



## CITY COUNCIL

### AGENDA

MONDAY, OCTOBER 28, 2024

REGULAR MEETING – 7:00 PM

CLOSED SESSION 6:45 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  
Brittini Kiick, Council Member

## 1. CLOSED SESSION

- Roll Call
- Opportunity for the the Public to Address City Council Regarding Closed Session Items
- Adjourn to Closed Session

Note: This Closed Session my be continued to the end of the Regular Meeting.

- 1.1 Conference with Legal Counsel - Existing Litigation. To meet with legal counsel pursuant to Government Code section 54956.9(d)(1) to discuss litigation that has been formally initiated. (One Case)

Bun v. City of Livermore, United States District Court Case No. 17-CV-06418-EMC, Ninth Circuit Court of Appeals Case No. 22-16229.

## 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

### REPORT OF ACTION TAKEN IN CLOSED SESSION

## 3. PROCLAMATIONS AND PRESENTATIONS

- 3.1 Confirm Advisory Body appointments to the Airport Commission, Beautification Committee, and the Commission for the Arts, and direct the City Clerk to administer the oath of office.

#### **Recommendation:**

The City Council Subcommittee on Advisory Bodies recommends the City Council confirm the advisory body appointments to the Airport Commission, Beautification Committee, and the Commission for the Arts, and direct the City Clerk to administer the oath of office.

#### **Staff Report**

- 3.2 Livermore Human Services Commission Annual Update presented by Tracy Nakamura, Chair, Livermore Human Services Commission.

#### **Recommendation:**

Staff recommends the City Council accept the Livermore Human Services Commission annual update.

#### **Staff Report**

- 3.3 Presentation of the 2024 Helen Putnam Award for Excellence in Intergovernmental Collaboration, presented by the League of California Cities East Bay Division Representative Sam Caygill.

**Recommendation:**

Staff recommends the City Council receive a presentation of the 2024 Helen Putnam Award for Excellence for the collaboration between Horizons Family Counseling and the Livermore Valley Joint Unified School District from the League of California Cities.

**Staff Report**

- 3.4 Presentation of the 2024 Beacon Spotlight Award for Sustainability Best Practices, presented by the League of California Cities East Bay Division Representative Sam Caygill.

**Recommendation:**

Staff recommends the City Council receive a presentation of the 2024 Beacon Spotlight Award for Sustainability Best Practices from the Institute for Local Government for the City of Livermore's actions to address climate change, promote energy innovation, and create a more sustainable community.

**Staff Report**

- 3.5 Proclamation honoring Tri-Valley Haven during Domestic Violence Awareness Month, presented to Christine Dillman, Executive Director, and to Andleeb Ali, Shelter Manager.

**Recommendation:**

Staff recommends City Council present a proclamation honoring Tri-Valley Haven.

**Staff Report**

**Attachments:**

1. Proclamation

**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 - October 14, 2024 Regular Meeting

**Recommendation:**

Staff recommends the City Council approve the draft minutes.

**Staff Report**

**Attachments:**

1. [DRAFT 2024-10-14](#)

5.2 Adopt an ordinance amending Livermore Development Code Section 11.01.020 definition of “Public and quasi-public” use to include emergency shelters and supportive housing associated with another public or quasi-public use.

**Recommendation:**

Staff recommends the City Council **adopt an ordinance** approving Development Code Amendment (DCA) 24-003 to amend Livermore Development Code Section 11.01.020 to modify the definition of “Public and quasi-public” use to include emergency shelters and supportive housing associated with another public or quasi-public use.

**Staff Report**

**Attachments:**

1. [Ordinance](#)
2. [Exhibit A - PC Reso 29-24](#)
3. [Exhibit B - Proposed Public and Quasi-Public Definition](#)

5.3 Adopt an ordinance amending Section 2.04.030 *Compensation Limits for the Mayor and City Council Members* of the Livermore Municipal Code to adjust the monthly compensation for the Mayor and City Council Members consistent with Measure W.

**Recommendation:**

Staff recommends City Council **adopt an ordinance** amending Section 2.04.030 *Compensation Limits for the Mayor and City Council Members* of the Livermore Municipal Code to adjust the monthly compensation for the Mayor and City Council Members consistent with Measure W.

