



## CITY COUNCIL

### AGENDA

MONDAY, NOVEMBER 25, 2024

REGULAR MEETING – 7:00 PM

CLOSED SESSION 6:30 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 - 6:30 PM

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

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

- 1.1 Anticipated Litigation – To meet with the City Attorney pursuant to Government Code section 54956.9(e) because there is significant exposure to litigation against the City based on existing facts and circumstances. (One Case)

§ 54956.9(e)(2) – Facts and circumstances including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the agency and that are known to a potential plaintiff or plaintiffs.

- 1.2 Conference with Real Property Negotiator. To meet with Paul Spence Assistant City Manager and Andy Ross Economic Development Manager, the City's negotiators pursuant to Government Code section 54956.8, regarding the sale and purchase of real property at Assessor's Parcel No. 99B-5300-2-13. The City's negotiators may negotiate with Stephen Wawryk and Danielle Davenport on behalf of Western Title Insurance Company. The instructions will concern price and terms of payment, acquisition, and maintenance.

## 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 Beautification Committee annual update presented by Chair Karen Jefferson.

#### **Recommendation:**

Staff recommends City Council accept the Beautification Committee annual update.

#### **Staff Report**

- 3.2 Presentation of the 2024 Beautification Awards.

#### **Recommendation:**

Staff recommends City Council accept the Beautification Committee Awards presentation.

## Staff Report

### 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 28, 2024 Regular Meeting

**Recommendation:**

Staff recommends the City Council approve the draft minutes.

**Staff Report**

**Attachments:**

[1. DRAFT 2024-10-28](#)

#### 5.2 Introduce an omnibus ordinance and waive the first reading making administrative, technical, and other non-substantive changes to various sections of the Livermore Municipal Code and the Livermore Development Code

**Recommendation:**

Staff recommends the City Council **introduce an omnibus ordinance** and waive the first reading amending various sections of the Livermore Municipal Code and Livermore Development Code to make administrative, technical, and other non-substantive amendments.

**Staff Report**

**Attachments:**

## 1. Omnibus Ordinance

- 5.3 Resolution authorizing the execution of an agreement with Siemens Industry, Inc. to monitor the fire alarm and burglar alarm systems and inspect, test, and repair the fire alarm and sprinkler systems in multiple city buildings in an amount not-to-exceed \$550,000 for a two-year term ending December 31, 2026.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing execution of an agreement with Siemens Industry, Inc. to monitor the fire alarm and burglar alarm systems and inspect, test, and repair the fire alarm and sprinkler systems in multiple city buildings in an amount not-to-exceed \$550,000 for a two-year term ending December 31, 2026.

**Staff Report**

**Attachments:**

1. Cooperative Purchasing Contract
2. Resolution
3. Exhibit A - Agreement

- 5.4 Resolution accepting public improvements constructed pursuant to the Subdivision Improvement Agreement for Tract Map 8358 located at Chestnut Street and North N Street for the construction of 44 townhomes by Taylor Morrison of California, LLC for permanent maintenance and authorizing release of security, and accepting offer of dedication for public utility and emergency vehicle access easement.

**Recommendation:**

Staff recommends the City Council adopt a resolution:

1. Accepting Tract Map 8358 public improvements for permanent maintenance;
2. Accepting, on behalf of the public, all real property offered for dedication within Tract 8358, including Public Utility Easement (PUE), and Emergency Vehicle Access Easement (EVAE); and
3. Authorizing release of security provided for construction of the public improvements.

**Staff Report**

**Attachments:**

1. Vicinity Map
2. Resolution

- 5.5 Resolution authorizing execution of a second amendment to the agreement with Cannon Corporation for additional commissioning support during construction of the WRP Primary and Secondary Treatment Improvements Project No. 2019-31, increasing the not-to-exceed contract amount from \$231,026 to \$324,171, with a term ending December 31, 2027.

