



CITY COUNCIL

AGENDA

MONDAY, OCTOBER 24, 2022

REGULAR HYBRID MEETING – 7:00 PM

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

IN PERSON INFORMATION:

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

TELECONFERENCE INFORMATION:

ZOOM WEBINAR:

ATTENTION: Zoom update requirements found at the bottom of the agenda

<https://us02web.zoom.us/j/82201145640>

Zoom dial in phone number:

1 669 900 6833

Meeting ID: 822 0114 5640

CITY OF LIVERMORE YOUTUBE CHANNEL:

<https://www.youtube.com/c/CityofLivermoreCalifornia>

Bob Woerner, Mayor
Regina Bonanno, Vice Mayor
Robert W Carling, Council Member
Brittni Kiick, Council Member
Trish Munro, Council Member

1. CLOSED SESSION - NONE.

2. CALL TO ORDER

ROLL CALL

Council Member Robert W. Carling

Council Member Brittni Kiick

Council Member Trish Munro

Vice Mayor Regina Bonanno

Mayor Bob Woerner

PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND PRESENTATIONS

- 3.1 Proclamation recognizing October as National Domestic Violence Awareness Month presented to Maitri Finance & Accounting Manager, Tanuja Hegde.

Recommendation:

Staff recommends the City Council recognize October as National Domestic Violence Awareness Month.

Staff Report

Attachments:

1. [Proclamation](#)

- 3.2 Beautification Committee annual update presented by Vice Chair, Mark Gorallka.

Recommendation:

Staff recommends City Council accept the Beautification Committee annual update.

Staff Report

- 3.3 Presentation of the 2022 Beautification Awards.

Recommendation:

Staff recommends City Council accept the Beautification Committee Awards presentation.

Staff Report

4. CITIZEN'S FORUM

- In conformance with the Brown Act, no City Council action can occur on items presented during Citizen's 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.
- To provide public comment virtually, please log into Zoom and use the 'raise hand' feature.
- 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).
- Citizen's Forum will conclude after 30 minutes; however, if there are additional speakers, Public 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 if in person or use the 'raise hand' feature if participating using Zoom. 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).

5.1 Approval of draft minutes - October 10, 2022 Regular Meeting.

Recommendation:

Staff recommends the City Council approve the draft minutes.

Staff Report

Attachments:

1. [2022-10-10 Draft Regular Meeting Minutes](#)

5.2 Resolution approving the First Amendment to Subdivision Improvement Agreement with Livermore Associates LLC for the Republic Square Retail Center Development to memorialize a settlement between the parties related to public improvements; and accepting Parcel Map 10525 public improvements for permanent maintenance.

Recommendation:

Staff recommends the City Council adopt a resolution:

1. Approving the First Amendment to the Subdivision Improvement Agreement with Livermore Associates LLC for the Republic Square Retail Center Development to memorialize a settlement between the parties related to public improvements and authorizing the Mayor to execute the agreement;
2. Accepting Parcel Map 10525 (south of Freisman Road between Livermore Outlets Drive and Wolf House Drive) public improvements for permanent maintenance; and
3. Authorizing release of the surety bonds for these public improvements.

Staff Report

Attachments:

1. [Attachment 1 - Vicinity Map](#)
2. [Attachment 2 - Site Plan](#)
3. [Resolution](#)
4. [Exhibit A - First Amend to SIA for PM10525](#)

5.3 Resolution authorizing an increase in the construction contract change order allowance with EVRA Construction, Inc. by \$10,000, for a total not-to-exceed amount of \$60,000, for the Real

Time Awareness Center Project 2019-58 within the police building.

Recommendation:

Staff recommends the City Council adopt a resolution authorizing an increase in the construction contract change order allowance with EVRA Construction, Inc. by \$10,000, to a cumulative not-to-exceed amount of \$60,000, for the Real Time Awareness Center Project 2019-58, located within the police building.

Staff Report

Attachments:

1. [Resolution](#)

- 5.4 Resolution approving allocation of the Tourism and Special Event Grant monies for July 1, 2022-June 30, 2023 and authorizing the execution of grant agreements consistent with the City's Tourism and Special Events Grant Program.

