

CITY COUNCIL AND REDEVELOPMENT AGENCY AGENDA

Revised Closed Session Start Time REVISED TO INCLUDE CLOSED SESSION AND AMENDMENT TO ITEM 6.03

JUNE 27, 2011

CLOSED SESSION – 6:00 PM

REGULAR MEETING – 7:00 PM

COUNCIL CHAMBERS 3575 PACIFIC AVENUE LIVERMORE, CA 94550

CLOSED SESSION

CALL TO ORDER 6:00 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

 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 Luckys site). The City and Agency negotiators may negotiate with Ed Willig. The instructions will concern the potential adjustment of 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 Mari 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** – 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.

Approval of Minutes – June 13, 2011 City Council/Redevelopment DRAFT 4.01 Agency meeting.

MINUTES

Adoption on second reading of an ordinance amending Development DOCUMENT 4.02 Code subsection F-4 to section 4.06.060 (Signs on Public Property) to clarify that the banner sign locations are reserved for use by the City of Livermore during the three weeks prior to any local election. General Zoning Code Text Amendment 03-330. (6-13-2011)

- 4.03 Adoption on second reading of an ordinance amending Planned <u>DOCUMENT</u>
 Development Residential 05-004 via Development Code Amendment 10007. Location: Portola Avenue and First Street. (6-13-2011)
- 4.04 Adoption on second reading of an ordinance adding a new Chapter 13.26, Water Conservation, to Division 1 (Water) of Title 13 (Public Works) of the Livermore Municipal Code to provide for voluntary and mandatory water conservation. (6-13-2011)
- 4.05 Confirmation of appointments to the following Advisory Body: DOCUMENT

Beautification Committee

- Amandeep Kang to a regular term ending June 1, 2015
- Erik Gets to a regular term ending June 1, 2015
- 4.06 Resolution authorizing execution of a contract extension with All-City DOCUMENT Management Services in the amount of \$246,500 to provide crossing guard services at fifteen intersections throughout the City, for the two-year period from July 1, 2011 through June 30, 2013.
- 4.07 Resolution approving temporary reduced rates and charges for the Las DOCUMENT Positas Golf Course during the reconfiguration of the Las Positas Golf Course for the period of July 1, 2011 through November 30, 2011.
- 4.08 Resolution of the Redevelopment Agency authorizing execution of an DOCUMENT agreement with Livermore Downtown Inc. in the amount of \$60,000 for Fiscal Year 2011-12 operating expenses, and authorizing appropriation of Redevelopment funds.
- 4.09 Resolution authorizing execution of change orders with Ghilotti DOCUMENT Construction Company up to a total cumulative amount of 20 percent of construction contract cost for construction of the Isabel Avenue/I-580 Interchange Improvements, Contract No. 1 Isabel Avenue/State Route 84 Reconstruction and Utility Relocation, Project No. 1992-38.
- 4.10 Resolution authorizing execution of Amendment No. 1 to the agreement DOCUMENT with ENGEO, Inc. to provide construction testing services for the Isabel Avenue/I-580 Interchange Project No. 1992-38. The amendment to the agreement will increase the not-to-exceed amount of \$450,000 to \$750,000.
- 4.11 Resolution authorizing execution of an agreement with Surplus Property

 Authority of Alameda County a \$13,400,000 gap loan for El Charro

 Specific Plan Infrastructure Improvements.

- 4.12 Resolution ratifying the City Engineer's determination denying the DeSilva Gates bid protest; award and authorizing execution of an agreement with Ghilotti Construction Company in the amount of \$19,689,723.70 for construction of the El Charro Specific Plan Infrastructure Project Phase 1, subject to certain contingencies; and authorizing execution of all related future agreements, in connection with the construction of the El Charro Specific Plan Infrastructure Project, all within the City's approved Capital Improvement Budget for Project No. 2007-20.
- 4.13 Resolution authorizing execution of an agreement with ENGEO, Inc., in the amount of \$750,000 to provide construction testing services for the El Charro Specific Plan Infrastructure Project, Phase 1, Project No. 2007-20.
- 4.14 Resolution authorizing 30 percent of the Traffic Impact Fees collected <u>DOCUMENT</u> during Fiscal Year 2010-11 be set aside for reimbursement purposes in Fiscal Year 2011-12.
- 4.15 Resolution authorizing execution of an agreement with Grade Tech Inc. DOCUMENT in the amount of \$91,916.10 for construction of the Civic Center Bus Stop, Project No. 2010-38.
- 4.16 Resolution of intention to levy and collect annual assessments under the Landscape and Lighting Act of 1972; direct the filing of the Annual Engineer's Report; and establish a Public Hearing for July 11, 2011, for the levy of assessments.
- 4.17 Resolution authorizing execution of the agreement with Jordan and <u>DOCUMENT</u> Associates, Inc. in the amount of \$19,800 to provide Federal Government Affairs Consulting Services for the Tri-Valley Cities in Alameda and Contra Costa Counties.
- 4.18 Resolution authorizing execution of the agreement with Jordan and <u>DOCUMENT</u> Associates, Inc. in the amount of \$30,000 for Washington D.C. Federal Advocacy Services.
- 4.19 Resolution authorizing execution of Amendment No. 1 extending the agreement with County of Alameda Emergency Medical Services District to October 1, 2011, for the provision of First Responder Advanced Life Support services.
- 4.20 Resolutions summarily vacating a portion of the Jack London Boulevard dedicated to the City for public use and highway purposes; summarily vacating a strip of land along Jack London Boulevard dedicated to the City of Livermore for public use and highway purposes as a right of way; summarily vacating a sixty-food wide road dedicated to the City for public use and highway purposes; and terminating and summarily vacating an

