



## CITY COUNCIL

### AGENDA

MONDAY, JUNE 10, 2024

### 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](http://tv29live.org)

John P Marchand, Mayor  
Robert W Carling, Vice Mayor  
Ben Barrientos, Council Member  
Evan Branning, Council Member  
Brittni Kiick, Council Member

**1. CLOSED SESSION - NONE.**

**2. CALL TO ORDER**

**ROLL CALL**

Council Member Ben Barrientos

Council Member Evan Branning

Council Member Brittini Kiick

Vice Mayor Robert W. Carling

Mayor John Marchand

**PLEDGE OF ALLEGIANCE**

**3. PROCLAMATIONS AND PRESENTATIONS**

- 3.1 Proclamation declaring June 2024, as LGBTQ+ Pride Month presented to Amy Rose, Pride Co-Founder and Board Member of Livermore Pride.

**Recommendation:**

Staff recommends City Council declare June 2024, as LGBTQ+ Pride Month.

**Staff Report**

**Attachments:**

- [1. Proclamation](#)

- 3.2 Presentation of the 2024 High School Senior Arts Awards.

**Recommendation:**

Staff recommends the Mayor and City Council present the High School Senior Arts Awards to award recipients.

**Staff Report**

- 3.3 Livermore Area Youth Advisory Commission Annual Update presented by Chair Alexa Sumitra.

**Recommendation:**

Staff recommends the City Council accept the Livermore Area Youth Advisory Commission annual update.

**Staff Report**

**Attachments:**

- [1. 2024 LAYAC Annual Update to City Council Presentation](#)

**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 for each item 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 - April 15, 2024 Regular Meeting.

**Recommendation:**

Staff recommends the City Council approve the draft minutes.

**Staff Report**

**Attachments:**

[1. DRAFT 2024-04-15](#)

### 5.2 Approval of draft minutes - May 13, 2024 Regular Meeting.

**Recommendation:**

Staff recommends the City Council approve the draft minutes.

**Staff Report**

**Attachments:**

[1. DRAFT 2024-05-13](#)

### 5.3 Resolution authorizing the acceptance for permanent maintenance, release of the security bonds, and execution of a Notice of Completion for the Slurry Seal 2021 Project 2021-04.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing the acceptance for permanent maintenance, release of the security bonds, and authorizing the City Manager to sign the Notice of Completion for the Slurry Seal 2021 Project 2021-04.

**Staff Report**

**Attachments:**

[1. Location Map](#)

- [2. Resolution](#)
- [3. Exhibit A - Notice of Completion](#)

- 5.4 Resolution authorizing the acceptance for permanent maintenance, release of the security bonds, and execution of a Notice of Completion for the Crosswalk Improvement Projects 2022-06 and 2021-35.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing the acceptance for permanent maintenance, release of the security bonds, and authorizing the City Manager to sign the Notice of Completion for the Crosswalk Improvement Projects 2022-06 and 2021-35.

**Staff Report**

**Attachments:**

- [1. Location Map](#)
- [2. Resolution](#)
- [3. Exhibit A - Notice of Completion](#)

- 5.5 Resolution authorizing the acceptance for permanent maintenance, release of the security bonds, and execution of a Notice of Completion for the Storm Drain Trash Capture Devices Project 2021-12.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing the acceptance for permanent maintenance, release of the security bonds, and authorizing the City Manager to sign the Notice of Completion for the Storm Drain Trash Capture Devices Project 2021-12.

**Staff Report**

**Attachments:**

- [1. Location Map](#)
- [2. Resolution](#)
- [3. Exhibit A - Notice of Completion](#)

- 5.6 Resolution adopting a list of projects for FY 2024-25 funded by Senate Bill 1: The Road Repair and Accountability Act of 2017 and approving the use of Road Maintenance and Rehabilitation Account Funds.

**Recommendation:**

Staff recommends the City Council adopt a resolution approving a list of projects for FY 2024-25 funded by Senate Bill 1: The Road Repair and Accountability Act of 2017 and approve the use of Road Maintenance and Rehabilitation Account Funds.

**Staff Report**

**Attachments:**

- [1. Projects Map](#)
- [2. Resolution](#)
- [3. Exhibit A - SB1 Project List](#)

- 5.7 Resolution authorizing execution of an agreement with Univar Solutions USA, LLC for the

supply and delivery of sodium hypochlorite for use at the Water Reclamation Plant, in an amount not-to-exceed \$705,600, and an appropriation of \$202,700 to the Sewer Fund Operating Budget for FY 2024-25.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing the execution of an agreement with Univar Solutions USA, LLC for the supply and delivery of sodium hypochlorite for use at the Water Reclamation Plant, in an amount not-to-exceed \$705,600, and an appropriation of \$202,700 to the Sewer Fund operating budget for FY 2024-25.

**Staff Report**

**Attachments:**

1. [Bay Area Chemical Consortium Award Letter](#)
2. [Resolution](#)
3. [Exhibit A - Agreement](#)

- 5.8 Resolution authorizing execution of an agreement with EOA, Inc. for stormwater regulatory compliance assistance for a term of three years in an amount not-to-exceed \$191,050.

**Recommendation:**

Staff recommends that the City Council adopt a resolution authorizing execution of an agreement with EOA, Inc. for stormwater regulatory compliance assistance for a term of three years in an amount not-to-exceed \$191,050.

