CITY COUNCIL
AND
REDEVELOPMENT AGENCY
AGENDA

REVISED AGENDA
Item 5.01 Amending title of staff report to reflect description of item

MAY 9, 2011

CLOSED SESSION – 6:30 PM

REGULAR MEETING – 7:00 PM

COUNCIL CHAMBERS
3575 PACIFIC AVENUE
LIVERMORE, CA 94550

CLOSED SESSION

CALL TO ORDER 6:30 PM

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

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

ADJOURN TO CLOSED SESSION

1. Conference with Real Property Negotiator. To meet with Marc Roberts, City negotiator, pursuant to Government Code § 54956.8, regarding the purchase of real property located east of and abutting Livermore Avenue, north and south of Hartford Road, totaling 1,380 acres, consisting of APNs 902-4-2-3, 902-4-2-2, 902-4-3-2, 902-2-1-2, 902-4-5-1, 902-10-3, 902-10-6, 902-10-5-2, 902-10-4-2, 902-10-4-1, 902-9-1-8, 902-9-1-6,

902-9-2-5, 902-9-2-4, 902-9-1-3, 902-9-2-1, 99-15-15-2, 99-15-7-3. The City negotiator may negotiate with Brendan Moriarty, Trust for Public Lands. 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 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

1.03 Report of Action Taken in Closed Session

2. PROCLAMATIONS AND PRESENTATIONS

2.01 Administration of Oath of Office. 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 1, 2013

Livermore Housing Authority
- Blayne Goodman to a regular resident term ending January 1, 2015

2.02 Presentation of Water Awareness Month Poster Contest Winners. DOCUMENT

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 – April 25, 2011 City Council/Redevelopment Agency meeting.	DOCUMENT
4.02	Resolution authorizing an application for Assembly Bill 2286 Grant Funding to implement an electronic data reporting system for the Livermore-Pleasanton Fire Department.	DOCUMENT
4.03	Resolution adjusting the rates and charges at the Livermore Municipal Airport and charges for Fiscal Year 2011-12 by the regional Consumer Price Index increase of 1.7 percent.	DOCUMENT
4.04	Resolution authorizing execution of multiple medium-term leases for industrial building space at the Livermore Municipal Airport.	DOCUMENT
4.05	Resolution authorizing a lease agreement between the Las Positas Golf Course Enterprise and the Airport Enterprise and directing payment of back rent from the Las Positas Golf Course Enterprise to the Airport Enterprise.	DOCUMENT
4.06	Resolution accepting for permanent maintenance and releasing of security bonds for the Water Reclamation Plant Laboratory, City Project No. 2000-79.	DOCUMENT
4.07	Resolution authorizing the City Attorney, on behalf of the City, to contribute up to $121,539 toward costs of winding down the Associated Community Action Program (ACAP).	DOCUMENT

5. PUBLIC HEARINGS

5.01	Hearing to consider a request to subdivide a vacant parcel for the development of 51 single-family residences; amend the General Plan and the South Livermore Valley Specific Plan to permit residential use	DOCUMENT

on the subject site; receive allocation of 51 housing units through the 2010 Housing Implementation Program; enter a Development Agreement to ensure the fulfillment of off-site mitigation requirements; and establish a Planned Unit Development setting forth the development standards for the project.

- Location: Caldeira Drive and San Vincente Drive
- Applicant: Ponderosa Homes II LLC
- On-site and off-site public improvements: Project involves the construction of new public streets, public utilities, and the re-alignment of a public multi-use trail.
- Site Area: 13.5± acres
- Zoning: Planned Development-South Livermore Valley Specific Plan (PD-SLVSP), Subarea 3
- General Plan: Community Facilities-Elementary School (CF-E)
- Historic Status: None
- CEQA: A Mitigated Negative Declaration under the provisions of the California Environmental Quality Act (CEQA) will be considered.

Recommendation: The Planning Commission and staff recommend the City Council:

1) Adopt resolutions approving General Plan Amendment 10-002, Specific Plan Amendment 10-001, Subdivision 10-002 (Vesting Tentative Tract map 8045), Housing Implementation Program 10-01, and certifying the Mitigated Negative Declaration, and after approval of the application, instruct staff to file the Notice of Determination with the Alameda County Clerk.
2) Introduce ordinances approving Planned Unit Development 10-001 and Development Agreement 10-001.
3) Direct staff to prepare a Housing Agreement for the development, including at $16,000 per unit inclusionary housing in-lieu fee to be paid in two installments within 18 months of the date of tentative map approval, for City Council consideration at a future meeting.

5.02 Hearing to adjust rates charged by Livermore Sanitation, Inc. effective July 1, 2011, and approval of the Amended and Restated Franchise Agreement with Livermore Sanitation, Inc. DOCUMENT

Recommendation: Staff recommends the City Council adopt a resolution: ATTACHMENT

1) Approving the Amended and Restated Franchise Agreement between the City of Livermore and Livermore Sanitation, Inc. for Solid Waste, Recyclable Materials, and Compostable Materials Services.
2) Adjusting rates charged by Livermore Sanitations, Inc to fully

compensate Livermore Sanitation, Inc for solid waste, recycling, and organics collection services effective July 1, 2011.

3) Establishing a Revenue Reconciliation Account to compensate Livermore Sanitation, Inc. for projected shortfalls experienced in the first year and second year.
4) Approve changes so Livermore Sanitation, Inc. can continue to provide residential service in unincorporated Alameda County areas, further incentivize organics recycling, and incorporate other minor administrative changes.

6. MATTERS FOR CONSIDERATION

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

6.02 Hearing to receive protests on the sale of City-owned property located at 318 South Livermore Avenue, Unit 112; approving the final disposition of the property to an eligible buyer, Nathan Westphal, and authorizing the execution of the Purchase and Sale Agreement and all other related documents. DOCUMENT

Recommendation: Staff recommends the City Council conduct the hearing; adopt a resolution approving the final disposition of the property to Nathan Westphal and authorizing the execution of the Purchase and Sale Agreement and all other documents related to the sale of the property.

6.03 Discussion and direction regarding the 2010 Housing Element Annual Progress Report. DOCUMENT

Recommendation: Staff recommends the City Council review the Housing Element Annual Progress Report and direct staff to submit the report to the State Department of Housing and Community Development and the Governor's Office of Planning and Research before June 1, 2011.

6.04 Discussion and direction regarding a letter of support to the State of California Citizen Redistricting Commission. DOCUMENT

Recommendation: Staff recommends the City Council authorize a letter of support to the Citizens Redistricting Commission for unification of the Tri-Valley region during the 2011 redistricting process.

6.05 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 23, 2011 at 7:00 pm, Council Chambers, 3575 Pacific Avenue, Livermore.

Supplemental Materials DOCUMENT