



CITY COUNCIL

AGENDA

MONDAY, MARCH 10, 2025

REGULAR MEETING – 7:00 PM

MEETING PARTICIPATION INFORMATION CAN BE FOUND AT THE END OF THE
AGENDA

CIVIC CENTER MEETING HALL
CITY COUNCIL CHAMBERS
1016 S. LIVERMORE AVENUE

CITY OF LIVERMORE YOUTUBE CHANNEL:
<https://www.youtube.com/c/CityofLivermoreCalifornia>

TV29:
Comcast TV Channel 29
tv29live.org

John P Marchand, Mayor
Evan Branning, Vice Mayor
Ben Barrientos, Council Member
Steven Dunbar, Council Member
Kristie Wang, Council Member

1. CLOSED SESSION - NONE

2. CALL TO ORDER

ROLL CALL

Council Member Ben Barrientos
Council Member Steven Dunbar
Council Member Kristie Wang
Vice Mayor Evan Branning
Mayor John Marchand

PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND PRESENTATIONS - NONE

4. OPEN FORUM

- In conformance with the Brown Act, no City Council action can occur on items presented during Open Forum.
- To provide public comment in person, please submit a speaker card. When your name is called, walk to the lectern to address City Council.
- Comments are limited to a maximum of 3 minutes per person, per item. The Mayor may reduce the amount of time based on the number of persons wishing to speak.
- Comments are limited to one comment per person per item regardless of format or time submitted (this includes email and e-comment submissions prior to the meeting as well as live comments during the meeting).
- Open Forum will conclude after 30 minutes; however, if there are additional speakers, Open Forum will reconvene before the meeting adjourns.

5. 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 submit a speaker card found at the entrance of the Council Chambers. A speaker is limited to a single comment with a maximum of three minutes for the entire Consent Calendar. If Consent Calendar items are pulled for discussion by the City Council, a speaker will be allowed one comment per item on the items pulled for discussion and a separate comment for the remaining Consent Calendar. The one comment limit applies regardless of format or time submitted (this includes email and e-comment submissions prior to the meeting as well as live comments during the meeting).

5.1 Approval of draft minutes - February 24, 2025 Regular Meeting.

Recommendation:

Staff recommends the City Council approve the draft minutes.

Staff Report

Attachments:

[1. DRAFT 2025-02-24](#)

- 5.2 Adoption of ordinances approving a Municipal Code Amendment (MUNI) 24-002, Development Code Amendment (DCA) 24-004, and authorizing execution of a Development Agreement (DA) 24-003 for the Parkwest Casino 580 Expansion Project and citywide cardroom operations.

Recommendation:

The Planning Commission and staff recommend the City Council:

1. **Adopt an ordinance** approving Municipal Code Amendment (MUNI) 24-002 and Development Code Amendment (DCA) 24-004; and
2. **Adopt an ordinance** authorizing execution of Development Agreement (DA) 24-003.

Staff Report

Attachments:

1. [Ordinance for Municipal Code Amendment and Development Code Amendment](#)
2. [Exhibit A - Municipal Code Amendment](#)
3. [Exhibit B - Livermore Development Code Text Amendment](#)
4. [Ordinance Adopting Development Agreement 24-003](#)
5. [Exhibit A - Development Agreement](#)

- 5.3 Resolution declaring parcels within the City which contain weeds, refuse, rubbish, and/or dirt a public nuisance requiring abatement, directing staff to proceed with the annual Fire Hazard Abatement Program, and set a public hearing date of April 14, 2025, to receive protests and direct staff to proceed with field abatement work.

Recommendation:

Staff recommends that the City Council adopt a resolution declaring parcels within the City which contain weeds, refuse, rubbish, and/or dirt a public nuisance requiring abatement, direct staff to proceed with the annual Fire Hazard Abatement Program, and set a public hearing date of April 14, 2025, to receive protests and direct staff to proceed with field abatement work.