**Recommendation:**

Staff recommends the City Council adopt a resolution:

1. Authorizing the City Manager to execute a second amendment to the agreement with Cannon Corporation increasing the not-to-exceed contract amount from \$231,026 to \$324,171 for additional commissioning support services during construction of the WRP

- Primary and Secondary Treatment Improvements, Project No. 2019-31; and
2. Authorizing the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution, including approving minor changes to the proposed amendment.

**Staff Report**

**Attachments:**

1. Site Plan
2. Resolution
3. Exhibit A - Second Amendment to Agreement with Cannon Corporation

- 5.6 Resolution authorizing receipt of funds in the amount of \$82,179 from the California Department of Justice, Office of Attorney General, Tobacco Law Enforcement Grant program, authorizing the execution of a Memorandum of Understanding, and the appropriation of the \$82,179 grant award.

**Recommendation:**

Staff recommends the City Council adopt a resolution:

1. Authorizing acceptance of funds, in the amount of \$82,179, for a California Department of Justice, Office of Attorney General, Tobacco Law Enforcement grant as follows: FY 2024-25 = \$26,327, FY 2025-26 = \$27,379, and FY 2026-27 = \$28,473;
2. Authorizing the City Manager to execute the grant agreement; and
3. Approving a supplemental appropriation of \$26,327 in the Police Department's budget for FY 2024-25 to support the execution of year one of the grant.

**Staff Report**

**Attachments:**

1. Resolution
2. Exhibit A - Department of Justice, Office of Attorney General MOU

- 5.7 Resolution authorizing the execution of Project and Program Grant Agreements with Las Positas College Foundation, Livermore Art Association, and Livermore Valley Performing Arts Center dba Livermore Valley Arts, consistent with the City's Public Art Policy.

**Recommendation:**

The Commission for the Arts and staff recommend the City Council adopt a resolution approving the applications and authorizing the execution of the following Project and Program Grant Agreements:

- Las Positas College Foundation in the amount of \$10,000 for 2025 LPC Literary Arts Festival
- Livermore Arts Association in the amount of \$5,800 for 2025 Spring Arts Program
- Livermore Valley Performing Arts Center dba Livermore Valley Arts in the amount of \$10,000 for four events in the Cultural Celebration Series

**Staff Report**

**Attachments:**

1. Resolution
2. Exhibit A - Las Positas College Foundation

[3. Exhibit B - Livermore Art Association](#)

[4. Exhibit C - Livermore Valley Arts](#)

- 5.8 Resolution authorizing the execution of a grant agreement with Livermore Downtown Inc. in the amount of \$90,000 for FY 2024-25.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing the execution of a grant agreement with Livermore Downtown Inc. for grant activities from July 1, 2024, to June 30, 2025, in the amount of \$90,000.

**Staff Report**

**Attachments:**

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

- 5.9 Resolution authorizing the City Manager to sign all documents necessary to authorize a reduction, by an amount not to exceed \$125,000, of the principal and accrued interest owed on the promissory note with Ms. Heather Legan for the City-restricted property located at 318 S. Livermore, Unit 112, sufficient to allow for a market-priced sale and repayment of all tax and first mortgage liens owed, real estate and escrow fees, basic repair costs and provide \$5,000 of proceeds to the seller for rehousing.

**Recommendation:**

Staff recommends City Council adopt a resolution authorizing the City Manager to sign all documents necessary to authorize a reduction, by an amount not to exceed \$125,000, of the principal and accrued interest owed on the Promissory Note with Ms. Heather Legan for the City-restricted property located at 318 S. Livermore, Unit 112, sufficient to allow for a market-priced sale and repayment of all tax and first mortgage liens owed, real estate and escrow fees, basic repair costs and provide \$5,000 of proceeds to the seller for rehousing.