**Staff Report**

**Attachments:**

1. [Ordinance](#)

5.4 Resolution authorizing the filing of an application for Alameda County Transportation Commission administered funding of \$1,725,000, committing necessary matching funds of

\$575,000, and stating assurances to complete the project for the Arroyo Road Trail Project 2019-55.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing the filing of an application for Alameda County Transportation Commission administered funding of \$1,725,000, committing necessary matching funds of \$575,000, and stating assurances to complete the project for the Arroyo Road Trail Project 2019-55.

**Staff Report**

**Attachments:**

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

- 5.5 Resolution authorizing the filing of an application for Alameda County Transportation Commission administered funding of \$1,650,000, committing necessary matching funds of \$550,000, and stating assurances to complete the project for the 2022 ATP Bike Lane Improvements Project 2021-14.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing the filing of an application for Alameda County Transportation Commission administered funding of \$1,650,000, committing necessary matching funds of \$550,000, and stating assurances to complete the project for the 2022 ATP Bike Lane Improvements Project 2021-14.

**Staff Report**

**Attachments:**

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

- 5.6 Resolution authorizing the filing of an application for Alameda County Transportation Commission administered funding of \$825,000, committing necessary matching funds of \$275,000, and stating assurances to complete the project for the Stanley Boulevard at Isabel Ave Connector Ramp Crossing Improvements Project 2021-33.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing the filing of an application for Alameda County Transportation Commission administered funding of \$825,000, committing necessary matching funds of \$275,000, and stating assurances to complete the project for the Stanley Boulevard at Isabel Ave Connector Ramp Crossing Improvements Project 2021-33.

**Staff Report**

**Attachments:**

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

- 5.7 Annual update of Affordable For-Sale Prices, Rental Rates, and Maximum Income Limits for

the City's Affordable Housing Programs

**Recommendation:**

Staff recommends the City Council adopt a resolution:

1. Establishing new maximum income limits for extremely low-, very low-, low-, median- and moderate-income households which shall apply to the City's first-time homebuyer and affordable rental programs; and,
2. Establishing maximum for-sale housing prices for the Affordable Homeownership Program which will be effective for homes sold through the program beginning January 1, 2025, and establishing updated annual rent limits for City-restricted affordable units effective immediately upon adoption by City Council.

**Staff Report**

**Attachments:**

1. [2024 Affordable Sales Prices and Rents](#)
2. [Resolution](#)
3. [Exhibit A - Sales Prices and Rental Limits 2025](#)

- 5.8 Resolution authorizing a supplemental appropriation of unspent carry-forward budget totaling \$283,846 from the Community Development Block Grant Fund, for the Emergency Shelter Rebuild Project.

**Recommendation:**

Staff recommends City Council adopt a resolution authorizing a supplemental appropriation of unspent carry-forward budget totaling \$283,846 from the Community Development Block Grant Fund to the FY 2024-25 budget for the Emergency Shelter Rebuild Project.

**Staff Report**

**Attachments:**

1. [Resolution](#)

- 5.9 Resolution approving allocation of the Tourism and Special Event Grant monies for July 1, 2024-June 30, 2025, 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, 2024-June 30, 2025, and authorizing the City Manager to execute the Grant Agreements with the Altamont Cruisers, Livermore Filipino American Organization, Livermore Valley Performing Arts Center dba Livermore Valley Arts, Livermore Valley Opera, Livermore Valley Winegrowers Association dba Livermore Valley Wine Community, 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 Altamont Cruisers](#)
3. [Exhibit B - Grant Agreement with Livermore Filipino American Organization](#)

4. [Exhibit C - Grant Agreement with Livermore Valley Performing Arts Center](#)
5. [Exhibit D - Grant Agreement Livermore Valley Opera](#)
6. [Exhibit E - Grant Agreement with Livermore Valley Wine Growers Association](#)
7. [Exhibit F - Grant Agreement with Rotary Club of Livermore](#)

5.10 Resolution accepting the Livermore Downtown Inc. 2023-2024 Annual Report

**Recommendation:**

Staff recommends the City Council adopt a resolution accepting the Livermore Downtown Inc. 2023-2024 Annual Report.

**Staff Report**

**Attachments:**

1. [Resolution](#)
2. [Exhibit A - Livermore Downtown 2023-2024 Annual Report](#)

5.11 Resolution accepting the Livermore Valley Wine Heritage District 2023-2024 Annual Report.

**Recommendation:**

Staff recommends the City Council adopt a resolution accepting the Livermore Valley Wine Heritage District 2023-2024 Annual Report.

