution of a lease renewal agreement with Tri-City Health Center [Staff Report](#) through December 31, 2010 for office space at the Multi-Service Center. Location: 3311 Pacific Avenue
- 4.08 Resolution approving 2009-2010 Proposition 1B Funding Project Proposal and appropriating [Staff Report](#) \$1,232,000 in Fiscal Year 2009-2010 Proposition 1B funds for the 2010 Street Resurfacing, Project No. 2010-01.
- 4.09 Resolution authorizing execution of fund transfer agreements with the Alameda County [Staff Report](#) Congestion Management Agency for reimbursements for landscape replacement planting and right-of-way acquisition in the El Charro Specific Plan area.
- 4.10 Resolution accepting for permanent maintenance and releasing security for the Zone 1 Water [Staff Report](#) System Improvements, Phase II, Project No. 2002-38.
- 4.11 Resolution accepting for permanent maintenance and releasing security for the Traffic Signals [Staff Report](#) and Various Improvements, Project No. 1995-56.
- 4.12 Resolution authorizing submission of a grant application to the California Natural Resource [Staff Report](#) Agency/California Department of Transportation Environmental Enhancement and Mitigation Program for the Isabel Avenue Environmental Enhancement, Project No. 2004-12. Location: East side of Isabel Avenue between Jack London Boulevard and Concannon Boulevard
- 4.13 Resolution authorizing execution of a Petition for Review of San Francisco Bay Regional Water [Staff Report](#) Quality Control Board's approval of Order R2-2009-0074 (Municipal Regional Permit for Stormwater) to the State Water Resources Control Board.

Redevelopment Agency – None

5. PUBLIC HEARINGS - None

6. MATTERS FOR CONSIDERATION

City Council

6.01 Discussion and direction regarding pending State or Federal legislation. [Staff Report](#)

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

Redevelopment Agency – None

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 [Staff Report](#) Councilmembers.

8. INSTALLATION OF OFFICERS

8.01 Administration of Oath of Office

[Staff Report](#)

Mayor

Marshall Kamena

Councilmembers

Doug Horner

John Marchand

8.02 Appointment of Vice-Mayor.

[Staff Report](#)

8.03 Appointment of Councilmembers to Intergovernmental Agencies.

[Staff Report](#)

8.04 Appointment of Councilmembers to the City Council Subcommittee to conduct Advisory Body interviews from January 1 through June 30, 2010, including the Livermore Area Youth Advisory Commission. [Staff Report](#)

9. ADJOURNMENT – To a regular City Council/Redevelopment Agency meeting on November 23, 2009 at 7:00 pm, Council Chambers, 3575 Pacific Avenue, Livermore.