offer of dedication for a public highway.

Resolution authorizing execution of a fiscal agreement by and between DOCUMENT 4.21 the County of Alameda and the City of Livermore relative to the payment of Vasco Host Community Impact Fees.

Resolution authorizing Amendment No. 1 to the Lease Agreement by and between the Livermore Valley Performing Arts Center and the City of Livermore to include Vasco Host Community Impact Fees as a revenue source for the lease payments for the Bankhead Theater.

5. **PUBLIC HEARINGS**

Hearing to consider amendments to the Development Agreement with **DOCUMENT** 5.01 Cottonwood Creek Partners, LLC, a property owner in the El Charro Specific Plan area. The proposed amendments adjust the public improvement financing and reimbursement provisions for this property owner/developer in the Specific Plan area to adjust for the economic climate associated with land secured financing.

- Location: Southeast quadrant of El Charro Road and Interstate 580, APN904-0001-001-10
- Applicant: City of Livermore
- On-site and off-site public improvements: The previously-approved El Charro Specific Plan and associated Development Agreement includes roadway and pedestrian improvements, including widening El Charro Road, extending Jack London Boulevard, relocating Friesman Road and constructing a multi-use trail; the extension of utilities, including sewer, water, and storm drains; installation of on and off-site flood control facilities; and related improvements.
- Site Area: 36.7± acres
- Zoning: Planned Development-El Charro Specific Plan-Regional Commercial and Highway Regional Commercial
- General Plan: Business and Commercial Park (BCP)
- Historic Status: None
- CEQA: An Environmental Impact Report was previously certified for this project (SCH#2006052112)

Recommendation: Staff recommends the City Council introduce an ordinance authorizing execution of Amendment No. 2 to the Development Agreement with Cottonwood Creek Partners, LLC in substantial conformance with the attached draft agreement.

MATTERS FOR CONSIDERATION 6.

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

6.02 Discussion and direction regarding recommendations from the Altamont DOCUMENT Landfill Open Space Committee and Citizens for Balanced Growth to authorize East Bay Regional Park District's grant requests in the amount of \$1 million from the Altamont Landfill Open Space Account and \$1 million from the Dougherty Valley Settlement Agreement Open Space Account for the acquisition of 65+ acres east of Laughlin Road.

Recommendation: Staff recommends the City Council adopt resolutions accepting the recommendations from the Altamont Landfill Open Space Committee and Citizens for Balanced Growth.

Discussion and direction regarding recommendation from the Citizens for **DOCUMENT** 6.03 Balanced Growth to authorize the distribution of \$250,000 from the Dougherty Valley Settlement Agreement Open Space Account as a refundable deposit for the acquisition of 1,380± acres in North Livermore.

Recommendation: Staff recommends the City Council adopt a resolution accepting the recommendation from the Citizens for Balanced Growth.

6.04 Discussion and direction regarding development of a temporary fee **DOCUMENT** reduction program and various permit streamlining improvements for targeted businesses.

Recommendation: Staff recommends the City Council provide direction for development of a temporary fee reduction program and permit streamlining improvements for targeted businesses, and to develop fee reductions, fee simplifications, and process improvements and return to Council for final consideration.

Appointment to the City Council Subcommittee for Advisory Bodies and **DOCUMENT** 6.05 Livermore Area Youth Advisory Commission Subcommittee to conduct Advisory Body Interviews.

Recommendation: Staff recommends two Councilmembers appointed to serve on the City Council Subcommittee for Advisory Bodies.

6.06 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 DOCUMENT Attorney, Staff, and Councilmembers.
- **8. ADJOURNMENT** To a regular City Council/Redevelopment Agency meeting on July 11, 2011 at 7:00 pm, Council Chambers, 3575 Pacific Avenue, Livermore.

SUPPLEMENTAL MATERIALS

DOCUMENT