



BOARD OF SUPERVISORS

Planning Meeting

10:00 a.m.

Planning Meeting

Thursday, June 8, 2023

COUNTY ADMINISTRATION BUILDING
SUPERVISORS' CHAMBERS
1221 OAK STREET
FIFTH FLOOR, ROOM 512
OAKLAND, CALIFORNIA

DAVID HAUBERT, VICE PRESIDENT
ELISA MÁRQUEZ
LENA TAM
NATE MILEY, PRESIDENT
KEITH CARSON

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

TELECONFERENCE LOCATION:
SCOTT HAGGERTY HERITAGE HOUSE
4501 PLEASANTON AVE.
PLEASANTON, CALIFORNIA

SUSAN S. MURANISHI
COUNTY ADMINISTRATOR

DONNA ZIEGLER
COUNTY COUNSEL

MISSION

TO ENRICH THE LIVES OF ALAMEDA COUNTY RESIDENTS THROUGH VISIONARY POLICIES AND ACCESSIBLE, RESPONSIVE, AND EFFECTIVE SERVICES.

VISION

ALAMEDA COUNTY IS RECOGNIZED AS ONE OF THE BEST COUNTIES IN WHICH TO LIVE, WORK AND DO BUSINESS.

The Board of Supervisors welcomes you to its meetings and your interest is appreciated. The Board of Supervisors allows in-person and remote observation and participation by members of the public at its meetings-

IN-PERSON PARTICIPATION: The meeting site is open to the public. All in-person participants must adhere to posted health and safety protocols while in the building. If attending in-person and you wish to speak on a matter, please fill out a speaker slip at the front of the Chambers and submit it to the Clerk as soon as possible. For both in-person and remote attendees, when addressing the Board, please give your name for the record prior to your presentation. If you wish to speak on a matter not on the agenda, please wait until the President calls for public input on items not on the agenda. Items set for a certain time on the agenda may not be heard earlier than the time listed on the agenda and may not be called at exactly the time indicated on the agenda, depending on the business of the Board. NOTE: Only matters within the Board of Supervisors' jurisdiction may be addressed. Time limitations shall be at the discretion of the President of the Board.

REMOTE/TELECONFERENCE PARTICIPATION: Members of the public may observe and participate in meetings remotely via teleconference by following the instructions in the TELECONFERENCING GUIDELINES posted on-line at: https://www.acgov.org/board/bos_calendar/documents/TeleconferencingGuidelines-Planningmeeting.pdf. To simply observe the meeting via live broadcast visit: <http://acgov.org/board/broadcast.htm>

Pursuant to Board Policy: (1) Signs that obstruct the view of meeting attendees are prohibited during Board meetings; (2) Demonstrations that disrupt the meeting are prohibited; (3) Each Board Member may request one continuance of any item to a meeting date within two regularly scheduled meetings. If you have questions regarding the agenda, please call the Clerk of the Board's Office at (510) 208-4949.

If you require the use of an assistive listening device, please ask the Clerk for a personal sound receiver. If you require a reasonable modification or accommodation for a disability, please contact the Clerk of the Board 24 hours prior to the meeting date at CBS@acgov.org or call (510) 208-4949 or (510) 834-6754 (TDD). The Board of Supervisors' meeting sites are wheelchair accessible. If you require language interpretation services, please contact the Clerk of the Board 72 hours prior to the meeting start time.

The agenda, reports and supporting documents are available for public inspection online at <https://bos.acgov.org/broadcast/> and in the Clerk of the Board's Office. Writings that are public records relating to an open session item on the agenda that are distributed to all or a

majority of the Board of Supervisors, less than 72 hours prior to the meeting or during the meeting, are made available for public inspection at the meeting if prepared by the County, or after the meeting if prepared by some other person. Documents are available for public inspection at the Clerk of the Board Office 1221 Oak St., Suite 536, Oakland, CA 94612 during normal business hours.