Staff Report

Attachments:

1. [Resolution](#)
2. [Exhibit A - List of Parcels & Property Owners](#)

- 5.4 Resolution authorizing the execution of a first amendment to the Subdivision Improvement Agreement with Shea Homes Inc. and Shea Center Livermore LLC, for the Shea Portola project at the northeast corner of Portola Avenue and Collier Canyon Road.

Recommendation:

Staff recommends the City Council adopt a resolution:

1. Finding that the requirements of the California Environmental Quality Act have been satisfied,
2. Approving and authorizing execution of a first amendment to the Subdivision Improvement Agreement for Tract 8613 which includes a 12-month extension (24 months in total) to complete the required improvements, an increase in funding for certain offsite improvements by \$85,000, and a reduction to the faithful performance

- bonds; and
3. Directing the City Clerk to record the amendment to the Subdivision Improvement Agreement with the County Recorder.

Staff Report

Attachments:

1. [Vicinity Map](#)
2. [Resolution](#)
3. [Exhibit A - First Amendment to Subdivision Improvement Agreement](#)

- 5.5 Resolution adding Las Positas Golf Course Clubhouse Parking Lot Drainage Improvements Project 2025-25 to the 2023-2028 Capital Improvement Plan, authorizing an allocation of funds in FY 2024-25, and authorizing execution of a second amendment to the on-call agreement with Schaaf & Wheeler Consulting Engineers for engineering design services for storm damage repair and flood protection projects, increasing the not-to-exceed agreement amount from \$1,000,000 to \$2,000,000, and extending the term of the agreement to December 31, 2030.

Recommendation:

Staff recommends the City Council adopt a resolution:

1. Adding Las Positas Golf Course Clubhouse Parking Lot Drainage Improvements Project 2025-25 to the 2023-2028 Capital Improvement Plan;
2. Allocating \$100,000 in Stormwater Fund 611 to the FY 2024-25 budget for Las Positas Golf Course Clubhouse Parking Lot Drainage Improvements Project 2025-25;
3. Authorizing the City Manager to execute a second amendment to the on-call agreement with Schaaf & Wheeler Consulting Engineers for engineering design services for Arroyo Las Positas Desilting Through Las Positas Golf Course Project 2020-15, FEMA PA-09-CA-4344138; Golf Course Damage Repairs Project 2021-32, FEMA PA-09-CA-4308-PW-00602; Permanent Storm Damage Repairs 2018-19 - Cottonwood Creek Restoration Project 2017-26, FEMA PA-09-CA-4308-PW-00974 and the Golf Course Clubhouse Parking Lot Drainage Improvements Project 2025-25, and increasing the not-to-exceed agreement amount from \$1,000,000 to \$2,000,000, and extending the term of the agreement to December 31, 2030; and
4. Authorizing the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.

Staff Report

Attachments:

1. [Project Locations](#)
2. [CIP Book Page](#)
3. [Resolution](#)
4. [Exhibit A - Second Amendment](#)

- 5.6 Resolutions accepting the recommendation of the Altamont Landfill Open Space Committee to authorize the City's grant funding request, finding the acquisition of the Goecken Road Property is categorically exempt from CEQA, appropriating supplemental funds for the acquisition of the Goecken Road Property and authorizing the City Manager to enter into a Purchase and Sale Agreement for open space land (82 acres - APNs: 99B-5680-14 and 99B-

5680-18).

Recommendation:

Staff recommends the City Council adopt separate resolutions:

1. Accepting the recommendation of the Altamont Landfill Open Space Committee to authorize the City of Livermore's grant funding request for the Goecken Road Property in the amount of \$650,000 and determine that the Altamont Landfill Open Space Committee's recommended expenditure of Open Space Account funds is not a project under California Environmental Quality Act (CEQA) Guidelines section 15378;
2. Determining the acquisition of the Goecken Road Property is categorically exempt from CEQA in accordance with CEQA Guidelines Section 15313, which exempts acquisitions of lands to preserve the land in its natural condition;
3. Approving a supplemental appropriation of funds from the Transferable Development Credits Fund (LEAP Fund 582) in the amount of \$670,000 to acquire the Goecken Road Property; and,
4. Authorizing the City Manager to enter into a Purchase and Sale Agreement and execute all documents necessary to acquire the Goecken Road Property.