Recommendation:

Staff recommends City Council adopt a resolution approving allocation of Tourism and Special Event Grant monies for July 1, 2022-June 30, 2023, and authorizing the City Manager to execute the Grant Agreements to Livermore Valley Winegrowers Association, Altamont Cruisers Car Club, Wentz Family Foundation for Arts Education and Darcie Kent Winery LLC, and Rotary Club of Livermore in the not-to-exceed amount of \$2,000 each.

Staff Report

Attachments:

1. [Resolution](#)
2. [Exhibit A -Grant Agreement with Livermore Valley Winegrowers](#)
3. [Exhibit B- Grant Agreement with Altamont Cruisers](#)
4. [Exhibit C- Grant Agreement with Wentz Foundation For Arts Education](#)
5. [Exhibit D- Grant Agreement with Rotary Club of Livermore](#)

- 5.5 Resolution authorizing execution of a purchase order with CDW-G for the replacement of the City of Livermore's (City) primary data backup system in an amount not-to-exceed \$185,000

Recommendation:

Staff recommends the City Council adopt a resolution authorizing execution of a purchase order with CDW-G for the replacement of the City's primary data backup system in an amount not-to-exceed \$185,000.

Staff Report

Attachments:

1. [CDW-G Quote MZLD146](#)
2. [Resolution](#)

- 5.6 Resolution authorizing an agreement with Sun Ridge Systems, Inc. for continued software maintenance and support for the Public Safety Computer Aided Dispatch and Records Management software and related public safety software systems in an amount not-to-exceed \$331,396.

Recommendation:

Staff recommends the City Council adopt a resolution authorizing the City Manager to sign an agreement with Sun Ridge Systems, Inc. for continued software maintenance and support for the Public Safety Computer Aided Dispatch and Records Management software and related public safety software systems in an amount not-to-exceed \$331,396.

Staff Report

Attachments:

1. Resolution
2. Exhibit A - Sun Ridge Systems Agreement

- 5.7 Resolution authorizing the display of the POW- MIA flag for the week of November 6-13, 2022

Recommendation:

Staff recommends the City Council adopt a resolution authorizing the display of the POW-MIA flag on the flagpole at the Civic Center Campus for the week of November 6-13, 2022.

Staff Report

Attachments:

1. Resolution

- 5.8 Resolution reauthorizing remote or hybrid teleconference meetings for City of Livermore's legislative bodies in accordance with Assembly Bill 361.

Recommendation:

Staff recommends City Council adopt a resolution reauthorizing remote or hybrid teleconference meetings for City of Livermore's legislative bodies in accordance with Assembly Bill 361.

Staff Report

Attachments:

1. Resolution

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 **Adoption of an ordinance** amending and revising the Building Code, Property Maintenance Code, Fire Code, Electrical Code, Mechanical Code, Plumbing Code, Residential Code, and the Green Building Standards Codes in the City's Municipal Code, to adopt by reference and amend the 2022 California Building Standards Code and the codes set forth therein.

Recommendation:

Staff recommends the City Council adopt an ordinance with an effective date of January 1, 2023:

1. Revising and amending Chapter 15.02 (Building Code), 15.04 (Property Maintenance Code), 15.06 (Fire Code), 15.08 (Electrical Code), 15.10 (Mechanical Code), 15.12 (Plumbing Code), 15.14 (Residential Code), and 15.26 (Green Building Standards Code) in The Livermore Municipal Code.
2. Adopting new Chapters 15.02 (Building Code), 15.06 (Fire Code), 15.08 (Electrical Code), 15.10 (Mechanical Code), 15.14 (Residential Code), and 15.26 (Green Building Standards Code) of the Livermore Municipal Code by adopting and amending the 2022 Editions of the California Building, Fire, Electrical, Mechanical, Plumbing, Residential, and Green Building Standards Codes.
3. Adopting new Chapter 15.04 (Property Maintenance Code) of the Livermore Municipal Code by adopting and amending the 2021 edition of the International Property Maintenance Code.

Staff Report

Attachments:

1. Ordinance
2. Exhibit A - Chapter 15.02 Building Code
3. Exhibit B - Chapter 15.04 Property Maintenance Code
4. Exhibit C- Chapter 15.06 Fire Code
5. Exhibit D - Chapter 15.08 Electrical Code
6. Exhibit E - Chapter 15.10 Mechanical Code
7. Exhibit F - Chapter 15.12 Plumbing Code
8. Exhibit G - Chapter 15.14 Residential Code
9. Exhibit H - Chapter 15.26 Green Code

- 6.2 Hearing to consider approving an Amended and Restated Disposition and Development Agreement with Red Bear Property Management, Inc. for development of downtown commercial uses, authorizing the City Manager to execute the agreement and all other necessary documents to implement that agreement, and to conform the Stockmen's Park easement to this project and others on the park site.