Levine Act — Campaign Contributions (Government Code Section 84308). As of January 1, 2023, the Levine Act (Government Code Section 84308) applies to Board of Supervisor proceedings involving a license, permit, or other entitlement for use Pursuant to Government Code Section 84308, no Board member shall accept, solicit, or direct a contribution of more than \$250 from any party or their agent, or from any participant or their agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the County or for 12 months after a final decision is rendered in that proceeding. Any Board member who has received a contribution of more than \$250 within the preceding 12 months from a party or their agent, or from a participant or their agent, shall disclose that fact on the record of the proceeding and shall not make, participate in making, or in any way attempt to use their official position to influence the decision. Pursuant to Government Code Section 84308(d), any party to a covered proceeding before the Board is required, and any participant to such a proceeding is strongly urged, to disclose on the record of the proceeding any contribution, including aggregated contributions of more than \$250 made within the proceeding 12 months by them or their agent to any Board member. The disclosure must include the name of the party or participant and any other person making the contribution, if any; the name of the recipient; the amount of the contribution; and the date the contribution was made. The disclosure shall occur in the manner required by Government Code Section 84308 and any applicable state or local regulations, opinions, or policies. No party or their agent, and no participant or their agent, shall make a contribution of more than \$250 to any Board member during the proceeding or for 12 months after a final decision is rendered in that proceeding. The foregoing statements regarding the Levine Act do not constitute legal advice, and parties and participants are urged to consult with their own legal counsel regarding the requirements of the law.

10:00 A.M.

CALL TO ORDER AND SALUTE THE FLAG

1. APPROVE THE MINUTES OF PLANNING MEETING – MAY 11, 2023

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION

2. Significant exposure to litigation pursuant to Subdivision (d)(2) of Government Code § 54956.9 (one case).

CONSENT CALENDAR

3. Approve record of cost of abatement and authorize assessment liens on properties in violation of abatement orders under the Neighborhood Preservation Ordinance.

Attachment

4. **APPROVE ALAMEDA COUNTY LIVESTOCK PASS PROGRAM** - Authorize the Alameda County Agricultural Commissioner to establish a Livestock Pass Program for the purpose of issuing identification documents to qualified commercial livestock producers when a disaster event is declared.

Attachment

5. **ADOPT A RESOLUTION APPROVING THE 2021 GENERAL PLAN ANNUAL REPORT AND HOUSING ELEMENT ANNUAL REPORT** – Government Code Section 65400 requires an annual report that addresses the status of the General Plan and progress in its implementation

Attachment

REGULAR CALENDAR

6. **PLN#2017-00194, CONDITIONAL USE PERMIT, MONTE VISTA MEMORIAL INVESTMENT GROUP, LLC** Action documents and correspondence pertaining to the following appeal items A and B.

Attachment Resolution

Attachment Appeal Letters/Greenfire Law/Briscoe Ivester & Bazel LLP

Attachment Responses from Applicant

Attachment Support Letters

Attachment Planning Commission Staff Report and Minutes

Attachment Exhibit A – CEQA Findings of Fact

Attachment Exhibit B - Mitigation Monitoring Reporting Program (MMRP)

Attachment Exhibit C - Approved Plan Set

Attachment Final EIR/Response to Comments

- A. **APPEAL BY FRIENDS OF LIVERMORE, AND FRIENDS OF OPEN SPACE AND VINEYARDS OF THE DECISION OF THE PLANNING COMMISSION** to certify the Final Environmental Impact Report and approve an application to construct a project in two phases consisting of a public cemetery, crematorium and funeral service support buildings of approximately 20,000 square feet on 47 acres of a 100-acre site located at 3656 Las Colinas Road (APN: 99-15-16-3). Pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) has been prepared for this project and was made available for public comment between January 13 and February 28, 2022. The action requested includes certifying the EIR, adopting a Mitigation and Monitoring Reporting Program and making findings pursuant to CEQA as well as for the Conditional Use Permit.

Planning Commission’s decision: Certified the EIR and approved the project

Staff recommendation: Adopt a resolution denying the appeal, certifying the EIR, adopting a Mitigation and Monitoring Reporting Program and making findings pursuant to CEQA and for the CUP.

Attachment

- B. **APPEAL BY THE CITY OF LIVERMORE OF THE DECISION OF THE PLANNING COMMISSION** to certify the Final Environmental Impact Report and approve an application to construct a project in two phases consisting of a public cemetery, crematorium and funeral service support buildings of approximately 20,000 square feet on 47 acres of a 100-acre site located at 3656 Las Colinas Road (APN: 99-15-16-3). Pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) has been prepared for this project and was made available for public comment between January 13 and February 28, 2022. The action requested includes certifying the EIR, adopting a Mitigation and Monitoring Reporting Program and making findings pursuant to CEQA as well as for the Conditional Use Permit.

Planning Commission’s decision: Certified the EIR and approved the project

Staff recommendation: Adopt a resolution denying the appeal, certifying the EIR, adopting a Mitigation and Monitoring Reporting Program and making findings pursuant to CEQA and for the CUP.

Attachment

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

PUBLIC INPUT

ADJOURNMENT