Staff Report

Attachments:

1. [Financial Analysis](#)
2. [Project Location](#)
3. [Resolution Concurrence of Funds ALOSC](#)
4. [Resolution CEQA](#)
5. [Resolution Concurrence of Funds TDC](#)
6. [Resolution Authorizing Purchase and Sale Agreement](#)
7. [Exhibit A - Planning Commission Resolution](#)
8. [Exhibit B - Purchase and Sale Agreement](#)

- 5.7 Resolution authorizing the City Manager, on behalf of Livermore-Pleasanton Fire Department JPA (LPFD) in her capacity as a Joint Executive Director for LPFD, and the Administrative Services Director, on behalf of LPFD in her capacity as the Treasurer for LPFD to accept \$30,000 in grant funds from the Bay Area Urban Area Security Initiative for Class 1 Multi-Threat HazMat Suits, appropriating \$30,000 in Livermore-Pleasanton Fire Department's (LPFD) Equipment Replacement Fund for Fiscal Year 2024-25, and authorizing the purchase of Class 1 Multi-Threat HazMat Suits.

Recommendation:

Staff recommends the City Council adopt a resolution:

1. Authorizing the City Manager, on behalf of and for the Livermore-Pleasanton Fire Department JPA (LPFD) in her capacity as a Joint Executive Director for LPFD, and the Administrative Services Director, on behalf of LPFD in her capacity as the Treasurer for LPFD, to execute a grant agreement, including approving minor changes to the proposed grant agreement, and accept a \$30,000 grant from the Bay Area Urban Area Security Initiative; and
2. Authorizing an appropriation of \$30,000 in Livermore-Pleasanton Fire Department's Equipment Replacement Fund budget in FY 2024-25 and authorizing the purchase of Class 1 Multi-Threat HazMat Suits.

Staff Report

Attachments:

1. Resolution
2. Exhibit A - Grant Agreement

- 5.8 Resolutions initiating proceedings under Proposition 218 by scheduling a public hearing to consider proposed updated wastewater service charges, authorizing the mailing of notice of the public hearing, and establishing procedures for considering objections to the proposed wastewater charges; and approving guidelines for the submission and tabulation of protests in connection with rate hearings conducted by the City of Livermore pursuant to Article XIII D, Section 6 of the California constitution.

Recommendation:

Staff recommends the City Council adopt two resolutions:

1. Initiating proceedings under Proposition 218 by scheduling a public hearing to consider proposed updates to the City's wastewater service charges, authorizing the mailing of notice of the public hearing, and establishing procedures for considering objections to the proposed wastewater charges; and
2. Approving guidelines for the submission and tabulation of protests in connection with rate hearings conducted by the City of Livermore pursuant to Article XIII D, Section 6 of the California constitution.

Staff Report

Attachments:

1. Resolution to Approve Prop 218 Process
2. Exhibit A - Prop 218 Notice Form
3. Resolution to Approve Prop 218 Protest Submission and Tabulation Procedures

6. PUBLIC HEARINGS

Comments are limited to one comment per person per item regardless of format or time submitted (this includes email and e-comment submissions prior to the meeting as well as live comments during the meeting).

- 6.1 Public hearing adding Assessor's Parcel Number 904-0010-002-10 (SMP 40 project, located at the southern end of Discovery Drive and Atlantis Court) to the Future Annexation Area for the City of Livermore Community Facilities District No. 2021-1 (Maintenance and Public Services) and authorizing and directing actions related thereto.