Recommendation:

Staff recommends the City Council adopt resolutions and direct the following:

1. Finding that the Amended and Restated Disposition and Development Agreement (DDA) with Red Bear Property Management, Inc., attached hereto as Exhibit A, is within the scope of the 2004 Downtown Specific Plan Environmental Impact Report and the 2009 Downtown Specific Plan Subsequent Environmental Impact Report and the addendums adopted by City Council on September 10, 2018 by Resolution 2018-153, May 13, 2019 by Resolution 2019-064, and October 26, 2020 by Resolution 2020-178, and determining that Assessor Parcel Numbers 098-0289-026 and 098-0289-027 are exempt from the Surplus Land Act as defined in Government Code Section 54234(a)(1); and
2. Authorizing the City Manager to execute the DDA and all other necessary documents to implement that agreement and to conform the Stockmen's Park easement to this project and other projects on the park site.

Staff Report

Attachments:

1. [Resolution - CEQA and Exemption](#)
2. [Exhibit A - APN Map](#)
3. [Exhibit B-Surplus Land DDA Resolution](#)
4. [Exhibit C - Surplus Land - DA Ordinance No. 2106](#)
5. [Exhibit D - HCD Confirmation 9-28-22](#)
6. [Resolution - DDA](#)
7. [Exhibit A - Amended and Restated Disposition and Development Agreement.pdf](#)

7. **MATTERS FOR CONSIDERATION**

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).

- 7.1 Update on the FY 2021-23 City Council Goals and Priorities and Equity and Inclusion workplan.

Recommendation:

Staff recommends City Council receive an update on the FY 2021-23 Goals and Priorities and Equity and Inclusion workplan.

Staff Report

Attachments:

1. [FY 2021-23 City Council Priorities Report](#)
2. [FY 2021-23 Priorities Executive Summary](#)
3. [Equity and Inclusion Workplan Update](#)

- 7.2 Discussion and direction regarding Livermore Development Code Chapter 4.06 Sign Standards for Temporary Signs.

Recommendation:

Staff recommends the City Council discuss the provisions in the Livermore Development Code regarding temporary signs placed on public property and in the designated public right-of-way and direct staff to address ongoing challenges with allowing temporary signs, including vandalism and theft.

Staff Report

Attachments:

1. [July 27, 2020 Staff Report](#)
2. [Ordinance No. 2099](#)

- 7.3 Discussion and direction on the City Council Subcommittee's recommended revisions to the City Council's Rules of Procedure and the City Council's Norms, Values and Principles of Governance

Recommendation:

The City Council Subcommittee recommends the City Council discuss and provide direction on the Subcommittee's recommended revisions to the City Council's Rules of Procedure and the City Council's Norms, Values, and Principles of Governance.

Staff Report

Attachments:

1. Proposed Revisions to Rules of Procedure
2. Proposed Revisions to Norms, Values, and Principles of Governance

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

9. ADJOURNMENT

To a Regular City Council meeting on Monday, November 14, 2022 at 7:00 pm, Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Avenue and virtually using Zoom.

10. HOW TO PARTICIPATE IN YOUR CITY COUNCIL MEETING

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

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).

Citizen's 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. To submit a comment using Zoom, you may use the 'raise hand' feature when the item begins. 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. To submit a comment using Zoom, you may use the 'raise hand' feature as soon as the item begins.

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 in person, 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. To submit a comment using Zoom, you may use the 'raise hand' feature. 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

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

Zoom Webinar: <https://us02web.zoom.us/j/82201145640>

It is recommended residents use updated software to successfully join and participate in a meeting. Outdated versions may limit functionality and you may not be able to provide a public comment virtually. To download the most current version, visit zoom.us/download.

Zoom dial in phone number: 1 669 900 6833

Meeting ID: 822 0114 5640

If you would like to deliver written materials to the City Council as part of your public comments, and are commenting in person, please provide 10 copies to the City Clerk with your speaker card. If you are commenting using Zoom, the speaker must identify that intent in his or her comment and immediately email the materials to the City Clerk at cityclerk@LivermoreCA.gov.

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.