**Staff Report**

**Attachments:**

- [1. Resolution](#)

- 5.10 Resolution authorizing execution of a quitclaim deed to Karamjit Singh Nijjar for re-granting abutter's rights at the new driveway location for the Fairfield Inn project located at 220 North Greenville Road.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing execution of a quitclaim deed to Karamjit Singh Nijjar for re-granting abutter's rights at the new driveway location for the Fairfield Inn project located at 220 North Greenville Road (also known as Parcel 1 of Parcel Map 8123 filed December 30, 2023) at the location specified in the quitclaim deed.

**Staff Report**

**Attachments:**

- [1. Vicinity Map](#)

[2. Re-granting Abutter's Rights - Driveway Locations](#)

[3. Resolution](#)

[4. Exhibit A - Quitclaim Deed, Abutter's Rights](#)

- 5.11 Resolution authorizing execution of a purchase order with 72 Hour LLC dba National Auto Fleet Group for seven replacement Ford Hybrid Police Interceptor Utilities in an amount not-to-exceed \$459,558.

**Recommendation:**

Staff recommends the City Council authorize issuance of a purchase order to 72 Hour LLC dba National Auto Fleet Group in Watsonville, California in an amount not-to-exceed \$459,558 for seven 2025 hybrid Ford Police Interceptor Utilities.

**Staff Report**

**Attachments:**

[1. National Auto Fleet Group Sourcewell Contract](#)

[2. City of Livermore PD 2025 Quote](#)

[3. 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 **THIS ITEM IS BEING CONTINUED TO A DATE TO BE DETERMINED.** Resolution authorizing the City Manager to execute a Power Purchase Agreement with Ava Community Energy to install solar and battery storage at critical municipal facilities.

**Recommendation:**

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute a Power Purchase Agreement with Ava Community Energy to install solar and battery storage at critical municipal facilities.

**Staff Report**

- 6.2 Hearing to consider a proposed Vesting Tentative Tract Map and Site Plan Design Review for a 44-unit single-family residential subdivision (Garaventa Hills), consisting of 38 single-family detached units and 6 duet/couplet units and an Environmental Impact Report (EIR).

**Recommendation:**

The Planning Commission and staff recommend the City Council take the following actions to authorize the development of the Garaventa Hills residential project:

1. Adopt a resolution certifying the Environmental Impact Report pursuant to the California Environmental Quality Act;
2. Adopt a resolution approving Subdivision (SUB) 13-001 and Site Plan Design Review (SPDR) 13-005, subject to conditions, and authorizing the applicant to provide six affordable duet units as proposed and to make an equivalency payment to satisfy the remaining fractional portion of the affordable housing requirement; and,

3. Direct the Planning Manager to file a Notice of Determination, in accordance with the provisions of the California Environmental Quality Act, subject to project approval.

### **Staff Report**

#### **Attachments:**

1. Location Map
2. 11-12-24 Planning Commission Staff Report
3. 12-4-18 Planning Commission Report with Attachments 4 5 6 7
4. 11-12-24 Planning Commission Comments Received
5. 4-22-19 City Council Report
6. DRAFT Special Planning Commission Meeting Minutes 11.12.24
7. CEQA Resolution
8. Exhibit A PC Reso 36-24, CEQA
9. Exhibit B - Garaventa Hills RP EIR
10. Exhibit C - Facts and Findings
11. Exhibit D - MMRP
12. Project Resolution - City Council
13. Exhibit A- PC Reso 37-24, SUB13-001, SPDR13-005 project
14. Exhibit B - Development Plans
15. Exhibit C - Conditions of Approval

## **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 sunsetting the Livermore-Dublin Liaison Committee, the Livermore-Pleasanton Liaison Committee, and the Intergovernmental Committee.

#### **Recommendation:**

Staff recommends the City Council adopt a resolution sunsetting the Livermore-Dublin Liaison Committee, the Livermore-Pleasanton Liaison Committee, and the Intergovernmental Committee.

### **Staff Report**

#### **Attachments:**

1. Resolution

## **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, December 9, 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.