**Staff Report**

**Attachments:**

1. [Resolution](#)
2. [Exhibit A - Livermore Valley Wine Heritage District 2023-2024 Annual Report](#)

5.12 Resolution accepting the FY 2023-24 Year-end Budget Report, carrying over previously appropriated but unspent funds, and allocating excess General Fund resources to City's asset replacement and repair including public safety facilities, Livermore-Pleasanton Fire Department (LPPFD) equipment replacement, and general liability and workers compensation funds.

**Recommendation:**

Staff recommends City Council adopt a resolution accepting the FY 2023-24 Year-end Budget Report, carrying over previously appropriated but unspent funds, and allocating excess General Fund resources to City's asset replacement and repair including public safety facilities, Livermore-Pleasanton Fire Department (LPPFD) equipment replacement, and general liability and workers compensation funds.

**Staff Report**

**Attachments:**

1. [Resolution](#)
2. [Exhibit A - FY 2023-24 Year-end Budget report](#)

5.13 Resolution amending the City of Livermore Salary Plan to reflect salary increases to Executive Management (excluding the Police Chief), the City Attorney, and City Manager effective November 18, 2024, and retitling the current Systems Administrator (Job Class 2210) to Network Engineer.

**Recommendation:**

Staff recommends the City Council adopt a resolution amending the City of Livermore Salary Plan to reflect salary increases in accordance with California Code of regulations, Title 2, Section 570.5 for Executive Management (excluding the Police Chief), the City Attorney, and the City Manager, and retitling the current Systems Administrator (Job Class 2210) to Network Engineer.

**Staff Report**

**Attachments:**

- 1. Resolution
- 2. Exhibit A - Salary Plan effective November 2024

**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 consider the Housing and Human Services needs and Housing and Human Services Grant Priorities for Fiscal Years 2025-27.

**Recommendation:**

The Human Services Commission and staff recommend the City Council adopt a resolution approving the Housing and Human Services Grant Priorities for Fiscal Years 2025-27.

**Staff Report**

**Attachments:**

- 1. Resolution
- 2. Exhibit A - City of Livermore Housing and Human Services Grant Priorities FY 2025-27

**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 Resolution accepting the Altamont Landfill Open Space Committee's recommendation to expend funds from the Open Space Account for a grant in the amount of \$56,000 to allow the Alameda County Resources Conservation District and the California Rangeland Trust to conduct an outreach program to educate Alameda County ranchers about permanent conservation easements. The grant also includes monies to establish a revolving fund to help landowners cover up-front appraisal costs.

**Recommendation:**

Staff recommends the City Council adopt a resolution:

- 1. Determining that the Open Space Committee's recommended expenditure of Open Space Account funds, and their expenditure for the funding of the outreach program and revolving fund for appraisal costs, is not a project under the California Environmental Quality Control Act (CEQA);

2. Finding the Open Space Committee's recommendation for the expenditure of \$56,000 from the Open Space Account to fund the grant request by the Alameda County Resources Conservation District and California Rangeland Trust to conduct outreach and establish a revolving fund for appraisal costs, is consistent with the Livermore General Plan;
3. Determining that the expenditure is consistent with the Settlement Agreement and the Open Space Committee's priorities;
4. Accepting the Altamont Landfill Open Space Committee's proposed expenditure of \$56,000 from the Altamont Landfill Settlement Agreement Open Space Account; and
5. Directing staff to place future Altamont Landfill Open Space Committee funding concurrences on the consent calendar, consistent with the Alameda County Board of Supervisor's practice.

**Staff Report**

**Attachments:**

1. [Grant Request Proposal](#)
2. [Agreement](#)
3. [Resolution](#)

- 7.2 Resolution approving an amendment to the City Manager's employment contract.

**Recommendation:**

The Evaluation Subcommittee recommends the City Council adopt a resolution approving an amendment to the City Manager's employment contract.

**Staff Report**

**Attachments:**

1. [Resolution](#)
2. [Exhibit A - City Manager Amendment to Employment Contract](#)

- 7.3 Resolution approving an amendment to the City Attorney's employment contract.

**Recommendation:**

The Evaluation Subcommittee recommends the City Council adopt a resolution approving an amendment to the City Attorney's employment contract.

**Staff Report**

**Attachments:**

1. [Resolution](#)
2. [Exhibit A - City Attorney Amendment to Employment Contract](#)

**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, November 25, 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.