LIVERMORE
CALIFORNIA

CITY COUNCIL

AGENDA
MONDAY, JUNE 26, 2023

REGULAR HYBRID MEETING – 7:00 PM

CLOSED SESSION - 6:30 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:
https://us02web.zoom.us/j/81772539499

Zoom dial in phone number:
1 669 900 6833
Meeting ID: 817 7253 9499

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

TV29:
Comcast TV Channel 29
tv29.org

John P Marchand, Mayor
Brittni Kiick, Vice Mayor
Ben Barrientos, Council Member
Evan Branning, Council Member
Robert W Carling, 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 my be continued to the end of the Regular Meeting.

1.1 Conference with Legal Counsel - Anticipated Litigation. To meet with legal counsel pursuant to Government Code sections 54956.9(d)(2) and (e)(2) because there is significant exposure to litigation against the City based on existing facts and circumstances. (One Case.)

Facts and circumstances related to an accident, disaster, incident, or transactional occurrence that might result in litigation against the City and that are known to a potential plaintiff or plaintiffs.

2. CALL TO ORDER

ROLL CALL

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

PLEDGE OF ALLEGIANCE

REPORT OF ACTION TAKEN IN CLOSED SESSION

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.
- 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).
- 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 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 - May 15, 2023 Special Meeting and May 22, 2023 Regular Meeting.

Recommendation:
Staff recommends the City Council approve the draft minutes.

Staff Report
Attachments:
1. 2023-05-15 Draft Minutes
2. 2023-05-22 Draft Minutes

5.2 **Adoption of an ordinance** to levy special taxes within Community Facilities District 2023-1 (Isabel Neighborhood Specific Plan Services), including any territory that annexes into the district from the Future Annexation Area.

Recommendation:
Staff recommends the City Council adopt an ordinance to levy special taxes within Community Facilities District 2023-1 (Isabel Neighborhood Specific Plan Services), including any territory that annexes into the district from the Future Annexation Area.

Staff Report
Attachments:
1. Ordinance

5.3 Resolution awarding and authorizing execution of an agreement with Cazadoro Construction Inc. for a one-year term for the furnishing and installation of storm drain trash capture devices and "No Dumping" markers to be placed across the City, in an amount not-to-exceed $214,500 for the Storm Drain Trash Capture Devices, Project 2021-12.

Recommendation:
Staff recommends the City Council adopt a resolution:

1. Awarding a construction contract for one year to Cazadoro Construction Inc., in an amount not-to-exceed $214,500 for the Storm Drain Trash Capture Devices, Project 2021-12, and authorizing the City Manager to sign the agreement as Exhibit A to the resolution; and
2. Reject all other bids or proposals; and
3. 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 agreement.

Staff Report
Attachments:
1. Location Map
2. Resolution

3. Exhibit A - Construction Contract with Cazadoro Construction Inc

5.4 Resolution authorizing execution of an agreement with Jacobs Engineering Group Inc., for the Water Resources Division's Supervisory Control and Data Acquisition (SCADA) Network Upgrade Project, for a two-year term, in an amount not-to-exceed $296,954 and authorizing the City Manager to approve equipment procurement in an amount not-to-exceed $120,000.

Recommendation:
Staff recommends the City Council adopt a resolution:

1. Authorizing the execution of an agreement with Jacobs Engineering Group Inc. (Jacobs), in an amount not-to-exceed $296,954 for Professional Services for the Water Resources Division's Supervisory Control and Data Acquisition (SCADA) Network Upgrade Project, and
2. Authorizing the City Manager to approve all the equipment procurement for this project in an amount of not-to-exceed $120,000.

Staff Report
Attachments:
1. Resolution
2. Exhibit A to the Resolution - Proposed Agreement.pdf

5.5 Resolution authorizing execution of an agreement with Construction Testing Services, Inc. to provide on-call geotechnical engineering and material testing consulting services for a three-year term, in an amount not-to-exceed $600,000.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing the City Manager to execute an agreement with Construction Testing Services, Inc., to provide on-call geotechnical engineering and material testing consulting services for a three-year term, in an amount not-to-exceed $600,000.

