



CITY COUNCIL

AGENDA

MARCH 12, 2012

CLOSED SESSION – 6:30 PM

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
Bob Woerner, 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://cityoflivermore.net>.

Under Government Code §54957.5, any **supplemental material** distributed to the members of the City Council 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://cityoflivermore.net>.

If supplemental materials are made available to the members of the City Council 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) 960-4586/4582 (VOICE) OR (925) 960-4104 (TDD) AT LEAST 72 HOURS IN ADVANCE OF THE MEETING.



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MARCH 12, 2012

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

CLOSED SESSION

CALL TO ORDER

6:30 PM

Roll Call

Councilmember Stewart Gary
Councilmember Laureen Turner
Councilmember Bob Woerner
Vice Mayor Doug Horner
Mayor John Marchand

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

ADJOURN TO CLOSED SESSION

1. Conference with Labor Negotiators. To meet with the City's negotiators Troy Brown and Bill Avery (of Avery Associates), pursuant to Government Code section 54957.6, regarding negotiations with the International Association of Fire Fighters, Municipal Employees Agency for Negotiations, and Livermore Police Officers Association.

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 Stewart Gary
Councilmember Laureen Turner
Councilmember Bob Woerner
Vice Mayor Doug Horner
Mayor John Marchand

1.02 Pledge of Allegiance

1.03 Report of Action Taken in Closed Session

2. PROCLAMATIONS AND PRESENTATIONS

2.01 Proclamation declaring March 2012 as American Red Cross Month.

[DOCUMENT](#)

2.02 Administration of Oath of Office.

[DOCUMENT](#)

Human Services Commission

- Rob Durrant to an unexpired term ending November 1, 2015
- Wendy Weathers to an unexpired term ending November 1, 2015

Library Board of Trustees

- Arthur Pontau to an unexpired term ending June 1, 2014

3. CITIZENS FORUM

- *In conformance with the Brown Act, no City Council 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 with a single action. Members of the audience wishing to provide public input must complete a speaker card.

- 4.01 Approval of Minutes – February 27, 2012 City Council and Livermore Successor Agency meeting. [DOCUMENT](#)
- 4.02 Resolution appropriating \$41,000 of unspent Community Development Block Grant Recovery Program funds to Hello Housing to rehabilitate a Neighborhood Stabilization Program property located at 4158 Freeda Court. [DOCUMENT](#)
- 4.03 Resolution supporting the submissions for Fiscal Year 2013 Federal Legislative appropriations for Livermore projects. [DOCUMENT](#)
- 4.04 Resolution authorizing the negotiation of a long-term ground lease agreement for a corporate hangar facility on Livermore Municipal Airport property with Livermore Aviation Services, LLC, to include the processing of a development application for the construction of the corporate hangars. [DOCUMENT](#)
- 4.05 Resolution authorizing a supplemental appropriation in the amount of \$875,000 from unappropriated 2008 Certificate of Participation funds to the El Charro Specific Plan Infrastructure Project No. 2007-20 to fund necessary reconfiguration and rehabilitation improvements at the Las Positas Golf Course, and authorizing execution of change orders up to 25 percent of the construction contract cost with Wadsworth Golf Construction Company for construction of the El Charro Specific Plan Las Positas Golf Course Modifications. [DOCUMENT](#)

5. PUBLIC HEARINGS

- 5.01 Hearing to consider two appeals of the Planning Commission decision to approve Conditional Use Permit 11-014 permitting a Chase Bank in an existing building and allowing minor storefront changes including the installation of a walk-up ATM. [DOCUMENT](#)
- Location: 2205-2221 Las Positas Road
 - Applicants: Wassim Suliman and Michael Pavlakis
 - APL12-001 & APL12-002

Recommendation: Staff recommends the City Council adopt a resolution denying Appeals 12-001 and 12-002 and upholding the Planning Commission approval of Conditional Use Permit 11-014.

6. MATTERS FOR CONSIDERATION

6.01 Discussion and direction regarding City Council appointments to Intergovernmental Agencies. [DOCUMENT](#)

6.02 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 meeting on March 26, 2012, at 7:00 pm, Council Chambers, 3575 Pacific Avenue, Livermore.

ADDITIONAL MATERIALS [DOCUMENT](#)