**Staff Report**

**Attachments:**

1. [Resolution](#)
2. [Exhibit A - Agreement](#)

- 5.9 Resolution authorizing execution of an agreement with Lynx Technologies, for Geographic Information System enhancements, upgrades, development and maintenance services in the amount not-to-exceed \$250,000, and a term of two years.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing execution of an agreement with Lynx Technologies, for Geographic Information System (GIS) enhancements, upgrades, development and maintenance services in the amount not-to-exceed \$250,000, and a term of two years.

**Staff Report**

**Attachments:**

1. [Resolution](#)
2. [Exhibit A - Agreement](#)

- 5.10 Resolution authorizing execution of a second amendment to the agreement with Terracare Associates for City-wide landscape maintenance, increasing the not-to-exceed amount from \$3,900,000 to \$6,600,000 and extending the term of the agreement two additional years to May 31, 2026.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute a second amendment to the agreement with Terracare Associates (Terracare) for City-wide landscape maintenance to add additional tasks, increase task rates by CPI, increase the not-to-exceed amount from \$3,900,000 to \$6,600,000, and extend the term of the agreement two additional years to May 31, 2026.

**Staff Report****Attachments:**

1. [Resolution](#)
2. [Exhibit A - Second Amendment to Agreement](#)

- 5.11 Resolution authorizing the execution of an agreement with West Coast Arborists, Inc. for tree and shrub maintenance and removal services in an amount not-to-exceed \$1,800,000 for a three-year term ending May 31, 2027.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing execution of an agreement with West Coast Arborists, Inc. to perform tree and shrub pruning and maintenance services in an amount of \$600,000 per year for a total not-to-exceed of \$1,800,000 for a three year-term ending May 31, 2027 with the option to extend the agreement for two additional two-year terms.

**Staff Report****Attachments:**

1. [Cooperative Purchasing Contract](#)
2. [Resolution](#)
3. [Exhibit A - Agreement](#)

- 5.12 Resolution directing the City Engineer to file the Consolidated Annual Report for the City's Landscape Maintenance Districts, and Resolution of Intention to levy annual assessments for the Landscape Maintenance Districts for Fiscal Year 2024-25, preliminarily approve the Consolidated Annual Report, and establish a Public Hearing date for the annual levy of assessments.

**Recommendation:**

Staff recommends the City Council:

1. Adopt a resolution directing the City Engineer to file the Consolidated Annual Report for the City's Landscape Maintenance Districts.
2. Adopt a Resolution of Intention to:
  - a. Levy and collect landscape maintenance assessments for all Districts formed under the Landscaping and Lighting Act of 1972 for Fiscal Year 2024-25;
  - b. Preliminarily approve the Consolidated Annual Report for all City Landscape Maintenance Districts; and,
  - c. Establish a Public Hearing for July 8, 2024 for the levy of assessments for Fiscal Year 2024-25.

**Staff Report****Attachments:**

1. Proposed Assessments for Districts for FY 2024-25
2. Proposed Assessments for DTLMD No. 859 for FY 2024-25
3. FY 2024-25 Consolidated Annual Report
4. Resolution - City Engineer Direction
5. Resolution - Resolution of Intention

- 5.13 Resolution Approving the FY 2024-25 Budget Update

**Recommendation:**

Staff recommends that City Council adopt a resolution approving the 2024-25 Budget Update.

**Staff Report****Attachments:**

1. Resolution
2. Exhibit A - FY 2024-25 Budget Update Report

- 5.14 Resolution approving the updated Investment Policy and the annual delegation of investment authority to the City Treasurer.

**Recommendation:**

Staff recommends that the City Council adopt a resolution approving the updated Investment Policy and the annual delegation of investment authority to the City Treasurer.

**Staff Report****Attachments:**

1. Investment Policy Red-Line
2. Resolution
3. Exhibit A - Investment Policy

- 5.15 Resolution of continued local emergency in response to impacts from a series of severe storm events last year.

**Recommendation:**

Staff recommends the City Council adopt a resolution of continued local emergency in response to impacts from a series of severe storm events last year.

**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 Hearing to authorize negotiation of a Development Agreement with the property owner, Align Real Estate, to secure community benefit and social opportunity endowment funding as part of

proposed Isabel Specific Plan Amendments changing the land use from a Business Park designation to residential designations. Location 3011, 3055, and 3077 Triad Place.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing staff to proceed with negotiating terms for a Development Agreement (DA24-002) to be considered by the City Council at a later date concurrently with review of corresponding Isabel Neighborhood Specific Plan amendments.

**Staff Report**

**Attachments:**

1. [Location Map](#)
2. [Resolution](#)

**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 Discussion and Direction regarding the Comprehensive General Plan Update – Draft Preferred Land Use Scenario.

**Recommendation:**

Staff recommends City Council:

1. Approve the General Plan Advisory Committee's preferred land use scenario, which includes the Laughlin, Vasco Row, and Midtown focus areas, subject to the Planning Commission recommendations.
2. Identify East of Greenville as a future study area and direct staff to develop policy direction identifying the conditions under which to study future land use changes, consistent with Planning Commission recommendations.
3. Direct staff to proceed with finalizing the General Plan land use map, developing the General Plan policy framework, and conducting the General Plan environmental analysis.

**Staff Report**

**Attachments:**

1. [May 7 2024 PC Report](#)
2. [GPAC Preferred Land Use Scenario Map](#)
3. [GPAC Recommendations](#)
4. [Planning Commission Recommendations](#)

**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, June 24, 2024 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](mailto: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](http://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](mailto: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.