CITY COUNCIL
AND
REDEVELOPMENT AGENCY
AGENDA

APRIL 25, 2011

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 the Civic Center Library, 1188 South Livermore Avenue, Livermore, and at the City Clerk's Office, 1052 South Livermore Avenue, Livermore. 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.

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**

2.01 Appointment and administration of Oath of Office Document

Livermore Area Youth Advisory Commission (Youth Member)

- Alex Buescher to a regular term ending September 1, 2012

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 – March 28, 2011 City Council/Redevelopment Agency meeting. Draft Minutes

4.02 **Adoption on second reading of an Ordinance** amending the Planned Development-Industrial 00-181 District of the Development Code (Development Code Amendment 10-006). (03-28-2011) Document

4.03 **Adoption on second reading of an Ordinance** approving Development Agreement 10-003 between the City of Livermore and Casino 580 LLC. (03-28-2011) Document

4.04 Resolution authorizing appropriation and expenditure of unallocated funds for Tri-Valley Community Television operating expenses for Fiscal Year 2011-12 in the amount of $57,223. Document

4.05 Resolution authorizing appropriation of Housing and Human Services Grant Funds including Community Development Block Grant funds, HOME Investment Partnership Program funds, Social Opportunity Endowment funds and In-Lieu Housing funds for Fiscal Year 2011-12, and reappropriation of Fiscal Year 2008-09 Community Development Block Grant Recovery funds, and execution of all related documents. Document

4.06 Resolution authorizing execution of a Low Income Housing Agreement with Arbor Development Group and execution of all related documents. Location: 1000-1016 N. Vasco Road. Document

4.07 Resolution of intention to sell City property located at 318 South Livermore Avenue, Unit 112 to Nathan Westphal, authorizing the City to assume the Redevelopment Agency's responsibilities and duties under the Purchase and Sale Agreement dated September 9, 2010; setting May 9, 2011 as the hearing date to take final action to dispose of the City property and hear any protests to the sale; and directing staff to publish and post the appropriate notices for the sale. Document

4.08 Resolution authorizing appropriation of funds in the amount of $20,000 in un-appropriated Annual Miscellaneous Storm Drain Reimbursement funds for Fiscal Year 2010-11 to City Project No. 2000-56 to reimburse Arroyo Crossing, Inc. the remaining storm water improvement credits owed for installation of a storm drain line in Arroyo Road. Document

4.09 Resolution authorizing execution of an agreement with 866, Inc. (dba Callahan Properties) to maintain landscaping within Landscape Maintenance District 1995-4, Airport Business Park. Location: Northeast corner of Jack London Boulevard and Kittyhawk Road. Document

4.10 Confirmation of appointments to the following Advisory Bodies: Document

Beautification Committee

- Jennifer Rodriguez to an unexpired term ending June 1, 2012

Commission for the Arts

- Angela Johal to a regular term ending January 1, 2015

Historic Preservation Commission

· Joan Ferrin-Pann to an unexpired term ending May 5, 2013

Livermore Housing Authority

· Blayne Goodman to a regular resident term ending January 1, 2015

4.11 Resolution postponing reconvening of the Cultural Arts Task Force to 2013 and continuing the Art in Public Places Program as it currently exists. Document

5. PUBLIC HEARINGS

5.01 Hearing to consider approval of the Fiscal Year 2011-12 Action Plan for the Community Development Block Grant Program and authorizing its submittal to Alameda County for inclusion with the Alameda County HOME Consortium document to the U.S. Department of Housing and Urban Development. Document

Recommendation: The Human Services Commission and staff recommend the City Council adopt the resolution approving the Fiscal Year 2011-12 Action Plan for the Community Development Block Grant Program and authorizing its submittal to Alameda County for inclusion with the Alameda County HOME Consortium document to the U.S. Department of Housing and Urban Development.

5.02 Hearing to receive protests related to the annual weed abatement program and to order abatement of public nuisances. Document

Recommendation: Staff recommends the City Council adopt a resolution overruling protests and ordering the abatement of public nuisances.

6. MATTERS FOR CONSIDERATION

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

6.02 Discussion and direction regarding proposed Tri-Valley Transportation Development Fee Adjustments, 2011 Strategic Expenditure Plan Update and Funding Plan, and Voting Structure of the Tri-Valley Transportation Council. Document

Recommendation: Staff recommends the City Council provide direction on the items being considered by the Tri-Valley Transportation Council on May 16, 2011.

6.03 Presentation and update on the 2011 Amgen Tour of California Stage Start in Livermore on May 18, 2011. Document

Recommendation: The report is informational; no action is required.

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 a regular City Council/Redevelopment Agency meeting on May 9, 2011 at 7:00 pm, Council Chambers, 3575 Pacific Avenue, Livermore.