Recommendation:

Staff recommends the City Council take the following actions in connection with the proposed addition of Assessor's Parcel Number 904-0010-002-10 (SMP 40 project, located at the southern end of Discovery Drive and Atlantis Court) to the Future Annexation Area for the City of Livermore Community Facilities District No. 2021-1 (Maintenance and Public Services):

1. Conduct the public hearing and consider written and oral protests; and
2. Adopt the resolution adding Assessor 's Parcel Number 904-0010-002-10 to the Future Annexation Area for the City of Livermore Community Facilities District No. 2021-1 (Maintenance and Public Services).

Staff Report

Attachments:

1. Annexation Area Map
2. Resolution

7. MATTERS FOR CONSIDERATION - NONE

Comments are limited to one comment per person per item regardless of format or time submitted (this includes email and e-comment submissions prior to the meeting as well as live comments during the meeting).

8. COUNCIL COMMITTEE REPORTS AND MATTERS INITIATED BY CITY MANAGER, CITY ATTORNEY, AND COUNCIL MEMBERS

9. ADJOURNMENT

To a Regular City Council meeting on Monday, March 24, 2025 at 7:00 pm, Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Avenue.

10. HOW TO PARTICIPATE IN YOUR CITY COUNCIL MEETING

You can participate in the meeting in a number of ways:

Open Forum is an opportunity for the public to speak regarding items not listed on the agenda. Speakers are limited to a maximum of 3 minutes per person. To address the City Council in person, you must submit a speaker card to the City Clerk prior to the start of that item. Please note 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 a presentation by the applicant, and questions from the City Council. The Mayor will then open the hearing to the public and offer an opportunity for public comments. Speakers are limited to a maximum of 3 minutes per person. To address the City Council in person, you must submit a speaker card to the City Clerk prior to the start of the presentation of the item.

Other Agenda Items are also open for public input including Consent Calendar or Matters for Consideration items. These comments are also subject to the 3-minute limit.

Special Meetings, Workshops - The public will have the opportunity to address the City Council regarding the item that is the subject of the special meeting or workshop. Public comments are limited to a maximum of 3 minutes per person.

Platforms to Participate in Meetings:

Submission of Comments Prior to the Meeting:

Email Comments may be submitted by the public to the City Clerk's Office (cityclerk@LivermoreCA.gov). Items received no later than 12:00 pm on the day of the

meeting will be provided to the City Council and available on the City website prior to the meeting. These items will NOT be read into the record.

eComments may be submitted by the public using the eComment link [here](#). Comments may be up to 1000 characters in length and will be accepted up until 4:00 pm the day of the meeting. These items will NOT be read into the record and are viewable by the City Council and the public upon submittal.

Submission of Comments During the Meeting:

Speakers are limited to a maximum of 3 minutes per person. To submit a comment you must complete a speaker card for each item. Speaker cards are available in the Civic Center Meeting Hall lobby. Indicate on the card the item number you wish to comment on and submit the card directly to the City Clerk prior to the start of the item. Please note 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.

The City will be using YouTube and TV29 as two tools to provide the public access to view City Council meetings. No public comment will be accepted via YouTube.

TV29: tv29live.org Comcast Cable 29

YouTube: <http://youtube.com/c/CityofLivermoreCalifornia>

If you would like to deliver written materials to the City Council as part of your public comment, please provide 10 copies to the City Clerk with your speaker card.

The **City Council Agenda and Agenda Reports** are prepared by City staff and are available for public review on Tuesday evening, six days 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. The Agenda is also available on the City's website, <http://LivermoreCA.gov/agenda>.

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 included in the agenda packet available on the City's web site at <http://LivermoreCA.gov/agenda>.

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 CONTACT THE ADA COORDINATOR AT ADACOORDINATOR@LIVERMORECA.GOV OR

CALL (925) 960-4170 (VOICE) OR (925) 960- 4104 (TDD) AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE MEETING.