



CITY COUNCIL

MEETING AGENDA

DECEMBER 12, 2011

REGULAR MEETING – 7:00 PM

COUNCIL CHAMBERS
3575 PACIFIC AVENUE
LIVERMORE, CA 94550

CITY COUNCIL

John Marchand, Mayor
Doug Horner, Vice Mayor
Stewart Gary, Councilmember
Laureen Turner, Councilmember

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.cityoflivermore.net>.

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 website <http://www.cityoflivermore.net>.

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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REGULAR MEETING

1. CALL TO ORDER 7:00 PM

1.01 Roll Call Councilmember Stewart Gary
Councilmember Laureen Turner
Vice Mayor Doug Horner
Mayor John Marchand

1.02 Pledge of Allegiance

2. PROCLAMATIONS AND PRESENTATIONS

2.01 Presentation of certificates of appreciation to UrbanArt Mural artists who have created murals on utility boxes throughout the Downtown area. [DOCUMENT](#)

2.02 Proclamation honoring City Manager Linda Barton. [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 – November 28, 2011 City Council meeting. [DOCUMENT](#)
- 4.02 City Council/Redevelopment Agency Meeting Calendar for 2012. [DOCUMENT](#)
- 4.03 Resolution approving the Annual Report on Development Fee Revenues and Expenditures for Fiscal Year 2010-2011. [DOCUMENT](#)
- 4.04 Authorization to receive and file the Annual Report on Community Facilities District 2006-1 (Shea Properties) for Fiscal Year 2010-2011, in compliance with the Local Agency Special Tax and Bond Accountability Act. [DOCUMENT](#)
- 4.05 Resolution authorizing execution of a Subdivision Improvement Agreement with Meritage Homes of California; approving Tract 8075 final map for recording; and accepting all real property offered for dedication within Tract 8075. Location: east of North Vasco Road; on the north side of Scenic Avenue between Echo Summit Street and Garaventa Ranch Road. (Fanfare) [DOCUMENT](#)
- 4.06 Resolution accepting third-party beneficiary interest in deeds of perpetual agricultural conservation easements and accepting right-of-entry easements to fulfill the agricultural mitigation requirement for Tract 8045. [DOCUMENT](#)
- 4.07 Resolution authorizing execution of a Subdivision Improvement Agreement with Ponderosa Homes; approving Tract 8045 final map for recording; and accepting all real property offered for dedication within Tract 8045. Location: south of Robertson Park Road, west of Santa Croce Court and north of Caldeira Drive. (Vinsanto) [DOCUMENT](#)
- 4.08 Resolution supporting involvement in the Association of Bay Area Government's (ABAG) FOCUS program, and authorizing submission of applications to ABAG designating the Isabel Avenue and Greenville Road BART Station Areas as Priority Development Areas. [DOCUMENT](#)

5. PUBLIC HEARINGS

- 5.01 Hearing to consider a request to amend various development standards applicable to the subject site, allow construction of an approximately 17,200 square foot commercial building, subdivide the subject site parcel, and review a proposed Master Sign Program on a vacant parcel located between the existing Kohl's department store and Las Positas Road. [DOCUMENT](#)

- Location: 2850 Las Positas Road
- Applicant: Johnson Lyman Architects
- On-site and off-site public improvements: Includes construction of buildings, pavement, landscaping, utilities, and lighting
- Site Area: 1.5± acres
- Zoning: Planned Development-Commercial (PD-C) 00-199
- General Plan: Community Serving General Commercial (CSGC)
- Historic Status: None
- CEQA: This project is Categorical Exempt under the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332 (Infill Development).
- Application Numbers: Development Code Amendment 11-005; Parcel Map Waiver 10054 (Subdivision 11-003); Site Plan Design Review Modification 11-004; and Site Plan Design Review 11-033

Recommendation: The Planning Commission and staff recommend the City Council **introduce an ordinance** approving Development Code Amendment 11-005, and adopt a resolution approving Parcel Map Waiver 10054 (Subdivision 11-003), Site Plan Design Review Modification 11-004, and Site Plan Design Review 11-033, subject to recommended conditions.

5.02 Hearing to consider a request to amend the zoning classification of two parcels from T3 Neighborhood Zone to T4 Neighborhood Zone.

[DOCUMENT](#)

- Location: 909 North L Street and 1946 and 1948 Pine Street
- Applicant: City of Livermore
- On site and off site public improvements: None
- Site Area: 1.09± acres
- Zoning: T3 Neighborhood (T3N)
- General Plan: Urban High Residential (UH-3)
- Historic Status: None
- A previous environmental document, the 2003-2025 General Plan Environmental Impact Report (SCH 2003032038) adequately addresses this project.
- Application Number: Development Code Amendment 11-007

Recommendation: The Planning Commission and staff recommend the City Council **introduce an ordinance** approving Development Code Amendment 11-007.

6. MATTERS FOR CONSIDERATION

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

[DOCUMENT](#)

- 6.02 Review of applications received for Council vacancy and selection of applicants to be interviewed. [DOCUMENT](#)

Recommendation: Staff recommends the City Council select applicants to be interviewed at the December 19, 2011 special City Council meeting.

- 6.03 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 January 9, 2012 at 7:00 pm, Council Chambers, 3575 Pacific Avenue, Livermore.