Staff Report
Attachments:
1. Resolution
2. Exhibit A - Professional Services Agreement with Construction Testing Services

5.6 Resolution authorizing execution of an agreement with BSK Associates to provide on-call geotechnical engineering and material testing consulting services for a three-year term, in an amount not-to-exceed $600,000.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing the City Manager to execute an agreement with BSK Associates, to provide on-call geotechnical engineering and material testing consulting services, for a three-year term, in an amount not-to-exceed $600,000.

Staff Report
Attachments:
1. Resolution

2. Exhibit A - Professional Services Agreement with BSK Associates.

5.7 Resolution authorizing execution of an agreement with Terracare Associates for landscape maintenance services for five years with an option for one five-year extension, in an amount not-to-exceed $1,150,000.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing execution of an agreement with Terracare Associates for landscape maintenance services at the Sage Community Facilities District 2016-1 and for the Shea Business Center and Shea Center Montage Landscape Maintenance Districts, for five years with an option for one five-year extension, in an amount not-to-exceed $1,150,000.

Staff Report
Attachments:
1. Resolution
2. Exhibit A - Landscape Maintenance for Sage and Shea Districts 23-0259

5.8 Resolution authorizing execution of an agreement with DC Electric Group, Inc. for on call streetlight and traffic signal maintenance services, for three years with an option for one two-year extension, in an amount not-to-exceed $700,000.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing execution of an agreement with DC Electric Group, Inc. for on call streetlight and traffic signal maintenance services, for three years with an option for one two-year extension, in an amount not-to-exceed $700,000.

Staff Report
Attachments:
1. Resolution
2. Exhibit A - Traffic Signals Repair and Maintenance 23-0255

5.9 Resolution authorizing execution of an agreement with Old Brit Consulting for general IT consulting services over a three-year term, in an amount not-to-exceed $750,000.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing execution of an agreement with Old Brit Consulting for general IT consulting services over a three-year term, in an amount not-to-exceed $750,000.

Staff Report
Attachments:
1. Resolution
2. Exhibit A - Agreement with Old Brit Consulting and City of Livermore

5.10 Resolution authorizing a purchase order to Baker & Taylor Books for purchases of library books and related materials in Fiscal Year 2023-24, in an amount not-to-exceed $230,000.

Recommendation:

Staff recommends the City Council adopt a resolution authorizing issuance of a purchase order to Baker & Taylor Books for Fiscal Year 2023-24 purchases of library books and related materials, not-to-exceed $230,000.

Staff Report
Attachments:
1. Resolution

5.11 Resolutions to summarily vacate a portion of an existing sewer easement located within the Livermore Hotel Corporation property adjacent to Chick-fil-A and accepting Parcel Map 10720 (Chick-fil-A) public improvements for permanent maintenance.

Recommendation:
Staff recommends the City Council adopt resolutions:

1. Summarily vacating a portion of an existing sewer easement located within the Livermore Hotel Corporation property adjacent to Chick-fil-A;
2. Authorize the City Manager to execute a quitclaim for the vacated portion of the sewer easement to the Livermore Hotel Corporation;
3. Accepting Parcel Map 10720 (Chick-fil-A 1754 N Livermore Road) public improvements for permanent maintenance;
4. Accepting the offers of dedication for a public utility easement and public trail easement that were previously rejected, but continuing to reject the offers for dedication for Parcel 2 (a creek corridor) and Parcel 3 (open space) while also continuing to retain the right to accept the dedications for these parcels at a future date; and
5. Authorizing release of the surety bonds for these public improvements.

Staff Report
Attachments:
1. Vicinity Map
2. Private Sewer Vacation Agreement
3. Resolution - Sewer Vacation
4. Exhibit A - Sewer Easement Plat & Legal Description
5. Exhibit B - Quitclaim Deed, Livermore Hotel Corporation
6. Resolution - Parcel Map 10720 Acceptance

5.12 Resolution approving the update to the City of Livermore Standard Details, which are used to construct improvements to the City's infrastructure, dated May 23, 2023, and delegating discretionary authority to the City Engineer to approve future revisions to the City Standard Details and Specifications, in accordance with Government Code section 830.6 and with the Livermore Municipal Code section 2.68.600.

Recommendation:
Staff recommends the City Council adopt a resolution:

1. Approving the update to the City of Livermore Standard Details dated May 23, 2023;
2. Delegating discretionary authority to the City Engineer to approve future revisions to the City's Standard Details and Specifications, in accordance with Government Code section 830.6 and with the Livermore Municipal Code section 2.68.600, preserving the City's design immunities.

3. 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. Resolution
2. Exhibit A - Updated City of Livermore Standard Details 2023

5.13 Resolution approving modifications to the City of Livermore Salary Plan to reflect previously approved labor agreements in accordance with California Code of Regulations, Title 2, Section 570.5.

Recommendation:
Staff recommends the City Council adopt a resolution approving modifications to the City of Livermore Salary Plan to reflect previously approved labor agreements.

Staff Report
Attachments:
1. Resolution
2. Exhibit A - Salary Plan dated July 2023.pdf

5.14 Resolution approving the Memorandum of Understanding (Labor Agreement) between the Livermore-Pleasanton Fire Department Joint Powers Authority and the International Association of Fire Fighters, Local 1974, Battalion Chiefs Unit, for the term of September 1, 2022, through June 30, 2025.

Recommendation:
Staff recommends that the City Council adopt a resolution approving a Memorandum of Understanding (MOU) between the Livermore-Pleasanton Fire Department Joint Powers Authority and the International Association of Firefighters Local 1974, Battalion Chiefs Unit (IAFF Battalion Chiefs), for the term of September 1, 2022 through June 30, 2025.

Staff Report
Attachments:
1. Resolution
2. Exhibit A - Memorandum of Understanding between LPFD and IAFF, Local 1974, Battalion Chiefs' Unit

5.15 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

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 for the confirmation of the levy of assessments for the City's Landscape Maintenance Districts for Fiscal Year 2023-24.

Recommendation:
Staff recommends the City Council conduct a public hearing for the confirmation of the annual levy of assessments for the City's Landscape Maintenance Districts for Fiscal Year 2023-24. Upon closure of the public hearing, staff recommends the City Council adopt a resolution confirming the annual levy of assessments for the City's Landscape Maintenance Districts and directing actions with respect thereto for Fiscal Year 2023-24.

Staff Report
Attachments:
1. LMD Assessment Presentation
2. Resolution
3. Exhibit A - Proposed Assessments for Districts for FY 2023-24
4. Exhibit B - Proposed Assessments for Maintenance District LL-859 for FY 2023-24
5. Exhibit - C FY 2324 Consolidated Engineer's Report

6.2 Hearing to receive and consider all evidence and reports regarding the adoption of a Master Fee Schedule. The Master Fee Schedule Resolution establishes fees for City services. The fee resolution and accompanying justification includes new, increased, and decreased fees into one document.

Recommendation:
Staff recommends the City Council adopt a resolution adopting the City's Master Fee Schedule, incorporating certain fee changes and superseding resolution 2022-115.

Staff Report
Attachments:
1. Tables 1 - 9
2. Resolution
3. Exhibit A - Master Fee Schedule

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 recommended approval of the Airport Leasing and Development Policy.

Recommendation:
The Airport Commission and staff recommend the City Council adopt a resolution approving the new Airport Leasing and Development Policy.

Staff Report
Attachments:
1. Development Analysis Land Map Version 0.3
2. Stakeholder Comment Compilation and Response-LVK 2023-06-05
3. Public Comment
4. Resolution
5. Exhibit A - Leasing and Development Policy

7.2 Appointment of Council Members to the City Council Subcommittee on Advisory Bodies for the period of July 1 - December 31, 2023.

Recommendation:
Staff recommends the Mayor appoint two Council Members to serve on the City Council Subcommittee on Advisory Bodies for the period of July 1 - December 31, 2023, with the City Council's approval.

Staff Report

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, July 10, 2023 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:

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. 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 Comcast Cable 29

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

Zoom Webinar: https://us02web.zoom.us/j/81772539499

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: 817 7253 9499

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.